



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



2025-3709
Officer Involved Critical Incident - 4175 Brush Creek Rd.,
Manchester, OH 45144 (L)

Investigative Activity: Personnel File Review
Involves: OSP [REDACTED]
Activity Date: 11/25/2025
Authoring Agent: SA Joshua Welty #173

Narrative:

On Tuesday, November 25, 2025, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Joshua Welty (SA Welty) received the personnel file for OSP [REDACTED] from Ohio State Highway Patrol (OSP) Sgt. Rachel Simmons. SA Welty reviewed the personnel file and noted the following:

On May 6, 2021, [REDACTED] was issued a written reprimand for performing a PIT maneuver without supervisor approval.

No other use of force incidents was found to be outside of policy.

The personnel file was attached to this report. Please refer to the attachment for further details.

References:

No references.

Attachments:

Attachment #1: OSP - [REDACTED] Prior Discipline

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INTER-OFFICE COMMUNICATION



Date December 8, 2023

File 2-ADM

To Major Anne R. Ralston Attention S/Lieutenant Ricardo L. Alonso

From Sergeant Chad E. Smith, Administrative Investigation Unit

Administrative Investigation # [REDACTED] ~ Trooper [REDACTED]

Subject Wilmington District, Georgetown Post

Background

On May 22, 2023, I was notified by Captain Heber Fellure, Wilmington DHQ, regarding a complaint (Complaint # [REDACTED]) against [REDACTED] Georgetown Post. Fellure advised [REDACTED] had allegedly made a copy of a traffic stop video, which was shared with others at a school. It was alleged by the complainant, James Phipps, that the video in question involved his son, Levi Phipps, who had been involved in an incident with troopers at the Georgetown Post. Phipps reported [REDACTED] son had a copy of the video and shared it with other students at Peebles High School. Fellure requested that I conduct additional follow-up on the complaint.

The traffic stop was a motor vehicle pursuit from February 11, 2023, offense case # [REDACTED]. Upon review, I learned Levi Phipps failed to stop for a speeding violation, and a motor vehicle pursuit ensued. The pursuit traveled approximately five miles before [REDACTED] conducted a Precision Immobilization Technique (PIT), successfully stopping the pursuit. Phipps failed to comply with responding officers' orders to exit his vehicle, and [REDACTED] deployed his Conductive Energy Weapon or Taser and gained compliance. Phipps was taken into custody without further incident. Phipps was transported to a local hospital, where he was treated, and released. Levi Phipps was 17 years of age at the time of the incident.

On June 14, 2023, at approximately 11:57 a.m., Phipps returned my call and discussed his complaint. Around late April or early May, Phipps was approached by his son, Christopher Phipps, who told him the traffic stop video involving his brother, Levi Phipps, was shared with two students at the Peebles High School. [REDACTED] son, [REDACTED] had shown these two students the traffic stop while using his iPad. Phipps expressed his son did not personally observe the video, but heard from others the video was shared. When he learned of the incident, Phipps was aggravated and when he learned his ex-wife had not reported the incident, he decided to do so himself.

On May 15, 2023, Phipps contacted the Georgetown Post, spoke with Sergeant Anthony Fox, and reported the incident. Phipps believed one of the juvenile students who viewed the video was Jacob Stephens, and the other had the first name of Kelton. Phipps understood his son had done wrong but disagreed with how the video of his juvenile son was being shared with others. Additionally, Phipps was frustrated when he

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An Equal Opportunity Employer*

requested a copy of the video through Central Records, he was told it would take six months to receive, but somehow, the video was already being shared with others. I explained to Phipps the matter would be looked into, and the phone call concluded.

I notified Captain Chad Miller, former A.I.U. Commander, of this incident. On June 16, 2023, Miller informed me to initiate an administrative investigation (A.I.) into this matter.

Investigative Action

I reviewed case # [REDACTED] (**Artifact A**) [REDACTED] front dash camera footage (**Artifact B**), and Body-worn camera footage (**Artifact C**) of the incident from February 11th. One of the names of the students who were alleged to have viewed the traffic stop was Jacob Stephens. After checking the Ohio Law Enforcement Gateway (OHLEG), I narrowed down a possible match. Stephanie Stephens was listed as a co-signer on Stephen's driver's license. I was able to ascertain a phone number for both.

On July 6th at approximately 12:40 p.m., I contacted Stephens' mother. As I introduced myself and explained the reason for the call, Stephanie confirmed she was aware of the incident. Stephanie provided her son's phone number and permitted me to contact him to discuss whether or not he had viewed any video from the February 11th incident. At approximately 12:51 p.m., after attempting to contact Stephens directly, I received a call back from him. I explained the purpose of my call and inquired whether or not he had viewed any video from the February 11th incident. Stephens confirmed that he did, and I requested he give me some background on how it occurred. Stephens was unsure of the date but recalled it was sometime in March during baseball practice when [REDACTED] son approached him and asked if he knew Levi Phipps. After telling him he did, [REDACTED] son showed Stephens a video while using his cellphone. Stephens recalled viewing the PIT maneuver and [REDACTED] interaction with Phipps. According to Stephens, it was only him and [REDACTED] watching the video. Stephens provided [REDACTED] is also friends with Keltin Robinson but was unsure if Robinson also viewed the video. I thanked Stephens for his time and concluded the call.

I located some possible contact information for Keltin Robinson and his father, Heath Robinson. I made several attempts to reach them and could not leave a message as either their mailbox was full or not set up.

I have reviewed the Axon Evidence Audit Trail (**Artifact D**) which documented [REDACTED] activity with the video evidence. On February 11th, [REDACTED] modified the retention of the video. On February 16th, [REDACTED] viewed the video, but the audit trail did not indicate if [REDACTED] created a copy of the video evidence. This suggested [REDACTED] used another device to record the video as it played on his Mobile Computer Terminal (MCT).

*** On June 2nd, [REDACTED] injured his knee during an unrelated incident while on duty. [REDACTED] returned to work from his injury on December 3rd.*

Trooper [REDACTED] – Subject of Investigation:

On December 7, 2023, I interviewed [REDACTED] as the subject of this investigation (**Artifact E**). I read the Internal Investigation Pre-Interview form (DPS-0036) (**Artifact F**) to [REDACTED]. Labor representative Larry Phillips was also present during the interview. [REDACTED] provided his date of hire was [REDACTED]. He is currently assigned to the Georgetown Post and works the [REDACTED]. The recorded interview began at 11:05 a.m. The following is a summary of the recorded interview:

I reviewed the incident and the allegations with [REDACTED]. I handed [REDACTED] case # [REDACTED] which he confirmed was the case generated to document the February 11th incident. [REDACTED] confirmed Phipps was a juvenile at the time of the incident, and in addition to performing a PIT maneuver, [REDACTED] did deploy his CEW. [REDACTED] agreed any video of the incident had evidentiary value.

[REDACTED] admitted that he made a video of the PIT maneuver which lasted approximately eight seconds using his cellphone. He claimed there were no other copies of the video. However, he still had the original clip on his phone, and I requested he send the video to me. When asked why he made a copy of the video, [REDACTED] explained he was "proud of the PIT." He recorded the clip while the video played through AXON on his MCT, but he was unsure whether he did this on the day of the incident. [REDACTED] confirmed he did not get approval from anyone to make a copy of the incident and agreed recordings are the property of the Division and not his. [REDACTED] agreed he did not follow proper procedures while copying the video evidence.

[REDACTED] confirmed he sent the video clip to his son in a text message. [REDACTED] described having a close relationship with his son, and he was proud of the PIT maneuver and wanted to share it with his son. I asked [REDACTED] if his son shared the video with anyone, and he stated no. I explained I already spoke with a juvenile who admitted to watching the video with [REDACTED] son. [REDACTED] explained when he learned about the administrative investigation, he spoke with his son, who admitted to watching the video with his [REDACTED] Keltin, and another "boy" (Stephens). [REDACTED] provided his son did not send the video file to anyone. [REDACTED] also confirmed his son has since deleted the video from his phone.

[REDACTED] never intended for his son to share the video with anyone else. He was uncertain how Phipps found out about the video being shared. Additionally, [REDACTED] did not make a copy of the video to return to the Phipps family. He did not want it to reflect poorly on himself or the Division. I asked [REDACTED] to put himself in the father's shoes and how he would feel about sharing information about his son, and [REDACTED] admitted if the roles were reversed, he would be unhappy about the shared video. However, [REDACTED] mentioned Levi Phipps had filmed himself in the hospital, boasting about the incident before posting it on social media. [REDACTED] believed it was well-known that Phipps was involved in the pursuit before his son watched the video with the two boys. [REDACTED] denied there being any sensitive information on the video, i.e., social security numbers or date of birth.

As he was making a copy of the incident, I asked [REDACTED] if he was aware of the policy and knew what he was doing was wrong. [REDACTED] replied, " I don't think I had actually read that policy, but yeah, I knew it was

wrong." I asked [REDACTED] what he might do differently moving forward, and he replied, "Don't make any more videos with your phone." [REDACTED] reiterated there were no other videos of the incident which he copied.

[REDACTED] stated everything he provided was true and accurate. The interview concluded.

*** There were discrepancies between what [REDACTED] provided and what Stephens indicated he viewed. Stephens said he watched the PIT maneuver and the interaction with Phipps, but [REDACTED] provided the video only showed the PIT maneuver. [REDACTED] forwarded the video clip to my work phone (Artifact G). The video clip is ten seconds long and only shows the PIT maneuver as [REDACTED] described.*

Jacob Stephens – Witness to Investigation:

On December 8, 2023, I interviewed Stephens as a witness to this investigation (Artifact H). The recorded interview was conducted over the phone and began at 8:35 a.m. The following is a summary of the recorded interview:

I outlined with Stephens what we discussed the last time we spoke on July 6th. Stephens confirmed that during baseball practice, [REDACTED] showed him a video involving Phipps sometime around March. I asked Stephens to describe what he observed. According to Stephens, it was only a couple of seconds long but recalled observing the truck spin out and [REDACTED] approaching the truck. Stephens believed there was body-worn camera footage but was unsure if he saw Phipps. I took a moment and explained the differences between the dash camera and BWC and asked how he viewed the truck spin-out and [REDACTED] approach Phipps. Stephens seemed unsure precisely what he watched but knew it was only one video clip. He commented on how it might have only been dash camera footage and confused it with BWC footage.

Stephens denied observing Phipps being tased. Aside from [REDACTED] asking him if he knew Phipps, Stephens recognized Phipps' truck and knew it was him. Stephens denied receiving a copy of the video from [REDACTED] Stephens stated everything he provided was true and accurate. The interview concluded.

