

# West Des Moines Police Department

250 Mills Civic Parkway West Des Moines, IA 50265

515-222-3320



Case #: 17-01382

## Incident Data

### 625 S. 35th St. WEST DES MOINES, IOWA 50265

|                                 |                                |
|---------------------------------|--------------------------------|
| <b>Description of Incident:</b> | CRIMES AGAINST PERSONS         |
| <b>Reported Date:</b>           | 03/22/2017 00:00:00            |
| <b>Incident Start Date:</b>     | 03/22/2017 00:00:00            |
| <b>Incident End Date:</b>       | 03/22/2017 00:00:00            |
| <b>County:</b>                  | POLK                           |
| <b>Case Status:</b>             | INACTIVE                       |
| <b>Disposition:</b>             | UNFOUNDED                      |
| <b>Exceptional Clearance:</b>   | NOT APPLICABLE                 |
| <b>Country:</b>                 | USA (UNITED STATES OF AMERICA) |

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## Suspect Data (2)

### kuhnert, mitchell craig

**Person Number:** 1  
**DOB:**  
**Age:** 41  
**Sex:** MALE  
**Race:** WHITE  
**Ethnicity:** NON-HISPANIC  
**SSN:**  
**Resident Status:** RESIDENT  
**Phone 1 Type:** Work  
**Phone 1 Number:**  
**Address:**  
**City:** WEST DES MOINES  
**County:** DALLAS  
**State:** IOWA  
**Zip Code:** 50266  
**Country:** USA (UNITED STATES OF AMERICA)  
**Height:** 603  
**Weight:** 228  
**Eye Color:** BROWN  
**Hair Color:** BROWN  
**Hair Length:** SHORT  
**Hair Style:** STRAIGHT  
**Skin Type:** LIGHT  
**Glasses:** NONE  
**License Number:**  
**License State:** IOWA  
**Related Offenses:** 708.2(2) ASSAULT CAUSING BODILY INJURY-1978 (SRMS) 13A AGGRAVATED ASSAULT  
708.2(2)  
**Arrested:** No  
**Offender Present When Officer Arrived:** Yes  
**Employer/School Name:** valley southwoods freshman high school  
**Address:** 625 S. 35th St.  
**Occupation Code/Description:** PROFESSIONAL  
**Employer Phone Type:** Work  
**City:** WEST DES MOINES  
**Employer Phone Number:** (515)-633-4500  
**County:** POLK  
**State:** IOWA  
**Zip Code:** 50265  
**Country:** USA (UNITED STATES OF AMERICA)

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Case #: 17-01382

## stearns, bryan jon

|  |   |
|--|---|
| Person Number:                         | 2   |
| DOB:                                   |   |
| Age:                                   | 52  |
| Sex:                                   | MALE  |
| Race:                                  | WHITE   |
| Ethnicity:                             | NON-HISPANIC  |
| SSN:                                   |   |
| Resident Status:                       | NON-RESIDENT  |
| Phone 1 Type:                          | Work  |
| Phone 1 Number:                        | (515)-633-4500  |
| Address:                               |   |
| City:                                  | URBANDALE   |
| County:                                | POLK  |
| State:                                 | IOWA  |
| Zip Code:                              | 50322   |
| Country:                               | USA (UNITED STATES OF AMERICA)  |
| Height:                                | 603   |
| Weight:                                | 215   |
| Eye Color:                             | BROWN   |
| Hair Color:                            | BROWN   |
| Hair Length:                           | SHORT   |
| Hair Style:                            | STRAIGHT  |
| License Number:                        |   |
| License State:                         | IOWA  |
| Related Offenses:                      | 708.2(2) ASSAULT CAUSING BODILY INJURY-1978 (SRMS) 13A AGGRAVATED ASSAULT<br>708.2(2) |
| Arrested:                              | No  |
| Offender Present When Officer Arrived: | Yes   |
| Employer/School Name:                  | valley southwoods freshman high school  |
| Address:                               | 625 S. 35th St.   |
| Occupation Code/Description:           | PROFESSIONAL  |
| Employer Phone Type:                   | Work  |
| City:                                  | WEST DES MOINES   |
| Employer Phone Number:                 | (515)-633-4500  |
| County:                                | POLK  |
| State:                                 | IOWA  |
| Zip Code:                              | 50265   |
| Country:                               | USA (UNITED STATES OF AMERICA)  |

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|                        |
|------------------------|
| <b>Victim Data (1)</b> |
|------------------------|

