



MINNESOTA POLICE AND PEACE OFFICERS ASSOCIATION

Governor Tim Walz
130 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, Minnesota 55155

April 3, 2024

Re: *State of Minnesota v. Ryan Patrick Londregan*, Case No. 27-CR-24-1844 (4th Jud. Dist.)_

Dear Governor Walz,

We wrote you on March 15, 2024, and requested that you reassign the case *State of Minnesota v. Ryan Patrick Londregan* (Prosecutor Case No. 23A11299) from the Hennepin County Attorney's Office ("HCAO") immediately and that the Minnesota Attorney General's Office assume responsibility for the case. Recent events have now made this request even more imperative. As is described below, not only has the HCAO's own use-of-force expert stated that Trooper Londregan acted reasonably, but now *each* of Trooper Londregan's State Patrol trainers has provided the defense with sworn declarations stating that Trooper Londregan (1) acted in accordance with his training; and (2) did not violate the Minnesota State Patrol's use-of-force policy.

To best understand the importance, weight, and urgency associated with our request, we respectfully provide a brief overview of recent events.

A. HCAO Ignores Its Own Use-of-Force Expert

As you know, on September 19, 2023, Hennepin County Attorney Mary Moriarty issued a written press release stating that the HCAO received the investigative file regarding Ricky Cobb II's death. In the same press release, Ms. Moriarty stated that the HCAO engaged a "use-of-force expert," and that expert was "critical" to the charging process. We now know that use-of-force expert was Jeffrey Noble, a former law-enforcement officer based in California who had previously consulted with both Hennepin County and Ramsey County on other critical incidents.

On October 13, 2023, Mr. Noble told seven members of the HCAO, including Ms. Moriarty and Mark Osler, Deputy Hennepin County Attorney and Director of its Criminal Division, that "a reasonable officer in Trooper Londregan's position would have perceived that Trooper [Brett] Seide was in danger of death or great bodily harm, specifically from being dragged by the vehicle as it continued to accelerate" and that Trooper Londregan's use of force was reasonable under the circumstances to protect Trooper Seide from that threat.

Despite its press release that the use-of-force expert's opinion was "critical" to the charging process, on January 24, 2024, the HCAO ignored Mr. Noble and charged Trooper Londregan with first-degree assault, manslaughter, and murder. Two days later (on January 26, 2024), the lead HCAO prosecutor called Mr. Noble. He told Mr. Noble to stop working.

The HCAO and others have argued that Mr. Noble's opinions were "preliminary." This argument is specious. *First*, the HCAO engaged Mr. Noble and provided him the information it deemed relevant. Therefore, it is disingenuous for the HCAO to contend that Mr. Noble's opinion was "preliminary" when the HCAO controlled what Mr. Noble received and when he received it. *Second*, the HCAO drafted the October 13, 2023 statement. During motion practice, Trooper Londregan's defense team showed that the HCAO altered the October 13, 2023 statement on February 13, 2024—*four months after* seven HCAO representatives spoke to Mr. Noble. Notably, February 13, 2024 is the same day the court held a hearing to discuss the HCAO's motions for protective orders which sought to restrict public access to discovery materials. Trooper Londregan's defense team has shown several other serious misrepresentations that the HCAO has made to the Court, including (a) how the HCAO claimed on February 1 that Trooper Londregan "committed additional offenses on other occasions" and then retracted that filing on February 2 when Trooper Londregan's defense team threatened to file a motion for sanctions; and (b) how it contrived allegations regarding "Trainer A" in its Criminal Complaint (described below). Accordingly, we are left to rely on the HCAO's integrity, which has already been shown to be absent. *And third*, and perhaps most importantly, it is clear from the timeline that the HCAO manufactured its own argument in this regard. That is, the HCAO withheld grand jury transcripts from Mr. Noble to guarantee its future argument that Mr. Noble's opinion was "preliminary" and based on "incomplete" information *after* he had already relayed his opinion that Trooper Londregan acted reasonably. Based on this information, it would be difficult for anyone to not agree, the HCAO attempted to bury their "critical" expert.

