

Investigative Report

2023-2059

Officer Involved Critical Incident - 205 US 250, Polk, Ohio 44866



Investigative Activity: Receipt and Review of Firearms Lab Report

Involves: Larry Dunham (S), Deputy Jacob Hemenway (S), Deputy Johnie

Wilcox (S)

Activity Date: September 21, 2023

Activity Location: BCI, 4055 Highlander Parkway, Richfield, Ohio 44286

Authoring Agent: SA Nicholas Valente #139

Narrative:

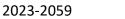
On September 20, 2023, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Nick Valente (Valente) received the Ohio BCI Laboratory report for items of evidence submitted on August 9, 2023 and August 14, 2023. The laboratory case number for the analysis is 23-36818. The report originated from the Firearms Section of the Laboratory and was authored by Forensic Scientist Dylan Matt. The report was dated September 8, 2023. The items relevant to this report which had previously been submitted were as follows:

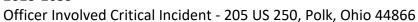
MATRIX ITEM #	LAB ITEM #	ITEM DESCRIPTION
001	1	One (1) 9mm Luger fired cartridge case
002	2	One (1) 9mm Luger fired cartridge case
003	3	One (1) 9mm Luger fired cartridge case
004	4	One (1) 9mm Luger fired cartridge case
005	5	One (1) 9mm Luger fired cartridge case
006	6	One (1) 9mm Luger fired cartridge case
007	7	One (1) 9mm Luger fired cartridge case
008	8	One (1) 9mm Luger fired cartridge case
009	9	One (1) 9mm Luger fired cartridge case
010	10	One (1) 9mm Luger fired cartridge case
011	11	One (1) 9mm Luger fired cartridge case
012	12	One (1) 9mm Luger fired cartridge case
013	13	Dunham's Bulgarian Makarov Pistol (serial# BA 22 1587; 9X18MM)
014	14	Dunham's Iver Johnson Revolver (serial# N44842)
015	15	Dunham's Ruger pistol (serial# 96749)
024	16	Magazine with cartridges
026	17	Deputy Hemenway's Glock pistol (serial#

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027	18	Deputy Wilcox's Glock pistol (serial#
029	19	One (1) fired bullet
030	20	One (1) fired bullet
031	21	One (1) 9mm Luger fired cartridge case
032	22	One (1) 9mm Luger fired cartridge case
041	23	One (1) bullet jacket fragment removed from Dunham's
		person
042	24	One (1) fired bullet removed from Dunham's person
043	25	One (1) fired bullet jacket and one (1) lead bullet core
		removed from Dunham's person
044	26	One (1) fired bullet removed from Dunham's person
045	27	One (1) fired bullet removed from Dunham's person
046	28	One (1) lead bullet core removed from Dunham's person
047	29	One (1) fired bullet removed from Dunham's person
048	30	One (1) bullet jacket fragment and one (1) lead bullet core
		removed from Dunham's person
049	31	Two (2) bullet jacket fragments removed from Dunham's
		person
050	32	One (1) fired bullet removed from Dunham's person
40	33	One (1) fired bullet -removed from neighbor's garage

SA Valente reviewed the laboratory report and noted the following:

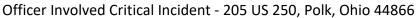
ITEM DESCRIPTION	COMPARISON	CONCLUSION
Lab Item #13: Dunham's	N/A	Operable
Bulgarian Makarov pistol	Lab items #20 & 33: two (2) fired bullets	Source Identification
Item #14: Iver Johnson revolver	N/A	Operable
Item #15: Ruger pistol	N/A	Operable

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ITEM DESCRIPTION	COMPARISON	CONCLUSION	
	N/A	Operable	
Lab item #17: Glock pistol	Items #1-7: seven (7) 9mm Luger fired cartridge cases	Source Identification	
	Items #24, 26 & 32: three (3) fired bullets	Source Identification	
	N/A	Operable	
I 1 '	Items #8-12, 21 & 22: seven (7) 9mm Luger fired cartridge cases	Source Identification	
Lab item #18: Glock pistol	Items #25 (EB5), 27, 29 & 31: Two (2) fired bullets, one fired bullet jacket and two (2) bullet jacket fragments.	Source Identification	
Items #19, 23 & 30 (EB12): one	Items #17 & 18: Glock pistols	Inconclusive*	
(1) fired bullet and two (2) bullet jacket fragments	Item #13: Bulgarian pistol	Source Exclusion	

^{*}Similar class characteristics but insufficient corresponding individual characteristics to identify or exclude.