Artifacts

Artifact A – Case # [REDACTED]

Artifact B – [REDACTED] Front Dash Camera Footage from February 11th

Artifact C – [REDACTED] BWC from February 11th

Artifact D – Axon Evidence Audit Trail

Artifact E – Audio interview with [REDACTED]

Artifact F – [REDACTED] DPS 0036

Artifact G – Video clip created by [REDACTED]

Artifact H – Audio interview with Stephens

Artifact I – [REDACTED] Department Record

State of Ohio HP-26 10-0157-00 Rev. 08/01/2003	CAD Number: [REDACTED]	INCIDENT NUMBER [REDACTED]	INCIDENT TYPE Offense
NATURE CODE: 551 Resisting Arrest by Fleeing(Motor Vehicle) 550 Resisting Arrest		CLEARANCE CODE: G	COMPLETION DATE: 10/29/2023
GEO CODE: Numbered Township Route Detailed GEO Code: Numbered Township Route		A DEATH OF OFFENDER B PROSECUTION DECLINED C EXTRADITION DECLINED D VICTIM REFUSED TO COOPERATE E JUVENILE / NO CUSTODY F ARREST - ADULT G ARREST - JUVENILE H WARRANT ISSUED I INVESTIGATION PENDING J CLOSED K UNFOUNDED U UNKNOWN Z COLD CASE	
TOD: TOA: SPECIAL SECTION:		CLEARANCE DATE/TIME 2/11/2023 11:00	CLEARED BY 0490



Ohio State Highway Patrol
Initial Incident Report

REPORT DATE / TIME				INCIDENT OCCURED FROM				INCIDENT OCCURED TO			
MONTH	DAY	YEAR	TIME	MONTH	DAY	YEAR	TIME	MONTH	DAY	YEAR	TIME
2	11	2023	10:40	2	11	2023	10:40	2	11	2023	11:00
COUNTY: Adams County				FIPS Code: (58366) Oliver (Township of)							
INCIDENT LOCATION / REF PT. (Street, Apt, City, State, Zip): Southbound Peterson Numbered Township Route 0.00 At SouthSR 32				LATITUDE 38:56:03.98		LONGITUDE 83:28:24.46		K9 USED No		TYPE OF SEARCH: Incident to Arrest	

OFFENSE (OFFENSE CODE)	Count	Hate Bias	A/C	F/M & Degree	TYPE CRIMINAL ACTIVITY
(2921.331) Failure to Comply with Order or Signal of P.O.	2	N	C	F-3	(ENTER UP TO 3 FOR EACH OFFENSE) B - BUYING / RECEIVING C - CULTIVATING/MANUFACTURING/PUB D - DISTRIBUTING / SELLING E - EXPLOITING CHILDREN G - OTHER GANG J - JUVENILE GANG N - NO GANG INVOLVED O - OPERATING/PROMOTING/ASSISTING P - POSSESSING / CONCEALING T - TRANSPORTING / TRANSMITTING U - USING / CONSUMING
(2921.33) Resisting Arrest	1	N	C	M-2	

LOCATION OF THE OFFENSE				LARCENY TYPE
47	COMMERCIAL LOCATIONS	32 Clothing Store 33 Drug Store 34 Liquor Store 35 Shopping Mall 36 Sporting Goods 37 Grocery / Supermarket 38 Variety / Convenience 39 Department Store 40 Other Retail Store 41 Factory / Mill / Plant 42 Other Building	51 Public Transit Vehicle 52 Other Outside Location	23A Pocket Picking 23B Purse Snatching 23C Shoplifting 23D Theft from building 23E Theft from Coin-Op Machine 23F Theft from Motor Vehicle 23G Motor Vehicle Parts/Access 24O Theft of Motor Vehicle 23H Other
RESIDENTIAL STRUCTURE	15 Auto Shop 16 Financial Institution 17 Barber / Beauty Shop 18 Hotel / Motel 19 Dry Cleaners / Laundry 20 Professional Office 21 Doctor's Office 22 Other Business Office 23 Amusement Center 24 Rental Storage Facility 25 Other Commercial Service	43 Yard 44 Construction Site 45 Lake / Waterway 46 Field / Woods 47 Street 48 Parking Lot 49 Park / Playground 50 Cemetery	53 Abandoned/Condemned Structure 54 Amusement Park 55 Arena/Stadium/Fairgrounds/Coliseum 56 Atm Machine Separate From Bank 57 Camp/Campground 58 Cargo Container 59 Daycare Facility 60 Dock/Wharf/Freight/Modal Terminal 61 Farm Facility 62 Gambling Facility/Casino/Race Track 63 Military Installation 64 Rest Area 65 Shelter-Mission/Homeless 66 Tribal Lands 67 Library 77 Other Location	
PUBLIC ACCESS BUILDING	RETAIL			SUSPECTED OF USING
01 Single Family Home 02 Multiple Dwelling 03 Residential Facility 04 Other Residential 05 Garage / Shed	26 Bar 27 Buy / Sell / Trade Shop 28 Restaurant 29 Gas Station 30 Auto Sales Lot 31 Jewelry Store			<input type="checkbox"/> ALCOHOL <input type="checkbox"/> DRUGS <input type="checkbox"/> COMPUTER EQUIP <input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> CARGO THEFT

METHOD OF OPERATION:

METHOD OF ENTRY	METHOD OF ENTRY - BURGLARY / B&E						METHOD OF ENTRY - MOTOR VEHICLE THEFT	
<input type="checkbox"/> Force <input type="checkbox"/> No Force <input type="checkbox"/> No. Premises Entered	ENTRY	EXIT	ENTRY	EXIT	ENTRY	EXIT	<input type="checkbox"/> 01 MOTOR RUNNING/ KEYS IN CAR <input type="checkbox"/> 02 UNLOCKED <input type="checkbox"/> 03 DUPLICATE KEY USED <input type="checkbox"/> 04 WINDOW BROKEN <input type="checkbox"/> 05 TOWED <input type="checkbox"/> 06 HOT WIRED <input type="checkbox"/> 07 SLIM JIM/COAT HANGER <input type="checkbox"/> 08 TUMBLERS REMOVED <input type="checkbox"/> 09 COLUMN PEELED <input type="checkbox"/> 10 IGNITION PEELED	
	1 BASEMENT 2 1 ST FLOOR 3 2 ND FLOOR 4 OTHER 5 UNKNOWN		1 DOOR 2 WINDOW 3 GARAGE 4 SKYLIGHT 5 OTHER 6 UNKNOWN		1 FRONT 2 SIDE 3 REAR 4 ROOF 5 OTHER 6 UNKNOWN			

TYPE OF WEAPON FORCE: None

REQUESTING AGENCY:

REPORTING OFFICER: [REDACTED]	UNIT NUMBER: [REDACTED]	DATE: 2/11/2023
APPROVING OFFICER: Sgt. Utter, Michael S	UNIT NUMBER: 0398	DATE: 2/12/2023

ADMINISTRATIVE

OFFENSE



Ohio State Highway Patrol Initial Incident Summary

INCIDENT NO. [REDACTED]	REPORT DATE / TIME 2/11/2023 10:40	PHOTO POUCH NO. [REDACTED]
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Incident Summary

Suspect #1 was the operator of a motor vehicle and failed to comply with the lawful order of a police officer by failing to bring the motor vehicle to a stop when signaled to do so. Suspect #1 attempted to flee and elude law enforcement officials for approximately 5 miles. After the vehicle was brought to a stop, Suspect #1 actively resisted arrest before being taken into custody.

Reporting Officer: [REDACTED]	Unit No: [REDACTED]	Date: 2/11/2023
Approving Officer: Sgt. Utter, Michael S	Unit No: 0398	Date: 2/12/2023



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Suspect / Arrest Report

INCIDENT NUMBER [REDACTED]
REPORT DATE/TIME 2/11/2023 10:40

TOTAL SUSPECTS : 1

NAME / DESCRIPTIVES	No. 1	<input type="checkbox"/> Adult <input checked="" type="checkbox"/> Juvenile <input type="checkbox"/> Unknown <input type="checkbox"/> Business	CHECK APPROPRIATE CATEGORY 3 <input type="checkbox"/> Suspect <input type="checkbox"/> Arrestee <input checked="" type="checkbox"/> Suspect/Arrestee <input type="checkbox"/> Runaway <input type="checkbox"/> Missing <input type="checkbox"/> Other	CHARGES FILED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				
	NAME: (Last, First, Middle): [REDACTED] SSN#: [REDACTED]							
	ALIAS: [REDACTED] GANG AFFILIATION: [REDACTED]							
	ADDRESS: [REDACTED] PHONE #: [REDACTED]							
	EMPLOYER NAME & ADDRESS: [REDACTED], OH PHONE #: [REDACTED]							
	PLACE OF BIRTH: [REDACTED]		DRIVER'S LICENSE # & STATE [REDACTED] OH	STATE EMPLOYEE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	OCCUPATION/SCHOOL			
	AGE / DOB	GENDER M	RACE White, Non-Hispanic Origin	HEIGHT 5ft 10in	WEIGHT 230	HAIR Brown	EYES Hazel	MARITAL STATUS
	ADDITIONAL DESCRIPTION:							
	SCARS, MARKS, TATTOOS : 1) 2) 3) 4) 5)					RESIDENT CODE	<input checked="" type="checkbox"/> RESIDENT <input type="checkbox"/> TOURIST <input type="checkbox"/> MILITARY <input type="checkbox"/> STUDENT <input type="checkbox"/> OTHER <input type="checkbox"/> UNKNOWN <input type="checkbox"/> NOT REPORTED	
	POTENTIAL INJURIES :							
TYPE WEAPON FORCE USED								
SUSPECT USED: 99 [REDACTED] [REDACTED]								

NAME	ADDRESS (Street, Apt, City, State, Zip)	PHONE	RELATION

ARREST / OFFENSE DESCRIPTION	ARREST / OFFENSE CODE	COUNT	F/M & DEGREE	DISPOSITION	LARCENY	ARREST LARCENY TYPE
Failure to Comply with Order or Signal of P.O.	2921.331	2	F-3	Guilty		23A POCKET PICKING 23B PURSE SNATCHING 23C SHOP LIFTING 23D THEFT FROM BUILDING 23E THEFT FROM COIN-OP MACHINE 23F THEFT FROM MOTOR VEHICLE 23G MOTOR VEH. PARTS/ACCESSORIES 24O THEFT OF MOTOR VEHICLE 23H OTHER
Resisting Arrest	2921.33	1	M-2	Dismissed		

WARRANT NUMBER	WARRANT DESCRIPTION	WARRANT NUMBER	WARRANT DESCRIPTION
1.		2.	
3.		4.	

