

OFFICER-INVOLVED CRITICAL INCIDENTS



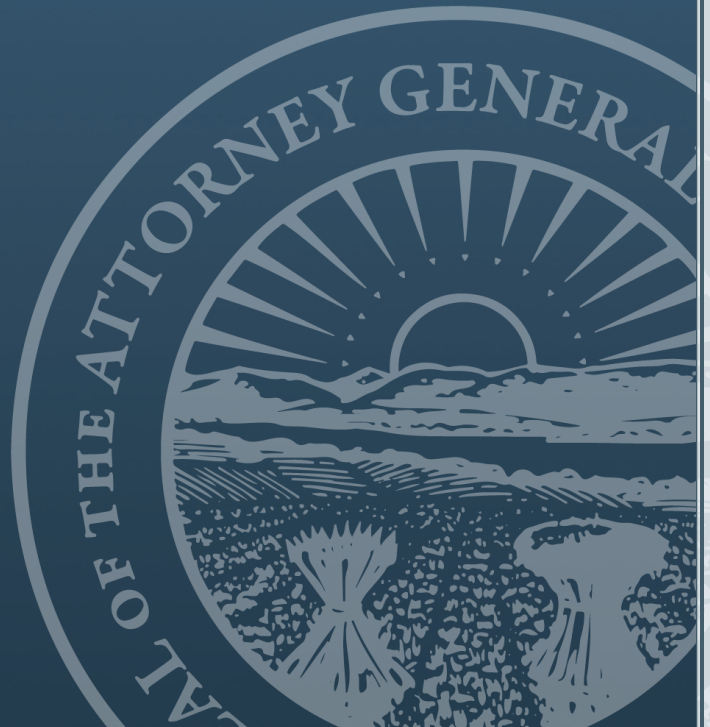
BOLSTERING PUBLIC TRUST

**BCI prioritizes objectivity,
transparency in investigations
of police use-of-force situations**



DAVE YOST

OHIO ATTORNEY GENERAL





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When an Ohio law enforcement officer is involved in a use-of-force incident, justice requires the resulting investigation to be independent, professional and prompt — and that it be done with as much transparency as possible.

If law enforcement is to have the support of the communities it serves, these investigatory elements are a given.

The Attorney General’s Bureau of Criminal Investigation is a national leader in officer-involved critical incident (OICI) investigations. Assistant Superintendent Mark Kollar and his BCI colleagues wrote the book on best practices for conducting such investigations, a resource that was suggested and supported by Attorney General Dave Yost.

Since AG Yost took office in January 2019, BCI has conducted 329 OICI investigations. What follows is an overview of that process and those cases (through Dec. 31, 2024).



Definition

BCI defines an officer-involved critical incident as one involving:

- The discharge of a firearm or other use of force by a law enforcement officer that results in human injury and/or death. BCI typically does not investigate incidents in which no injury occurs; such incidents are typically investigated by local departments.
- Serious physical harm or death of a law enforcement officer at the hands of another.
- Under certain circumstances when force is used, the death of a person while in custody.

Jurisdiction

Under Ohio law (ORC 109.54), BCI can investigate an OICI only upon request from a local, state or federal law enforcement agency or prosecutor’s office with jurisdiction over the incident location. The Ohio Revised Code and Ohio Constitution do not permit BCI to investigate an incident based on a citizen’s request.

Each request for BCI to investigate an incident is reviewed and accepted on a case-by-case basis.

Some law enforcement agencies and jurisdictions throughout the state have entered into a memorandum of understanding (MOU) with BCI regarding OICI investigations. An MOU doesn’t guarantee that BCI will investigate every officer-involved critical incident, as the incident must still meet BCI’s definition of an OICI before the bureau accepts the case.

BCI maintains a communications center 24/7 to dispatch personnel as needed.

