

Rochester police carry new taser guns

Staff

Wednesday, November 27, 2002

Rochester police are now carrying new taser guns and Captain Jim Pittenger says they're yellow and have a different grip from the handguns.

The change comes after a police officer shot a Rochester man in the back nearly three months ago. Investigators ruled the shooting accidental.

Officers were trying to subdue Christofar Atak in Northwest Rochester when one of the officers pulled the handgun thinking it was the taser.

Chief Roger Peterson says it happened because the old tasers look and feel like handguns.

As far as policy changes, Pittenger says officers will carry the tasers on the opposite side of the body from where the handgun is.



Police armed with new Taser guns

A new policy and new Taser stun guns are now in use by the Rochester Police Department. The changes follow a review of department procedures and equipment made after a city man was shot by a police officer who thought he had fired his electric stun gun instead of his handgun.

Thursday, November 28, 2002

KXLT FOX News

Investigation: Rochester Shooting An Accident

Kendra Oestreich

Thursday, September 12, 2002

Rochester, MN -- We now know more about what happened the night of September 2nd, when a Rochester police officer shot a sudanese man in Northwest Rochester.

Thursday afternoon the Rochester Police Department released the results of the Bureau of Criminal Apprehension's investigation surrounding the shooting.

The report says two Rochester police officers were called out to a disturbance at Brandywine apartments last Monday night. Police Chief Roger Peterson says officers were called because a man - the man who was ultimately shot, Christofar Atak, had too much to drink, was breaking things, and fighting with his brother.

The BCA investigation shows Officer Remling was driving toward Brandywine Apartments when Christofar jumped in front of the cop car and Officer Remling had to break suddenly to avoid hitting him.

The report says Officer Remling got out of the car and Christofar was threatening suicide saying "I want to die."

As another car came closer, Christopher stood in the middle of the road, but Officer Remling pulled him out of the way. That's when the Officer Siem pulled up in the second cop car. The report says there was some type of struggle going on, and that's why Officer Siem took his taser gun with him. The taser is a weapon used to temporarily stun people, so they're not able to move.

Investigators say the officers told Christofar to put his hands on the car a number of times.

Officer Siem tried to pull what he thought was his taser out of his pocket. He put the weapon to Christofar's back - like Chief Peterson says he was trained to do with a taser - but, what he pulled out wasn't his taser, infact it was his gun.

"He accidentally grabbed his firearm," says Chief Peterson. He was unaware of this due to the similar handle and trigger configuration and could not see the weapon."

Chief Peterson says Siem's firearm was in his holster and the taser he was carrying was in his cargo pocket below. "We do know the taser was on the ground, because he was in a contorted position and struggling to control Atak he used what he felt and he believed was his taser - that's reasonable under that circumstance."

Chief Peterson says the two officers involved, who have been on administrative leave during the investigation, are able to return to work when they're personally ready.

The Chief also says the Police Department will do an internal investigation and will mainly focus on police officer procedure and look at how to prevent something like this from ever happening again.

The Bureau of Criminal Apprehension is asking for your help in this case. Investigators say they are looking for witnesses who might have heard screeching tires about five minutes before the gunshot was heard. If you have information on a car screeching its tires at the intersection of 50th Street and 18th Avenue Northwest on September 2nd, they're asking you to call the Rochester Police Department at 285-8580.

Christofar's family says Thursday night he is still in the hospital. Infact Chief Peterson says he went to his room Thursday afternoon to personally apologize what what happened and explain the investigation results.

Questions involving findings from police shooting

KXLT FOX News Staff

Friday, September 13, 2002

The Bureau of Criminal Apprehension has concluded the incident--involving the shooting of a Sudanese man by Rochester--was accidental--when officer Greg Siem pulled out his firearm--thinking it was a taser. But some wonder if something like this could have been prevented.

Rochester P-D is looking at many possibilities to try to prevent anything like this from happening. The taser and firearm are very similiar--so to make a clear distinction between the two--ideas have been tossed around from changing the feel of the taser to changing its shape.

