

## Ohio Attorney General's Office Bureau of Criminal Investigation Investigative Report



2024–1584 Officer Involved Critical Incident, 27695 Tracy Road, Walbridge, OH 43465, (L)

Investigative Activity: Interview with Officer

Involves: Ross M Wheatley (S)

**Date of Activity:** 06/13/2024

Activity Location: Perrysburg Township Police Department – 26711 Lime City Road,

Perrysburg, OH 43551

Author: SA Tiffany Najmulski, #49

## Narrative:

On June 13th, 2024, at approximately 11:42 a.m., Special Agent Supervisor (SAS) Scott Stranahan and Special Agent Tiffany Najmulski (Najmulski) went to the Perrysburg Township Police Department, located at 26711 Lime City Road, Perrysburg, Ohio, to meet with and interview Sgt. Ross Wheatley (Sgt. Wheatley). The meeting was in regard to the incident that occurred with Beau Purtee (Purtee) on May 23, 2024. Also present for the interview was attorney for the Ohio Patrolman's Benevolent Association (OPBA), Yvonne Trevino (Trevino). The following is a summary of the interview which was digitally recorded and attached to this report and the case file.

SA Najmulski asked Sgt. Wheatley if he was willing to speak with agents that he read and sign the Criminal Investigation Notification form, which he did. Sgt. Wheatley said he went to the police academy in 2003 and has been with the Perrysburg Township Police Department since 2016. Sgt. Wheatley said he was promoted sergeant in March of 2024. His badge number/call sign is 128, the cruiser he drives is a marked black and white Dodge Durango number 421 and his supervisor is Lt. Gladney.

That shift, Sgt. Wheatley worked 1800 hours to 0600 hours and "floated" throughout the township assisting with calls for service. The Durango does not have an in-car camera but was equipped with emergency lights and siren. Sgt. Wheatley was off Monday and Tuesday of that week, worked Wednesday and Thursday and was coming up on Friday-Sunday off. Sgt. Wheatley said he had 6-8 hours of sleep before he came in on his shift that evening.

That evening Sgt. Wheatley was wearing a dark blue uniform shirt with patches and name plate and BDU style uniform pants. He also said he was wearing a radio and body camera. Sgt. Wheatley had two (2) sets of handcuffs, flashlight, taser, two (2) magazines and his 9mm Glock handgun model 19 which was not discharged during the incident. Sgt. Wheatley used

his department issued (only to him), Rock River Arms AR Rifle with a red dot sight 556, SN with .223 ammunition with a magazine of approximately 20 rounds and a mounted flashlight. Sgt. Wheatley also keeps an additional magazine of ammunition in the SUV.

Sgt. Wheatley said he has had crisis intervention training, use of force training and critical handgun courses. Sgt. Wheatley said he has never been involved in an officer involved shooting nor has he had any use of force discipline. Sgt. Wheatley said he had no alcohol 24 hours before the incident occurred and thought the last time he consumed alcohol was the Monday or Tuesday of that week when he was off.

Sgt. Wheatley advised he and the other officers had just been to Kohl's department store for a call for service when a 911 call came in. The call was about a male in distress and someone trying to hurt him and there was a gun involved. Sgt. Wheatley said dispatch relayed they were not getting much information from the distressed male who was possibly alone and that he was potentially non-cooperative. Before officers arrived, Sgt. Wheatley said he remembered the dispatcher saying she thought she heard a gunshot.

Sgt. Wheatley said officers were given a trailer number to go to (he was unsure why) that was located in the northeastern part of the park. Sgt. Wheatley said the officers followed each other to the location from Kohls going lights and sirens. According to Sgt. Wheatley, he turned off his siren on Tracy Road by the turnpike and turned off his lights when almost pulling into the park.

Officers went to the trailer that dispatch directed them to, and Sgt. Wheatley said the trailer was quiet, no vehicles present and did not look like anything was going on there. Sgt. Wheatley said then officers heard shouting and approximately five gunshots north of Tracy Road. Sgt. Wheatley said he could see a light and see smoke and it was low to the ground. Officers began to back up. Sgt. Wheatley said he thought the shots were to the west (towards a field) and the light was a gun mounted light.

SA Najmulski asked Sgt. Wheatley how he determined the flashlight the subject had was affixed to his gun. He answered that because he heard gun shots and saw the light, he determined it to be on the gun. Sgt. Wheatley said because of the light he was able to see smoke from the gun after it was fired.

Sgt. Wheatley said he thought the "initial" shots fired from the subject were not "oriented" towards the officers, but he thought the light was shining to the west and he could see puffs of smoke from the gunfire. Sgt. Wheatley said he has trained with weapon mounted lights, so he is very aware of how the lights operate with the gun.