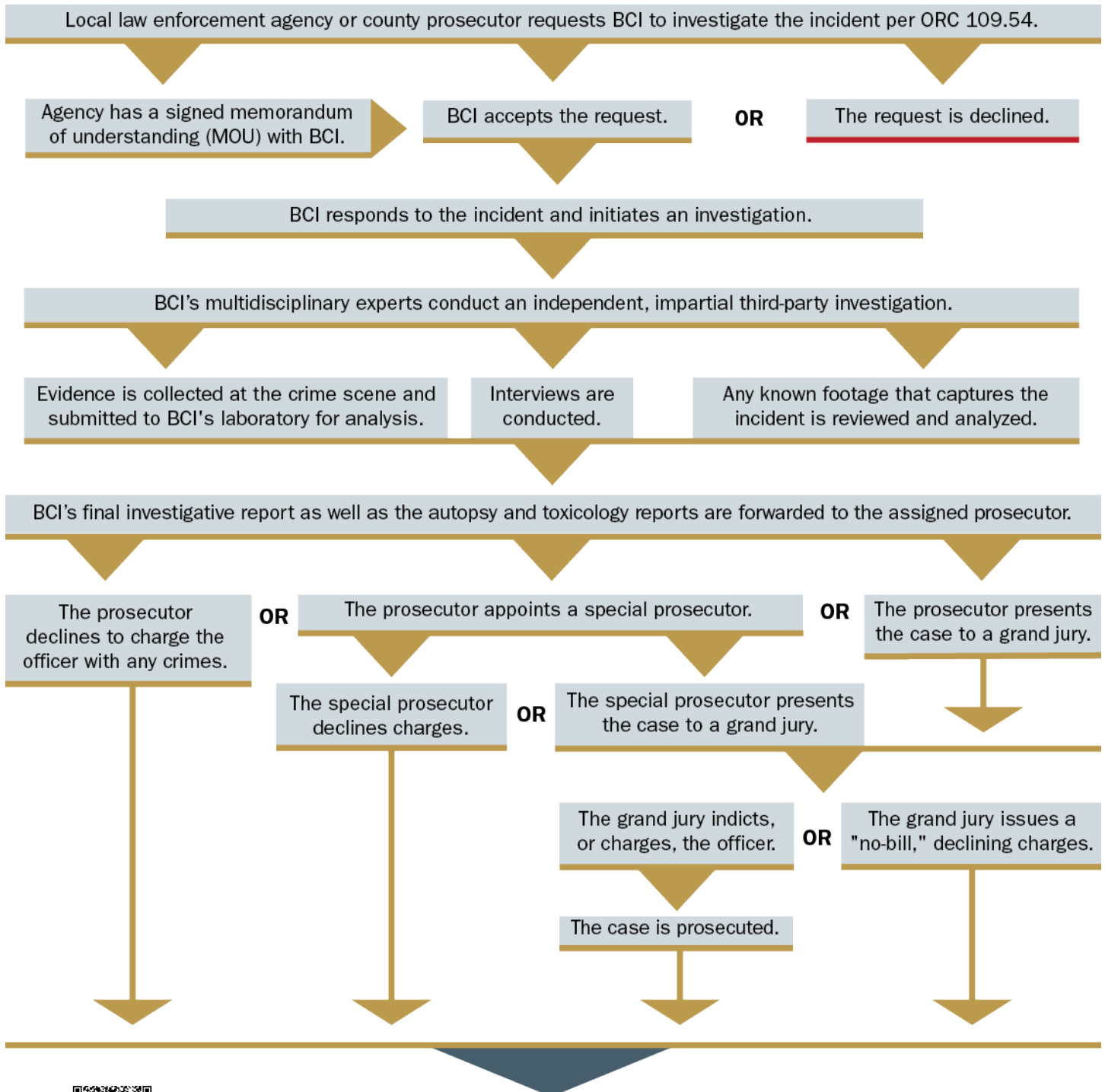
Process

Every OICI consists of unique circumstances, but when BCI is asked to conduct the investigation and accepts the case, the community, justice system and requesting law enforcement agency know what to expect.