Chief Peterson says they are looking at the training policies as well. However, coming up with a solution is not as easy as you would think.

The design of the taser is the result of a lot of research in police work. And as for changing the feel--according to the training officer--in stressful situations--officers sometimes lose feeling in their hands. So it's not as easy as it sounds--but they are still looking into it. HELP!!!!

Police shooting case gets another review

Staff

Wednesday, September 25, 2002

The shooting investigation involving a Rochester police officer gets another review starting Wednesday. Ramsey County attorneys got the Bureau of Criminal Apprehension's report--and will review it to see if any charges should be filed.

Officer Greg Siem shot Christofar Atak about a month ago. The B-C-A's investigation showed the shooting was accidental--Officer Siem thought he was using a taser gun. The police department is also doing an internal investigation.

Man shot by police released from hospital

Staff

Monday, September 30, 2002

The man shot by a Rochester police officer is out of the hospital. Christofar Atak came home to his parents apartment last Thursday. He's better but not completely healed.

Atak says the bullet fired by Officer Greg Siem on Labor Day damaged Atak's stomach, kidney, liver and colon. The Bureau of Criminal Apprehension ruled the shooting accidental. Officer Siem thought he was using a taser gun.

Doctors removed part of Atak's colon--his waste now goes through a tube. He'll undergo a third surgery in the next few weeks. Atak's lawyer Bill French advised him not to talk about that night. French says he wants to review the BCA report first--to see if they will sue the police department.

Rochester Police Chief talks about police shooting case

Kendra

Monday, September 30, 2002

Although the Rochester Police Department feels sorry for the way Christofar Atak is feeling--they are still sticking with the BCA's investigation that shows officer Greg Siem was actually trying to save Christofar.

"They were there because the person was trying to committ suicide by jumping in fornt of vehicles and was combative when officers got there--and those are circumstances that lead up to this incident," said Roger Peterson, Rochester Police Chief.

And because the investigation shows Siem didn't mean to hurt Christofar--the officer is now back to work.

"Punishment is appropriate when there's malicious intent and clearly in this case that's not what we're talking about here," Peterson said.

The mistake of grabbing the gun versus the tgaser--making an obvious distinction is now something the department is taking very seriously.

"The bottom line is we don't want it to happen again," Peterson explained.

So the department is working with the supplier to make these changes--and quickly without costing the city a fortune.

"We're currently looking at options how the taser can be modified both visually and tactily so you can tell the difference under any circumstance," Peterson said.

The Ramsey County Attorney's Office is still looking at the BCA's conclusion that the shooting was accidental--and make the final decision if any charges should be filed. Chief Peterson says until that's wrapped up--the Rochester Police Department really can't go forward with its investigation. But says it will be an internal investigation--and results will be just that--internal.

Rochester Police Department Press Release

There has been considerable news coverage regarding the events of September 2nd that have served to encourage widespread rumor and unrest in our community. Adding to this was an article published in the Post Bulletin on September 4th in which it was reported that the Bureau of Criminal Apprehension's investigation into this incident would take six weeks to several months. This was not consistent with our experience with the BCA, nor was it consistent with the time frame indicated by investigators involved in the case. An inquiry made to the supervising agent quoted in that article revealed that he had refused to discuss this case, but answered questions regarding general policy and had indicated that for the felony level cases the BCA becomes involved in, such as a homicide, six weeks of investigation and forensic work was not an unreasonable expectation. This information was then used as a time estimate for the investigation into the events of September 2nd. This was not accurate.

The release of information from our Department is predicated on two factors: First, we will release information only when we have facts relevant to a given incident. We will not offer speculation or conjecture in lieu of facts in order to respond more quickly. Second, we will not release information until we can do so without compromising an ongoing investigation.

The Bureau of Criminal Apprehension has recently advised us that their investigation is substantially complete, and that the information included in this release will not compromise further investigative efforts. It is expected that the BCA will submit their investigative reports to the Ramsey County Attorney's Office for their review in the near future.

