

West Allis Police Department

Continuation

Incident Report Number
13-006791

Incident Location:
[REDACTED]

Incident Date:
07/30/2013

13-005816
1 EVI

Fake florida identification 1.000
belonging to Dwayne Powell \$1.00
[Recovered]

NARRATIVE

DETECTIVE PYE REPORTS

07/29/13

On this date, I was in the area of [REDACTED] when this suspicious person call was dispatched. I immediately noticed the described male suspect standing on the corner of [REDACTED] and he was talking on a cell phone. As I drove past him in my unmarked police vehicle, I noticed him looking around in all directions as though he was looking for someone or something. I turned my vehicle around and parked and monitored him from a stationary position. I observed the male walk south on [REDACTED] to a residence. He walked up the front steps to the front door and was attempting to look inside through the glass of the door. He did not appear to be trying to make contact with occupants of the house as he did not appear to knock on the door.

Sgt Mees arrived in the area and I directed him to the male where we made contact with him.

Refer to Sgt Mees report for probable cause and arrest information.

The party was later identified through a Florida DL as Dwayne Powell. I asked Powell if he had a vehicle in the area, and he stated that he had a black Ford Edge parked around the corner. I asked him if he would consent to a search of his car and he told me to go ahead and look in it. I asked him if he had a key for his car, and he said there was one in his pocket and said that it was a rental car.

I located the vehicle bearing [REDACTED] in the [REDACTED] on the north side of the street. The vehicle was locked and running and I could see that the air conditioning was running as denoted by the water in the form of condensation running from the bottom of the vehicle. I used the key provided me by Powell and opened the vehicle's front drivers door.

CONSENT SEARCH OF VEHICLE

I observed the vehicle's front seating area to contain a laptop computer mounted to a stand and currently powered up to a google search page displaying the Bank of America. Underneath this was a netbook which currently showed a

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map with a star over the area of [REDACTED]. In this area was a digital camera and a GPS tracking device in a hard case with a magnet attached to it. I also observed a box of 9mm pistol ammunition in the drivers door pocket. I observed a 9mm Taurus handgun [REDACTED] uncased and loaded with a round in the chamber pushed down between the passenger front seat and the center console. There was also a electronic stun gun located in the passenger side door pocket.

In the rear seat, I observed that temporary curtains were installed to completely block off outside view of the rear seating area. In the seat pocket on the back of the front passenger seat, I observed a second box of 9mm ammunition sticking out along with a fake semi automatic chrome firearm.

In the rear storage area of the vehicle, I observed two rifle cases, one contained a .22 cal rifle designed to look like a assault rifle. In the case was a PVC pipe that appeared to have been modified to function as a silencing device. The case also contained several loaded .22 cal magazines for this weapon. Contained in outside pockets of this case were 7 fully loaded .223 magazines for another assault rifle. (A .223 caliber rifle was not located in the vehicle.)

A second rifle case contained a 7mm rifle with affixed scope. There was a holstered loaded and chambered 9mm Glock that was in plain view in a open box that was filled with boxes of .22 cal ammunition sitting atop other misc contents. There appeared to be 1000+ rounds of ammunition. Two additional handgun cases were located under boxes and cases of misc property that contained two more semi automatic .22 cal handguns, neither of which were loaded.

Due to the large amount of property inside this vehicle, I decided to have it towed to WAPD to properly and carefully conduct an inventory search of the vehicle. The vehicle was then placed on property [REDACTED]

Additionally, I located a false FL DL with Powell's photographic image showing him to be Dwayne Scott Reed m/w 08/22/66 in a file folder located in a box of records in the rear of the vehicle. This identification was placed on property [REDACTED]

Due to the existence of what appeared to be a rifle silencing device, I contacted ATF agent Rick Hankins who stated that he would respond to WAPD to assist in this investigation.

ATF agent Hankins arrived along with ATF Task Force Officer Tony Randazzo. They examined the silencing device and it was their opinion that the device was in fact a silencer.

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Refer to Officer Belli's supplement for evidence photography and seizure with accompanying property numbers.