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Case #: 17-01382

## Juvenile 1

**Person Number:** 1

**Victim Type:** PERSON/INDIVIDUAL (NOT A LAW ENFORCEMENT OFFICER)

**DOB:**

**Age:** 15

**Sex:**

**Race:**

**Ethnicity:**

**Resident Status:**

**Related Offenses:** 708.2(2) ASSAULT CAUSING BODILY INJURY-1978 (SRMS) 13A AGGRAVATED ASSAULT  
708.2(2)

**Relationship To Offender:** kuhnert mitchell craig, STRANGER

**Victim Is Complainant:** Yes

**Injury:** Yes

**Injuries:** Apparent Minor Injury

**Agg Assault Circumstances:** ARGUMENT

**Address:**

**Phone Type 1:** Cell

**Phone 1 Number:**

**Apartment:**

**City:**

**County:**

**State:** IOWA

**Zip Code:**

**Country:** USA (UNITED STATES OF AMERICA)

**Height:**

**Weight:**

**Eye Color:**

**Hair Color:**

**Hair Length:**

**Hair Style:**

**Skin Type:**

**Address:**

**Employer/School Name:** valley southwoods freshman high school

**Occupation Code/Description:**

**Employer Phone Type:** Work

**City:** WEST DES MOINES

**Employer Phone Number:** (515)-633-4500

**County:** POLK

**State:** IOWA

**Zip Code:** 50265

**Country:** USA (UNITED STATES OF AMERICA)

**Address:**

**Last Name:**

**First Name:**

**Apartment:**

**City:**

**Relationship:**

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|                               |       |
|-------------------------------|-------|
| <b>County:</b>                | POLK  |
| <b>State:</b>                 | IOWA  |
| <b>Zip Code:</b>              | 50266 |
| <b>Relative Phone Type:</b>   | Cell  |
| <b>Relative Phone Number:</b> |       |



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## Charge (1)

### 708.2(2) ASSAULT CAUSING BODILY INJURY-1978 (SRMS) 13A AGGRAVATED ASSAULT 708.2(2)

|                              |                |
|------------------------------|----------------|
| Attempted/Completed:         | Completed      |
| Completed:                   | No             |
| Counts:                      | 1              |
| Bias Motivation:             | NONE           |
| Offender Suspected of Using: | Not Applicable |
| Location Type:               | SCHOOL/COLLEGE |
| Structure:                   | OCCUPIED       |
| Points Of Entry:             | DOOR           |
| Forced Entry:                | No             |
| Weapon Types:                | NONE           |

## Narrative Data (1)

Weatherall, Craig 194

03/28/2017

On 22 March 2017, West Des Moines Police Department patrol officers responded to Valley Southwoods Freshman High School—at the request of school administration—in reference to an out-of-control student (**Juvenile 1**). Upon their arrival, officers made contact with school administration. Officers were advised that the situation had deescalated, and **Juvenile 1** was in the principal's office. Officers were given a short synopsis of what had occurred, and they waited for further guidance on what the school or family wanted to do. A short time later, the **Juvenile 1**'s father arrived at the scene and went into the principal's office to consult with school administration. Officers advised school administration that if the family wished to speak to them that they would be more than happy to. After approximately 15 minutes, the family was still in the principal's office. Due to a large call volume with calls for service, officers left the area because there was no further action needed at the time by them.

Later in the morning, West Des Moines Police Department patrol was dispatched to **Juvenile 1**'s residence to speak about what had occurred between **Juvenile 1** and school staff earlier this day. Upon their arrival, **Juvenile 1**'s family was referred to this officer, Detective Craig Weatherall, for follow up on this situation.

After this incident took place, but before **Juvenile 1**'s family contacted West Des Moines Police Department patrol, this officer was at Valley Southwoods for an unrelated matter. After that situation was resolved, Mitch Kuhnert—Principal—gave this officer a synopsis of what had occurred between himself, Assistant Principal Bryan Stearns, and **Juvenile 1**.



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Kuhnert stated that Walnut Creek Alternative School administration had reached out to him regarding an incident that occurred at Walnut Creek on 21 March 2017. Specifically, a group of juveniles were at Walnut Creek throwing bars of soap at each other resulting in one of the juveniles being struck in the face by one of the bars of soap. **Juvenile 1** was identified as being part of this group throwing soap, so Walnut Creek administration asked Kuhnert to speak to **Juvenile 1** about the incident.

At approximately 0815 hours, Kuhnert observed **Juvenile 1** walking in the hallway of Valley Southwoods with his girlfriend—a Walnut Creek student. Kuhnert approached **Juvenile 1** and stated to him that he wished to speak to him about the soap incident. **Juvenile 1** refused to speak with Kuhnert and walked past him in the hallway. Kuhnert made several request for **Juvenile 1** to stop and speak with him, but **Juvenile 1** refused. Finally, Kuhnert stepped in front of **Juvenile 1** and began to escort him into the nearby nurse's office. **Juvenile 1** then began to walk away from Kuhnert, and Stearns assisted Kuhnert in escorting **Juvenile 1** into the nurse's office.