The chronology of events in this case, as determined by the Bureau of Criminal Apprehension, are as follows:

At about 8:40 p.m., September 2, 2002, the Rochester Police Department responded to the report of a domestic disturbance at a residence in the 1600 block of 50th St. N.W. The nature of the call was there was a man at the apartment who had too much to drink, was damaging property, and was fighting. The man who was the subject of the complaint was later identified as Christofar Maror Atak.

Upon receiving the call for help, two Rochester police officers responded to an address located at 1601 50th St. N.W. When the first officer, Officer Remling, drove closer to the scene, Mr. Atak, jumped in front of the officer's vehicle and Officer Remling had to brake suddenly to avoid hitting him. Officer Remling got out of his squad car and saw Mr. Atak standing in the roadway. Mr. Atak was threatening suicide saying, "I want to die". As another vehicle approached from the north Mr. Atak stood in the middle of the road and Officer Remling pulled him out of the roadway to prevent him from being harmed.

The second officer, Officer Siem, was driving behind Officer Remling and observed him brake suddenly. He then saw Officer Remling exit his vehicle and pull Mr. Atak from the roadway as another car was approaching their location. Officer Siem could see that Officer Remling was involved in a physical confrontation with Mr. Atak and that Mr. Atak was obviously quite agitated. Because of this, he took a Taser with him as he exited his squad car. A Taser is a defensive weapon that is effective in resolving situations involving combative subjects in a manner that does not result in injury. It is not intended to cause harm, but to temporarily incapacitate a subject so they can be controlled. Officer Siem believed he placed the Taser in the right cargo pocket of his uniforms pants.

Officer Remling was attempting to gain control of Mr. Atak and take him into custody due to his suicidal behavior but was unable to do so. Officer Siem joined officer Remling in this attempt and both officers repeatedly told Mr. Atak to place his hands on the squad car. Mr. Atak refused to do so and became combative as officers tried to handcuff him. Officer Siem, recognizing that they could not gain control of Mr. Atak, attempted to draw the Taser from his cargo pants pocket while Mr. Atak continued to struggle. He instead accidentally grabbed his firearm. He was unaware of this due to the similar handle and trigger configuration of the Taser and his firearm, and the fact that he could not see the weapon while struggling with Mr. Atak. He placed the weapon in proximity to Mr. Atak's back in accordance with the recommended use of a Taser and discharged it. At that point, Officer Siem immediately recognized that he had discharged his firearm instead of the Taser. Officer Siem and Remling immediately summoned medical assistance and provided medical aid to Mr. Atak.

While officers had no intent to cause injury to Mr. Atak, we deeply regret the fact that this occurred. We extend our sincere apologies to Mr. Atak and his family and our thoughts and prayers go out to them as well as to the officers involved.

The BCA has asked for the assistance of the public in regard to locating a potential witness. Many people have reported that they heard the loud screeching of tires in the area of 50th and 18th Avenue N.W. on the evening of the shooting approximately five minutes before the gunshot was heard. Anyone with information concerning a vehicle that was screeching its tires at the intersection of 50th and 18th Avenue N.W. the evening of September 2, 2003 at approximately 8:41 is asked to call the Rochester Police Dpt. Communications Center at 285-8580.



BCA says officer thought he was using stun gun when he shot man

Associated Press

Sept 14, 2002

ROCHESTER, MN -- A Rochester police officer thought he was using a stun gun when he fired a bullet into the back of a man he was trying to subdue, the state Bureau of Criminal Apprehension has concluded.

Rochester Police Chief Roger Peterson said the BCA investigation found that officer Greg Siem, a six-year veteran with the department, was trying to subdue Christofar Atak on Sept. 2 when he accidentally used his handgun instead of his Taser, a nonlethal device that uses an electric shock to incapacitate a person.

Peterson said Siem shot Atak once, then dropped his pistol and called for medical help.

Atak was listed in fair condition Friday at St. Marys Hospital. Peterson said he spoke Thursday with Atak to explain the BCA's findings and formally apologize.

He said both officers, who have been on administrative leave since the shooting, can return to work when they are ready.

William L. French, an attorney hired by Atak's family, declined to comment Friday on the results of the BCA investigation. French said he and another attorney, Steven Fuller, will do their own investigation.