B. The HCAO's Statements That Mr. Noble Did Not Understand Minnesota Law

In one of its many press releases regarding this case, the HCAO claimed that everyone should discount Mr. Noble's use-of-force opinion because he did not understand Minnesota law.¹

¹ See, e.g., Lou Raguse, Court Filing: *Prosecution force expert believed Trooper Ryan Londregan committed no crime*, KARE-11 (Mar. 11, 2024) (HCAO's Communications Director Nicholas Kimball stated "'Specifically, [Noble] stated that he did not know the new use of force legal standard in Minnesota or how to interpret it...'" (found at <https://www.kare11.com/article/news/local/courts-news/court-filing-prosecution-force-expert-believed-trooper-ryan-londregan-committed-no-crime-marv-moriarty/89-a79bce96-9644-41ce-97f5-9189d772a7c7>); Kim Hyatt & Andy Mannix, *Prosecutors ignored expert who found no criminal conduct in state trooper murder case, defense attorney says*, StarTribune (Mar. 12, 2024) (HCAO's Communications Director Nicholas Kimball stated "'Specifically, [Noble] stated that he did not know the new use of force legal standard in Minnesota or how to interpret it...'" (found at <https://www.startribune.com/defense-attorney-prosecutors-ignored-expert-who-found-no-criminal-conduct-in-state-trooper-murder-case/600350237/>); Paul Blume, *Ricky Cobb II shooting: New questions about police use-of-force expert*, FOX-9 (Mar. 11, 2024) (HCAO's Communications Director Nicholas Kimball stated "'Specifically, [Noble] stated that he did not know the new use of force legal standard in Minnesota or how to interpret it...'" (found at <https://www.fox9.com/news/ricky-cobb-ii-shooting-new-questions-about-police-use-of-force-expert>); Matt Sepic, *Citing prosecution expert, defense attorneys say*

However, on March 20, 2024, Ramsey County Attorney John Choi and Minnesota Attorney General Keith Ellison jointly announced “criminal charges [were] not warranted” in the death of Yia Xiong in February 2023. As part of that review, Ramsey County and the Minnesota Attorney General’s Office used Mr. Noble as their use-of-force expert. On page 5 of his report, Mr. Noble cited and quoted Minnesota Statute § 609.066, the relevant Minnesota statute applicable to deadly force used by peace officers in Minnesota.

Yet again, the HCAO has not told the truth. Instead, and despite the HCAO’s repeated statements that this case belongs to be tried in the courtroom, Ms. Moriarty has tweeted about this case—again and again.²

C. The Criminal Complaint: Sergeant Jason Halvorson & “Lies By Omission”

In its Criminal Complaint filed January 24, 2024, the HCAO’s statement of probable cause rests on one person, and one person alone: “Trainer A.” Specifically, the HCAO’s Criminal Complaint against Trooper Londregan provides:

[Minnesota Bureau of Criminal Apprehension (“BCA”)] agents attended an interview with the State Patrol’s lead use-of-force trainer, Trainer A, who provided use-of-force training to the Defendant and Trooper A. Trainer A was asked whether a reasonable officer would believe that pointing a gun at a fleeing driver and yelling at the driver to stop would cause the driver to stop. Trainer A said, “No.” Trainer A was asked, “Would it be foreseeable to expect the exact opposite, meaning [the driver] would continue to leave?” Trainer A responded, “That was probably his intention was to flee the area, so he’s gonna keep going in that direction away from me.”

(Criminal Complaint at 3.) Mr. Osler signed the Criminal Complaint. (*Id.* at 6.)

On March 19, 2024, Sergeant Jason Halvorson signed a sworn declaration. (Declaration of Sergeant Jason Halvorson (Mar. 19, 2024).) It is enclosed with this letter.

trooper Ryan Londregan ‘committed no crime, MPR News (Mar. 11, 2024) (“Kimball added that the expert admitted not knowing about Minnesota’s new deadly force law and acknowledged needing more information.”) (found at <https://www.mprnews.org/story/2024/03/11/citing-prosecution-expert-defense-attorneys-say-trooper-ryan-londregan-committed-no-crime>).

