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**LEGAL OPINION REGARDING OFFICER INVOLVED SHOOTING ON FEBRUARY 2,  
2024, RESULTING IN THE DEATH OF LAWRENCE DRENNAN**

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This is a review of the officer involved shooting which occurred on February 2, 2024, near Interstate 41, north of County Road Z, Winnebago County, Wisconsin. Sgt. Bryce LaLuzerne of the North Fond du Lac Police Department initially stopped a vehicle operated by Lawrence M. Drennan (M/W, D.O.B. 12/5/87), in North Fond du Lac, Fond du Lac County, Wisconsin. Drennan drove away before the traffic stop was concluded, and was pursued by officers into Winnebago County, where the officer involved shooting occurred. The investigation was led by the Wisconsin Division of Criminal Investigation ("DCI"). The traffic stop and officer involved shooting were both captured by body worn camera and squad video footage.

Summary of Facts:

At approximately 9:40 PM on February 2, 2024, Sgt. Bryce LaLuzerne of the North Fond du Lac Police Department stopped a vehicle in North Fond du Lac, Fond du Lac County, Wisconsin. The sole occupant was later identified as Lawrence Drennan. Drennan requested to be allowed to go to the place he was staying, indicating he was homeless and had been threatened with a gun. Sgt. LaLuzerne observed an open container of alcohol in the vehicle and made other observations that caused him concern about whether Drennan would be able to drive safely. Sgt. LaLuzerne asked Drennan to exit the vehicle, and Drennan said he would not. Drennan appeared to be preparing to drive away, and Sgt. LaLuzerne told him not to leave. Drennan drove away while Sgt. LaLuzerne was still standing near Drennan's vehicle.

Sgt. LaLuzerne quickly returned to his marked squad and pursued Drennan's vehicle with his lights and siren activated. Drennan's vehicle got onto Interstate 41 traveling north. Sgt. LaLuzerne requested assistance from other police agencies and requested spike strips to stop the vehicle. An additional squad became involved in the pursuit, and the squads attempted to box in Drennan two times, but he avoided them by driving off of the roadway briefly.

Drennan called 911 during the pursuit and spoke with a dispatcher, indicating numerous times that he had a gun. Drennan's comments included, "...if they stop me, I got a gun in here and I'm gonna start shooting," "if they stop me, I will shoot them all to death," "I'm going to be dead," and that law enforcement should have their guns drawn and should "get ready to fire to kill, because I'm going to fire to kill." Drennan said, "Make sure they have their lethal rounds in their guns cuz it's me or them." Dispatch relayed to Sgt. LaLuzerne that Drennan was stating he had a firearm, and that Drennan had stated that he would shoot if he was stopped.

A tire deflation device was utilized by another law enforcement agency, which appeared to successfully damage one or more tires on Drennan's vehicle. Drennan's vehicle traveled off of Interstate 41 to the east, through the metal mesh fence that separated Interstate 41 and the frontage road, and came to a stop on the far side of the frontage road, about a half mile north of County Road Z.

Drennan exited his vehicle, and Sgt. LaLuzerne began giving verbal directives to Drennan and attempting to de-escalate the situation. Drennan was not responsive to officers' repeated directives. Other officers arrived on scene and took up positions on Interstate 41, with vehicular cover between them and Drennan. Drennan initially walked from the far side of the frontage road toward officers, keeping both hands behind his back, but then returned to his vehicle. Drennan was reaching into his vehicle, and Sgt. LaLuzerne noted that Drennan was telling officers to shoot him. Sgt. LaLuzerne yelled repeatedly for Drennan to stop and to show his hands. Sgt. LaLuzerne yelled, "Let's talk about this," and indicated no one needed to get hurt. Sgt. LaLuzerne yelled to Drennan that the situation did not have to be a "big deal." Drennan yelled, "If you're gonna shoot me, I'm gonna shoot you, you bitches."

Drennan moved towards officers a second time, appearing to move more rapidly and purposefully than when he had approached them earlier. Drennan's left hand was visible, but he had kept his right hand hidden behind his back since reaching into his vehicle. Dep. M. Breister of the Fond du Lac County Sheriff's Office was on scene during Drennan's second approach and indicated that Drennan was saying that law enforcement would have to shoot him, or he would shoot them. Dep. Breister indicated that Drennan was moving toward the damaged area of the fence, and that the distance between officers and Drennan was not appropriate for deployment of less lethal options. Sgt. L. Will of the Fond du Lac County Sheriff's Office indicated that he was uncomfortable with how close Drennan was getting to officers.

