

April 21, 2025



**Iowa Attorney General's Review
of Officer Involved Death**

Incident of March 6, 2025
Harlan, Iowa

Shelby County Sheriff's Office Captain Chad Butler

Subject Involved: David Robert Plagmann

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Executive Summary

At approximately 4:25 a.m. on March 6, 2025, a 911 caller requested a welfare check at 1809 College Place in Harlan, Iowa. The caller had gone to the residence to check on his friend, David Plagmann, after a concerning message Plagmann had posted on Snapchat. The message showed an arm with blood around it. When he arrived at the house, the caller observed that Plagmann was intoxicated, the garage floor was wet, and there appeared to be blood in the snow on the driveway. Plagmann's girlfriend was not there and Plagmann would not let the caller in the house.

On arrival, Shelby County Deputy Ethan Bearley observed Plagmann come into the garage from the house. The light in the garage was on and the deputy could see that Plagmann was holding a rifle. The deputy directed Plagmann to put down the weapon several times, but Plagmann refused. The deputy took cover behind his vehicle parked on the street. Deputy Wren Koch and Captain Chad Butler arrived and provided discreet cover as Deputy Bearley attempted to talk Plagmann into ending the situation peacefully. During the conversation, Plagmann admitted he had killed his girlfriend and that he was suicidal. After approximately half an hour of negotiations, Plagmann began to point the rifle toward

Deputy Bearley. Captain Butler fired on Plagmann, killing him.

Deputies then discovered the body of Plagmann's girlfriend, Alexis Martin, in the vehicle parked in the driveway. She had been shot 5 times in the back and legs, stripped of her clothes, washed, and placed in the back cargo area of the SUV.

Detailed Factual Summary

At approximately 11:37 p.m. on March 5, 2025, the Shelby County Sheriff's Office was notified that a resident near 14th Street and Pine Street in Harlan had heard a series of gunshots nearby. Deputies responded to the area but could find no evidence or information about where the gunshots had occurred. The deputies returned to their patrol duties.

Later that night, at approximately 4:25 a.m. on March 6, a 911 caller requested a welfare check at 1809 College Place in Harlan. The caller relayed that he had woken up that morning to a "Snap story," posted on Snapchat, from David Plagmann that worried him. The "Snap story" showed an arm and what appeared to be blood around it. The caller went to Plagmann's home at 1809 College Place in Harlan. Plagmann came out of the home and talked with the caller in the driveway but would not let him in the home. The caller noticed

that the garage floor had been washed and was still wet and there appeared to be blood in the snow on the driveway. Plagmann was intoxicated and appeared to have scuffed knuckles as if he had hit something. The caller reported to dispatch that he was concerned for the welfare of Plagmann's girlfriend, Alexis Martin.

Deputy Ethan Bearley was the first to arrive on scene. He parked his patrol vehicle in the street near Plagmann's house, a ranch-style home with an attached two-door garage. The garage door closest to the house was open while the other door remained closed. A black Chevrolet Suburban was parked in the driveway in front of the closed garage door.

Deputy Bearley could see into the open area of the garage, as the overhead light was turned on. Initially, Deputy Bearley could not see anyone in the garage and so announced his presence. Within a few seconds he heard someone say "What?" and saw a man, later identified as Plagmann, coming into the garage from the house. Deputy Bearley again announced that he was from the Sheriff's Office to which the man answered "Ok" and continued into the garage. At that time, Deputy Bearley saw that the man was carrying a lever-action rifle and had dropped multiple rounds of ammunition on the ground. Deputy Bearley immediately ordered him to put the

weapon down. Plagmann did not comply, and instead stood in the garage and attempted to rack the rifle.

Deputy Bearley immediately drew his firearm and began to retreat backwards to his patrol vehicle. He told Plagmann again to put the gun down, to which Plagmann responded “Nope.” Plagmann walked toward the driveway with the rifle pointed up under his chin. In an attempt to de-escalate the situation, Deputy Bearley asked Plagmann what was going on. Plagmann repeated that he was going to “do it” multiple times, saying he hated his life. Deputy Bearley heard a “click” as Plagmann pulled the trigger, but Plagmann’s rifle did not fire.

By that time, Deputy Bearley had already requested assistance by radio. He was behind the hood of his patrol vehicle but still able to see and communicate with Plagmann, who stayed in the driveway by the open garage door. For his own safety, Deputy Bearley kept his firearm pointed toward Plagmann, but continued to talk to him calmly, asking him to put the gun down so they could have a conversation. He also kept a flashlight on Plagmann due to the dark conditions. During their conversation, Plagmann told Deputy Bearley that there was a body in the Suburban. He would later say

that he had killed his girlfriend and medical personnel would not be able to help her.