² See, e.g., Mary Moriarty Twitter (Mar. 28, 2024) (three tweets) (found at <https://twitter.com/MaryMoriarty/status/1773532945921278083>); Mary Moriarty Twitter (Mar. 26, 2024) (three tweets) (found at <https://twitter.com/MaryMoriarty/status/1772775156005376070>); Mary Moriarty Twitter (three tweets) (Mar. 25, 2024) (three tweets, in two separate posts) (found at <https://twitter.com/MaryMoriarty/status/1772239348152275207> and <https://twitter.com/danielmedwed/status/1772225858037518481>); Mary Moriarty Twitter (Mar. 24, 2024) (one tweet) (found at https://twitter.com/akela_lacy/status/1772018453437669381).

Sergeant Halvorson has a total of 29 years' experience as a licensed peace officer in the State of Minnesota. (*Id.* at ¶ 2.) He has been employed by the Minnesota State Patrol for 25 years. (*Id.* at ¶ 3.) He is currently a Sergeant and serves as a use-of-force coordinator for the Minnesota State Patrol Training and Development Section. (*Id.* at ¶ 5.) His duties include the creation of lesson plans for the agency that follow post-mandated training. (*Id.* at ¶ 6.) He also ensures the training and recurrent training of the Minnesota State Patrol's current troopers following the same mandates. (*Id.* at ¶ 7.)

Sergeant Halvorson served as the use-of-force training coordinator for a total of 10 years. (*Id.* at ¶ 8.) He was the use-of-force coordinator for the 63rd and 65th training academies which were attended by Troopers Londregan and Seide. (*Id.* at ¶ 9.)

In this declaration, and among other things, Sergeant Halvorson swore, under oath, to the following:

- He is "Trainer A" in the Criminal Complaint (*id.* at ¶ 19);
- ***That the author of the Criminal Complaint "lied by omission"*** (*id.* at ¶ 22);
- That the portion that HCAO attributed to Sergeant Halvorson in the Criminal Complaint "reveals that this question was posed to me as a hypothetical involving myself performing a single trooper stop, and therefore is not applicable to the facts of the Londregan case" (*id.* at ¶ 23);
- That "[t]he truth in this matter is that I went on to explain that choice of actions in this context are 'situationally dependent'" (*id.* at ¶ 24);
- "The author of the complaint (signed by Mr. Osler) has cherry-picked one sentence from a 37-page interview transcript and excluded critical facts and context thereby ***purposefully misleading the reader of the complaint***" (*id.* at ¶ 27);
- That "Trooper Londregan acted in accordance with his training" (*id.* at ¶ 34); and
- That "Trooper Londregan did not violate the use-of-force General Orders including, but not limited to[,] the use-of-force policy found at § 10-027" (*id.* at ¶ 35).³

In response to this declaration, the HCAO issued one of its many press releases in the *Londregan* case. In a March 21, 2024 statement to WCCO News, the HCAO implied that Sergeant Halvorson's grand-jury testimony still supported its case against Trooper Londregan.⁴ But during

³ The Minnesota State Patrol's use-of-force policy, found at § 10-027 of its General Orders, mirrors Minnesota's use-of-force statute applicable to Minnesota law enforcement. *See* Minn. Stat. § 609.066.

⁴ *See* Mackenzie Lofgren & Reg Chapman, WCCO News, *Minnesota State Patrol's use-of-force expert says trooper who killed Ricky Cobb II "acted in accordance with training,"* (Mar. 20, 2024) ("The affidavit filed by the defense notably doesn't reference evidence revealed during the Grand Jury, during which Sergeant Halvorson testified. As the defense knows, the law prevents us from revealing Grand Jury evidence at this stage of the proceedings, and also prevented this information from being included in the complaint.") (found at <https://www.cbsnews.com/minnesota/news/minnesota-state-patrol-use-of-force-expert-weighs-in-on-ricky-cobb-ii-case/>).

a March 21, 2024 hearing, Trooper Londregan's attorneys told the Court that Sergeant Halvorson and his lawyer would be pleased to make his grand-jury testimony public. The HCAO, of course, refuses to do so.

D. Each Substantive Grand-Jury Witness Has Sworn Trooper Londregan Acted Reasonably Under the Circumstances and Committed No Crime.