Drennan continued moving towards officers, concealing his right hand behind his back, and as he neared the mesh fence that ran between Interstate 41 and the frontage road to the east, Sgt. LaLuzerne fired his rifle twice, striking Drennan once. Sgt. LaLuzerne stated that based on the comments Drennan had made to dispatch, as well as Drennan saying, "If you don't shoot me, I am going to kill you," and the way Drennan was approaching officers, Sgt. LaLuzerne feared for his own life as well as the lives of others. Drennan went to the ground, but was not initially easily visible to officers. Once officers were able to observe Drennan and see that he did not appear to pose a threat

to their safety, officers and emergency responders quickly rendered aid, but Drennan was pronounced deceased on scene.

Sgt. LaLuzerne did not have a prior history of interactions with Drennan. The time from Drennan's vehicle coming to a stop to the shots being fired was less than five minutes. Drennan was approximately 15 yards away from officers at the time shots were fired. Despite Drennan's repeating indications that he would shoot officers, no firearm was located. A sample of Drennan's blood was sent to a lab for analysis, and the lab reported a BAC of .198 g/100mL, approximately two and half times the legal limit for driving.

Drennan's phone was recovered from the vehicle, and later analyzed by DCI. Special Agent L. Lehr observed numerous indications on the phone that Drennan was suicidal in the weeks leading up to the incident. Additionally, at 9:09 PM on 2/2/24, Drennan texted another person that he was "giving up."

Legal Standard:

When determining whether an officer was justified to use force, courts analyze the issue by conducting the legal analysis set forth in the area of excessive force claims. When there is a claim that an officer has used excessive force, deadly or not, in the course of an arrest, investigatory stop, or other seizure of a citizen, it is analyzed under the Fourth Amendment and its reasonableness standard. *Graham v. Connor*, 490 U.S. 386, 395, 109 S.Ct. 1865, 1871 (1989). Determining whether the force used to effect a particular seizure is reasonable under the Fourth Amendment requires a careful balancing of the nature and quality of the intrusion on the individual's Fourth Amendment interest against the countervailing governmental interests at stake. *Id.* at 396, 109 S.Ct. at 1871 (quotations omitted).

Therefore, a proper analysis requires careful attention to the facts and circumstances of each particular case, including: (1) the severity of the crime at issue, (2) whether the suspect posed an immediate threat to the safety of officers or others, and (3) whether the suspect actively resisted arrest or attempted to evade arrest by flight. *Id.* at 396, 109 S.Ct. at 1872 (citations omitted). The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on scene, rather than with the 20/20 vision of hindsight. *Id.* Additionally, the calculus of reasonableness must embody an allowance for the fact that police officers are often forced to make split second decisions and judgments about the amount of force necessary in circumstances that are tense, uncertain and rapidly evolving. *Id.* at 396-397, 109 S.Ct. at 1872.

Analysis:

From a review of all available materials, Drennan's desire to get officers to shoot him was clear. His statements to dispatch and to officers, combined with his refusal to show his hands as he approached officers, were clearly designed to make officers believe he had a gun, even though he did not. Drennan seemed aware that creating such a belief and aggressively moving towards officers would pressure them to shoot him. Officers attempted to defuse the situation verbally, but Drennan gave no indication that he would be distracted from his goal.

Officers were put in a very difficult situation by a suicidal person. Deciding precisely how much risk to his or her own safety an officer is required to take on before using potentially lethal force to neutralize a threat is not an easy exercise, even for those that are able to engage in it at their leisure, with the benefit of hindsight, numerous camera angles, and as much time as they need to take. Officers dealing with these situations have none of these luxuries.

The single issue I address in this opinion is whether the shooting of Lawrence Drennan was an unjustified, criminal act. It clearly was not. Sgt. LaLuzerne should not, and will not, face criminal charges from the Winnebago County District Attorney's Office.



