



the Brown Jug, and then fall to the ground, with no person having contact with him. The subject then appears to get up, and the altercation that develops afterwards moves in an eastward direction away from the camera, and becomes somewhat distant and unclear.

CONTACT WITH RYAN MUNSCH:

At approximately 11:00 am on 12/17/13, I speak with Munsch by telephone. I spoke with Ryan about the recording that I observed.

Munsch identifies himself as the person who would be carrying the megaphone, and then stated that Kyle, his brother, would have been the person in the red shirt and the white skull cap following him. He stated their friend Craig Poepelman was the subject identified in the original report with the nickname BMW. He stated he was aware of Poepelman falling, and not having been assaulted.

I spoke with him about the location of James Hughes. He stated Hughes is about his size, he believed he was wearing a red shirt, and in reviewing the video further, he appears he is walking in front of Ryan Munsch as they are initially traveling eastbound.

I asked Ryan if he can explain to me why he believed the incident had occurred or developed.

He stated he believes they were in the wrong place at the wrong time. He stated he knows who had struck him, but did not know who kicked him.

Ryan stated that after Hughes had been punched, Hughes called 911. He stated he was then hit, he fell on the ground, and he was then kicked a few times. He stated people were separated, he got up and walked away, and then the same person who had first struck him then struck him again, in the ribs.

He stated the second assault had occurred after he had gone over toward a parked car. He stated there was a separation in time that had occurred when he was assaulted the second time.

FURTHER REVIEW OF VIDEO RECORDING:

I reviewed the recording additional times after speaking with Ryan Munsch, and could not specifically identify who was striking who. I attempted to follow the movements of Lewan, however, I cannot say with certainty whether he was involved in physically assaulting someone, based on the recording.

CONTACT WITH TAYLOR LEWAN:

At 2:00 pm, after having no local address for Lewan, I left a telephone message for him. At 2:45 pm, Lewan returned a telephone call to me. Lewan stated we could meet with him at his residence.

We met with Lewan at approximately 3:00 pm at [REDACTED] Lewan stated he had subjects at his residence, and after he stepped onto the porch, I inquired if he would be willing to have us drive him to the Police Department, and then we would return him back to his residence. Lewan agreed.

I spoke with Lewan in the Detective Bureau in Interview Room 337 at approximately 3:16 pm. I recorded the interview at that time.

Prior to speaking with Lewan, I informed him that he was not under arrest by being at the Police Department; he did not have to speak with me, and could leave the room at any time. Lewan stated he understood.



Monroe, Badge 500. Incident type: Assault.

FOLLOW UP CONTACT WITH TAYLOR LEWAN:

At approximately 4:00 pm on 12/18/13, I spoke with Lewan by telephone. I inquired further about submitting to a polygraph test. Lewan stated he knows the truth, he has talked with other subjects, and he is not willing to take a polygraph test.

I informed Lewan additional interviews would be conducted. I verified with Lewan that Nick Bennett's telephone number is [REDACTED]. I also requested the telephone number for his girlfriend. Lewan stated he did not think that was a good idea, stating they had broken up.

RYAN MUNSCHE'S STATEMENT:

At approximately 4:05 pm on 12/18/13, I spoke with Ryan Munsch further about the incident. I asked Ryan to explain in greater detail the sequence of events. I asked Ryan if he could start from when he was walking east by the Brown Jug.

Ryan stated he remembers before, and remembers after, and also remembers what he told the officers. He stated he does not remember the actual scuffle. He stated he heard from others that he was punched in the stomach and head. He stated he heard he fell and was kicked.

He stated he remembers hearing girls saying he got punched in the ribs. He stated he remembers telling the officers that this is the guy that punched me, and possibly kicked me. He stated he remembers referring to a subject in a red polo shirt, and was speaking with an Officer Jason Schinmelfening.

Ryan stated he remembers girls calling 911, and girls stating they heard his ribs popping when he was struck, believing they were possibly broken. He stated that concerning having been hit and kicked earlier, that information came through his brother and through Jimmy (James Hughes).

I obtained the number for the subject with the nickname BMW, Craig, of [REDACTED].

My interview with Ryan ended at approximately 4:15 pm.

CONTACT WITH KYLE MUNSCHE:

At approximately 4:15 pm, I spoke with Kyle by telephone. I informed Kyle that I was watching a video, conducting interviews, and trying to match up the various statements. I informed Kyle that I did not understand why something suddenly happened while they were out that night.

KYLE MUNSCHE'S STATEMENT:

Kyle stated they were walking in a line, he believes Jimmy (James Hughes) was first, his brother (Ryan) was in front of him, and then he was next. He stated he heard a crash behind him, turned around, and Craig was on the ground.

He stated he went to pick him up, assumed they were taunting him, and could understand if a guy just fell as to why they would be taunting him.

