



**DANE COUNTY
DISTRICT ATTORNEY
ISMAEL R. OZANNE**



**PRESS RELEASE
For Immediate Release**

Date: 5-26-26

**NO CRIMINAL LIABILITY FOR CITY OF VERONA
POLICE OFFICER INVOLVED IN SHOOTING INCIDENT
ON 3-15-2026**

After a review of summary reports, diagrams, squad and body cam video, and other evidence, the Dane County District Attorney's Office concluded on Tuesday, May 26, 2026, that there is no potential criminal court liability for the City of Verona Police Officer involved in the shooting incident that occurred on US HWY 18/151 and Spring Rose Road, in Springdale, Wisconsin, on March 15, 2026.

In this incident, on March 15, 2026, just after 5:00 PM, a City of Verona Police Officer, dressed in full military style uniform operating an unmarked squad, attempted to pull over a blue 2025 Kia Sorento SUV with Wisconsin license plate: 843-YBU as it traveled west on US HWY 18/151. This vehicle was identified as a stolen vehicle from the Town of Cottage Grove, Dane County, Wisconsin.

The officer had the description of the stolen vehicle from dispatch and viewed a vehicle fitting the description traveling west on HWY 18/151, around the 82/83 mile marker. Other officers had been directed to set up tire deflation devices in the area. The officer indicated he observed the first numbers of the license plate and saw a single male driver who looked directly at him as the vehicle passed his location. The officer pulled on to the highway and activated his emergency lights and sirens. The officer had to pass a number of vehicles prior to catching up to the suspect vehicle. Once behind the suspect vehicle with lights and sirens still activated the officer was able to confirm the vehicle information/identification. At this time, the vehicle did not pull over but began to accelerate and the officer notified dispatch he was in a vehicle pursuit. The officer communicated with other officers so the tire deflation devices could be ready in an attempt to end the pursuit. The suspect vehicle was able to maneuver around two different tire deflation devices deployed by officers and continued to travel at speeds in excess of 100mph.

The weather conditions were deteriorating with high winds and snow occurring. The suspect vehicle continued at a high rate of speed until the vehicle lost control and struck the median barrier cables. The driver was able to regain control of the vehicle as it crossed both lanes of traffic and came to a stop on HWY 18/151 at the intersection of Spring Rose Rd. As the officer pulled up toward the vehicle and before coming to a full

stop the driver exited the vehicle. The officer radioed dispatch that a “foot bail” (foot pursuit) was occurring.

The officer exited his squad as the suspect was advancing toward him brandishing a hammer in his right hand. The officer shouted commands toward the suspect, later identified as Eric Pottinger, to put down the hammer and to get on the ground. Mr. Pottinger did not comply with the officer’s commands and continued to advance with the hammer in hand. As Mr. Pottinger continued to advance the officer moved backwards while continuing to give verbal commands with his duty weapon drawn. Mr. Pottinger paused briefly at the front of the officer’s squad shouting and raising the hammer before moving to the driver’s door of the squad and entering the squad’s driver’s seat. The officer advanced to the squad door and attempted to keep the door from being closed.

At this time, Mr. Pottinger raised the hammer, which was still in his right hand, as he turned toward the officer and began to exit the vehicle. The officer backed away while still giving verbal commands. Mr. Pottinger exited the vehicle with the hammer raised and advanced toward the officer. The officer then fired multiple rounds hitting Mr. Pottinger numerous times. Mr. Pottinger dropped to the ground. The officer radioed shots fired and approached with another officer, who moved Mr. Pottinger away from the squad, moving the hammer and began rendering aid.

Fire/EMS was requested and when they arrived they took over life-saving measures. Mr. Pottinger was transported to the hospital where he was later pronounced deceased.

“A hammer can be used as a dangerous weapon and may pose a grave danger of bodily harm and/or death to an individual. A person fleeing from police who then advances on an officer armed with a hammer does pose a threat of great bodily harm and/or death to the officer,” said Dane District Attorney Ismael Ozanne. “Responding to that threat with deadly force is permitted under the law.”

Relevant evidence includes statements of officers at the scene, a statement from a citizen witness, scene diagrams, video from squad and body cameras, and evidence collection, which are consistent with each other.

Under Wisconsin law, which applies equally to members of law enforcement and to those who are not, any person may use deadly force to respond to a genuine fear of deadly force to that person or any other person. In this case, the officer was compelled to use deadly force when confronted by a person armed with a hammer brandishing it as he moved toward him.

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The role of the District Attorney’s Office in a case of this type is limited to a review of the facts to determine whether further investigation is merited and, after all available evidence is obtained, whether criminal charges could be merited for any individual who has survived the incident. Police executives and supervisors have the exclusive

responsibility of establishing appropriate training and protocols for use in response to crisis events, and of selecting from among the tactical options available to police in responding to particular events.

Now with the passage of Wis. Stat. 175.47 there is also a question of compliance with said Statute. This critical incident involved a City of Verona Police Officer who was attempting the apprehension of an individual when the individual exited a stolen vehicle after a highspeed pursuit and produced a hammer from their person and raised it while advancing in the direction of the officer.

This investigation was conducted by the Wisconsin Department of Justice Division of Criminal Investigation (DCI) and is in compliance with the statute. In the case of a death caused by an officer, the statute requires that at least two investigators from outside agencies or agencies not involved in the critical incident/Officer Involved Shooting (OIS) lead the investigation:

(3)(a) Each policy under sub. (2) must require an investigation conducted by at least two investigators, one of whom is the lead investigator and neither of whom is employed by a law enforcement agency that employs a law enforcement officer involved in the officer-involved death.

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