In the defense's brief pertaining to Jeffrey Noble, it quoted an email from the lead HCAO prosecutor in this case to Mr. Noble regarding each witness who testified before the grand jury relating to the Trooper Londregan case. (Trooper Londregan's Brief Pertaining to Jeffrey Noble at page 11 (Mar. 11, 2024).) In this email, the HCAO indicated that six witnesses testified before the grand jury:

1. Sergeant Jason Halvorson
2. Trooper Brett Seide
3. Trooper Garrett Erickson
4. Lieutenant Jonathan Wenzel
5. Sergeant Troy Morell
6. BCA Agent Thomas Roth

(*Id.*) Each of these individuals is addressed below.

1. Sergeant Jason Halvorson

Sergeant Jason Halvorson is addressed above. He swore, under oath, that Trooper Londregan acted in accordance with his training and violated no Minnesota State Patrol use-of-force policy. (*See* above.)

2. Trooper Brett Seide

In addition to Troopers Londregan and Garrett Erickson, Trooper Brett Seide was one of the three Minnesota State Patrol Troopers on the scene on July 31, 2023. He provided a statement to the BCA. It states, among other things:

- Trooper Seide entered Cobb's vehicle to physically remove him from the vehicle. With his upper body inside the vehicle, the vehicle lurched forward as Trooper Seide attempted to gain physical control of Cobb. Around this time, Trooper Seide heard Trooper Londregan yell at Cobb to "get out of the car now."
- "I then could feel the vehicle accelerate forward. As the vehicle accelerated, I started feeling myself getting pulled with the vehicle. I feared for my safety and my life as Cobb accelerated with me half inside the vehicle. My upper torso was inside the car while my legs and feet were outside. As the vehicle increased speed I tried run alongside so as not to fall and get run over. At that time, I knew that Trooper Londregan and I were in danger of being run over

by Cobb's car, being hit by an oncoming car on the highway, or otherwise being dragged away at a high rate of speed. Any of these scenarios were extremely dangerous and would likely lead to serious injuries or death to of any of us. During this time, I heard at least one gunshot. I continued to try and maintain my balance as Cobb accelerated with the hopes of apprehending him. However, Cobb continued to speed up and eventually I lost my footing and fell violently to the ground."

- "Cobb's conduct was terrifying, dangerous, and lethal force was needed before he could kill me and Trooper Londregan. Cobb posed an enormous threat to public safety."

And on December 7, 2023, HCAO interviewed Trooper Seide. During this interview, Trooper Seide stated, "I do know that Trooper Londregan saved, saved my life in, in using force."

3. Trooper Garret Erickson

As stated above, Trooper Garrett Erickson was one of the three Minnesota State Patrol Troopers on the scene on July 31, 2023. He also provided a statement to the BCA. It states, among other things:

- "As soon as Trooper Seide opened the door, I observed the vehicle begin to move forward. Trooper Seide struggled with him inside the vehicle. The vehicle stopped for a short period of time then began to accelerate. The second time the vehicle began to accelerate, it visually appeared to be at a much higher rate of speed. It became clear that [Cobb] was attempting to drive the vehicle away from the scene. I observed Trooper Seide being pulled by the vehicle as it was driving away. From the position in which I was standing, I was unsure if Trooper Seide was holding onto [Cobb] or if he somehow stuck inside the vehicle. Due to the fact that Trooper Seide was inside the vehicle, I was concerned that Trooper Seide was in an extremely vulnerable position. I feared for Trooper Seide's life because he could fall out and be run over, or that Trooper Seide would be trapped in the vehicle for an unknown amount of time traveling down the freeway. I could hear what I believed to be three gunshots from inside the vehicle."
- "I observed Trooper Seide fall out of the vehicle onto the roadway from the driver's side. Trooper Seide was not able to stay on his feet and fell onto the freeway. I also observed Trooper Londregan fall out of the vehicle on the passenger side. Trooper Londregan also was not able to stay on his feet and fell onto the ground."

