

REMARKS AS PREPARED
UPDATE ON WALMART SHOOTING
OHIO ATTORNEY GENERAL MIKE DEWINE
XENIA, OH
AUGUST 26, 2014

I am here today with Steve Haller, Greene County Prosecuting Attorney.

I promised that I would keep the public updated about the investigation into the shooting at Walmart in Beavercreek, and that is why we are here today.

Let me first give you an update on BCI's investigation.

Our investigators have now conducted approximately 70 separate interviews with individuals who might have knowledge of the case.

They have received and reviewed multiple schematics of the layout of the Walmart in Beavercreek.

Our investigators have received and reviewed over 1000 pages of documents, including the personnel files for the two Beavercreek police officers involved in the shooting, as well as their training records, "response to resistance" reports about them, their policies and procedures manual, and their firearm qualifications.

Our investigators have also received and reviewed all known witness statements collected immediately after the incident.

Regarding the video footage from the over 200 cameras at the Walmart, our cybercrime agents have culled through all 260,000 files of video. They have reviewed all relevant video by date and time that tracks relevant individuals.

Both our BCI cybercrime agents and agents at the Ohio Organized Crime Investigations Commission (OCIC) have worked together to complete a video summarization of all of John Crawford's recorded movements. They have also completed a similar video summarization of the recorded movements of the two police officers involved. And, they are in the process of completing a video summarization of the recorded movements of the 911 caller.

Last Friday, our agents sent a selection of videos and the audio of the 911 caller to the FBI at headquarters in Quantico, Virginia, for technical assistance in overlaying the audio with the video to put them in a contextual view of the incident.

Additionally, on Friday last week, I met with FBI Special Agent Kevin Cornelius and U.S. Attorney Carter Stewart via video to keep them apprised of the progress of our investigation. They have indicated to me that they will continue to monitor the case as it moves forward. Further, I have again updated Carter Stewart this morning.

Let me now turn to who will present this matter to the grand jury. This is a very serious case, and it is very important that we have the best possible person to do this. As I have consulted with people for the last few days, one name keeps coming up -- someone who is not only an experienced trial lawyer, but who also has been involved in the investigation of many officer-involved shooting cases. That person is Mark Piepmeier.

I have recommended to Prosecutor Haller that he ask the Court to appoint Mr. Piepmeier to handle the grand jury proceedings and any subsequent trial that might occur.

When I first met Mark Piepmeier, I was serving as Lieutenant Governor, and he was the individual who was handling the Lucasville prison riots in 1993. He was the lead prosecutor, where he indicted 50 riot participants -- of which, 47 were convicted of riot crimes, with five inmates sentenced to death.

Mr. Piepmeier's experience in a courtroom is extensive. He started as an Assistant Prosecuting Attorney in the Hamilton County Prosecutor's Office in 1981, after graduating from Chase College of Law. He has been prosecuting homicides in the Criminal Division of the Hamilton County Prosecutor's office since 1985, having prosecuted over 200 murder cases, with dozens of them being capital murder cases.

Mr. Piepmeier is currently the Chief Trial Counsel in the Hamilton County Prosecutor's Office. Further, he is assigned to the Cincinnati Police Department to participate in and act as legal advisor for the investigation and prosecution of officer-involved shootings and the excessive use-of-force cases. He also reviews all other Hamilton County cases involving the excessive use-of-force by police officers, including taser deaths and police automobile chases that result in death.

Over the years, he has been involved in at least 100 use-of-force cases. He has taken many cases to the grand jury. In some cases, the grand jury has indicted the officer, and in some cases, it has not. I believe that Mark Piepmeier has the balanced judgment needed in this case.

Mr. Piepmeier's involvement in cases involving the prosecution of law enforcement officers include some of the following:

- In 1989, Cincinnati Police Officer Kevin Schroeder was driving under the influence and caused a wreck. Two other officers helped him cover up the incident. Mr. Piepmeier took the case to a grand jury that indicted Officer Schroeder and the two other officers. Schroeder was ultimately convicted of vehicular homicide.
- In 2000, when he was off duty, Hamilton County Sheriff's Deputy Owen Hobbs shot Rashawn Berry in Silverton. Mr. Piepmeier took the case to a grand jury that ultimately indicted Hobbs for murder. Mr. Piepmeier then took the case to trial, where Hobbs received a life sentence.
- Also in 2000, five Cincinnati Police Officers were trying to arrest Roger Owensby, Jr., a 29-year-old man from North College Hill. He died of asphyxiation during the arrest. Mr.

Piepmeier took the case to a grand jury that indicted Officer Robert “Blaine” Jorg on felony involuntary manslaughter and misdemeanor assault.

- In 2001, Cincinnati Police Officer Stephen Roach shot Timothy Thomas, a 19-year-old male. The shooting of Timothy Thomas started the race riots in Cincinnati that lasted from April 9 to 13, 2001. Mr. Piepmeier made the decision to take this case to a grand jury that indicted Officer Roach on misdemeanor charges.
- In the late 1980s, Cincinnati Police Officer Jim McDonald broke into a house that he had visited previously to investigate a burglary. While he was there, he raped the woman in the house. Mr. Piepmeier took the case to a grand jury that indicted Officer McDonald for aggravated burglary and rape.

Mr. Piepmeier has requested that Stacey Degraffenreid, who is also in the Hamilton County Prosecutor’s Office, assist him in the investigation and presentation to the grand jury. She received her law degree from the University of Cincinnati in 2000. Before she joined the Hamilton County Prosecutor’s Office, she worked in the Hamilton County Public Defender’s office. She has handled murder, rape, assault, and other felony cases.

Though our original intention was to begin the special grand jury proceedings on September 3rd, Mr. Piepmeier will not be available to start the proceedings until Monday, September 22nd.

Mr. Piepmeier is fair. He is impartial. He calls it like he sees it. And, he will have total independence in this case.

As I have said before, what happened on August 5th is a tragedy. Our BCI agents are doing everything in their power to be as thorough, comprehensive, and complete as possible in their investigation. I also believe that as special prosecutor, Mark Piepmeier will do everything in his power to seek justice in this case.