STATEMENT OF OFFENDER-DWAYNE POWELL

Agent Hankins, myself and Sgt Mees met with Dwayne Powell in the Detective Bureau conference room for the purpose of interviewing him. At 1650hrs, I read Powell his Miranda Warnings directly from a WAPD form. Powell stated that he would speak with us without an attorney present. This interview was recorded using a digital media recorder. The following is a summary of the statement given by Powell, refer to recording for a complete accounting of this statement.

Powell stated that he has 4 children, [REDACTED], Daniel 22yoa, [REDACTED] and [REDACTED] by 3 different mothers and that he is not married. He stated that he has 3 homes, one in Florida and two in Tennessee and that he financially supports all of his children.

[REDACTED]

Powell stated that he is a private investigator from Florida. He stated that he does not hold a CCW permit in any state. He advised that he and his son, Daniel Powell, have a private investigations company named Powell and Powell. He stated that he rents cars to use as work vehicles and trades them out every two to four weeks so they don't get "made". He also stated that he always takes the front plates off of the rental cars so no one can record the plate number when they are following them. He stated that he usually keeps the front plates so if he needs to, he has extra plates to switch out on the rental cars.

I asked him who he was currently working for. He asked that I turn the recorder while he named his employers so I turned it off. He stated that he was hired by the CA based Church of Scientology to conducted full time surveillance of a Ronald Miscavige. He stated that they were sub-contracted by a firm identified at Terry Rofler and Associates for this job and that the main client is a David Miscavige, who is the son of Ronald Miscavige and that David Miscavige is the current leader of the LA based Church of Scientology.

Powell stated that he has been following Ron for 1.5 years and that his son has been with him assisting for about the last 1.0 year after being released by the US Army. He stated that they are paid \$10,000.00 a week for this job and he stated that they are paid by Rofler and Associates through the church. He explained that Ron and his younger wife, Becky, left the church and David is worried that they will divulge details about the churches activities and

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that their job was to know who Ron talked to, emailed with, met with, where he went, what he did, etc. He stated that he would report hourly to his contact at Rofler and Associates the activities of Ron. He would search Ron's garbage and follow and photograph him wherever he went. At this point, I turned the recorder back on as he had named his employer.

Powell stated that if Ron went to Europe, they went to reiterating that they were to surveil Ron at all times no matter where he went. He explained that when Ron would go to the library to check his emails, they would stand behind him and take pictures of the screen. When he would be eating at a restaurant, they would sit nearby or at his table and listen to his conversations. If Ron was in his vehicle on the phone, they would pull up next to him and monitor the conversation. He stated that he would take Ron's garbage and search it and tape together torn up papers to read the content.

Powell stated that if Ron was doing anything that was deemed to be not in the best interest of the Church, he would report to his contact and the church would send people from LA to intervene and speak with Ron to correct his behaviors. He said that he was also expected to recruit people to befriend Ron and his wife who would remain close to them for information purposes and to be available to intervene on behalf of the Church. Powell did mention that the Church has also sent Scientologist's from the Church to be near Ron and his wife.

Powell mentioned an incident that occurred in July 2013 where he and Daniel were watching Ron who was shopping in the [REDACTED] area. He stated that Ron was loading his purchases into his car and slumped over while grasping his chest. He stated that he called his contact at Rofler and Associates and advised them that he thought that Ron was having a heart attack and could possibly die without intervention and asked for further instruction. He stated that he was called about 2 minutes later by a man who identified himself as David Miscavige. David told him that if it was Ron's time to die, to let him die and not intervene in any way. He stated that this is the only time that he has ever spoken to David Miscavige and that he has never met him.

He stated that Ron apparently began to feel better and nothing further happened.

I asked Powell if he has used a GPS tracking unit to track Ron's movements and he stated that he has. He stated that he currently has one on Ron's car and that he has used one the entire time that he has been following Ron. He said that the netbook (Ipad) in his car was dedicated solely to the GPS tracker program and has never been powered down since he first set it up.