ARREST DATE: 2/11/2023	TIME: 12:36	ARREST LOCATION (Street, Apt., City, State, Zip) SB Peterson Numbered Township Route SR 32		CITATION NUMBER	
ARRESTEE ARMED WITH: 1. None 2. 3.			ARREST DISPOSITION: Summons To Court	BAIL :	
FINGER PRINTED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	THUMB PRINTED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DNA TAKEN: No, Not incarcerated	ITN NUMBER:	FBI/BCI #:	
<input type="checkbox"/> MULTIPLE ARRESTEE SEGMENTS INDICATOR		ARREST TYPE	<input checked="" type="checkbox"/> Complaint	<input type="checkbox"/> Crime In Progress	<input type="checkbox"/> Warrant
<input type="checkbox"/> COUNT ARRESTEE MULTIPLE ARRESTEE INDICATOR <input checked="" type="checkbox"/> N/A			<input type="checkbox"/> Court Summons/Citation	<input type="checkbox"/> Order Of Protection	<input type="checkbox"/> Other
COURT: Adams Juvenile Court				COURT DATE:	
JAIL SENTENCE	YEARS: 0.00	DAYS: 0.00			

JUVENILE'S PARENT / GUARDIAN NOTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DATE/TIME NOTIFIED: 2/11/2023 11:30	NOTIFIED By: [REDACTED]	JUVENILE DISPOSITION: Custody Of Parents
PARENT / GUARDIAN NAME & ADDRESS Phipps F Kelley 3509 Chapparral Rd., West Union, Ohio - 45693		PHONE [REDACTED]	RELATIONSHIP Parent
PARENT / GUARDIAN NAME & ADDRESS Phipps A James 427 Phipps Road, Stout, Ohio - 45684		PHONE [REDACTED]	RELATIONSHIP Parent
DATE OF LAST CONTACT	DATE OF EMANCIPATION	NCIC	
LAST SEEN WEARING			

REPORTING OFFICER: [REDACTED]	UNIT NUMBER: [REDACTED]	DATE: 2/11/2023
APPROVING OFFICER: Sgt. Utter, Michael S	UNIT NUMBER: 0398	DATE: 2/12/2023



Ohio State Highway Patrol
REPORT OF INVESTIGATION
 Victim/Reportee/Witness Report

INCIDENT NUMBER [REDACTED]
REPORT DATE/TIME 2/11/2023 10:40

VICTIM	NO.1	VICTIM TYPE: <input type="checkbox"/> Individual <input type="checkbox"/> Financial Institution <input type="checkbox"/> Police Officer (In The Line Of Duty) <input type="checkbox"/> Society / Public <input type="checkbox"/> Other <input type="checkbox"/> Business <input type="checkbox"/> Government <input type="checkbox"/> Religious Organization <input type="checkbox"/> Unknown <input type="checkbox"/> Trooper <input type="checkbox"/> State Agency							
	<input type="checkbox"/> Victim <input type="checkbox"/> Witness <input type="checkbox"/> Reportee	NAME (Last, First, Middle): Society / Public							
	ADDRESS(Street, Apt, City,State, Zip):							PHONE #:	
	OCCUPATION:					STATE EMPLOYEE: <input type="checkbox"/> YES <input type="checkbox"/> NO		SSN:	
	RESIDENTIAL STATUS: <input type="checkbox"/> Resident <input type="checkbox"/> Military <input type="checkbox"/> Other <input type="checkbox"/> Tourist <input type="checkbox"/> Not Reported <input type="checkbox"/> Student <input type="checkbox"/> Unknown					STATEMENT OBTAINED <input type="checkbox"/> YES <input type="checkbox"/> NO TYPE: <input type="checkbox"/> Written <input type="checkbox"/> Oral <input type="checkbox"/> Taped <input type="checkbox"/> Other			
	AGE / DOB	GENDER	RACE :			HEIGHT FROM - TO	WEIGHT FROM - TO	HAIR	EYES
	EMPLOYER NAME & ADDRESS							PHONE #:	
	VICTIM <input type="checkbox"/> YES INJURED <input type="checkbox"/> NO	IF INJURED, DESCRIBE INJURIES: 1) 2) 3) 4) 5)			VICTIM DECEASED <input type="checkbox"/> YES <input type="checkbox"/> NO	VICTIM WITNESS REFERRAL INFO <input type="checkbox"/> YES <input type="checkbox"/> NO	TYPE OF REFERRAL		
	AGG. ASLT / HOMICIDE CIR : 1)				2)				
	VICTIM/SUSPECT RELATIONSHIP : 1)Citizen/Society					VICTIM OFFENSE LINK : 1)2921.33 2)2921.331			
JUSTIFIABLE HOMICIDE:			ACTIVITY TYPE		ASSIGNMENT TYPE		LE ORI - OTHER JURISDICTION		
My signature verifies that the information on this report is accurate and true: X							DATE :		

REPORTING OFFICER: [REDACTED]	UNIT NUMBER: [REDACTED]	DATE: 2/11/2023
APPROVING OFFICER: Sgt. Utter, Michael S	UNIT NUMBER: 0398	DATE: 2/12/2023



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Vehicle Report

INCIDENT NUMBER [REDACTED]
REPORT DATE/TIME 2/11/2023 10:40

VEHICLE INFORMATION									
CHECK CATEGORIES <input type="checkbox"/> Abandoned <input type="checkbox"/> Impounded <input type="checkbox"/> Stolen <input type="checkbox"/> Received <input type="checkbox"/> Recovered <input checked="" type="checkbox"/> Used In A Commission of a Crime <input type="checkbox"/> N/A									
LICENSE JCU4476	LIC STATE OH	VEHICLE IDENTIFICATION NUMBER / OAN 1GCCS1440SK242711			NCIC NO.	STOLEN OPTION		IS VEHICLE LOCATED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	VEHICLE NO. 1
VALUE	VEH YR. 1995	MAKE Chevrolet	MODEL S10	STYLE Pick-up Truck	VEHICLE COLOR TOP Red BOTTOM Red		TRACK TYPE		
OWNER NAME & ADDRESS (Street, City, State, Zip) Levi Hunter Phipps & 252 Bradley Ln, West Union, OH - 45693								PHONE [REDACTED]	
VEH. ASSOC. W/ SUSPECT # 1		VEH. ASSOC. W/ VICTIM #		TOWED BY : Larry's		OWNER VERIFIED BY : Registration			
ADDITIONAL DESCRIPTION								DATE TIME NOTIFIED	

REPORTING OFFICER: [REDACTED]	UNIT NUMBER: [REDACTED]	DATE: 2/11/2023
APPROVING OFFICER: Sgt. Utter, Michael S	UNIT NUMBER: 0398	DATE: 2/12/2023



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Investigative Notes

INCIDENT NO: [REDACTED]	REPORT DATE/TIME 2/11/2023 10:40	PHOTO POUCH NO. [REDACTED]
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Sunday, February 12, 2023 07:04 [REDACTED]

On February 11, 2023 I was on regular patrol on State Route 32 eastbound in Oliver Township, Adams County, Ohio. I was driving a marked OSP Patrol Car and wearing the uniform of the day. At approximately 1040 hours I observed a red Chevrolet S-10 traveling westbound on State Route 32, visibly at a high rate of speed. I activated my vehicle mounted front radar antenna and checked the vehicle's speed at 92 miles per hour. The posted speed limit in the area is 60 miles per hour. The violator vehicle and myself were approaching the intersection of Peterson Road. I slowed in the roadway and started to make a left turn in the cross-over in order to get behind the violator vehicle with the intention of initiating a traffic stop. At that time, the violator vehicle slowed rapidly in the roadway, leaving skid marks on the pavement, and made a left turn onto Peterson Road and then rapidly accelerated. I turned around in the roadway and onto Peterson Road and activated my overhead lights on my patrol car, signaling for the vehicle to stop.

The vehicle continued southbound on Peterson Road at a high rate of speed. I advised OSP Wilmington Dispatch that I was in pursuit and provided the location and description of the vehicle and driver, who was a white male with long dark hair, wearing a ball-cap, and appeared to be in his mid twenties. Our speed was approximately 60 miles per hour, which was an unsafe speed given the condition of the roadway. Peterson Road is partially asphalt and gravel and rutted in several locations. It is approximately one mile in length.

We reached the dead end of Peterson Road and the violator vehicle proceeded into a private farm field through an open gate. I followed the vehicle into the field a short distance before returning to the gate opening in an attempt to block the vehicle into the field. The violator vehicle attempted to exit the field at that time but was unable to do so. The vehicle then came to a brief stop and the driver placed it in reverse and aggressively revved the engine and backed back out into the field. As it did, I exited my patrol car and drew my Division issued service weapon and ordered the driver to stop, which he failed to do. The violator vehicle then drove out toward the tree line where there is a creek and appeared to be looking for a place to cross the creek. The vehicle then returned to the middle of the field facing my patrol car. I was still outside of my patrol car at that time. I believed that the violator vehicle would attempt to ram my patrol car while I was standing outside of it in an attempt to exit the field. At that time I retrieved my Division issued AR-15 from my trunk. As I was doing so I could hear the engine of the violator vehicle revving aggressively. I walked a short distance away from the trunk of my patrol with my rifle at the ready position. The violator vehicle then proceeded toward the direction of my patrol car slowly and I retreated to cover at that time.

The violator vehicle was able to maneuver around my patrol car and exit the field and proceeded north on Peterson Road toward the direction of State Route 32. I advised Dispatch of such and returned to my patrol car and also proceeded north on Peterson Road. At that time I lost visual contact with the violator vehicle. During this time I was made aware that Adams County Sheriff's Office had deputies and village officers en route and also that [REDACTED] was also en route. Once I reached the intersection of Peterson Road and State Route 32 I was unable to discern which direction the violator vehicle had gone but believed it had gone across State Route 32 and northbound on Lawshe Road and then proceeded westbound as that was the original direction of travel.

At that time I proceeded westbound on State Route 32 to Tranquility Pike. I turned north onto Tranquility Pike and then north on State Route 770. As I was driving north on State Route 770 I again made contact with the violator vehicle, which was traveling southbound near mile post 2. I identified it was the same vehicle and driver from previous and immediately turned in the roadway and got behind it. I again activated my overhead lights of my patrol car signaling the vehicle to stop. Again the violator vehicle failed to comply. I advised

REPORTING OFFICER: [REDACTED]	UNIT NUMBER: [REDACTED]	DATE: 2/11/2023
APPROVING OFFICER: Sgt. Utter, Michael S	UNIT NUMBER: 0398	DATE: 2/12/2023



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Investigative Notes

██████████ ██████████	REPORT DATE/TIME 2/11/2023 10:40	PHOTO POUCH NO. ██████████
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dispatch I had again located the violator vehicle and it was not stopping. At that time I activated the siren on my patrol car. The violator vehicle continued southbound on State Route 770 and then turned south onto Tranquility Pike towards State Route 32 at an approximate speed of 45 miles per hour. We continued south on Tranquility Pike and approached the intersection with State Route 32 at a speed of 58 miles per hour. As we approached the intersection I observed a marked patrol SUV from West Union Police Department approaching the intersection traveling west to east on State Route 32 and identified that it was Lieutenant Ryan Myers.

The violator vehicle stopped at the stop sign at the intersection and then proceeded slowly onto State Route 32, traveling eastbound. As it did, Lieutenant Myers attempted to block the vehicle's advance but was unsuccessful. We then continued eastbound on State Route 32 reaching a speed of 68 miles per hour. At that time the violator vehicle was in the left lane with myself directly behind it. Lieutenant Myers was in the right lane directly beside the violator vehicle with his overhead lights and siren activated. The violator vehicle then made an abrupt lane change into the right lane and forced Lieutenant Myers vehicle off the roadway and into the grass. It appeared to be an intentional act and I advised dispatch of such. Lieutenant Myers nearly lost control of his vehicle but was able to recover and then merged back into the right lane directly behind the violator vehicle while I trailed behind in the left lane.

At that time I heard ██████████ ask for our location and I advised him we were continuing eastbound on State Route 32. He then advised he was going to get into position to deploy stop sticks. I advised ██████████ the location of the violator vehicle and also myself and Lieutenant Myers vehicles. As we continued eastbound the violator vehicle merged back into the left lane. I was able to observe ██████████ vehicle in a blocking position with the overhead lights activated in the left lane of State Route 32 near the intersection with Burnt Cabin Road. ██████████ had placed stop sticks in the right lane. As we approached the intersection the violator vehicle slowed down, merged into the right lane, and then drove off the right side of the roadway and avoided the stop sticks. I drove into the median around the back of ██████████ marked OSP Patrol Car and then merged back into the left lane. The violator vehicle merged back into the right lane.