Atak, 31, is a refugee from Sudan.

The police chief said Siem and officer Doug Remling responded the evening of Sept. 2 to a report of an intoxicated Atak fighting and damaging property.

Peterson said Remling was trying unsuccessfully to restrain Atak and Siem became involved in the scuffle. Both officers told Atak an estimated 10 times to place his hands on the squad car. The chief said that each time the officers tried to handcuff Atak, the man fought back.

Siem grabbed what he thought was the Taser, Peterson said. Instead, he had grabbed his handgun, with which he shot Atak once.

The Taser was found on the ground near the squad cars.



BCA says officer thought he was using stun gun when he shot man
Friday September 13, 2002

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Peterson said Siem shot Atak once before realizing his mistake, then dropped his pistol and called for medical assistance.

Atak, who remains hospitalized, was listed in fair condition Friday at Saint Marys Hospital. Peterson said he spoke Thursday with Atak to explain the BCA's findings and formally apologize.

"I think the issue for the community has always been whether this was accidental or intentional," Peterson said. "We know now that this was accidental."

He said both officers, who have been on administrative leave since the shooting, can return to work when they are ready.

William L. French, an attorney hired by Atak's family, declined to comment Friday on the results of the BCA investigation. French said he and another attorney, Steven Fuller, will do their own investigation.

"It's a very unfortunate incident," French said.

Atak came to the United States as a refugee of civil war from Sudan.

"This family moved to get away from violence and they find themselves right back in it," French said.

The police chief said both Siem and officer Doug Remling responded the evening of Sept. 2 to a report of an intoxicated Atak fighting and damaging property.

Remling was the first on the scene. As Remling drove up, Peterson said, Atak, 31, jumped in front of the squad car. Remling stopped, got out of his car and approached Atak. Peterson said Remling then heard the man threaten suicide. From another squad car, Siem watched as Remling and Atak started scuffling.

As Siem left his vehicle, Peterson said, he took a Taser from the vehicle and placed it in his right-hand pants pocket. The Tasers used by Rochester police are similar in shape to handguns.

Peterson said Remling continued to try to restrain Atak but was unsuccessful. Siem then became involved in the scuffle, Peterson said, and both officers told Atak an estimated 10 times to place his hands on the squad car. The chief said that each time the officers tried to handcuff Atak, the man fought back.

At one point, Siem grabbed what he thought was the Taser, Peterson said. Instead, Siem had grabbed his handgun and removed it from its holster. Believing the handgun to be the Taser, Siem pointed it at Atak's back while Atak was being held against a squad car. Peterson said Siem then shot Atak once in the back.

The chief said it is possible the Taser that Siem had earlier placed in his pocket was knocked from him during the scuffle. The Taser was found on the ground near the squad cars.

"While officers had no intent to cause injury to Mr. Atak, we deeply regret the fact that this occurred," Peterson said. "We extend our sincere apologies to Mr. Atak and his family and our thoughts and prayers go out to them as well as to the officers involved."



Police Say Man Shot by Mistake

The Bureau of Criminal Apprehension has concluded that a Rochester police officer shot a man by mistake because he thought he was using a stun gun when he fired a real bullet into the man's back.

Officer Greg Siem was trying to subdue 31-year-old Christofar Atak when he accidentally used his handgun instead of his Taser on September Second. Police Chief Roger Peterson says Siem shot Atak once before realizing his mistake. Siem then dropped his pistol and called for medical assistance.

Attorney William French has been hired by Atak's family. He declined to comment on the results of the bureau's investigation. French said he and another attorney, Steven Fuller, will be doing their own investigation.

Authorities say the shooting happened as Siem and another officer were trying to restrain Atak after responding to a report that he was fighting and damaging property.



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The design of the taser is the result of a lot of research in police work. And as for changing the feel--according to the training officer--in stressful situations--officers sometimes lose feeling in their hands. So it's not as easy as it sounds--but they are still looking into it.



Cop mistakenly fired handgun instead of stun gun into man

Associated Press

September 13, 2002

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