BCI conducts an independent and unbiased investigation of the facts and circumstances of a use-of-force incident; it does not offer an opinion regarding the legality of an officer's actions.

Here is a high-level look at the process:

An officer-involved critical incident occurs.

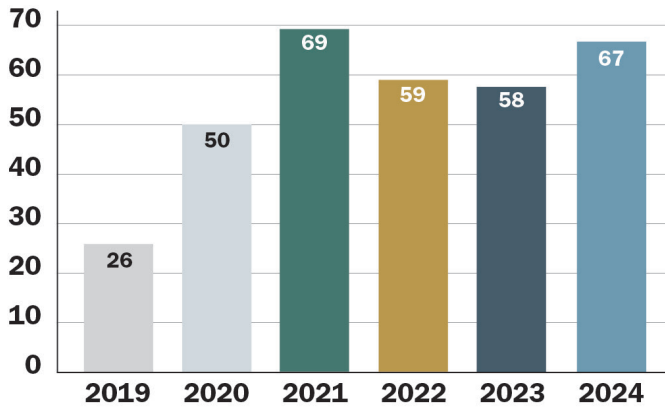


**The case is closed once all judicial proceedings have concluded.
BCI's case file is published online for fatal OICI.**

Investigations

Since 2019, BCI has investigated 329 officer-involved critical incidents. Twenty-eight of those cases remain active.

OICI by year (as of 1/2/2025)



Case dispositions

Once BCI completes its investigation, the bureau provides a final report to the prosecutor who has jurisdiction over the incident location — in most cases, the county prosecutor.

That prosecutor may:

- Make a determination on his/her own and decline to present the case to a grand jury.
- Present the case to a grand jury, which would vote to charge the involved officer(s) or issue a “no-bill” decision, declining charges.
- Appoint a special prosecutor to review the case and/or present the case to a grand jury.

It is the role of the assigned prosecutor — or a grand jury, if the assigned prosecutor decides to convene one — to determine whether the officer’s conduct was lawful and whether prosecution is warranted.

Since 2019 under Yost, the Attorney General’s Office has tracked the disposition of OICI cases. The following cases investigated by BCI, excluding those involving expunged criminal records, resulted in criminal charges against an officer:

BCI Case #2019-3600 | Carroll County Sheriff’s Office: Deputy Jacob Baker was indicted on one count of voluntary manslaughter. In July 2021, a jury found Baker not guilty.

BCI Case #2020-1503 | Scioto County Sheriff’s Office: In April 2022, a jury acquitted Deputy Billy Thompson of murder and reckless homicide.

BCI Case #2020-3388 | Columbus Division of Police: On Nov. 4, 2024, Police Officer Adam Coy was found guilty of murder, reckless homicide and felonious assault.

BCI Case #2021-1757 | Hocking College Police Department: Officer Cecil Morrison was charged with negligent homicide. He pleaded no contest to the misdemeanor in April 2022 and surrendered his peace officer certification.

BCI Case #2022-1782 | Columbus Division of Police: Officer Ricky Anderson was indicted on charges of murder and reckless homicide. The case is pending.

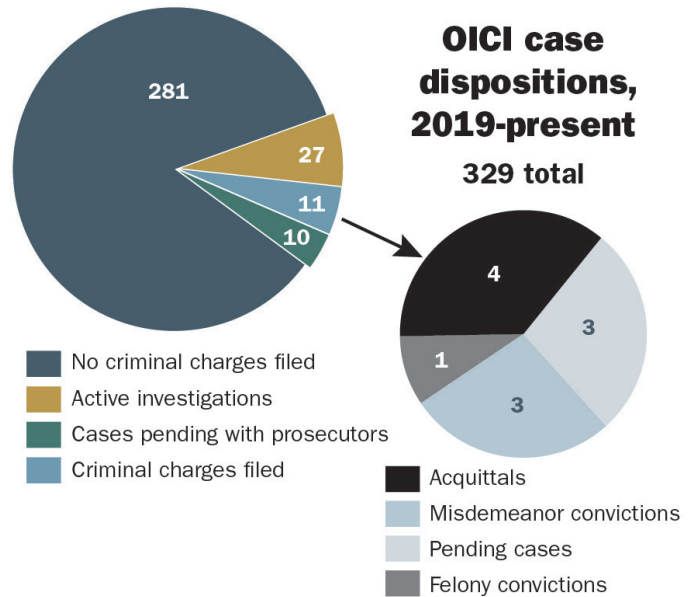
BCI Case #2023-0197 | Butler Township Police Department: In September 2023, Sgt. Todd Stanley was found guilty of misdemeanor assault.