4. Lieutenant Jonathan Wenzel

On March 29, 2024, Lieutenant Jonathan Wenzel signed his declaration relating to this case. It is enclosed.⁵

Lieutenant Wenzel has been a licensed peace officer in the State of Minnesota since September 3, 2014. (Declaration of Lieutenant Wenzel Jonathan Wenzel at ¶ 2 (Mar. 29, 2024).) He previously worked for the Osakis Police Department and has been employed by the Minnesota State Patrol since 2015. (*Id.* at ¶ 3.) He is currently a Lieutenant for the Minnesota State Patrol. (*Id.* at ¶ 4.) In addition to other duties, he has served as a firearms instructor and firearms coordinator for the Minnesota State Patrol Academy. (*Id.*) He completed the 40-hour Minnesota State Patrol Firearms Instructor Course and subsequent courses put on by certain firearm manufacturers and training groups. (*Id.* at ¶ 5.)

As a firearms coordinator, Lieutenant Wenzel worked to ensure that cadets and troopers were proficient in the handling and operation of firearms. (*Id.* at ¶ 6.) He also worked to ensure that trainees met the requirements established by the Peace Officer Standards & Training (“POST”) Commission for firearm training and evaluation. (*Id.*)

Lieutenant Wenzel stated that in 2021, he was the firearms coordinator during the 63rd Academy of the Minnesota State Patrol, which was attended by Trooper Londregan. (*Id.* at ¶ 7.) He stated that in his training and experience as a member of the Minnesota State Patrol, a trooper being dragged by a suspect vehicle “is a situation that could cause death or great bodily harm to the trooper who is being drug.” (*Id.* at ¶ 9.) He added that “[t]he use of deadly force by a licensed peace officer is only justified where an objectively reasonable officer believes, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that such force is necessary to protect the peace officer or another from death or great bodily harm. Provided that the threat can be articulated with specificity, is reasonably likely to occur absent action by the law enforcement officer, and must be addressed through the use of deadly force without unreasonable delay.” (*Id.* at ¶ 10.)

Lieutenant Wenzel noted that he reviewed the publicly available videos of Trooper Londregan’s critical incident. (*Id.* at ¶ 11). He then concluded that “[i]t appears that Trooper Londregan acted in accordance with his training” (*id.* at ¶ 12); and “I cannot see where Trooper Londregan violated the Minnesota State Patrol use-of-force General Orders” (*id.* at ¶ 13).

5. Sergeant Troy Morrell

On April 1, 2024, Sergeant Tony Morrell signed his declaration relating to this case. It is also enclosed.⁶

⁵ Lieutenant Wenzel is represented by Tom Plunkett, one of the MPPOA’s Legal Defense Fund’s attorneys.

⁶ Sergeant Morrell is represented by Tom Plunkett, one of the MPPOA’s Legal Defense Fund’s attorneys.

Sergeant Morrell was a licensed peace officer in the State of Minnesota since April 4, 1994. (Declaration of Sergeant Tony Morrell at ¶ 2 (Apr. 1, 2024).) He is retired from the Minnesota State Patrol after approximately 25 years of service. (*Id.*)

At the time of his retirement, Sergeant Morrell was a technical sergeant and worked as the Emergency Vehicle Operations/Vehicle Contacts (“EVOC”) Coordinator for the Minnesota State Patrol. (*Id.* at ¶ 3.) In that capacity, he oversaw training of cadets and troopers for emergency and non-emergency vehicle operations from February 1, 2019 through September 1, 2023. (*Id.*) He also served as a driving instructor for ten years for the Minnesota State Patrol, ultimately becoming its coordinator. (*Id.*) He also served as the EVOC/vehicle contacts coordinator during the Minnesota State Patrol’s 63rd training academy, which was attended by Trooper Londregan. (*Id.* at ¶ 4.)

In his declaration, Sergeant Morrell swore, just like Sergeant Halvorson and Lieutenant Wenzel, that he reviewed publicly available video regarding the incident. (*Id.* at ¶ 7.) He stated that he “did not rely on the Minnesota State Patrol vehicle pursuit policy, as this was not a vehicle pursuit.” (*Id.* at ¶ 6.)