While Deputy Bearley talked with Plagmann, Deputy Wren Koch arrived on scene discreetly so that Plagmann was not aware of his presence or location. He was able to set up across the street from the home behind a large tree, armed with a rifle. Command staff was also on the way and one of the Shelby County Sheriff's Office negotiators was requested.

Deputy Bearley continued talking to Plagmann. He was attempting to de-escalate the situation and keep Plagmann from harming himself. Plagmann stated that he had a two-year-old son who was with his parents. Deputy Bearley attempted to keep the conversation focused on the child in hopes that Plagmann would not harm himself. At times Plagmann would bring the gun down away from his chin.

During the conversation Deputy Bearley became aware that other deputies were nearby, but Plagmann did not appear to be aware of their presence. Deputy Bearley continued to provide updates on what he was seeing to dispatch and the other officers. He noted that Plagmann had the rifle in his right hand and a cigarette in his left hand. He described Plagmann as very intoxicated.

After approximately fifteen minutes, Plagmann went back into the garage and both Deputy Bearley and Deputy Koch lost sight of him. Plagmann returned with two beer cans. He began drinking one of the beers. Plagmann questioned why there were no other officers arriving on scene. Plagmann agreed that he would be willing to talk to another officer if they came to speak with him. He then got his cell phone out and was doing something with it that the deputy could not see. Deputy Bearley continued to talk to Plagmann about his son, his parents, and tractors from his childhood in an effort to keep him calm.

Captain Chad Butler arrived discreetly on scene and took position with Deputy Koch across the street from the residence. From there, Plagmann was silhouetted by the light from inside his garage. Initially, Captain Butler was armed with a less-than-lethal weapon and a shield. Once he took up position, Captain Butler realized that the less-than-lethal weapon would not be appropriate given the situation. He retrieved his rifle, which was outfitted with a scope, and returned to his position with Deputy Koch. With the scope on his rifle, Captain Butler was able to see Plagmann in great detail. At one point, he saw Plagmann moving the muzzle away from his own chin and toward Deputy Bearley. Captain

Butler removed the safety on his weapon, preparing to fire. However, Plagmann brought the muzzle back up to his chin so Butler re-engaged his safety and continued to monitor the situation as Deputy Bearley talked with Plagmann. Plagmann brought the muzzle away from his chin again. He began to rack his rifle and raise it toward Deputy Bearley. At that moment, seeing the imminent threat to Deputy Bearley, Captain Butler fired and Plagmann fell to the ground.

Once deputies determined that Plagmann was not getting up, Deputy Koch and Captain Butler moved to Deputy Bearley's location under the cover of a shield. They gathered medical supplies and moved to Plagmann's location. They immediately moved the rifle away from the scene, secured Plagmann with the shield and handcuffs, and began to render medical aid. An ambulance arrived on scene and took Plagmann to a local hospital, where he was declared deceased.

Subsequent Investigation

Plagmann had thirteen rifle rounds in his pockets, and the rifle he had been holding during the standoff was loaded.

Officers checked the Suburban in the driveway and discovered the nude body of a deceased woman covered in a blanket. She had what appeared to be multiple gunshot

wounds to her back and to her legs. She was identified as Plagmann's girlfriend Alexis Martin. At autopsy, it was determined that these wounds were from a 9mm pistol.

During a search of the scene at 1809 College Place, investigators found evidence of forced entry into the main level bathroom. The oven hood in the kitchen was dented on the front, pulled down, and hanging from the wall. A handgun holster was on the floor by the door that led from the house to the garage. Inside the house were areas on the ceiling and walls in multiple rooms where cameras appeared to have been mounted at one time. No cameras were found in the house.

Inside the garage investigators found spent casings from a 9mm handgun. In the backyard was a burn pit that contained multiple items of women's clothing with blood on them. In a jacket found in the burn pit there was a cell phone with a bullet hole in it. Underneath the clothes were the burned remnants of a video camera recording system. No videos were able to be recovered from this system due to the fire damage.

Witnesses were interviewed in an attempt to establish a timeline of events from March 5 and 6. One witness had received Facebook messages from Alexis Martin at approximately 10:48 p.m. on March 5. The messages said, "he hurt me" and "my face." She then sent a photograph of her

face, showing a swollen left cheek. The witness did not see those messages until after he awoke the morning of March 6.

