



DODGE COUNTY SHERIFF'S OFFICE

Dale J Schmidt Sheriff Scott Smith Chief Deputy

FOR IMMEDIATE RELEASE

Date: November 9, 2016

Sheriff Dale J Schmidt

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Final Release: District Attorney Determines Shooting Justified – Sergeant Return to Duty

The Wisconsin Department of Justice has completed its investigation in the deputy involved shooting of James A. Quealy. That report has been filed with the Dodge County District Attorney's Office who made a determination that Sgt. Joseph Nicholas was justified in his legal and appropriate use of deadly force in this incident.

As a result, Sgt. Nicholas has been restored to full duty with the Dodge County Sheriff's Office. Sgt. Nicholas is a valued member of the sheriff's office who was forced to make a very difficult decision to protect himself, his fellow law enforcement officers and the community as a whole.

The Dodge County Sheriff's Office would like to once again convey its deepest sympathies to the family of James Quealy.

Updated Release:

This will be the final press release by the Dodge County Sheriff's Office on this incident pending the Wisconsin Department of Criminal Investigation (DCI) investigation. All future requests for information should be made to the Department of Justice as they are the investigating agency.

The deceased individual involved is identified as James A. Quealy, age 59, from Beaver Dam. The name of the deputy sheriff is not being released at this time pending the investigation by DCI.

Original Release from August 6, 2016

At 6:46pm on August 5, 2016, Dodge County Central Communications received a request to check the welfare of a subject at 215 Woodland Drive in the City of Beaver Dam. Information received was that a male subject was making statements threatening suicide. We later learned that he had access to a firearm.

Beaver Dam Police Officers established a perimeter to keep the public safe. Contact was made with the subject and he indicated he wished to commit suicide by cop. The subject began waving around his firearm during the incident. Suicide by cop is a method of committing suicide by creating a deadly force situation in which a law enforcement officer is forced to deadly force stop a potentially deadly threat to the lives of both law enforcement and the community.

Due to the nature of the incident and the potentially dangerous situation, Beaver Dam Police requested the assistance of the Dodge County Sheriff's Office at 7:40pm. Unified Command was set up between Sheriff Dale Schmidt and Beaver Dam Police Chief John Kreuziger and a cooperative approach was taken in dealing with this incident. Negotiations were initiated early in the incident and continued with the hope of resolving the situation peacefully.

Unfortunately at 8:46pm the suspect turned his weapon on a deputy sheriff and fired. This forced the deputy to return fire in an effort to stop the threat presented to him and the community. The suspect was shot and killed in the gunfire exchange. The deputy sheriff was uninjured.

The deputy is a 9 year veteran of the Dodge County Sheriff's Office. No additional information will be released on the deputy pending the investigation. The deputy and the deputy's family are being attended to so that we can provide them with resources to meet their needs while maintaining the integrity of the investigation. The deputy has been placed on non-disciplinary administrative leave pending the investigation.

The Wisconsin Department of Criminal Investigation (DCI) responded at the request of the Sheriff to conduct the investigation into the incident. This is done so that we can obtain a thorough and accurate investigation of the facts by an outside agency as required by state law. DCI worked through the night to complete the investigation and will continue in coming weeks.

The Dodge County Sheriff's Office and the Beaver Dam Police Department would like to thank the Beaver Dam Fire Department and Paramedics for their assistance at the scene along with the Dodge County Emergency Response Team. We would also like to thank the professionals at the Wisconsin Department of Criminal Investigations, Wisconsin State Patrol, and the Wisconsin State Crime Lab for their knowledge and expertise in conducting a fair, impartial, and thorough investigation of the facts. Sheriff Dale Schmidt indicates that he is confident that when the full investigation is complete, the facts will show the deputy used appropriate force to protect the community.

Our thoughts and prayers go out to the descendant's family as well as the deputy and the deputy's family.

Further information will be disseminated as it becomes available but not before 12:00pm on Monday, August 8, 2016. All information requests related to further detail will be referred to the Wisconsin Department of Justice as they are the investigating agency.

This press release is being disseminated on behalf of both the Dodge County Sheriff's Office and the Beaver Dam Police Department.

Additional information can be obtained by contacting Sheriff Dale J Schmidt.

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