Item Description	Comparison	Conclusion
Items #25 (EB6), 28 & 30 (EB11): three lead bullet cores	N/A	Unsuitable

Conclusion:

All three of Dunham's pistols were found to be operable. The projectile removed from the tree along Dunham's driveway and the projectile removed from the neighbor's garage were conclusively determined to have been fired by Dunham's Bulgarian Makarov pistol.

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Deputy Hemenway's pistol (lab item 17) was found to be operable. Deputy Hemenway's pistol was conclusively linked to seven cartridge casings found at the scene and three projectiles (lab items 24, 26, and 32) removed from Dunham's person.

Deputy Wilcox pistol (lab item 18) was found to be operable. Deputy Wilcox pistol was conclusively linked to seven cartridge casings found at the scene and two (2) fired bullets, one fired bullet jacket, and two (2) bullet jacket fragments (lab items 25, 27, 29 & 31) removed from Dunham's person.

The BCI Firearms Laboratory report was attached to this report.

Attachments:

- 1. 2023-09-20: BCI Firearms Lab Report
- 2. 2023-09-20: BCI Firearms Analyst Statement of Qualifications



Bureau of Criminal Investigation

Laboratory Report **Firearms**

To: Ohio Attorney General's Office

Nick Valente

30 E. Broad Street

Columbus, OH 43215

BCI Laboratory Number: 23-36818

Analysis Date:

Issue Date: August 23, 2023 September 08, 2023

Agency Case Number:

BCI Agent:

2023-2059

Nick Valente

Offense:

Shooting Involving an Officer

Subject(s): Victim(s):

Submitted on August 09, 2023 by Nick Valente:

- Envelope containing cartridge case (Matrix Item 1, Crime Scene Item 1) 1. -One (1) 9mm Luger fired cartridge case.
- 2. Envelope containing cartridge case (Matrix Item 2, Crime Scene Item 2) -One (1) 9mm Luger fired cartridge case.
- 3. Envelope containing cartridge case (Matrix Item 3, Crime Scene Item 3) -One (1) 9mm Luger fired cartridge case.
- Envelope containing cartridge case (Matrix Item 4, Crime Scene Item 4) 4. -One (1) 9mm Luger fired cartridge case.
- 5. Envelope containing cartridge case (Matrix Item 5, Crime Scene Item 5) -One (1) 9mm Luger fired cartridge case.
- 6. Envelope containing cartridge case (Matrix Item 6, Crime Scene Item 6) -One (1) 9mm Luger fired cartridge case.
- 7. Envelope containing cartridge case (Matrix Item 7, Crime Scene Item 7) -One (1) 9mm Luger fired cartridge case.
- 8. Envelope containing cartridge case(Matrix Item 8, Crime Scene Item 8) -One (1) 9mm Luger fired cartridge case.
- 9. Envelope containing cartridge case (Matrix Item 9, Crime Scene Item 9) -One (1) 9mm Luger fired cartridge case.

Please address inquiries to the office indicated, using the BCI case number.