SA Najmulski asked Sgt. Wheatley what threat the subject posed if he was shooting to the west? Sgt. Wheatley answered that to the west is an open field but the way the trailer park is laid out there are streets close to the field and Sgt. Wheatley viewed the subject shooting that direction as a threat. Sgt. Wheatley also added that when the subject's flashlight was aimed towards him, he viewed that action by the subject as a threat as well.

Sqt. Wheatley went to his vehicle and obtained his rifle, chambered a round and headed back

to the location. Sgt. Wheatley thought the subject had shot off another couple rounds. SA Najmulski asked Sgt. Wheatley to mark a map she provided with numbers of where he was staged during the incident. Sgt. Wheatley advised he, Officer Brazeau and Gearig were taking cover by a trailer (position 1). Officer Johnson was behind a tree.

Sgt. Wheatley said because the subject was firing a gun, and it had a light on it he determined the subject to be a threat to the public and officers. He advised he did not remember the order the shots were fired.

Sgt. Wheatley said he assessed the situation to determine what his options were, such as trying to get closer to the subject for a better vantage point and came to the conclusion he would be putting himself at risk. Sgt. Wheatley again said he determined the subject to be a threat and fired at the subject to end the threat. Sgt. Wheatley said he did not remember the total shots he fired but thought it was no more than five (5) or six (6). After firing his rifle, Sgt. Wheatley continued to see movement by the subject and "the threat continued". Sgt. Wheatley fired the final shot and saw no more movement after that.

Officers were made aware by dispatch that someone called in the police department about a subject in a white shirt. Sgt. Wheatley said he did not believe the subject with the gun would have had a white shirt on because he would have been able to see it.

Sgt. Wheatley said the question came up with the officers on whether or not the subject left the area because the light the subject was using appeared to be on the ground. Sgt. Wheatley used his car to provide cover to see where the subject was and if the subject was wounded. Sgt. Wheatley was still unable to see the subject in the ditch but thought he was probably there somewhere injured.

Sgt. Wheatley located the subject, who was unresponsive, was wearing dark clothing, and had a gun in his hand, in the ditch. Sgt. Wheatley said at this time, as he walked down into the ditch to check on the subject, he realized he did not have his body camera activated so he turned it on. Sgt. Wheatley told agents he is still trying to learn muscle memory about turning the camera on and he believes there was so much going on which was another factor he forgot.

Upon reaching the subject, Sgt. Wheatley moved the subject's weapon out of his right hand to make sure he was no longer a threat and then checked for a pulse and found none. Officer Gearig told Sgt. Wheatley the subject was wounded. Sgt. Wheatley said there was no medical treatment he felt officers could have provided. The medics were called to verify the subject was deceased and officers began to preserve the scene.

Attorney Trevino asked Sgt. Wheatley if he saw the subject point the weapon or the light towards him or the other officers and Sgt. Wheatley said yes. Sgt. Wheatley went on to say that he was not sure if the subject fired towards officers before Sgt. Wheatley fired his gun at the subject. He said he had determined if the subject "oriented" his light towards the officers then the officers would be in danger. Sgt. Wheatley explained that since the incident took place, he has had trouble with the order of things. He said he remembered rounds being shot towards his direction but was not sure where the rounds hit.

SA Najmulski asked Sgt. Wheatley if there was other people or cars that the subject was a threat too. Sgt. Wheatley answered yes, and that Officer Gearig was attempting to get traffic stopped by radioing for assistance. It was discussed by SA Najmulski and Sgt. Wheatley that there was a man who had come out of his residence yelling at officers and Sgt. Wheatley said there may have been someone else walking around too but he was not sure.

SAS Stranahan asked if any time during the incident, did officers initiate in any type of verbal engagement with the subject. Sgt. Wheatley answered that he did not, and he did not believe any of the other officers did as well. SAS Stranahan asked when Sgt. Wheatley heard the subject shouting whether he heard anyone else shouting back which would indicate a confrontation and Sgt. Wheatley said no. Referring to the subject yelling, Sgt. Wheatley said that it was very odd, and he did not think any verbal engagement with the subject would have done anything to help the situation. Sgt. Wheatley said based on the subject's insensible behavior there was nothing Sgt. Wheatley thought would help.

SA Najmulski asked Sgt. Wheatley if he believed his actions were consistent from training and he said yes.

In closing, SA Najmulski asked if there was anything Sgt. Wheatley wanted to clarify or say on record. He said that he regretted the incident occurred, but believed he did what he did to protect himself, the other officers, and the public.

At this time the interview concluded at 12:22 p.m.

This report only summarizes the information deemed by the author to be of the most relevance to the investigation and does not purport to contain all questions and answers from the audio recording. Further, this report was placed in a chronology to aid the reader's overall understanding of the information elicited during the interview and may not be reflective of the actual sequencing of questions or responses. It is suggested that the full audio recording be reviewed to clarify any content or contextual questions regarding the information from the audio recording.

## Attachments:

Attachment # 01: Sqt. Ross Wheatley

Attachment # 02: Sgt. Wheatley criminal notification and map