



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



2023-1626
Officer Involved Critical Incident – 439 E Mulberry Street,
Lebanon, Ohio 45036 (L)

Investigative Activity: Interview with Victim
Involves: Jane Ruffner (V)
Date of Activity: 06/18/2023
Activity Location: Ruffner, Jane – Home – 439 E. Mulberry, Lebanon, OH 45036,
Warren County
Author: SA David Hornyak, #112

Narrative:

On June 18, 2023 at approximately 0213 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agents Dave Hornyak and Ken Smith interviewed Jane Ruffner in regard to an Officer-Involved Critical Incident. The interview was recorded on a handheld digital recording device. This report is a summary only. The entire interview can be reviewed on the recording.

Ms. Ruffner provided the following information:

Ms. Ruffner lives at 437 E. Mulberry, Lebanon, Ohio, along with her son, Brandon Ruffner, his fiancé Shalya Simmons, and their young child. Dione Kellum is Ms. Ruffner's ex-boyfriend whom she had a protection order against, which was put into place after Kellum threatened to kill her.

Two to three weeks ago, Ms. Ruffner ran into Kellum and, thinking that the protection order had expired, hired Kellum to do some minor repairs at her home. Kellum took it as an opportunity to become re-involved in her life and, without permission, began moving personal items to her backyard where he also started sleeping. The family asked him to leave multiple times and he failed to do so.

Approximately 10 days ago, Simmons called the police on Kellum who arrested him for violating the protection order. When he got out of jail, Kellum contacted Ms. Ruffner about coming to claim his property. Ms. Ruffner told him he could get his belongings from the shed as long as he did not come to the house or attempt to interact with her. Kellum then began to make threats to Ms. Ruffner through texts. These included threats of gun violence along with threats to kill himself.

Simmons texted Kellum back telling him not to come at all unless he brought the police with him. Kellum sent a text back including a picture of the porch stating he was right outside and

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had his guns with him. Kellum also threatened there would be a hostage situation if she called the police. Simmons proceeded to call the police and request assistance.

When officers arrived they encountered Kellum and were repeatedly "begging him" to put the gun down. The encounter began in the front and then moved to the back. At some point Ms. Ruffner heard "a pop" followed by two more pops, which she now knows were gunshots. Ms. Ruffner estimated there was five minute delay between the first and second shot, and then two to three minutes more elapsed before the last shot. The first shot was quieter than the others.

After the incident, officers informed Ms. Ruffner that Kellum had been shot three times and that one of the shots was self-inflicted. Ms. Ruffner was relieved the officers showed up stating to agents, "Thank goodness though they came, because I don't know what he would have done." Ms. Ruffner said she believed Kellum's intention was to die via "suicide by cop" stating that he had previously threatened self-harm along with threats to harm her.

Approximately one year ago, Kellum violated the protection order and was sitting on her porch with a gun, which was later shown to be a BB gun. Ms. Kellum said she knows that Kellum has at least one real firearm, which she believes is a pistol.

With Ms. Ruffner's permission, the agents looked through her phone and took photographs of the text message chain with Kellum. Kellum is listed in both Ms. Ruffner and Ms. Simmons phones as "Pappy D." Ms. Kellum verified there are no cameras on her home.

The interview terminated at approximately 0234 hours.

Attachments:

Attachment # 01: 2023-06-18 / Jane Ruffner interview

Attachment # 02: Combined text messages - Jane Ruffner phone

Exhibit 1

Included as a separate file.

Exhibit 2



Pappy D
Mobile



porch but I don't want you to call the police on me

Yesterday 3:19 PM

No and no as long as you are just getting your stuff go ahead



Yesterday 8:46 PM

What Brandon won't answer me you won't talk to me don't call the law or I promise they'll be a shootout right at your house I'm not going to bother you so don't call them on me while I'm getting my shit okay and I want an answer

I told you as long as your just getting your stuff



Read

Yesterday 8:56 PM

That's all I'm doing don't you call on me or I swear to God I'll die right there

I got nothing left and you don't give a fuck nobody else does either I can't do it during the day cuz they'll see me if they go by but they won't come unless they're called I told Brandon to get all my shit together I'll get the fuck out of there



Type a message...





Pappy D
Mobile



That's all I ask

Are you going anywhere today I really really need my medicine it's ready at Kroger's I just have no way to get it

Friday 4:59 PM

Why are you not answering me at all

I don't give a rats fucking ass about no restraining order

You don't want me there but yet you leave me no choice but to come there to talk to you cuz you won't fucking answer me why

Friday 5:07 PM

I am sick

Friday 5:22 PM

Sorry but that's no reason not to answer me

Yesterday 12:48 PM

Do you feel any better? Is Brandon home yet? I want to get the stuff off the back porch but I don't want you to call the police on me



Type a message...



2:32



PD

Pappy D
Mobile



For real you're going to be like that are you serious you can't ask Shayla if she's going to get it or not I mean come on Jane what the fuck did I do to deserve this cuz the only other option is to send a couple fucking dope heads to get my shit which I know you don't want

I guess that's what I have to do you won't fucking answer me I don't understand why they ain't going to know we're fucking talking what what's the deal

Thursday 8:31 PM

Can I talk to you for a second on here

Thursday 8:46 PM

Hello

Friday 12:43 PM

No I need to talk to you so why are you ignoring me. I still want to do the work for you I don't care about that bullshit they catch me I'll go do 6 months I don't care. But I got to rearrange the shed and I've got to get my stuff off your back porch okay I just don't want you to call them on me. That's all I ask



Type a message...





PD

Pappy D
Mobile

Wednesday 1:31 PM

Ok

Thank you I'm not trying to cause any problems I don't know what to do everything's at your house can we possibly get the TVs off the back porch if they're not ruined already and I told Brandon the stuff to work on the wall was out there and now it's wet so it's no good. I just need to talk to you about a couple of things that's all

Wednesday 2:48 PM

Are you not home I really need to use the bathroom and that's it

Wednesday 4:41 PM

Can I use your bathroom please and straight back out

Wednesday 4:52 PM

No both Shayla and baby sick

I need to take a dump. Is Shayla wanting that TV cuz I'm not going to leave that mother fucker sit outside in the rain. I mean it's fucking brand new and radios out there getting rained on I mean damn



Type a message...