Sergeant Morrell then directly addressed an allegation that Ms. Moriarty stated during her January 24, 2024 press conference, namely, that Trooper Londregan “shot at a moving vehicle.” Sergeant Morrell noted that “[t]he Minnesota State Patrol General Orders state, and I trained cadets, that Members shall not shoot from or at a moving vehicle, except when deadly force is authorized pursuant to General Order 10-027.” (*Id.* at ¶ 8.) He noted that he specifically trained that State Troopers shall (a) “not shoot at or from a moving vehicle unless deadly force is authorized”; (b) “make every effort not to place themselves in a position that would increase the possibility of a vehicle being used as deadly force against themselves or others”; and (c) not utilize firearms “without a high probability of striking the intended target or when there is a high risk to the safety of other persons.” (*Id.*)

After recounting these General Orders, Sergeant Morrell swore under oath that “[w]hile the above is true, the Londregan critical incident did not violate any of these general orders.” (*Id.* at ¶ 9.) He then stated that “Trooper Londregan acted in accordance with his training.” (*Id.* at ¶ 10.) And he concluded that and that “Trooper Londregan did not violate the use-of-force General Orders including, but not limited to the use-of-force policy found at § 10-027.” (*Id.* at ¶ 11.)

6. BCA Agent Thomas Roth

BCA Agent Roth was the lead BCA investigator working on this case. Like Mr. Osler, he signed the Criminal Complaint in this case. Agent Roth was not present at the scene on July 31, 2023. Agent Roth has never been a member of the Minnesota State Patrol. Because he has no firsthand facts regarding this case, Agent Roth’s testimony is irrelevant. And it remains unclear if Agent Roth knew that the HCAO obtained Mr. Noble’s opinion before he signed the Criminal Complaint.

E. The MPPOA's February 2024 Survey

In early February 2024, the MPPOA sent an anonymous electronic survey to its entire active-duty membership in Minnesota. It received 1,241 responses before it stopped the survey on February 18, 2024 due to the Burnsville tragedy. By any measure, the results are shocking:

- 98% of Minnesota's police officers said they are somewhat, very, or extremely concerned about recruitment and retention issues in the profession of law enforcement.
- 98% of officers said they are somewhat, very, or extremely concerned about risk of prosecution for on-duty actions. (90% said very or extremely concerned. 69% said extremely concerned.)
- 80% of respondents are unlikely or very unlikely to recommend the profession to a family member. This best reflects the lack of morale and perspective on the profession.
- To best address recruitment and retention, the most popular answer – with nearly half of the responses – is “support from political and municipal leaders.” This answer (45%) surpassed higher compensation and bonuses (31%).
- Nearly 65% of respondents indicated “holding prosecutors accountable for charging decisions” as the most important priority for this legislative session.

The full survey results can be found using the link in this footnote.⁷

F. Bipartisan Requests to Reassign This Case From The HCAO

As you know, since our March 15 letter, Republicans and Democrats alike have publicly stated that you should reassign this case.⁸ And the Attorney General has publicly indicated he is ready to receive it.⁹ The notion of reassigning this case from the HCAO to a fair, independent, and honorable prosecutor has generated a level of bipartisanship scarcely seen in Minnesota.

⁷ <https://files.constantcontact.com/8ff9015b001/7e09eca6-e9d2-49b7-bbd7-36a8e1951709.pdf?rdr=true>

⁸ See, e.g., Editorial Board, *Credibility on trial in trooper's case*, StarTribune (Mar. 23, 2024) (“Additionally, a bipartisan group of Minnesota's congressional representatives has called for the case to be reassigned, with Democratic Reps. Angie Craig and Dean Phillips joining the four Republicans in the delegation.”) (found at <https://www.startribune.com/credibility-on-trial-in-troopers-case/600353605/>).

⁹ Phil Picardi, *Londregan's prosecution controversy. Journalists receive settlement for riot injuries*, MPR News (Mar. 29, 2024) (interview with Attorney General Keith Ellison, stating that Attorney General's Office can “wall off” portions of Office for conflicts purposes) (found at

G. Conclusion

As we described in our March 15, 2024 letter, Minnesota needs to attract and retain more law-enforcement officers. You know that particularly in Hennepin County, law-enforcement officers are continuously besieged with enmity and cast as villains. Our law-enforcement officers are not asking for adulation, glory, or worship. They do not ask for special treatment. In fact, in exchange for putting their lives on the line every day, they ask for precious little. Part of their simple “ask” is to know their leaders will have their back when they do their job, and that prosecutors will act fairly, ethically, and honorably when they do.