We continued eastbound and I accelerated and pulled beside the violator vehicle. I observed the driver of the vehicle at that time and he was staring straight ahead, not acknowledging that I was beside him. I then accelerated ahead of the violator vehicle and merged into the right lane ahead of him with the intent to slow him down as the speed at that time was just above 70 miles per hour. At that time, ██████████ was directly behind the violator vehicle in the right lane. A marked patrol SUV from Winchester Police Department was also on scene at this time and was in the left lane. He also had his overhead lights and sirens activated. I could observe the Winchester patrol vehicle in my left side mirror. It appeared to attempt to pull beside the violator vehicle in the left lane but before he could do so the violator vehicle merged left. I repositioned my patrol car into the left lane to stay ahead of the violator vehicle and it then merged back into the right lane. I again repositioned into the right lane and began to slow our speed of travel which went from approximately 70 miles per hour to approximately 45 miles per hour as we approached the intersection of Unity Road. During this time I heard radio traffic from OSP Sergeant D. Rack (U-0925) from the OSP Wilmington Post asking for updates, which were provided at that time.

Upon reaching the intersection the violator vehicle made a right turn onto Unity Road. I was forced to turn back around and subsequently became the fourth vehicle in position. At that time, ██████████ was the first vehicle directly behind the violator vehicle. After negotiating a sharp right curve and entering a straight stretch of roadway I overheard radio traffic from ██████████ announcing his intention to execute a PIT maneuver. He had previously requested permission to do so. The speed of the violator vehicle was slow at that time and there was no additional vehicle traffic in the area. If the violator vehicle would have proceeded further it would have

REPORTING OFFICER: ██████████	UNIT NUMBER: ██████████	DATE: 2/11/2023
APPROVING OFFICER: Sgt. Utter, Michael S	UNIT NUMBER: 0398	DATE: 2/12/2023



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Investigative Notes

INCIDENT NO: [REDACTED]	REPORT DATE/TIME 2/11/2023 10:40	PHOTO POUCH NO. [REDACTED]
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entered a populated residential area. [REDACTED] executed a PIT maneuver and I observed the violator vehicle spin in the roadway and slide backwards off the right side of the roadway before coming to a stop.

After I stopped my patrol car I exited and proceeded around the front of it to a covered position on the right side of Lieutenant Myers patrol SUV. I had my Division issued service weapon drawn at this time. The driver of the violator vehicle could be seen still seated upright in the driver's seat. His hands were not visible and I gave verbal commands for his to show his hands. All other officers on scene were doing the same. The driver of the violator vehicle raised one hand and was pointing down toward the floor board area of the vehicle. He was also saying something but I could not hear it. He eventually raised both of his hands and it was evident he was not holding any weapons. I then holstered my service weapon and proceeded to the open driver's door of the violator vehicle. As I moved to that position I could observe [REDACTED] open the passenger side door of the vehicle. I was able to observe [REDACTED] attempt to grab the vehicle driver and I could observe the driver's right arm extend outward as if to push [REDACTED] away from him. As I neared the driver's door I heard the audible sound of a TASER being deployed as [REDACTED] deployed his Division issued TASER, making contact with the driver. The driver of the vehicle then fell out of the open driver's door. I then moved into position to secure the driver along with Officer C. Powell from Winchester Police Department. The vehicle driver was laying with his right arm under him and his left arm exposed. Officer Powell attempted to secure the driver's left arm and it appeared the driver was actively resisting him. [REDACTED] then re-energized his TASER for a short cycle. The driver of the vehicle then became compliant and was placed into handcuffs at that time.

The driver, identified as a Mr. Levi H. Phipps, advised he was 17 years of age and he had heart issues. I did not hear him advise either prior to being taken into custody. I then advised dispatch to have EMS respond to the scene. During this time I asked Mr. Phipps why he failed to stop and he responded, "I can't," multiple times. He then advised he did not possess a valid driver's license. Mr. Phipps then stood up off the ground and was noticeably agitated. He was swearing and at one point attempted to get back into his truck to retrieve his cellular phone. He then became compliant again and was escorted to my patrol car. Upon reaching my patrol car I removed that handcuffs that Officer Powell had placed on Mr. Phipps and placed my handcuffs on him. Mr. Phipps was then advised his Constitutional Rights. A search incident to arrest was then performed of his person and no contraband was located. Mr. Phipps was then allowed to contact his step-father who was with his mother, Ms. Kelly Phipps, using his cellular phone. They both responded to the scene along with Mr. Phipps biological father, Mr. James Phipps.

Adams County EMS also arrived on scene and Mr. Phipps was evaluated at that time for injuries. Mr. Phipps showed no signs of injuries as a result of the incident but was complaining of chest pain. A short time later Trooper K. Chamblin (U-0354) and Sergeant Donald Rack also arrived on scene. [REDACTED] took photographs of the violator vehicle and his patrol car for any damage. He also completed an inventory on the violator vehicle, which was then towed by Larry's Towing. Sergeant Rack completed a field sketch of the scene at that time as well. Mr. Phipps family requested he be transported to Adams County Regional Hospital for further evaluation. He was removed from handcuffs and transported by Adams County EMS.

Shortly afterwards all officers cleared the scene as well. [REDACTED] Trooper Chamblin, and myself responded to Adams County Regional Hospital. OSP Sergeant S. Fox (U-1235) who had just come on duty also responded to the hospital. Upon arrival at the hospital Sergeant Fox obtained a statement from Mr. Phipps. Mr. Phipps was then released to the custody of his family.

In all, both pursuits covered approximately 5 miles with speeds reaching approximately 73 miles per hour. The

REPORTING OFFICER: [REDACTED]	UNIT NUMBER: [REDACTED]	DATE: 2/11/2023
APPROVING OFFICER: Sgt. Utter, Michael S	UNIT NUMBER: 0398	DATE: 2/12/2023



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Investigative Notes

INCIDENT NO: [REDACTED]	REPORT DATE/TIME 2/11/2023 10:40	PHOTO POUCH NO. [REDACTED]
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original violation for the initial stop was for speeding (92 miles per hour in a 60 mile per hour zone - 4511.21D2). Mr. Phipps was observed not wearing a safety belt prior to the second pursuit (4513.263B1). A license check revealed that Mr. Phipps did not have a valid driver's license at the time of the incident (4510.12).

Charges for Failure to Comply (2921.331) and Resisting Arrest (2921.33) will be filed through the Adams County Juvenile Court.

Sunday, February 12, 2023 09:31 **0925 Sgt. Rack, Donald N**

On February 11, 2023 at 1040 hours [REDACTED] advised that he was in pursuit of a vehicle that was not stopping for him. He checked the vehicles speed at 92 MPH in a 60 MPH zone on State Route 32. I left the Wilmington Post and headed toward the pursuit.

I monitored the radio traffic on the way and asked for updates. During the pursuit [REDACTED] was south on Tranquility Pike approaching State Route 32 when a West Union Officer entered into the pursuit . At this time the suspect turned east on State Route 32. [REDACTED] advised the suspect made an abrupt lane change to the right forcing the West Union Officer off the right side of the road [REDACTED] deployed stop sticks on State Route 32 and Burnt Cabin Road. The suspect drove around the stop sticks and off the right side of the road.

As the pursuit continued east toward Unity Road [REDACTED] asked for permission to execute a PIT maneuver. When they turned right onto Unity Road I was reaching for my radio to advise permission to use the PIT maneuver when [REDACTED] administered a PIT maneuver. [REDACTED] advised that [REDACTED] deployed his CEW, and the suspect was secured.

When I arrived at the scene the suspect was in the squad and all Units involved were okay. I took pictures of the suspect and asked him if he wanted to give a statement. The suspect advised that he wanted to give a statement. He was transported to Adams County Regional Medical Center where Sergeant Fox, 1235, took a statement from him. I also took pictures of the scene and a field sketch.

Thursday, February 16, 2023 09:15 [REDACTED]

On February 11, 2023 I heard [REDACTED] call a vehicle pursuit on Peterson Road from SR 32. I am familiar with that roadway and knew it was a dead end road. I activated my lights and siren and responded to the area to provide assistance. I asked for a supervisor's permission to PIT the vehicle. [REDACTED] advised on the radio that the driver of the vehicle had drove into a field. A short time later I heard [REDACTED] state the vehicle had made it out of the field and was headed back toward SR 32. [REDACTED] stated he did not know which way the vehicle had traveled after reaching SR 32. [REDACTED] described the vehicle as a red Chevrolet S-10 and the driver as a white male with long hair. We then began patrolling the area in an attempt to locate the suspect. After a few minutes, [REDACTED] advised that he had located the vehicle on SR 770 and was in an active pursuit again. The vehicle traveled Tranquility Pike from SR 770 toward SR 32.

I was westbound on SR 32 attempting head off the suspect before he reached SR 32 to set stop sticks. [REDACTED] stated the vehicle was traveling in the 30's. I was unable to make it to Tranquility Pike before the suspect made it to SR 32. The suspect turned eastbound on SR 32 toward me. [REDACTED] stated over the radio that the suspect attempted to make intentional contact (ram) the West Union Police vehicle. I made

REPORTING OFFICER: [REDACTED]	UNIT NUMBER: [REDACTED]	DATE: 2/11/2023
APPROVING OFFICER: Sgt. Utter, Michael S	UNIT NUMBER: 0398	DATE: 2/12/2023



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Investigative Notes

INCIDENT NO: [REDACTED]	REPORT DATE/TIME 2/11/2023 10:40	PHOTO POUCH NO. [REDACTED]
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the quick decision to attempt to set stops sticks in the slow lane of SR 32 as the suspect was at slow speeds. I parked my patrol car in the fast lane, leaving the slow lane open. I laid the stops stick in the grass on the right side of SR 32 and extended the tie string across SR 32 to the fast lane. I used my patrol car as cover and had the red handle of the stop sticks ready to pull the sticks in front of the vehicle. The suspect was able to see the sticks and almost came to a stop but then drove to the right of the stop sticks and continued eastbound on SR 32.

I gathered the stop sticks and was able to catch up to the suspect. I radioed to the units involved to conducted a rolling road block to end the pursuit. I had asked for permission to conduct a PIT earlier in the pursuit but at this point I had no response from a supervisor. [REDACTED] was in the lead, Winchester Police to the suspects left, and I was in the rear. [REDACTED] was attempting to brake to bring the suspect to a slowed stopped. I witnessed the suspect cut in front of Winchester Police's vehicle and nearly strike it. The suspect made abrupt right turn on Unity Road and I became the lead vehicle.