Powell stated that when his company was hired for this job, that he signed a confidentiality agreement and that he is never to disclose any information about his assignment or employers and that if this arrest and statement gets

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out, he will be fired and faces civil ramifications. He stated that he has been checked on by other PI's to make sure that he is doing what he is supposed to be doing. He stated that he is required to report to Rofler every hour between 8a and 8p and that he transmits weekly reports to Rofler via email through his laptop computer.

I asked Powell about the fake FL DL and he stated that he made one for himself and his son because they attended an anti Scientology event while following Ron and they did not want their true identities known.

He stated that he is sure that the Church has other surveillance teams following members who have left the church. He stated that David Miscavige is paranoid and afraid that ex members will discuss the inner workings of the church. I asked Powell what type of information was being protected and he stated that he is not a member of the church and does not know, just that they are paying a lot of money to protect it.

I asked Powell about the firearms in his vehicle and he stated that he and his son enjoy sport shooting and that is why he had them in his car. He said that he does not like to leave them in his motel rooms because items have been stolen by the cleaning staff in the past.

He said that the guns were recently brought from his home in Tennessee by his girlfriend, [REDACTED], so that he and his son could use some farm land in [REDACTED] to shoot. He explained that he met the owner of a farm at a restaurant in [REDACTED] and that the man owns the diner and the farm it sits on and offered him the property to use for shooting.

I asked him about the large amount of ammunition he had, and he said that in his home state of Florida, ammunition and firearms are very hard to come by and expensive in Florida so as he travels the country following Ron, he purchases it when he can find it. He stated that recently they were at a sporting goods store in WI and found that they had a large amount of .22cal and 9mm ammunition so he bought as much as he could.

I asked him about the Taurus 9mm that was loaded and tucked into the front seat, and he stated that he has two Taurus 9mm's and that he has them for protection. He said that he did not recall placing one in the front seat area and said that his son, Daniel, also uses the car and the firearms.

Powell was asked about the silencer and he stated that it is a flash suppressor. He stated that a friend of his named [REDACTED] built it for him in Tennessee. He said that it does make the gunshot quieter but was mainly meant for flash suppression. He said that [REDACTED] had found instructions on the internet to produce this suppressor and had built one for himself so he asked [REDACTED] to build one for him.

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I asked him what he was doing in West Allis today and he stated that he had learned by watching Ron that he was trying to purchase a home in West Allis and that he was told by Rofler and Associates that he was to rent or buy a home near the home that Ron was buying so that they could have a home to use to watch Ron. He stated that he was looking at the home he was stopped in front of because this home was one half a block from the one Ron is buying and that he thought it was for sale and was going to try to purchase it. He said that the cost to rent of purchase the home would be paid by the Church.

I asked Powell if he was hired as a hit man to kill Ron if the Church of Scientology ordered such action and he stated that he was not.

I asked him for consent to search the two computers, digital camera card and two iPhones in his possession and he granted consent. He provided the passwords for the items, [REDACTED] for the laptop and [REDACTED] for the iPhones, with the exception of the netbook, citing that he did not remember the password for it. He signed consent forms for the computers and phones that are attached to this file.

These items were placed on the following property numbers:

- Toshiba laptop computer [REDACTED]
- Zapp Netbook computer [REDACTED]
- IPhone 4 [REDACTED]
- IPhone 5 [REDACTED]

SEARCH OF MOTEL 6 [REDACTED]

I asked Powell if the motel room key that he had in his pocket was his current lodging and he stated that it was. I asked him if he had any weapons or other contraband in his room and he stated that he did not. I asked him for consent to search the room and he granted consent. Powell signed a consent form and Agent Hankins arranged for ATF agents to search the room for us. No contraband or weapons were located in the room.

End of statement.

I was advised by WAPD dispatch that a MWAR was received from Wauwatosa PD regarding Dwayne Powell being reported as a missing person by Daniel Powell. I contacted Wauwatosa PD and advised them that we had arrested Dwayne Powell earlier in the day. Daniel Powell was also contacted and advised that we had his father. Daniel advised that he was going to respond to WAPD.

