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September 25, 2019

Ms. Sara Davenport
Jackson County Attorney
201 W. Platt
Maquoketa, Iowa 52060

Re: Death of Drew Manning Edwards

Dear Ms. Davenport:

This letter will be a response to a request you originally made to the Iowa Attorney General's Office for review of an in-custody death on June 15, 2019. Because of temporary staffing issues in the Attorney General's office I was asked to conduct the review.

I have met with the Iowa Division of Criminal Investigation Special Agent who led the investigation. I have reviewed investigative documents and the body-worn camera footage which captured the incident. The investigation shows that on June 15, 2019, a Maquoketa police officer and a Jackson County deputy attempted to place Drew Manning Edwards under arrest for an assault which had occurred earlier that day in the City of Maquoketa.

Mr. Edwards refused to cooperate with the arrest process. The officer and deputy spent more than ten minutes trying to reason with Mr. Edwards to cooperate. Both were aware that Mr. Edwards had a history of fighting with law enforcement when he was under the influence of controlled substances. Mr. Edwards appeared to be impaired during the encounter. When it was clear that Mr. Edwards was not rationally responding to their requests, the officer and deputy attempted to place Mr. Edwards in handcuffs.

Mr. Edwards fled on foot from the officer and deputy. The officer fired his Taser twice but it had no substantial effect on Mr. Edwards. The officer and deputy jumped on Mr. Edwards in an effort to complete the arrest.

Mr. Edwards continued to physically resist the arrest process. The deputy was able to place a handcuff on Mr. Edwards's left wrist while he was laying on his stomach and chest. Mr. Edwards had his right arm under his body and physically resisted the efforts of the officer and deputy to get the handcuff on the right wrist. The officer and deputy gave repeated verbal commands to Mr. Edwards to stop resisting and to let them handcuff him.

It is apparent from the body-worn camera footage that the officer and deputy were barely able to control Mr. Edwards from their position. The deputy was straddling his legs and the officer had Mr. Edwards's head between the officer's legs. Mr. Edwards attempted numerous times to throw the officer and deputy off of him.

The officer requested backup. Because the officer and deputy were the only two law enforcement personnel on duty at the time it was necessary for the Maquoketa police chief and assistant chief to respond from their residences while off duty. The officer also requested an ambulance. This was departmental policy whenever there a Taser is deployed against a subject.

The officer and deputy were essentially at a stalemate with Mr. Edwards. It was obvious from the body-worn camera footage that it took all of their physical effort to prevent Mr. Edwards from throwing them off or gaining control of the handcuff on his left wrist. The deputy informed investigators that he was particularly concerned about losing control of the handcuff as it could have become a weapon that Mr. Edwards could have used against the officer and deputy.

The chief and assistant chief arrived on scene at approximately the same time as the ambulance. The assistant chief was able to get Mr. Edwards's right wrist secured with the handcuffs. It was at this moment in viewing the body-worn camera footage that it appears that Mr. Edwards stops struggling. As the officer and deputy disengage from Mr. Edwards they, and the chief and assistant chief, perceive that Mr. Edwards is not

breathing. Ambulance personnel immediately began resuscitation efforts. Unfortunately these efforts were not successful and Mr. Edwards was pronounced deceased at the local hospital.

An autopsy of Mr. Edwards was performed at the Iowa State Medical Examiner's Office in Ankeny. The pathologist determined that the cause of death was cardiac arrest. Toxicology results show that Mr. Edwards had consumed methamphetamine, MDMA (commonly known as ecstasy), and marijuana before his death.

I have considered the provisions of Iowa law which apply to this situation. The officer and deputy had probable cause to arrest Mr. Edwards for the offense of assault when they originally informed him that he was under arrest. Mr. Edwards's refusal to cooperate and flight from the scene additionally gave them probable cause to arrest him for interference with official acts. The officer and deputy had the right to use that level of reasonable force necessary to complete the arrest and to defend them from harm from Mr. Edwards's resistance.

There is no evidence to show that the force used by the officer and deputy was unreasonable. Mr. Edwards's refusal to cooperate with the arrest placed them in an extremely difficult situation. The officer and deputy did everything reasonable to take Mr. Edwards into custody without incident. Mr. Edwards's resistance to a lawful arrest led directly to his death.

In conclusion, there is no evidence of any criminal conduct on the part of the officer and deputy in their interaction with Mr. Edwards. With this I remain,

Very truly yours,



Alan R. Ostergren

Muscatine County Attorney

cc: SAC Richard Rahn
AAG Scott Brown