



## **MEDIA RELEASE**

**FROM:** CHAD LARSON, DOUGLAS COUNTY ATTORNEY  
**DATE:** OCTOBER 21, 2016  
**RE:** HOMICIDE DETERMINATION: OFFICER-INVOLVED SHOOTING IN ALEXANDRIA ON AUGUST 2, 2016

On August 2, 2016, Agents from the Bureau of Criminal Apprehension shot and killed a suspect in Alexandria, MN in the course of carrying out an undercover operation. Prior to this event, I had met with BCA agents and assisting members of local law enforcement and was briefed on the operation. I fully supported their efforts, the objective of which was to apprehend and prosecute predatory sex offenders who target children.

Suspects were identified by their own online and social media messages. This was a passive-approach operation in that the agents were not actively seeking offenders; rather suspects became apparent based upon their messaging content that they sent to an undercover agent who they believed was a juvenile female.

One such suspect, 31 year old Adam Jo Klimek of Carlos, MN, traveled to an Alexandria residence believing that he was going to meet a 14 year old girl. Klimek had been engaging in ongoing messaging with a BCA agent decoyed as a young girl since July. Agents were aware that Klimek was a convicted sex offender as he had previously been convicted of engaging in prostitution with a juvenile female under the age of thirteen. Additionally, Klimek was prohibited from having contact with minor females as a condition of his probation.

Because this was a very well-planned operation, it involved assets from multiple law enforcement agencies from our area and extensive surveillance. This surveillance involved agents and officers positioned both inside and outside of the residence. It also included three covert cameras that were installed in key positions within the residence. The recorded video and audio of this event allowed me to review this shooting from three different angles. This afforded me the opportunity to make a determination about this case to a reasonable degree of factual certainty.

Klimek knocked on the door and was greeted by an unarmed, undercover female agent who invited him inside. Upon entering, Klimek was instructed by a uniformed officer to place his hands behind his back. Klimek responded by shoving the agent and producing a knife from his pocket. He then engaged in self-injurious activity with the knife. Agents instructed him to stop and drop the knife. Agents sprayed him with chemical irritant which had no apparent effect. Klimek then placed the knife to his neck and approached the agents. The agents retreated and shouted commands and warnings. Klimek lowered the knife, and began walking toward the agents. He did not respond to any commands or instructions. When he was approximately four feet from one of the agents with the knife lowered, two agents opened fire on him and he died.

During the independent investigation, both agents expressed fear for their lives prior to discharging their weapons. All three video recordings of the event confirm that these fears were objectively reasonable based upon the underlying circumstances, Klimek's actions, and Klimek's proximity to the agents at the time weapons were discharged.

Based upon an abundance of evidence, it is apparent that Klimek intended to cause his own death by threatening the lives of the officers who were tasked with taking him into custody.

I have chosen not to present this case to a Grand Jury because the facts do not warrant it. The two BCA agents involved, Agents Elizabeth Eilers and Dustin Vanderhagen, were victims of a crime that day. They reasonably acted in self-defense. Both agents avoided using lethal force until Klimek forced them into such action. In my opinion, they should be commended for their service to the public in the face of lethal opposition.

CML