BOOKING OF DWAYNE POWELL

Dwayne was booked under [REDACTED] for CCW and placed in a secure cell while

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the investigation continued.

STATEMENT OF DANIEL POWELL

Daniel Powell came to WAPD at 1950hrs. While in the Detective Bureau conference room, Agent Hankins, Sgt Mees and I interviewed Daniel. No Miranda Warnings were issued as he was not under arrest and free to leave anytime he wished. This interview was recorded using a digital media recorder. The following is a summary of the statement, refer to the recording for a full accounting of the statement.

Daniel began the conversation stating that he was not going to say anything about their activities as PI's and said that his father did not tell us anything. He then demanded to see his father. I provided him with several details that could not have been known if Dwayne had not talked. He then confirmed that he and his father have been working for the Church of Scientology by following director David Miscavige's father, Ronald Miscavige and his wife, Becky Miscavige. He stated that they are paid \$10,000.00 a week. He stated that he has been following Ron for about 1 year since being released from the US Army, but his father has been working as a PI for the church for nine years.

He said that he is not all that familiar with the chain of command or who they report to because he fathers handles those matters. He stated that he is under the impression that they are only to watch Ron and denied that they were ever to harm him. He stated that the firearms his father had are co owned by him and that they are sport shooters and planned to shoot in a farm field in Whitewater, WI as his father had gotten permission to do so.

I asked Daniel about the home made silencer and he stated that a family friend named [REDACTED] had made one for himself and he and his father were curious to try one. [REDACTED] and Dwayne made one based on internet instructions and Daniel tried it out one or two times. He stated that the gunshot sounds were dramatically quieted by the silencer.

Daniel recalled an incident when they were following Ron a few weeks ago. He stated that Ron slumped over and was grabbing his chest and he and his dad thought Ron was going to die. He said that his dad called his contact and reported it. A couple minutes later, his dad told him that David Miscavige called him directly and told him to not intervene and let Ron die if it was his time. Daniel stated that after this, he viewed David Miscavige as an animal. He stated that he was not going to personally intervene but he was going to call 911 if Ron had not recovered from the attack. He commented "who could let their father die like that?".

The remainder of Daniel's information corroborated the information given by

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Dwayne Powell.

NOTIFICATION OF RONALD MISCAVIGE

Agent Hankins debriefed and requested that [REDACTED] make contact with Ronald Miscavige and apprise him of this incident, which was accomplished at approximately 2200hrs. Ronald was advised that he would be contacted by WAPD on 07/30/13 to respond to any questions he may have.

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Ron Miscavige's vehicle was searched in [REDACTED] with Ron's verbal consent. His white Ford Focus station wagon was checked for a GPS tracking unit. The location that it had been placed was on the sheet metal behind the rear passenger side wheel behind the inner wheel well. This area had a circular mark where the unit normally sat and the area was deeply scratched up which was a result of the unit being removed numerous times for battery changing.

SEARCH OF PHONES AND COMPUTERS

On 07-30-13 at 0815hrs, I contacted Waukesha County Sheriff Det Carol Stuhlman Robert at [REDACTED]. She works in the computer lab and was asked to retrieve the data from the computers. I dropped the computers off at WKSO at 0900hrs and was advised that they would be done by the end of the day.

I contacted Milwaukee HIDTA and spoke with Analyst Rebecca Beaudry who advised that she would "dump" (secure the data) the phones for me. I had Detective Stachula drop the phones off with Beaudry at 1100hrs and was advised that they would be done by the end of the day.

RELEASE OF DWAYNE POWELL

I advised Powell that I had discussions with prosecutors regarding this case and it was recommended that he be released and that when the investigation was done, it would be reviewed for state and or federal charges against him. I advised him that I did not have his computers or phones back yet to give to him and we agreed that we would arrange to ship them to him in Tennessee as he was going home as soon as he was released.

07/31/13

At 8:00am, I spoke with Det Stuhlman Roberts and she advised that the laptop computer was done. She advised that she could not access the Netbook without the password. I advised her that I would pick the computers up in coming days.