I live just off of Unity Road and very familiar with area. The area is predominately an Amish Community. I knew by experience, the weather was warm and clear and I knew there would be people and children of the Amish Community walking, riding bicycles, and in their horse drawn buggies. If the vehicle was able to reach the top of the hill, we would be in the "heart" of Amish Country. I have lived in this area for many years and familiar with the families of which I know by name and residence. I know by experience that the Amish residents don't pull to the right on their bicycles when a vehicle approaches from behind, and there are adults and children that walk the roadway constantly. Often the children are unaccompanied by any adults. This was also a Saturday that meant there was going to be a high volume of traffic in the Wheat Ridge Road/ Community of Unity area because of Miller's Amish Store. Motorist come from all over to visit the large Amish Store/ Bakery. It was already obvious the suspect was not going to stop on his own. We had been in two separate pursuits, attempted to stop stick his tires, he attempted to ram a police vehicle, and we attempted a rolling roadblock. The roadway past this area was going to be steep hills and curves. The window to end the pursuit in an ideal location was about to close. I made the decision to execute a PIT to end the pursuit before we reached the populated area.

I knew that this particular area was the only flat straight area we would have for several miles and the homes were far off the roadway. I waited until I could see there were no vehicles coming and approached on the left side of the truck but the suspect crossed in front of me that obviously on purpose. I then transitioned to the right side of the truck and conducted a PIT by "leaning" and pushing on the right rear of the truck. I executed the PIT at 29 MPH. The truck slid and came to a rest on the right side of the roadway. I passed the vehicle and came to a stop. I exited the vehicle with my division issued firearm drawn and pointed it in the direction of the driver. I gave loud commands to the driver to show his hands but he refused. I seen his right hand as he was pointing to his lap area. I was able to see his left hand and did not notice a weapon. West Union Police and Winchester Police officer's had lethal cover so I opened the passenger side door of the truck and ordered the suspect out of the truck with several loud commands. I holstered my firearm and attempted to remove the suspect with my hands. The suspect pulled away and yelled "Get the fuck off me!" I pulled my division issued taser and ordered the suspect to get out of the truck. The suspect was still defiant and refused to get out of the truck. The suspect stated he would get out but made no attempt and just stared at me. I made the decision to deploy my taser. The suspect rolled from the driver's door to the ground. I yelled for [REDACTED] to cuff the suspect while the taser was cycling. As the officers attempted to handcuff the suspect, I had them yelling for the suspect to give his hands. I noticed the suspect was fighting his left hand under his abdomen as the Winchester officer was attempting to gain the hand for handcuffs. I then re-energized the initial deployed probes. The Winchester officer was able to gain the left hand and I deactivated the taser before the 5 second

REPORTING OFFICER: [REDACTED]	UNIT NUMBER: [REDACTED]	DATE: 2/11/2023
APPROVING OFFICER: Sgt. Utter, Michael S	UNIT NUMBER: 0398	DATE: 2/12/2023



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Investigative Notes

INCIDENT NO: [REDACTED]	REPORT DATE/TIME 2/11/2023 10:40	PHOTO POUCH NO. [REDACTED]
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cycle completed.

After being handcuffed, the suspect was walked to the front of [REDACTED] patrol car. I conducted the inventory of the truck and called for next available wrecker. Larry McFarland's Towing arrived and took the vehicle. The Step-Father, Mother, and Father of the suspect arrived on scene. I explained to the father the incident leading up to the his son's tasing and arrest. Sergeant Rack arrived on scene and conducted a field sketch of the scene. I photographed the suspect's truck and the scratches on the front left of my patrol car from the pit. The damage to my patrol car was very minimal. The suspect was transported to the Adams County Regional Medical Center for evaluation.

Tuesday, February 21, 2023 13:25 **0587 Lt. Jordan, Charles A**

On February 11, 2023, I received information from Sergeant D.M. Rack regarding this pursuit and response to resistance incident. He indicated that [REDACTED] attempted to initiate a traffic stop for a speed violation at 92 MPH in a 60 MPH zone on State Route 32 in Adams County when the driver fled and a pursuit ensued. Sergeant Rack advised that during the pursuit the driver avoided stop sticks placed by [REDACTED] and attempted to force a West Union Police vehicle off the roadway on State Route 32.

Sergeant Rack indicated that [REDACTED] was subsequently able to catch up and join the pursuit. Sergeant Rack advised [REDACTED] requested permission to utilize a P.I.T maneuver. He advised the pursuit turned onto Unity road where [REDACTED] initiated a successful P.I.T maneuver just as he was preparing to grant permission. Information was provided that prior to deploying his CEW, [REDACTED] opened the passenger side door, gave verbal commands and attempted to reach for the subject, but was pushed away. The CEW was deployed and the subject fell out of the vehicle. Upon continuing to resist being handcuffed, the CEW was re-energized. The subject was taken into custody without further incident. Sergeant Rack indicated EMS were called to the scene due to the use of a CEW. The subject was found to be a juvenile and units on scene had already contacted his parents. The subject was transported to Adams County regional Hospital for evaluation.

I have reviewed all available audio and video from the incident, as well as the case investigation.

Tuesday, February 21, 2023 15:55 **1235 Sgt. Fox, Anthony S**

On February 11, 2023 at approximately 1100 hours, I received a phone call from Sergeant D. Rack indicating that [REDACTED] and [REDACTED] had been involved in a vehicle pursuit in Adams County. Sergeant Rack indicated he was en route from the Wilmington Post to the scene. He further stated that the pursuit was terminated with a P.I.T. manouver and the suspect was tased as a result.

I advised Sergeant Rack that I would be en route shortly to the scene. As I was responding to the scene, I received another phone call from Sergeant Rack. He was advising the suspect was being transported to the hospital for evaluation from the CEW. We discussed that he could conclude all information from the scene and I would handle the rest of the incident at the hospital.

Upon arrival at Adams County Regional Hospital, I was met outside of the hospital by a male subject identifying himself as the Mr. James Phipps, the father of the suspect. We had a brief discussing about the incident and he was concerned that his son was tased by officers after advising them that he had a heart condition. He was informed that I was not present for that activity and that all in-car and BWC would be reviewed. He was also given information on how to obtain the videos and investigation report. I continued inside the hospital where I met with Trooper Chamblin who had followed the squad to the hospital. I relieved

REPORTING OFFICER: [REDACTED]	UNIT NUMBER: [REDACTED]	DATE: 2/11/2023
APPROVING OFFICER: Sgt. Utter, Michael S	UNIT NUMBER: 0398	DATE: 2/12/2023



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Investigative Notes

INCIDENT NO: [REDACTED]	REPORT DATE/TIME 2/11/2023 10:40	PHOTO POUCH NO. [REDACTED]
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Trooper Chamblin of his duties. I met with the suspect and his parents, in Bed 6. I had introduced myself and explained to his father and the suspect that I was requesting a written statement from his son.

The suspect stated he wanted to give a written statement about the incident and the father allowed him and was present for the interview. I mirandized the suspect in the presence of his father, who is also a witness on the Miranda rights form. During the interview the suspect admitted to knowingly fleeing from [REDACTED]. He advised he was fleeing due to him not having a drivers license.

At the conclusion, Mr. Levi Phipps was released to his father via HP-60 and explained the court process.

Upon arrival at the Georgetown Post, I reviewed all in-car and body worn cameras of the units involved. At the conclusion of the pursuit, the passenger door is opened by [REDACTED] and the suspect is ordered to get out of the vehicle. The suspect does not comply and is advised to get out or he will be tased. The suspect still does not comply and [REDACTED] uses his CEW on the suspect. At no time during this encounter inside of the suspects truck did the suspect advise any officers he had a heart condition. It is only after the suspect is re-energized for not complying on the ground outside of the suspects vehicle and after he is taken into custody that he makes a statement minutes later of, "You're trying to kill me, I have a heart condition".

Unit's on scene, then contacted EMS to respond to the scene to provided treatment for the suspect. EMS arrived and transported the suspect to the hospital.

Monday, April 10, 2023 16:42 [REDACTED]

The case is set for an adjudication hearing on May 17, 2023 at 0830 hours in Adams County Juvenile Court for the charges of Failure to Comply and Resisting Arrest.

Monday, July 17, 2023 17:28 [REDACTED]

The case is set for sentencing on 08/16/23 at 1300 hours

Friday, October 27, 2023 08:32 [REDACTED]

On October 12, 2023 the defendant, Levi Phipps, was found guilty in Adams County Juvenile Court for the charge of Failure to Comply. The companion charge of Resisting Arrest was dismissed. At the time of the verdict and subsequent sentencing, Mr. Phipps had turned 18 years old. The following disposition was provided by the Adams County Prosecutors Office:

- Jail: 10 days
- Probation: 2 years
- Community Service: 120 hours
- Class 4 License Suspension: 2 years beginning on 10/12/23
- Court ordered Mental Health Assessment

REPORTING OFFICER: [REDACTED]	UNIT NUMBER: [REDACTED]	DATE: 2/11/2023
APPROVING OFFICER: Sgt. Utter, Michael S	UNIT NUMBER: 0398	DATE: 2/12/2023



Ohio State Highway Patrol

USE OF FORCE REPORT

INCIDENT NUMBER ██████████
REPORT DATE/TIME 2/11/2023 10:40

USE OF FORCE INFORMATION

LOCATION TYPE CODE 47	LOCATION ADDRESS (Street, City, State, Zip) Southbound Peterson TR 0.00 At South of SR 32	FIPS CODE Oliver (Township of)		
NO OF OTHER AGENCY OFFICERS # 2	<input type="checkbox"/> PENDING FURTHER INVESTIGATION	<input type="checkbox"/> UNKNOWN AND IS UNLIKELY TO EVER BE KNOWN		
<input checked="" type="checkbox"/> CONDUCTIVE ENERGY WEAPON USED	CEW EFFECTIVENESS Suspect Neutralized/Taken Into Custody	INJURY TO OFFICER No Injury	INJURY TO SUSPECT No Injury	REASON INEFFECTIVE
AMBUSH INCIDENT N	INITIAL CONTACT Traffic Stop	SUPERVISOR PRESENT Yes	DID OFFICERS APPROACH Yes	

SUBJECT INFORMATION

SEQ. NO. 1	SUSPECT NAME Levi Hunter Phipps	GENDER Male	AGE FROM 17	AGE TO 0	HEIGHT FROM 5 ' 10 "	HEIGHT TO 0 ' 0 "	RACE White, Non-Hispanic Origin
WEIGHT FROM 230	WEIGHT TO 0	SUBJECT INJURIES 1) Burned/Superficial Injury Caused By Darts					
THREAT TO OFFICERS / OTHERS Both Law Enforcement and Others	RESISTANCE TYPE Failing to comply to verbal commands	RESISTANCE LEVEL Yes	SUBJECT ARMED No		IMPAIRMENT TYPE		

OFFICER INFORMATION

SEQ. NO. 1	OFFICER NAME ██████████	UNIT NO ██████	GENDER Male	AGE ██	HEIGHT ██	WEIGHT ██	RACE ██████████
SERVICE YEARS ██	FULL TIME Yes (law enforcement officer)	READILY IDENTIFIED Yes	ON DUTY Yes		LINK TO SUBJECT 1		
OFFICER RESPONSE Electronic Control Device (ECD) Discharged						VIDEO CAMERA USED Body Camera	
OFFICER INJURED False	OFFICER INJURIES						