Another witness stated that Plagmann had called him at approximately 12:45 a.m. on March 6 and requested a ride because he was stuck in the snow. The caller found Plagmann's truck stuck in the snow on 800th Street in rural Shelby County. Plagmann was with his two-year-old son, who was dressed only in a diaper. The witness took Plagmann and the child to Plagmann's parents' house in rural Shelby County. They left the child with Plagmann's parents, and the witness dropped Plagmann off at Plagmann's home. The witness stated that Plagmann had appeared to be intoxicated.

Around 3:30 a.m., the same witness woke up to a phone call from a co-worker who told him to look at the Snapchat photo Plagmann had posted. It was a picture of an arm with blood around it. The witness was eventually able to get Plagmann on the phone and asked where Alexis was. Plagmann responded that she was not at the house and he didn't know where she was. The witness went to Plagmann's home and observed that the garage floor looked freshly washed and there was pink coloring in the snow on the driveway. The witness indicated that Plagmann was very drunk at this time and did not want to let the witness in the

house. When the witness left, he called 911 due to his concern for Alexis's well-being.

Later that same morning, the same witness received a text message from Plagmann that said, "I'm sorry." Plagmann then sent him a video of a deputy near his driveway, followed by a second video in which he told the witness he appreciated his friendship and he knew the witness was the one who had called the police. He told the witness that Alexis was in the back of the Suburban. Plagmann then said "I'm probably going to blow my brains out." The witness texted Plagmann at 5:01 a.m. telling him not to hurt himself. The witness got no response.

Investigators found Plagmann's Chevrolet Silverado stuck in the snow in rural Shelby County. A search of the vehicle revealed a 9mm handgun in the center console of the vehicle. It was loaded and had seven rounds of ammunition in the magazine. Additional 9mm rounds were found in the vehicle.

Process and Authority

The Iowa Division of Criminal Investigation (DCI) investigated the incident, and its investigation is complete. DCI interviewed the officers involved and reviewed the officers' body camera and car camera recordings where

available. DCI reviewed evidence and reports from the Shelby County Sheriff's Office and the Iowa Office of the State Medical Examiner. DCI interviewed civilian witnesses as well.

The Attorney General's Office has authority under Iowa Code § 13.12 to assess any officer-involved death to determine whether criminal charges are warranted. This office has had a full opportunity to review the findings of the investigation and discuss the investigation with the assigned agent. All law enforcement reports, including audio or video recordings, will be returned to DCI when this report is issued.

Applicable Law

To be justified, the force an officer uses must be reasonable. Force is reasonable if a reasonable person, in like circumstances, would judge the force to be necessary to prevent an injury or loss. It can include deadly force if (1) it is reasonable to believe that such force is necessary to avoid injury or risk to the person's or another person's life or safety and (2) it is reasonable to believe that such force is necessary to resist a like force or threat. Iowa Code §§ 704.1, 704.2, and 704.3.

In *Graham v. Connor*, 490 U.S. 386 (1989), the United States Supreme Court held that the use of deadly force by a police officer must be evaluated from the perspective of a reasonable police officer on the scene and in the same circumstances. Under *Graham*, reasonableness of police use of force cannot be evaluated from the perspective of a civilian or the perspective afforded by 20/20 hindsight. The Court further stated that the fact that law enforcement officers are often required to react quickly in tense, uncertain, and rapidly evolving situations are factors that must be considered in determining reasonableness. Since *Graham*, the Supreme Court has narrowed the analysis to focus on the exact moment that the force was applied.

Analysis

Shelby County Captain Chad Butler was justified in his use of lethal force against David Plagmann. When Deputy Bearley initially responded, Plagmann was armed, had dropped ammunition, and was pumping the lever action of the rifle he carried. He refused multiple commands to drop the gun. He made motions and statements as if he were going to shoot himself. He pulled the trigger early on with the gun pointed under his chin, but the weapon did not fire. Deputy

Bearley spent thirty minutes talking with Plagmann calmly in an attempt to de-escalate the situation and get Plagmann to put down the weapon. Throughout the interaction, Plagmann never put the gun down.

Deputies realized that Plagmann had murdered a woman earlier in the night. He was drunk, armed, and not following commands. Most of the time he spoke with Deputy Bearley, he was stating he did not want to live and had his rifle pointed at himself or held to the side while he smoked or drank. After thirty minutes of this behavior, Plagmann leveled the rifle at Deputy Bearley and pumped the lever action. Captain Butler realized that Deputy Bearley was in danger of being shot and potentially killed, and so took the necessary action to eliminate that threat.

Conclusion

The Iowa Attorney General's Office concludes that Captain Butler's actions in this incident were legally justified and that criminal charges are unwarranted. It considers the criminal investigation into this incident to be closed.