

Investigation on the death of Roger 'Nzoy' Wilhelm

Preliminary elements of analysis

10 November 2023

Border Forensics is a research and investigation agency based in Geneva. We develop advanced methods of visual, geospatial and open-source investigation to document various forms of violence linked to the existence and the control of borders, whether social or state. In collaboration with various affected people and civil society organisations, we produce reports, maps, video reconstitutions and various 3D visualisations to support demands for truth and justice.

Border Forensics

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CONTEXT

On the 30th of August 2021, Roger 'Nzoy' Wilhelm, a 37-year-old Swiss man from the region of Zurich and of South African descent died at the train station in Morges after a police officer shot him three times.

At the behest of the family of Roger 'Nzoy' Wilhelm, and in collaboration with the Independent Commission of Inquiry on the Death of Roger Nzoy Wilhelm, Border Forensics is leading an investigation to reconstitute the events of the 30th August 2021 and to precisely analyse the acts of all people involved.

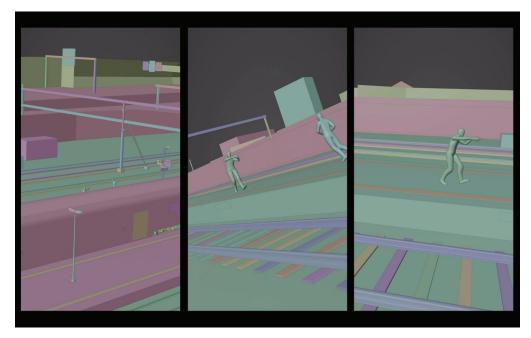
INVESTIGATION METHODOLOGY

Based on the file from the Public Prosecutor's office which Roger 'Nzoy' Wilhelm's family had access to, we organised and analysed videos from witnesses, the recordings of police audio communications which were provided, and the minutes of hearings of the involved police officers and of various witnesses. We then mobilised spatial and visual analysis methods to match these elements of proof and analyse the sequence of events.

Based on the metadata from audio, videos and recordings — when they were available — we were able to precisely place in time all the data — except two videos which were devoid of metadata. Placed together in an editing software, this enabled us to have a coherent and detailed vision of the sequence of events in space and time to start a precise analysis of the acts of each person involved.



Border Forensics, Timeline extract, Adobe Premiere, Screenshot, November 2023 At the same time, we are building a 3D reconstitution of the premises as well as various moments of the events. Placing events in this digital environment will enable a deeper analysis of certain acts – in particular before and during the shots – when the video data is missing, or when they only give a partial view, taken from a unique angle.



Border Forensics, 3D reconstitution of witnesses' videos at the time of the shooting. Screenshot, work in progress, November 2023.

By matching these elements of proof and by mobilising various sound, spatial and visual analysis methods, we seek to give a complete, precise and ascertainable reconstitution of the events which led to the death of Roger 'Nzoy' Wilhelm on the 30th of August 2021. We also open our analysis of the facts to the wider context of racism and police violence towards black people which has been documented these past years in Switzerland.¹

¹ See: Human Rights Council, "Visit to Switzerland. Report of the Working Group of Experts on People of African Descent", 04 October 2022, A/HRC/51/54/Add. 1, para. 41.

PRELIMINARY ELEMENTS OF ANALYSIS

While our investigation is still ongoing, and in the context where the Public Prosecutor's office of the Canton of Vaud has announced its intent to issue a dismissal order and a non-proceeding order, we publish a preliminary analysis of some of the facts.

The analysed sequence takes place on August 30th 2021 at Morges train station, between 17:59:02, when Roger 'Nzoy' Wilhelm falls to the ground after the third shot, and 18:07:45, at the end of the audio and video data which figured in the file which Roger 'Nzoy' Wilhelm's family had access to.

Our preliminary analysis shows three main elements:

During the 6:30 minutes elapsed between the 3rd shot and the first medical
assistance provided by a nurse who was a witness to the scene, Roger 'Nzoy'
Wilhelm, lying on the ground and evidently wounded by gunshot, made various
respiratory movements. Police officers noticed some of these movements.



Border Forensics, Video on the element of preliminary analysis, Respiratory Movements, Screenshot, November 2023.

 During the analysed sequence, and while Roger 'Nzoy' Wilhelm did not appear to pose a threat, and above all was evidently injured by a gunshot, the officers

prioritise security handlings, such as a safety search and handcuffing behind

the back.



Border Forensics, Video on the element of preliminary analysis, Security handlings, Screenshot, November 2023.



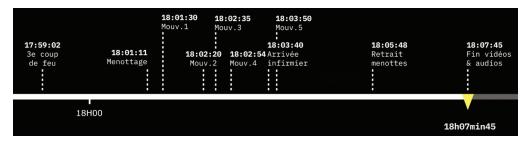
Border Forensics, Video on the element of preliminary analysis, Handcuffing, Screenshot, November 2023.

3. Even though the 4 officers had undergone BLS-AED first aid training, they did not undertake any rescue and resuscitation measures until the arrival of a nurse who witnessed the scene.



Border Forensics, Video on the element of preliminary analysis, CPR from the nurse witness to the scene, Screenshot, November 2023.

All the preliminary elements of analysis are detailed in a video that we produced for this occasion. Below we reproduce the timings of different events that took place during the analysed sequence.



Border Forensics, Video on the element of preliminary analysis, Timeline, Screenshot, November 2023.

MISSING ELEMENTS OF PROOF

Finally, our detailed analysis of the audio and video data also allowed us to find that some evidence was not included in the prosecution file to which the family of Roger 'Nzoy' Wilhelm had access.

In addition to a lot of metadata likely corrupted during various transfers, we found at least two radio communications from [PO3] missing, at 18:00:41 and 18:02:02.



Border Forensics, Video on the element of preliminary analysis, Audio missing 1, Screenshot, November



Border Forensics, Video on the element of preliminary analysis, Audio missing 2, Screenshot, November 2023.

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A conclusive investigation into all the events leading up to the death of Roger 'Nzoy' Wilhelm requires that the Public Prosecutor's Office of the Canton of Vaud add all relevant and missing evidence to the file to which Roger 'Nzoy' Wilhelm's family had access.

We continue our counter-investigation to support the search for truth and justice by the family of Roger 'Nzoy' Wilhelm.

RESEARCH TEAM

Border Forensics

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Main researcher: Elio Panese

Video maker : Émile Costard

<u>Partner</u>

The Independent Commission of Inquiry on the Death of Roger Nzoy Wilhelm