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Eric Sparr  
District Attorney

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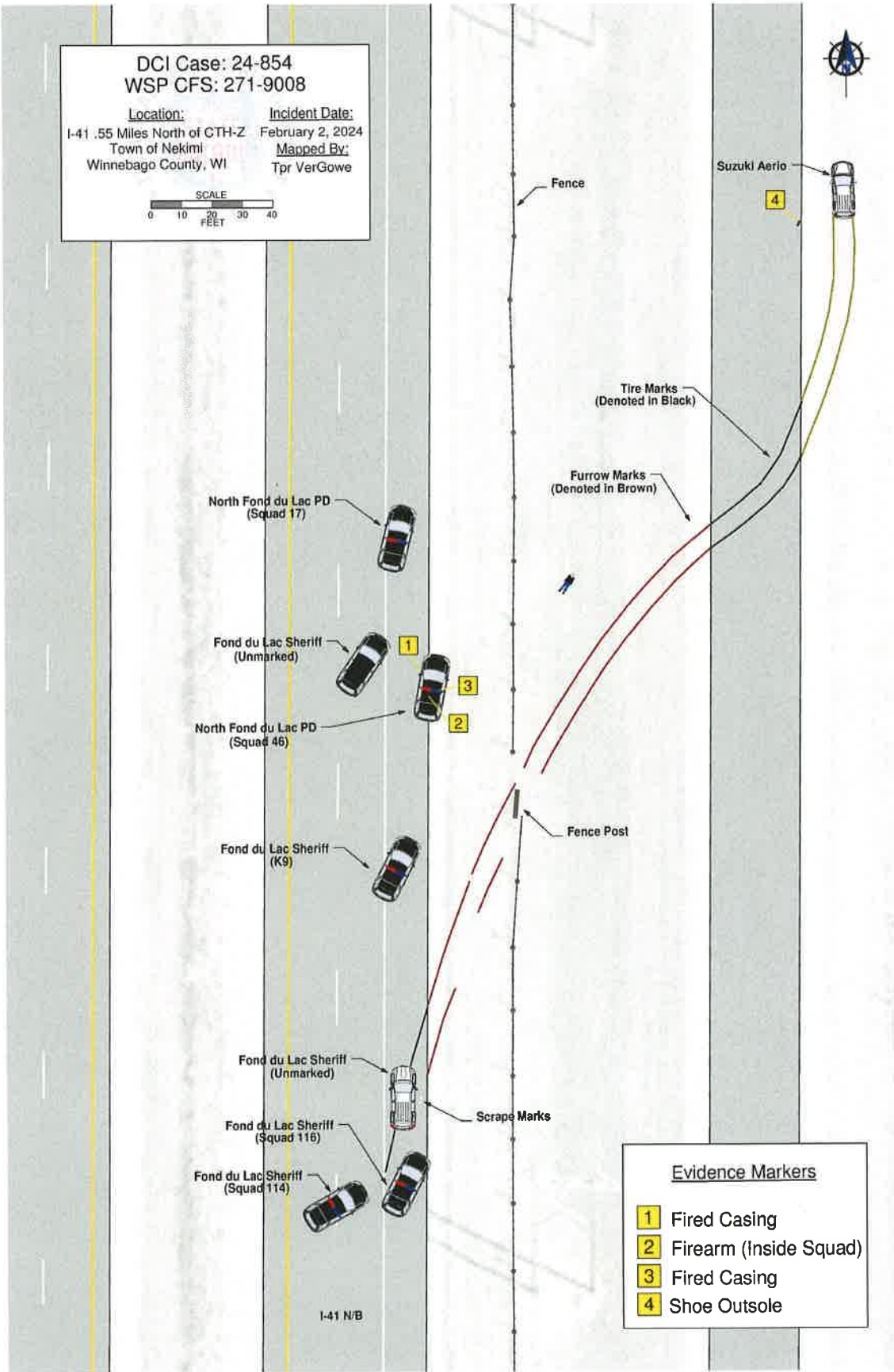
Attached: map showing area of incident produced by Wisconsin State Patrol

DCI Case: 24-854  
 WSP CFS: 271-9008

Location: I-41 .55 Miles North of CTH-Z  
 Town of Nekimi  
 Winnebago County, WI

Incident Date: February 2, 2024  
Mapped By: Tpr VerGowe

SCALE  
 0 10 20 30 40  
 FEET



- Evidence Markers
- 1 Fired Casing
  - 2 Firearm (Inside Squad)
  - 3 Fired Casing
  - 4 Shoe Outsole