EVIDENCE AUDIT TRAIL

Evidence	Source
Evidence ID [REDACTED]	Device Type Axon Body 3
Categories Evidence Public Records Request	Device Name [REDACTED]
Title Phinns/Pursuit/Resisting/0102 Video 2023-02-11 1055	Serial Number [REDACTED]
Document Checksum Sha2-082d82728b0ebb726b592f4ef06dcf6a8ca988227fccdac489192374b99533d5	
Record Start 11 Feb 2023 10:55:32	
Uploaded 11 Feb 2023 16:01:49	Usage
Uploader [REDACTED]	
Unique ID 6C7E708F3B124A1BAFCFB2907DDFAB04	Page views 14
	File downloads
	Video playbacks 17
	Last Viewed Or Downloaded On 16 May 2023 13:45:14

#	Date	Time	User	Activity
1	11 Feb 2023	10:55:32 (-05:00)	System	Recording started due to Axon Signal Vehicle activation Pre-event audio recording: Disabled Video mask: Disabled Trigger(s): 9, 11, 12
2	11 Feb 2023	11:56:47 (-05:00)	System	Recording stopped due to button press
3	11 Feb 2023	15:45:28 (-05:00)	System	Evidence upload started when camera was docked
4	11 Feb 2023	15:45:29 (-05:00)	System	Evidence Record Created
5	11 Feb 2023	15:45:29 (-05:00)	[REDACTED]	Evidence title added: 'Axon Body 3 Video 2023-02-11 1055 [REDACTED]'
6	11 Feb 2023	16:01:49 (-05:00)	System	Evidence successfully uploaded when camera was docked
7	11 Feb 2023	16:01:49 (-05:00)	System	Evidence Uploaded with Checksum. Computed Checksum: TREE-1024k 0bfd7f5869f20c936111ee55c0831516728b8972cd2ed66d88c3b5e2f92314c3c5
8	11 Feb 2023	16:01:49 (-05:00)	System	Evidence Authenticity Validated. Device Serial Number [REDACTED]
9	11 Feb 2023	16:01:50 (-05:00)	[REDACTED]	Retention Level Updated Update source is Uncategorized Retention Deletion is now scheduled for 10 Aug 2023 11:55:32 (-04:00)
10	11 Feb 2023	16:01:50 (-05:00)	System	Tag 'TASER: Any use' Added
11	11 Feb 2023	16:01:50 (-05:00)	System	Tag 'TASER: Arc' Added

#	Date	Time	User	Activity
12	11 Feb 2023	16:01:50 (-05:00)	System	Tag 'TASER: Trigger' Added
13	11 Feb 2023	16:01:50 (-05:00)	System	Tag 'TASER: Armed' Added
14	11 Feb 2023	16:01:50 (-05:00)	System	Evidence automatically deleted from device after successful upload when docked
15	11 Feb 2023	16:02:11 (-05:00)	System	Evidence Checksum Recomputed. Computed Checksums: TREE-1024k 0bfd7f5869f20c936111ee55c0831516728b8972cd2ed66d88c3b5e2f92314c3c5 SHA-256 082d82728b0ebb726b592f4ef06dcf6a8ca988227fccdac489192374b99533d5
16	11 Feb 2023	16:39:03 (-05:00)		Evidence Record Accessed. Client IP Address: 66.144.132.60
17	11 Feb 2023	16:39:05 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
18	11 Feb 2023	16:39:27 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
19	11 Feb 2023	16:39:36 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.60
20	11 Feb 2023	22:57:41 (-05:00)		Evidence Record Accessed. Client IP Address: 66.144.132.60
21	11 Feb 2023	22:57:43 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
22	11 Feb 2023	22:57:53 (-05:00)		Annotation 'Review for case' Added
23	12 Feb 2023	07:30:07 (-05:00)		Evidence Record Accessed. Client IP Address: 66.144.132.60
24	12 Feb 2023	07:30:10 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
25	12 Feb 2023	07:30:41 (-05:00)		Annotation 'Case review' Added
26	12 Feb 2023	07:30:45 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.60
27	12 Feb 2023	07:31:27 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
28	12 Feb 2023	07:31:34 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.60
29	12 Feb 2023	07:31:55 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
30	12 Feb 2023	07:32:15 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
31	12 Feb 2023	07:32:20 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.60
32	12 Feb 2023	12:18:51 (-05:00)		Category 'Evidence' Added
33	12 Feb 2023	12:18:51 (-05:00)		Retention Level Updated Deletion is now scheduled for 10 Feb 2025 10:55:32 (-05:00) Source of update is Category Evidence

#	Date	Time	User	Activity
34	12 Feb 2023	12:19:20 (-05:00)		Evidence Record Accessed. Client IP Address: 66.144.132.60
35	12 Feb 2023	12:19:22 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
36	12 Feb 2023	12:20:04 (-05:00)		Evidence title updated from 'Axon Body 3 Video 2023-02-11 1055 [REDACTED]' to 'Phipps/Pursuit/Resisting/0102 Video 2023-02-11 1055 [REDACTED]'
37	12 Feb 2023	12:20:57 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
38	13 Feb 2023	08:49:06 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
39	13 Feb 2023	08:49:19 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.60
40	13 Feb 2023	09:52:33 (-05:00)		Evidence Record Accessed. Client IP Address: 66.144.132.60
41	13 Feb 2023	09:52:36 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
42	13 Feb 2023	09:52:51 (-05:00)		Marker Downloaded
43	13 Feb 2023	09:55:35 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
44	13 Feb 2023	14:14:55 (-05:00)		Evidence Record Accessed. Client IP Address: 66.144.132.60
45	13 Feb 2023	14:14:58 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
46	13 Feb 2023	14:15:14 (-05:00)		Annotation 'RTR Review.' Added
47	13 Feb 2023	14:15:20 (-05:00)		Annotation 'RTR Review.' Removed
48	13 Feb 2023	14:15:28 (-05:00)		Annotation 'RTR Review.' Added
49	13 Feb 2023	14:15:34 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.60
50	14 Feb 2023	11:53:49 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.40
51	14 Feb 2023	11:54:01 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.40
52	14 Feb 2023	11:59:09 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.40
53	14 Feb 2023	11:59:23 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.40
54	15 Feb 2023	08:33:24 (-05:00)		Evidence Record Accessed. Client IP Address: 66.144.132.40
55	15 Feb 2023	08:33:26 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.40

#	Date	Time	User	Activity
56	15 Feb 2023	08:33:41 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.40
57	15 Feb 2023	08:34:38 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.40
58	15 Feb 2023	08:50:25 (-05:00)		Evidence Record Accessed. Client IP Address: 66.144.132.40
59	15 Feb 2023	08:50:26 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.40
60	15 Feb 2023	08:50:32 (-05:00)		Annotation 'RTR Review' Added
61	15 Feb 2023	09:03:28 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.40
62	15 Feb 2023	09:03:34 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.40
63	15 Feb 2023	10:45:04 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.40
64	15 Feb 2023	10:45:26 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.40
65	16 Feb 2023	09:23:04 (-05:00)		Evidence Record Accessed. Client IP Address: 66.144.132.60
66	16 Feb 2023	09:23:07 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
67	16 Feb 2023	10:10:26 (-05:00)		Evidence Record Accessed. Client IP Address: 66.144.132.60
68	16 Feb 2023	10:10:27 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
69	16 Feb 2023	10:10:31 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.60
70	23 Feb 2023	08:53:10 (-05:00)		Evidence Record Accessed. Client IP Address: 66.144.132.60
71	23 Feb 2023	08:53:12 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
72	23 Feb 2023	08:53:37 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
73	23 Feb 2023	08:53:44 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.60
74	27 Feb 2023	09:59:41 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.40
75	27 Feb 2023	10:00:29 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.40
76	27 Feb 2023	14:32:04 (-05:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.40
77	27 Feb 2023	14:32:10 (-05:00)		Evidence Record Streamed. Client IP Address: 66.144.132.40

#	Date	Time	User	Activity
78	23 Mar 2023	13:20:04 (-04:00)		Evidence Record Accessed. Client IP Address: 66.144.132.50
79	23 Mar 2023	13:20:06 (-04:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.50
80	23 Mar 2023	13:20:18 (-04:00)		Evidence Record Streamed. Client IP Address: 66.144.132.50
81	28 Mar 2023	13:52:09 (-04:00)		Evidence Record Accessed. Client IP Address: 66.144.132.60
82	28 Mar 2023	13:52:19 (-04:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.60
83	28 Mar 2023	13:52:43 (-04:00)		Evidence Record Streamed. Client IP Address: 66.144.132.60
84	16 May 2023	13:05:52 (-04:00)		External ID 'P23021100001195' added
85	16 May 2023	13:06:43 (-04:00)		Category 'Public Records Request' Added
86	16 May 2023	13:06:43 (-04:00)		Retention Level Updated Deletion is no longer scheduled Source of update is Category Public Records Request
87	16 May 2023	13:43:50 (-04:00)		Evidence Record Accessed. Client IP Address: 66.144.132.40
88	16 May 2023	13:43:53 (-04:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.40
89	16 May 2023	13:44:23 (-04:00)		Annotation 'AIU Review' Added
90	16 May 2023	13:44:49 (-04:00)		Media File Buffered by System at Page Load. Client IP 66.144.132.40



INTERNAL INVESTIGATION PRE-INTERVIEW (OSP ONLY)

EMPLOYEE NAME [REDACTED]		UNIT # [REDACTED]	OAKS EMPLOYEE ID # [REDACTED]	SHIFT [REDACTED]
COMPONENT / POST Georgetown Post		DIVISION / DISTRICT OSHP/ Wilmington		
DATE 12/7/2023	TIME 1105 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.	LOCATION Georgetown Post		
INTERVIEWER NAME Chad E. Smith	TITLE [REDACTED]	ASSIGNMENT AND SHIFT Administrative Investigation Unit		

You are the subject of an administrative investigation. The known allegations are:
 You duplicated video evidence from a traffic stop for personal use, and a family member later shared it.

Ask employee if he / she wants a labor representative? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Bargaining Unit – OSTA - 1
IF YES, REPRESENTATIVE NAME Larry Phillips	UNIT # [REDACTED]
COMPONENT / POST	OAKS EMPLOYEE ID # [REDACTED]
	DIVISION / DISTRICT

If a request for a labor representative is made, do not interview until a representative is available.

CONCLUDED AT	RESCHEDULED FOR
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If the employee declines a labor representative or if the representative is present, proceed with the interview by reading the following warning:

You are being interviewed as part of an official administrative investigation by the Department of Public Safety. You will be asked questions relating to the performance of your official duties or fitness for office. If you refuse to answer questions completely and / or accurately, you may be subject to disciplinary action, up to and including dismissal. Statements provided under threat of disciplinary action may not be used against you in any subsequent criminal proceedings.

SIGNATURE OF EMPLOYEE [REDACTED]	DATE 12/7/2023
SIGNATURE OF WITNESS [REDACTED]	DATE 12/7/2023

INTERVIEW BREAKS

STOP 1122	START	STOP	START
INTERVIEW COMPLETED AT Georgetown Post	TAPE RECORDING MADE OF THE INTERVIEW? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	TAPE RECORDING MADE BY AIU	

SIGNATURE OF INTERVIEWER [Signature]	DATE 12/7/2023
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Employee to receive a copy of completed form.