BCI Case #2022-1527 | Highland County Sheriff’s Office: Deputy Jonathan Malone was indicted on one count of reckless homicide. In August 2023, a jury acquitted Malone.

BCI Case #2023-2232 | Blendon Township Police Department: Officer Connor Grubb was indicted on charges of murder, involuntary manslaughter and felonious assault. The case is pending.

BCI Case #2023-2407 | Lucas County Sheriff’s Office: On Aug. 7, 2024, Deputy David Terry pleaded no contest to negligent assault, a misdemeanor.

BCI Case #2024-1218 | Canton Police Department: Officers Beau Schoenegge and Camden Burch were indicted on charges of reckless homicide. The cases are pending.





Special Prosecutions

The Special Prosecutions Section of the Attorney General's Office frequently fields requests from county prosecutors to prosecute OICI cases. By policy, these cases are presented to grand juries.

Here's a by-the-numbers look at the section's work on OICI cases since 2019:

42: Cases presented to a grand jury.

37: Cases in which the grand jury returned a "no-bill" decision, declining to charge the involved officer(s).

4: Cases in which the grand jury returned a felony indictment(s).

1: Cases in which the grand jury returned a misdemeanor indictment(s).

Here's a closer look at the four cases involving felony indictments:

- Scioto County Deputy Sheriff Billy Thompson was acquitted of murder and reckless homicide.
- Columbus Police Officer Adam Coy was convicted of murder, reckless homicide and felonious assault. (Note: This case was indicted by the AGO Special Prosecutions Section but returned to the Franklin County Prosecutor's Office for prosecution.)
- Highland County Sheriff Deputy Jonathan Malone was acquitted of reckless homicide.
- Lakemore Police Officer Dylan Ukleja faces one count of felonious assault. His case, which was investigated by the Summit County Sheriff's Office, is pending.

The one OICI case that yielded misdemeanor charges involved Butler Township Police Officer Todd Stanley, who was found guilty of misdemeanor assault.

Transparency

Attorney General Yost introduced post-investigation transparency in all officer-involved critical incidents investigated and/or reviewed by his office. In incidents where there is a fatality, the case is proactively posted to the Ohio Attorney General's website. For incidents where there was not a fatality, records are readily available by submitting a public records request to BCI. Case files are redacted to meet the requirements of Ohio's Sunshine laws.

This means that the public is given access to records after BCI has completed its investigation — which forms the basis for any legal action stemming from the incident — and either a prosecutor or grand jury has decided not to indict the case, or there is an indictment and the case has been prosecuted in court. State law precludes any earlier release in order to ensure a fair investigation and judicial process.

To date, 92 case files have been published online. Those records can be found at: www.OhioAttorneyGeneral.gov/SpecialPages/Investigative-Documents.

Additional resources

More detailed information on BCI's OICI response can be found on the Ohio Attorney General's website: www.OhioAttorneyGeneral.gov/OICI

To assist law enforcement agencies looking to request an OICI investigation from BCI, the bureau has produced a booklet explaining its protocols and expectations. Scan the QR code to access the booklet.



This e-book provides an in-depth look at best practices for investigating an OICI. Scan the QR code to download the book.





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