We all know that has not happened in this case. The HCAO’s own use-of-force expert agrees Trooper Londregan acted reasonably and committed no crime. The HCAO grossly and completely misrepresented the statements from the only person upon which probable cause relies in this case, that is, “Trainer A,” who has provided a sworn statement that the HCAO “lied by omission.” Each of the substantive grand-jury witnesses has provided sworn statements that Trooper Londregan acted reasonably and committed no crime. Indeed, Trooper Seide stated that Trooper Londregan *saved his life*.

Nevertheless, the HCAO continues to prosecute Trooper Londregan.

The HCAO’s desperation to keep control of this prosecution is telling. They know any honest prosecutor, including ones who have prosecuted police officers in the recent past, would recognize these charges to be a gross abuse of power. They know that any honest prosecutor would never act as they have. And they are determined to use Trooper Londregan’s case for their own political agenda, regardless of what the facts support or justice demands. This kind of abuse of power is exactly why Minnesota law empowers you to intervene.

We respectfully request that you reassign this case immediately, not only because the HCAO has no facts to support its case and is solely driven by dogma, but also because the HCAO’s conduct cannot, under any measure, be characterized as fair, just, or honest. The *only claimed basis* for probable cause in this case is “Trainer A,” that is, the *same person* that swore under oath that the HCAO “lied by omission,” “has cherry-picked one sentence from a 37-page interview transcript and excluded critical facts and context thereby purposefully misleading the reader of the complaint,” and that Trooper Londregan acted in accordance with his training. *Each one* of the substantive grand-jury witnesses—Sergeant Jason Halvorson (that is, “Trainer A”), Lieutenant Jonathan Wenzel, and Sergeant Troy Morell (the only other trainers), and Trooper Brett Seide and Trooper Garrett Erickson (the only other Troopers present at the scene on July 31, 2023)—agrees that Trooper Londregan acted in accordance with his training, did not violate the Minnesota State Patrol’s use-of-force policy, and committed no crime. Consequently, we believe that this case needs to be reassigned not only because justice demands it, but because the HCAO, including Ms. Moriarty and Mr. Osler, need to be criminally investigated for, among other things, potential violations of (1) Minn. Stat. § 609.505 (entitled “Falsely Reporting Crime”); and (2) Minn. Stat. § 609.43 (entitled “Misconduct of Public Officer or Employee”).

<https://www.mprnews.org/episode/2024/03/29/londregans-prosecution-controversy-journalists-receive-settlement-for-riot-injuries>).

The MPPOA, as well as Trooper Londregan's defense team, are continuing to develop other evidence, including sworn statements that further exonerate Trooper Londregan. We are hoping that your decision to reassign this case to independent, fair, and honorable counsel will make this time-consuming and expensive process unnecessary.

Trooper Londregan, like every law-enforcement officer and American citizen, has rights. Among those is the right to be free of political persecution from out-of-control, dishonest prosecutors. He should not be compelled, as some have suggested, to subject himself to a trial on charges that never should have been filed in the first place. There are sound reasons that the Minnesota Legislature enacted Minnesota Statute § 8.01.¹⁰ One of those reasons is to reassign prosecutions to fair, honorable, and independent prosecutors when justice requires. If that new prosecutor feels charges are appropriate, so be it; but we all know that Trooper Londregan has already marshaled a defense that shows that probable cause is absent with respect to *any* crime. Therefore, allowing the HCAO to continue this political prosecution will undoubtedly send the message to all law enforcement officers that you simply do not care if they are subjected to unconstitutional and inappropriate prosecutions in the State of Minnesota—and that they should abandon their duties in Hennepin County if they value their liberty and their lives.

Robert F. Kennedy stated that “Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current which can sweep down the mightiest walls of oppression and resistance.” By our requests, we are asking you to send a tiny ripple of hope to each Minnesota law-enforcement officer, and, indeed, each citizen in Minnesota who respects the rule of law. And we respectfully note that Trooper Londregan, including his young wife and 10-month-old child, have earned the right to expect that hope becomes reality.

Sincerely,



Brian Peters
Executive Director, MPPOA

¹⁰ Minn. Stat. § 8.01 states, in relevant part, “Whenever the governor shall so request, in writing, the attorney general shall prosecute any person charged with an indictable offense, and in all such cases may attend upon the grand jury and exercise the powers of a county attorney.”