

State troopers 'justified' in deadly Princeton - Trentonian, The (Trenton, NJ) - November 9, 2018

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PRINCETON — The state police troopers who fatally shot a suicidal man who was involved in an hourslong standoff inside a Panera Bread near the famous Ivy League university had attempted to use a stun gun on him but couldn't because he was "too far away" from them inside the eatery, authorities said.

The report, issued nearly eight months after the fatal encounter, filled in gaps of the final hours before **Scott Mielentz**, who was armed with a BB pistol when he barricaded himself inside the restaurant on March 20, was fatally shot by two State Police SWAT members after nearly five hours of negotiations.

At one point, the 56-year-old Mielentz, of Lawrence, held up a \$5,000 check and told negotiators it was supposed to go to his son when he died, according to the state Attorney General's Office, which on Friday released the findings of its investigation into the police-involved shooting.

The standoff ended when State Police TEAMS unit members, William Kerstetter and Joseph Trogani, in tactical gear and armed with M4 rifles, shot and killed Mielentz when he raised the BB pistol toward them following nearly five tense hours of negotiations.

The report, issued in compliance with a statewide police use-of-force directive, cleared the state police troopers saying their deadly force was justified and there was no need to put the matter before a grand jury.

The AG's office determined the "undisputed facts indicated the use of force was justified under the law."

"An officer may use deadly force in New Jersey when the officer reasonably believes it is immediately necessary to protect the officer or another person from imminent danger of death or serious bodily harm," the report stated.

It was later determined that Mielentz, a former IT worker who was experiencing personal and mental health issues that forced him into extreme debt, was armed with a BB gun.

But the AG's office said investigators interviewed police officers involved in the standoff who believed the BB gun was a real firearm capable of killing them.

The standoff, which was captured by the restaurant's surveillance system -- portions that were released publicly -- began the morning of March 20 at the Panera Bread on Nassau Nassau Street, where Mielentz planned to meet a friend.

It caused normally placid Princeton to grind to a halt, as roads were closed off and businesses put on lockdown while the drama unfolded.

Mielentz had begun the conversation with his friend at the restaurant by talking about suicide and saying he had a gun, authorities said.

Mielentz drew a black pistol and shouted, "I have a gun. Everyone out," according to the AG's statement. Police raced to the restaurant, and customers and employees darted for the doors, after receiving 911 calls around 10:30 a.m.

On one of those calls, obtained by The Trentonian, one of Mielentz's friends was heard telling police that Mielentz was suicidal.

Mielentz had also sent a friend a text message that morning saying he wanted to end his life, according to records obtained by this newspaper.

"I was just sitting with him. He doesn't want to hurt anybody," caller Richard Chrisman told the dispatcher, saying he knew Mielentz. "He just wants to hurt himself."

Princeton Police officer Jennifer Gering was the first to encounter Mielentz when she arrived at the Panera Bread around 10:40 a.m., as a phalanx of local, state and federal authorities descended upon the restaurant.

The authorities said Mielentz pointed his BB pistol at her, but she didn't open fire.

During the standoff, Mielentz called a female friend and told her he wanted the police to shoot him.

Other Princeton cops entered the Panera Bread through the back of the store and tried to talk Mielentz down. He responded by saying, "Shoot me, just shoot me."

Mielentz told the officers that he was in pain and that the government had cut off his OxyContin, according to the AG's office, also falsely claiming was a Vietnam veteran and had killed 1,000 people during the war.

The officers described Mielentz as erratic.

The Trentonian discovered court records that exposed his sad history.

Mielentz, who lived in Newtown, Penn., before relocating to Lawrence, N.J., spent time in a psychiatric hospital in 2013, had crushing debt and admitted he didn't handle stress well.

He claimed to have suffered from post-traumatic stress disorder from his time as an Army ranger involved in "covert operations" during the late 1970s in the Vietnam War and said he was plagued by "hallucinations, flashbacks and anxiety."

But sources said Mielentz wasn't old enough to serve by the time the Vietnam War ended in 1975, and had only briefly served in the armed forces for a matter of months.

And a doctor who treated him at Chelsea Community Hospital in August 2013 wrote in admission notes Mielentz didn't have any VA benefits.

Throughout the standoff, Mielentz ignored officer commands to drop the gun and instead pointed the gun at the officers and at his own head.

TEAMS members and crisis negotiators tried to peacefully resolve the standoff, but Mielentz became "increasingly agitated" and refused to surrender, authorities said.

Kerstetter Trogani, who were positioned in the back of the restaurant behind a dining booth and trash bins, had their guns trained on Mielentz while negotiators told him they understood his struggles and offered him food.

TEAMS members "evaluated" whether he could use a stun gun on Mielentz, but determined that Mielentz was too far away, according to the AG's report.

When negotiators asked if they could help Mielentz, he responded, "Yes, shoot me," the AG's office said.

Police witnesses also reported Mielentz made several statements about wanting to commit police-assisted suicide, including: "Just kill me. Do it for me, guys"; "Just do this, guys. I'm going to shoot you, guys. Don't make me do this"; "It's either going to be you or me."

The AG's office described an endless "cycle of Mielentz's "agitated behavior" in which he stood up, began to raise the BB gun toward the officers, only to sit down and put the gun down.

At one point, he smoked a cigarette during the standoff, but never relinquished control of the gun, repeatedly pointing it at his chin and head.

"Officers said he seemed to be building up his courage. He approached police several times, raising the gun a little higher each time. He told officers he would give them a five count and counted down from five," the report said.

Officers commanded Mielentz to "Put the gun down" and "Soldier, put that gun down," prior to the 2:54 p.m. shooting, which was caught on tape.

Right before he was shot, Mielentz "smoked a cigarette, extinguished it on the floor with his foot, and then spread his legs while facing the officers," the report stated.

Then he counted down from five and raised the gun.

Kerstetter and Trogani fired their M4 rifles, with Kerstetter unloading four rounds, and Trogani firing one round.

Mielentz's autopsy confirmed that he died of gunshot wounds to the head and upper torso.

Toxicology reports showed he had traces of an anti-anxiety drug, diazepam, in his system.

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