Kyle stated as he was helping Craig, and when they got past the bar a little bit, a taller man, appearing scruffy, with mopy or floppy longer black hair and glasses, wearing a gray sweatshirt, took a few swings at him. He stated the subject never made contact with him (Kyle) and he does not think he made contact



with Craig. He stated that all of a sudden what was occurring stopped, and they keep going along.

Kyle stated he sees his brother standing there, a tall man wearing a red shirt, punches his brother (Ryan) in the face. He stated that when Ryan falls to the ground, he sees a person kick him, with that person wearing jeans, and a gray sweatshirt or fleece. He stated the person kicking his brother was not the person who had earlier taken a swing at he and Craig, and was not the person who had first punched Ryan in the face.

Kyle stated that after it kind of calmed, his brother got up, he got close to a white car, and Craig is still with him (Kyle). He stated the only person he cannot account for is Jimm (James Hughes).

Kyle stated the same guy in the red shirt then struck Ryan in the chest area, stating the contact was in the area that you're not supposed to press on when giving someone CPR. He stated it was one punch, and his brother hunched over to catch his breath.

Kyle stated he believes a girl then called 911 at that time, and they thought Ryan's ribs were broken. He stated nothing else happened until the police and ambulance arrived.

I asked Kyle if he knew the person in the red. He stated there were the officers at the scene, and they made reference to the name Taylor. He stated he told his story to the officers, they said, "Let's bring Taylor over," and he then knew he was making reference to Taylor Lewan, who he knew to be a football player.

Kyle stated he was asked if this was him. He stated an officer was standing with Taylor, and he (Kyle) was giving the same officer he was speaking with earlier the story of what happened.

I asked how it came to the point of them having Taylor identified at the scene, or having Taylor out there talking with them. Kyle stated he did not know, but they first spoke with his brother, and then Jimmy, and then him. He stated he has no idea why they brought him out.

I asked Kyle how certain he was that Taylor Lewan had assaulted his brother. He stated very certain. He stated he saw him the first time, and then the second time. He stated he was wearing short sleeves, he had tattoos, and it was 20 degrees out. He stated he is very tall, based on his size, and what he was wearing, it would be difficult to confuse him with someone else.

I asked specifically what his brother was doing at the time he was assaulted.

He stated he was just standing there, looking around. He stated if something happened before that, he didn't know. He stated his brother was struck, and then on the ground. He stated he had gone to help Craig, did not see what was occurring at that moment, and in making reference to how it all started, he stated "that's the one thing" he missed.

I informed Kyle it may be difficult, but I was going to ask him from this point forward not to discuss his statement with me with others, so that statements were as independent as possible and people are stating things to me from their own memory and not from what they have heard. He stated he understood.

I asked about James Hughes having been hit, and he stated he does not know about it.

I asked Kyle what he was drinking that night, so I understood how he perceived things. He stated he had about ten drinks over time, starting at approximately 7:30 to 8:00. He stated he would have had a couple of shots, and mixed drinks.

He stated that from that point they were walking to get something to eat. He stated he is very confident as



to what he saw, and the subject in the red shirt hit Ryan.

DISPOSITION:

Supplement to the original report.

CASE REPORT

Det. Monroe

This is a non-priority follow up to Case #13-58729. Time of 1230 hours, date of 12/20/13. Reporting Officer Monroe, Badge 500. Incident type: Assault.

FOLLOW UP CONTACT WITH KYLE MUNSCH:

While speaking with Kyle Munsch on 12/19/13, I lost telephone contact with him. I followed up with additional questions on the morning of 12/20/13.

I asked Kyle Munsch to clarify the statement in the original police report stating he did not see who punched or kicked his brother.

Kyle explained that officers had brought over the subject, identified as Taylor Lewan, and when he was first speaking with the officers, Lewan had initially been closer to the ambulance. He stated he told the officers it was probably him.

Kyle stated he believes he told the officers that his brother was first struck in the chest, which he stated was wrong, and then the head. He stated his brother was taken away, and he was nervous when they brought Lewan over.

He stated he was asked if he saw him kicking him (Ryan), and he stated he does not remember, stating he remembered someone was wearing jeans. He stated at some point, another football player was brought over. He stated there was a girl by the ambulance who said something about they thought Ryan's ribs were broken, and he remembered an officer saying that anyone can break a rib. He stated he was surprised at the response, he was thinking about needing to wake up, having to go to work, and Craig was gone with the only room key.

He stated that as he was retelling his story to the officer, he remembered Lewan giving a look to the officers.

I asked Kyle, regarding recognizing Taylor Lewan, if it was based on his height, his size, facial feature.... He stated all three.

I asked Kyle to explain what he had said earlier using the word "probably." He stated it was awkward with Lewan being there. He stated that who else would it be, with him being that size. He questioned me as to who else being 6 foot 6, wearing a red short sleeved shirt, and it being 2:00 am would be anywhere out there at that time.

I asked about Ryan had gone to the hospital. He stated he had. He stated they told him that he had bruised ribs, and Ryan had to explain at his workplace the reason for the mark on his face.