DEPARTMENT RECORD



Employee Name	Unit Number	Hire Date
Trooper	OSP	Post 8 Georgetown

No Department Record Found

INTER-OFFICE COMMUNICATION



Date December 15, 2023 File 2ADM

To Captain H. M. Fellure Attention _____

From Lieutenant Charles Jordan, Georgetown Post Commander

Subject AI [REDACTED] - Written Reprimand

On Friday, December 15, 2023, [REDACTED] was issued a written reprimand for violation of the Rules and Regulations of the Ohio State Highway Patrol, 4501:2-6-02(H)(1) Release and Control of Information, and 4501:2-6-02(Y)(3) Compliance to Orders. To wit: [REDACTED] made a copy of camera footage from a traffic stop for his personal use, and a family member later shared it.



[Signature] 12/15/23
Issued By Date

REMARKS AND/OR RECOMMENDATIONS

DHQ REVIEW

[Signature] 12/18/23
Signature Date

REMARKS AND/OR RECOMMENDATIONS

GHQ REVIEW

Capt. J. D. Pyles 12/18/23



Employee Name	[REDACTED]	Unit Number	[REDACTED]	Hire Date	[REDACTED]
Job Description	Trooper	Division	OSP	Department	[REDACTED] Georgetown

[REDACTED]			
Case Summary			
[REDACTED] made a copy of camera footage from a traffic stop for his personal use, and a family member later shared it.			
Violation Code(s)			
<ul style="list-style-type: none"> 4501:2-6-02(H)(1) - Release and Control of Information 4501:2-6-02(Y)(3) - Compliance to Orders 			
Discipline Imposed	Discipline Days	Effective Date	Abeyance Days
Written Reprimand	-	12/15/2023	-

DEPARTMENT RECORD



Employee Name Ward, Glendon H	Unit Number 0846	Hire Date 10/31/2001
Job Description Sergeant	Division OSP	Department D9 Post 40 Jackson

No Department Record Found

DEPARTMENT RECORD



Employee Name	[REDACTED]	Unit Number	[REDACTED]	Hire Date	[REDACTED]
Job Description	Trooper	Division	OSP	Department	[REDACTED] Criminal Patrol

No Department Record Found



Employee Name Lewis, Nicholas L	Unit Number 1784	Hire Date 03/23/2005
Job Description Trooper	Division OSP	Department D9 Criminal Patrol

202010923

Case Summary

The facts and circumstances of a high-speed pursuit involving Trooper Lewis. Sergeant Stuart and Lewis failed to terminate the pursuit after the necessity to apprehend the suspect was outweighed by the excessive risk to the public.

Violation Code(s)

- 4501:2-6-02(B)(5) - Performance of Duty

Discipline Imposed	Discipline Days	Effective Date	Abeyance Days
Written Reprimand	-	02/02/2021	-

INTER-OFFICE COMMUNICATION



Date March 17, 2021 File 2-ADM

To Major Charles J. Linek III Attention S/Lieutenant Chad A. Miller

From Sergeant David E. Bailey, Administrative Investigation Unit
A.I. [REDACTED]; Sgt. Glendon H. Ward, Unit #846, [REDACTED]

Subject Tpr. Nicholas L. Lewis, Unit #1784, District 9, Jackson Post 40 / Jackson Criminal Patrol

Background:

On December 21, 2020, Staff Lieutenant Chad A. Miller, A.I.U., informed me of the following incident which occurred at the Jackson Post. On December 3, 2020, Sergeant Glendon H. Ward, Trooper Nicholas L. Lewis, and [REDACTED] were involved in a lengthy pursuit in Jackson County, Ohio, which had been initiated by the Jackson County Sheriff's Office (JCSO). Multiple other law enforcement agencies were also involved in the pursuit, and one of the other law enforcement agencies fired shots at the suspect during the incident. Intentional contact was made with the suspect's vehicle by at least one of the OSHP units involved.

The Response to Resistance (RTR) Committee reviewed the incident and ruled an administrative investigation be conducted, due to the operational and supervisory violations which were observed on the in-car videos of the Division employees involved in the pursuit.

Investigative Action:

Lieutenant Steven P. Daugherty – Witness:

On December 23, 2020, I interviewed Lieutenant Steven P. Daugherty as a witness to this administrative investigation. Prior to the interview, I showed Daugherty the RTR Committee Review Guide (**Attachment A**), the HP-26 Initial Incident Report (**Attachment B**), the informal training document for Sergeant Glendon H. Ward (**Attachment C**), the informal training document for [REDACTED] (**Attachment D**), the informal training document for Trooper Nicholas L. Lewis (**Attachment E**), the pursuit video for Trooper Nicholas L. Lewis (**Attachment F**), the pursuit video for [REDACTED] (**Attachment G**), the pursuit video for Sergeant Glendon H. Ward (**Attachment H**), and the Inter-Office Communication (IOC) dated December 8, 2020 (**Attachment I**). Daugherty acknowledged he reviewed these items prior to the start of the interview. Daugherty is currently assigned as the Jackson Post Commander, and he has served in this position since November 8, 2020. He has been employed by the Division since 2003.

Daugherty said he was not working on December 3rd when the pursuit occurred, as he was on permissive leave that day. He acknowledged [REDACTED] and Lewis are not assigned to the Jackson Post, as they work for the District [REDACTED] Criminal Patrol section. He advised Ward is assigned as one of the supervisors at the Jackson Post. I asked Daugherty if he provided Ward with informal training after the incident, and he answered yes, he provided the training and documented the issues he observed on the informal training document

(Attachment C). Daugherty said he discovered at least three policy violations which occurred during the pursuit.

Daugherty said the Jackson Post was requested to provide assistance for the JCSO, as they were involved in a pursuit near the town of Jackson. He said Ward was the acting supervisor during the pursuit, which lasted over an hour, and there were other OSHP units involved in addition to Ward, Lewis, and [REDACTED]. He said Ward conducted himself well during the pursuit on several occasions and was able to provide “excellent” communication to the units as the pursuit continued. Daugherty remarked Ward was quite familiar with the area and was able to provide warnings of upcoming curves to some of the other units involved.

Although Ward did provide good communication, Daugherty said Ward also committed violations of policy during the pursuit. There were at least six or seven vehicles involved in the pursuit, which is a description of “caravanning.” He stated Ward directed units to engage in a rolling road block on a curvy road. Daugherty further explained the suspect was identified during the pursuit, and although the suspect had a felony warrant, the violations were non-violent. Daugherty believed the Special Response Team (SRT) should have been notified to capture the suspect at a later date instead of continuing the pursuit.

During the informal training, Daugherty told Ward it was necessary to “outweigh our actions when we’re dealing with pursuits,” and the pursuit should have been terminated once the suspect was identified. I asked Daugherty if this was a Highway Patrol pursuit, and he replied no, we were originally called to assist the JCSO, and there were several other law enforcement agencies involved. I asked if he felt the pursuit should have been terminated once the suspect was identified, and he responded, “Correct.”

Daugherty said Ward made several attempts to get the JCSO units back into the lead position, but these attempts were unsuccessful. He stated, “We aggressively took the primary spot.” He noted some of the other units involved in the pursuit did a good job during the pursuit. I asked if Trooper Bryan C. Cox and Trooper Tyler F. Ray were the other Jackson units who maintained good positioning and sound officer safety tactics during the pursuit, and he replied yes.

I asked Daugherty if Ward ever told the units to terminate the pursuit, and he answered no. I asked him if rolling road blocks are only supposed to be conducted on two lane divided highways, and he said yes. I asked Daugherty if attempting the rolling road block procedure on curvy roads is a dangerous procedure, and he replied yes. I asked if the issues he identified were the caravanning, the rolling road block, and the failure to terminate the pursuit, and he again answered yes. Daugherty commented Ward responded well to the informal training, and he described Ward as “a very good sergeant.” He said Ward admitted “he got tied up in the situation.” He stated Ward’s actions were not malicious, even though they were against policy, and, “It was mainly a poor choice to do at the time.”

I asked Daugherty if he provided any training to Lewis or [REDACTED] and he answered no. I asked if the reason the informal training was conducted was due to the dangerous nature of the pursuit, and he said yes. Daugherty added he did not want to wait, but would rather attempt to “fix the issue now.” I asked if there were shots fired, and he answered yes. He remarked the Vinton County Sheriff’s Office (VCSO) fired three shots at the suspect vehicle, but he was not aware of how or why this occurred. I asked Daugherty if the suspect was captured at the conclusion of the pursuit, and he said yes.

I asked Daugherty if there was anything else he wished to add to the interview, and he replied no. Daugherty said everything in his statement was true and factual. The interview concluded at 1247 hours.

Captain David R. Allwine – Witness:

On January 14, 2021, I interviewed Captain David R. Allwine as a witness to this administrative investigation. Prior to the interview, I showed Allwine the Response to Resistance (RTR) Committee Review Guide (**Attachment A**), the HP-26 Initial Incident Report (**Attachment B**), the informal training document for Sergeant Glendon H. Ward (**Attachment C**), the informal training document for [REDACTED] (**Attachment D**), the informal training document for Trooper Nicholas L. Lewis (**Attachment E**), the pursuit video for Trooper Nicholas L. Lewis (**Attachment F**), the pursuit video for [REDACTED] (**Attachment G**), the pursuit video for Sergeant Glendon H. Ward (**Attachment H**), and the IOC dated December 8, 2020 (**Attachment I**). Allwine acknowledged he reviewed these items prior to the start of the interview. Allwine is currently assigned as the Jackson District Commander, and he has served in this position since 2016. He has been employed by the Division since 1990.

I asked Allwine if there was a pursuit initiated by the JCSO on December 3rd, and he answered yes. I asked if Ward was the supervisor on-scene, and he replied, “That is correct.” I asked Allwine if he became involved in the pursuit over the radio, and he said yes. He explained he was in his office when the pursuit started, and one of the dispatchers informed him of the pursuit. When the pursuit drove past the Jackson Post, he saw a JCSO unit was in the lead. He then walked out to his cruiser and retrieved his portable radio.

After retrieving his radio, Allwine said he talked to Sergeant John R. Silvey and requested he drive out to the area of the pursuit to provide assistance, if needed. Allwine said he turned on his radio, and he heard Ward asking for permission to “P.I.T. the violator.” Allwine said he radioed Ward and denied permission to initiate the P.I.T. maneuver. He added, “I don’t see tearing up our equipment when it’s not our...when we’re not the initiating agency.” I asked Allwine how much time elapsed before he spoke to Ward, and he estimated it was probably 20 to 30 minutes.

I asked Allwine if the time he spoke to Ward denying authorization to make intentional contact with the suspect was his first conversation with Ward, and he answered, “Correct, it was.” I asked if there was conflicting reports as to the reason for the pursuit, and he said yes, the JCSO first advised they were involved in a pursuit of a suspect involved in burglaries, but it later turned out the suspect was wanted for breaking and entering. Allwine explained burglary is a more egregious felony offense than a breaking and entering violation. He noted the OSHP units would have still been told to provide assistance to the JCSO units who initiated the pursuit.

I asked Allwine if he heard Ward give instructions for units to initiate a rolling road block, and he replied no. He advised he heard this later while watching the videos, but he was not aware of it at the time the pursuit was ongoing. I asked Allwine if he later gave permission for the units to initiate a P.I.T. maneuver, and he said yes. He explained he later heard the OSHP units talking about the suspect vehicle having mechanical difficulties, and he also heard the suspect drove into a field. At that time, he heard radio traffic about shots being fired.