Once inside the nurse's office, **Juvenile 1** became belligerent and out-of-control by refusing their request to speak to Kuhnert and Stearns. He began to physically move past Kuhnert and Stearns. In an attempt to calm **Juvenile 1** down, they made repeated verbal requests for **Juvenile 1** to calm down, and they eventually escorted **Juvenile 1** to an observation padded bench where he eventually stopped resisting Kuhnert's request to speak to him. During the altercation in the nurse's office, **Juvenile 1** struck the side of the nurse's work desk causing it to move. Kuhnert stated that at no time did **Juvenile 1** complain of being injured as a result of the altercation.

This officer then made contact with **Juvenile 1** and his family at Valley High School. After **Juvenile 1** left Valley Southwoods, he was transported to a local hospital for evaluation. **Juvenile 1**'s family showed this officer documentation that showed **Juvenile 1** suffered a contusion and Lumbosacral Strain. They then stated that they didn't feel Kuhnert and Stearns were justified in their actions.

This officer then interviewed **Juvenile 1**. **Juvenile 1** stated that Kuhnert did in fact approach him prior to school starting. **Juvenile 1** admitted that he was resistant to speak with Kuhnert because he was with his girlfriend. **Juvenile 1** stated to this officer that he told Kuhnert that he would speak with him later when he wasn't with his girlfriend. **Juvenile 1** then stated that Kuhnert got in front of him in the hallway and began pushing him. After being pushed into the nurse's office, **Juvenile 1** stated he continued to be pushed. **Juvenile 1** then stated that he wasn't "just going to take" being pushed, so he began to attempt to push himself through



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Kuhnert's and Stearns' arms and body that were preventing him from leaving. **Juvenile 1** then stated that Kuhnert and Stearns intentionally pushed him on to the nurse's table and eventually to one of the padded observation benches towards the back of the room. **Juvenile 1** then attempted to make a phone call, and he stated Stearns grabbed the cell phone to prevent the telephone call. **Juvenile 1** did state that Stearns advised him that school administration will be making a phone call home to advise them of the situation.

On 28 March 2017, this officer made contact with Valley Southwoods Freshman High School school nurse—Roberta Malloy. Malloy stated that at the time this incident took place she was standing in the doorway that led to the main office area. She observed the door that leads to the main hallway open and Kuhnert, Stearns, **Juvenile 1**, and **Juvenile 1**'s girlfriend enter the room. **Juvenile 1** was visibly upset and being combative with Kuhnert and Stearns. **Juvenile 1** was attempting to go through Kuhnert's and Stearns' physical barrier to go back into the main school hallway. He was yelling and pointing his hands towards them. Malloy stated that Kuhnert and Stearns were attempting to gain control of **Juvenile 1**, and **Juvenile 1** struck her working table causing it to move slightly. Malloy then stated **Juvenile 1** finally stopped resisting Kuhnert and Stearns when he was escorted to the observation table. During this time, Stearns advised **Juvenile 1**'s girlfriend to leave the office which she did. Malloy stated that at no time did Kuhnert or Stearns make any attempt to push or strike **Juvenile 1**. She went on to say that Kuhnert and Stearns were merely attempting to deescalate the situation and calm **Juvenile 1** down.

On 28 March 2017, this officer viewed the school video surveillance footage from this incident. There are no cameras in the nurse's office, but there is a camera pointing directly in front of it. There is another camera that captures activity in the main school hallway to the east of the nurse's office. This officer viewed footage that shows Kuhnert speaking to **Juvenile 1** in the east hallway. This officer also viewed footage that shows Kuhnert and Stearns with their arms out—not placing their hands on **Juvenile 1**—escorting **Juvenile 1** into the nurse's office. The video also shows that Stearns had one of his hands bandaged from a prior injury and Kuhnert had what appears to be a laptop computer in his hand.

Detective Kraig Kincaid was present in viewing the video footage and Malloy's interview.

Investigation revealed that no assault took place. This claim is unfounded.

There is nothing further to add to this report.

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## Officer Data (2)

|                           |                         |                     |
|---------------------------|-------------------------|---------------------|
| <b>Reporting Officer:</b> | Weatherall, Craig (194) | 03/28/2017 10:05:00 |
| <b>Approving Officer:</b> | Kock, Brent (181)       | 03/28/2017 15:05:15 |