Ohio Bureau of Criminal Investigation BCI&I Richfield

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- 10. Envelope containing cartridge case (Matrix Item 10, Crime Scene Item 10) -One (1) 9mm Luger fired cartridge case.
- 11. Envelope containing cartridge case (Matrix Item 11, Crime Scene Item 11) -One (1) 9mm Luger fired cartridge case.
- 12. Envelope containing cartridge case (Matrix Item 12, Crime Scene Item 12) -One (1) 9mm Luger fired cartridge case.
- One box containing firearm (serial# BA 22 1587; 9X18MM) with cartridge and magazine 13. (Matrix item #13, Crime Scene Item #13) -One (1) Bulgarian 9x18mm semi-automatic pistol, model Makarov, serial number BA221587, one (1) magazine and three (3) cartridges.
- 14. One box containing firearm (serial# N44842) with cartridges (Matrix Item # 14, Crime Scene Item #14) -One (1) Iver Johnson 22 Long Rifle double action revolver, model Target Sealed 8, serial number N44842 and eight (8) 22 Long Rifle cartridges.
- 15. One box containing firearm (serial# 96749) with magazine and cartridges (Matrix Item #15, Crime Scene Item #15) -One (1) Ruger 22 Long Rifle semi-automatic pistol, model Standard, serial number 96749, one (1) magazine and five (5) 22 Long Rifle cartridges.
- 16. Envelope containing magazine with cartridges (Matrix Item #24, Crime Scene Item #25) -One (1) magazine and four (4) 9x18mm cartridges.
- 17. One box containing firearm (serial# magazine with cartridges (Matrix Item #26, Crime Scene Item #27) -One (1) Glock 9mm Luger semi-automatic pistol, model 17 Gen5, serial number BNFN501, one (1) magazine and eight (8) 9mm Luger cartridges.
- 18. One box containing firearm (serial#) with magazine and cartridge (Matrix Item #27, Crime Scene Item #28) -One (1) Glock 9mm Luger semi-automatic pistol, model 17 Gen5, serial number BWRA981, one (1) magazine and ten (10) 9mm Luger cartridges.
- 19. Envelope containing bullet (Matrix Item #29, Crime Scene Item #30) *-One* (1) *fired bullet.*
- 20. Envelope containing bullet fragment (Matrix Item #30, Crime Scene Item #31) *-One* (1) *fired bullet.*
- 21. Envelope containing cartridge case (Matrix Item #31, Crime Scene Item #32) -One (1) 9mm Luger fired cartridge case.
- 22. Envelope containing cartridge case (Matrix Item #32, Crime Scene Item #33) -One (1) 9mm Luger fired cartridge case.

Submitted on August 09, 2023 by Nick Valente:

- 23. One manila envelope containing bullet fragment (CS BG Item #5) *-One* (1) bullet jacket fragment.
- 24. One manila envelope containing bullet (CS BG Item #6) *-One* (1) fired bullet.
- One manila envelope containing bullet (CS BG Item #7) 25. *-One* (1) *fired bullet jacket and one* (1) *lead bullet core.*
- 26. One manila envelope containing bullet (CS BG Item #8) *-One* (1) *fired bullet.*

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27. One manila envelope containing bullet (CS BG Item#11)
-One (1) fired bullet.

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- 28. One manila envelope containing bullet (CS BG Item#12) -One (1) lead bullet core.
- 29. One manila envelope containing bullet (CS BG Item# 13) -One (1) fired bullet.
- 30. One manila envelope containing bullet (CS BG Item #14)
 -One (1) bullet jacket fragment and one (1) lead bullet core.
- 31. One manila envelope containing bullet (CS BG Item #15)
 -Two (2) bullet jacket fragments.
- 32. One manila envelope containing bullet (CS BG Item# 16)
 -One (1) fired bullet.

Submitted on August 14, 2023 by Nick Valente:

33. Envelope containing bullet (Matrix Item #40) -One (1) fired bullet.

Findings

Item Description	Comparison	Conclusion
	N/A	Operable
Item #13: Bulgarian pistol	Items #20 & 33: two (2) fired bullets	Source Identification
Item #14: Iver Johnson revolver	N/A	Operable
Item #15: Ruger pistol	N/A	Operable
	N/A	Operable
	Items #1-7: seven (7) 9mm Luger	Source Identification
Item #17: Glock pistol	fired cartridge cases	Source Identification
	Items #24, 26 & 32: three (3)	Source Identification
	fired bullets	Source Identification
	N/A	Operable
	Items #8-12, 21 & 22: seven (7)	Source Identification
	9mm Luger fired cartridge cases	Source Identification
Item #18: Glock pistol	Items #25 (EB5), 27, 29 & 31:	
	Two (2) fired bullets, one fired	Source Identification
	bullet jacket and two (2) bullet	Source Identification
	jacket fragments.	
Items #19, 23 & 30 (EB12): one	Items #17 & 18: Glock pistols	Inconclusive*
(1) fired bullet and two (2) bullet jacket fragments	Item #13: Bulgarian pistol	Source Exclusion
<u> </u>		l .

^{*}Similar class characteristics but insufficient corresponding individual characteristics to identify or exclude.

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Item Description	Comparison	Conclusion
Items #25 (EB6), 28 & 30 (EB11): three lead bullet cores	N/A	Unsuitable^

[^]Insufficient class and/or individual characteristics present.

Remarks

- Two (2) BCI supplied cartridges were used for testing Item #14.
- Two (2) BCI supplied cartridges were used for testing Item #15.
- Two (2) submitted cartridges were used for testing Item #13.
- Two (2) submitted cartridges were used for testing Item #17.
- Four (4) submitted cartridges were used for testing Item #18.

There were no pertinent findings regarding the magazine from Item #16 and the cartridges from Items #14, 15 & 16.

All evidence will be returned to the submitting agency.

Analytical Detail

Analytical findings offered above were determined using visual and microscopic examinations / comparisons.

Dylan Matt

Deflum C. Mude

Forensic Scientist 234-400-3648

dylan.matt@OhioAGO.gov



Based on scientific analyses performed, this report contains opinions and interpretations by the analyst whose signature appears above. Examination documentation and any demonstrative data supporting laboratory conclusions are maintained by BCI and will be made available for review upon request.

Your feedback is important to us! Please complete our Laboratory Satisfaction Survey at: https://www.surveymonkey.com/r/Q9VQHL5

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Comparison Conclusion Scale

The following lists the conclusions a Forensic Scientist may reach when performing comparisons. In reaching a conclusion, a Forensic Scientist considers the similarities and dissimilarities and assesses the relative support of the observations under the following two propositions: the evidence originated from the same source or from a different source.

A Forensic Scientist may utilize their knowledge, training, and experience to evaluate how much support the observed similarities or dissimilarities provide for one conclusion over another. A conclusion shall not be communicated with absolute certainty. It is an interpretation of observations made by the Forensic Scientists and shall be expressed as an expert opinion.

1	Source Identification	The observations provide extremely strong support for the proposition that the evidence originated from the same source and the likelihood for the proposition that the evidence arose from a different source is so remote as to be considered a practical impossibility.
2	Support for Same Source	The observations provide more support for the proposition that the evidence originated from the same source rather than different sources; however, there is insufficient support for a Source Identification. The degree of support may range from limited to strong or similar descriptors of the degree of support. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion.
3	Inconclusive	The observations do not provide a sufficient degree of support for one proposition over the other. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion.
4	Support for Different Source	The observations provide more support for the proposition that the evidence originated from different sources rather than the same source; however, there is insufficient support for a Source Exclusion. The degree of support may range from limited to strong or similar descriptors of the degree of support. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion.
5	Source Exclusion	The observations provide extremely strong support for the proposition that the evidence originated from a different source and the likelihood for the proposition that the evidence arose from the same source is so remote as to be considered a practical impossibility; or the evidence exhibits fundamentally different characteristics

We invite you to direct your questions to:

Abby Schwaderer, Quality Assurance Manager (740) 845-2517

abby.schwaderer@ohioattorneygeneral.gov

Dylan C. Matt

Statement of Qualifications

dylan.matt@ohioattorneygeneral.gov

Education

Bachelor of Science in Forensic Science. December 2015. Waynesburg University. Waynesburg, PA.

Professional Experience

• Ohio Bureau of Criminal Investigation. Forensic Scientist. 2016 - present

Selected Specialized Training

- Ohio Bureau of Criminal Investigation. Operability Training. 2016
- Ohio Bureau of Criminal Investigation. NIBIN Training. 2017
- Bureau of Alcohol, Tobacco, Firearms and Explosives. National Firearms Examiner Academy. 2017

A complete CV can be made available upon request

Updated: 9/27/16