Allwine explained there were also reports that the suspect had some type of “long gun” in his vehicle. He said as the suspect continued driving toward the village of Jackson, he authorized the P.I.T. maneuver

when the suspect was driving on State Route 327 because he did not want the suspect driving into town. I asked Allwine if he heard Ward tell Lewis to relinquish the lead position, and he said he was not aware of this at the time it occurred, but he did see this while watching the videos. I asked if he knew the JCSO identified the suspect during the pursuit, and he said he did not know. Allwine remarked he thought he might have heard this at the time, but it was difficult to remember if he heard this during the pursuit or afterward. He added, "I have that feeling like it was known early on."

I asked Allwine if he could explain the purpose of the informal training documents (**Attachments C, D & E**), and he remarked whenever units are involved in high risk incidents such as pursuits, the commanders have an obligation to identify deficiencies because the units need to be informed of the correct way to handle these incidents as soon as possible. I asked if the informal training documents were not considered disciplinary, and he replied, "This is training, that's correct." Allwine commented the training document is a brand new form which was implemented as recently as November or December 2020, and the purpose of this document is to provide training on how the units should handle similar incidents in the future.

I asked Allwine if Ward erroneously gave permission to initiate the rolling road block on a curvy road, and he answered yes. I asked him if [REDACTED] attempted the P.I.T. maneuver at too high of a speed, and was also involved in the rolling road block, and he replied yes. I asked if Lewis became the primary unit and failed to back off the suspect, and also became involved in the rolling road block, and he again answered yes. Allwine believed this covered all of the topics discussed by the RTR Committee, but he was not exactly sure, as he has not spoken directly to any member on the RTR Committee since the ruling was made.

I asked Allwine if there was anything else he wished to add to his statement, and he answered no. Allwine acknowledged everything in his statement was true and factual. The interview concluded at 1147 hours.

Sergeant Glendon H. Ward – Subject:

During an interview on January 28, 2021, Sergeant Glendon H. Ward answered questions regarding this administrative investigation. The DPS 0036 form was read to Ward, and he acknowledged he understood the content of the form and the allegations against him. He received a signed copy of this form at the conclusion of the interview. Ward participated in the interview with Larry Phillips as his labor representative. Ward currently works as the fill-in supervisor at the Jackson Post, and he has served in this capacity for approximately eight years. He has been employed with the Division since October 2001.

Prior to the interview, I showed Ward the Response to Resistance (RTR) Committee Review Guide (**Attachment A**), the HP-26 Initial Incident Report (**Attachment B**), his informal training document (**Attachment C**), the informal training document for [REDACTED] (**Attachment D**), the informal training document for Trooper Nicholas L. Lewis (**Attachment E**), his pursuit video of the incident (**Attachment H**), and the IOC dated December 8, 2020 (**Attachment I**). Ward declined to watch the other two videos for [REDACTED] and Lewis (**Attachments F & G**). Ward acknowledged he reviewed the rest of the items prior to the start of the interview.

I asked Ward if he was working [REDACTED] on December 3rd, and he replied yes. Ward acknowledged the JCSO requested assistance for a pursuit they were involved in, and he remembered them asking for stop sticks to be placed in order to stop the suspect. I asked if he knew why the JCSO was involved in the

pursuit, and he said they were chasing a burglary suspect. I questioned Ward if the suspect was wanted for burglary or breaking and entering, and he answered, "It might have been a B&E."

I asked Ward if the JCSO knew the identity of the suspect, and he said he was not sure if they knew who it was when the call first went out. I asked him if a breaking and entering offense is a lesser offense than a burglary offense, and he answered yes. I asked Ward if the suspect was also wanted for the theft of catalytic converters, and he said yes, but he found out about this once the pursuit concluded. I asked if he only knew about the suspect being wanted for the burglary offense when he first got involved in the pursuit, and he replied yes.

I asked Ward if he learned the identity of the suspect during the pursuit, and he answered yes. He explained this information became known after the pursuit had lasted for approximately 30 minutes. I asked if the suspect was a local resident, and he said yes. I asked Ward if he was aware of the policies regarding termination of pursuits once the suspect has been identified, and he replied, "I'm aware of the policy, yes."

I asked Ward if this particular pursuit was justified once the suspect was identified and continued driving dangerously, and he answered no. I asked him where he was located when he first received the call of the pursuit, and he said he was on State Route 93, approximately 10 miles away. I asked Ward if Silvey became involved in the pursuit, and he replied no. I asked him to estimate how long he had been indirectly involved before he caught up to the suspect, and he said he did not remember.

I questioned Ward if he knew how many OSHP units became involved in the pursuit, and he said there were five or six units, but he sent a couple of them to alternate routes in order to set up stop sticks. I asked if the units involved were himself, [REDACTED] Lewis, Cox, and Ray, and he responded yes. He stated he sent Cox and Ray to set up the stop sticks on alternate routes. Ward remarked Cox was involved in the pursuit for a short time, but he (Cox) left the pursuit to try and set up stop sticks after the first attempt to utilize the stop sticks was unsuccessful.

I asked Ward if he took command of the pursuit as the on-scene supervisor, and he said yes. Ward advised he became involved in the pursuit near the Jackson Post. I asked if he was third or fourth in line behind the suspect when he first got involved, and he answered yes. He said Cox was still involved in the pursuit at this time. I asked him if Lewis and [REDACTED] became involved in the pursuit after Cox disengaged from the pursuit, and he responded yes. Ward acknowledged the JCSO was also behind the suspect at the time he first got involved.

I asked Ward if he knew when Lewis first took over the lead position, and he said this happened near State Route 93 and State Route 788. I questioned him if he told Lewis to relinquish the lead position, and Ward said Lewis actually asked him over the radio if he wanted the JCSO to assume command of the pursuit, and he told Lewis to have them take back over command. He explained he was not directly behind the suspect at this time because he stayed behind the stop sticks, which had been deployed without success. A short time later, Ward recalled Lewis advising him that he would remain as the primary unit because the JCSO could not get back into the lead position.

I asked Ward if Lewis ever relinquished the lead position, and he replied no. I asked him if Lewis could have pulled over to let the JCSO take over the lead position, and he answered yes, and added, "He did not." I questioned Ward if he ever told Lewis to relinquish the lead position again, and he said, "At least

one other time.” Ward acknowledged Lewis would have been able to pull over to permit the JCSO units to assume the lead position, but he said this did not happen.

I asked Ward if he asked Allwine for permission to initiate intentional contact, and he responded yes. He explained his cruiser had the highest mileage of any of the units involved, and he was quite familiar with the area. I questioned him if Allwine denied permission, and he said yes. I asked if Allwine was at the Jackson Post when he made the request to initiate the P.I.T. maneuver, and he again replied yes.

I questioned Ward if he gave permission for the units to initiate a P.I.T. maneuver when the suspect drove into a field, and he replied, “No, I did not. Not that I recall.” I asked him if the reason [REDACTED] and Lewis initiated contact with the suspect in the field was an attempt to prevent the suspect from driving back onto the roadway, and he replied yes. I asked Ward if he told [REDACTED] to back off the suspect because the suspect was driving so erratically, and he said he did not know if it was [REDACTED] or not. Ward explained, once the suspect drove back onto the roadway after exiting the field, he told the OSHP units to back off again and let the JCSO take over the lead position.

I asked Ward if [REDACTED] and Lewis were the units in the field who he told to back off, and he answered yes. I asked if either [REDACTED] or Lewis backed off, and he said no. I inquired if he told Lewis or [REDACTED] to back off again, and he replied no. Ward remarked he told them to back off once, and he asked who was in the lead position. Ward said Lewis advised him that [REDACTED] was in the lead, and he told them to back off and let the JCSO assume the lead position. He admitted they did not back off, and he did not tell them to back off again at this time.

I asked Ward if he knew the roadway where the pursuit caught up to the semi-truck, and he said this happened on State Route 124. I questioned him if he authorized the rolling road block on State Route 124, and he responded yes. Ward acknowledged he was aware of the policy regarding the use of rolling road blocks. I asked if State Route 124 would be categorized as a divided highway with light traffic, and he answered no. I asked if attempting a rolling road block on State Route 124 was a violation of Policy and Procedure, and he answered yes. Ward explained the reason he authorized the rolling road block was because the suspect had been slowed down, and he felt it was a good opportunity to stop the suspect at that time.

I asked Ward if the suspect was driving between 30 and 35 miles per hour at the time the rolling road block was attempted, and he replied yes. I questioned him if he heard any type of warnings provided to the commercial truck driver over the CB radio, and he said he did not hear anything. I asked if he provided or heard any instructions given to the truck driver to block the suspect, and he answered no.

I asked Ward if [REDACTED] and Lewis attempted a P.I.T. maneuver on the three-lane section of State Route 327, and he replied yes. I asked him if their speeds were above 40 miles per hour, and he said he was not sure because he was not directly behind them at this time. Ward explained he had “broken off” the pursuit in an attempt to set up stop sticks. I asked if he saw Lewis drive pass the suspect in the opposing lanes, and he answered no.

I asked Ward if the number of OSHP units directly involved in the pursuit would be described as caravanning, and he answered yes. I asked Ward if he believed the suspect was driving dangerously, and he again replied yes. Ward admitted he did not tell Lewis or [REDACTED] to terminate the pursuit. I asked if he

ever told Allwine the suspect was driving dangerously, and he said he did not think he said this, but he thought he told Allwine the suspect avoided the stop sticks twice.

I inquired if Daugherty was working on December 3rd, and he replied no. Ward remarked he was the only supervisor working at Jackson during the incident, which was the reason he was communicating with Allwine. I asked if Daugherty later provided him informal training after the incident, and he said yes. I questioned Ward if Daugherty told him the reason the training was provided was to prevent this from happening again, and he again answered yes.

I asked Ward if he heard the VCSO mention the long gun, and he answered yes. Ward commented there was not a long gun found in the suspect's vehicle once the pursuit was finished. I asked if he heard the VCSO mention there were shots fired, and he stated, "I heard it and saw it." I asked Ward if Lewis got directly behind the suspect on gravel or chip and seal roads, and he answered yes. Ward estimated he was probably "a few" cars behind the suspect at this time, but he could not recall exactly. I asked him if he thought Lewis was following too close behind the suspect, and he said he never saw how close Lewis got behind the suspect due to the dust being stirred up from the gravel roadway.

I questioned Ward if supervisors sometimes need to take a step back in order to evaluate dynamic situations such as this, and he replied yes. I asked Ward if he believed he became too directly involved in the pursuit, and he answered yes. I asked him if Sergeant Jonathan S. Davis from the Academy provided him individualized training as a result of the pursuit, and he again said yes. Ward said the individualized training with Davis occurred on a different day than the informal training he received from Daugherty. I asked if Davis told him there would be aspects of the driving during the pursuit which would be used for further training for all Division employees, and he said Davis told him there were aspects of the pursuit, particularly the communication, which he liked.

I asked Ward if there was anything else he wished to add to his statement, and he said there were some things he would do different. I asked him to explain what he meant, and Ward said he now believed he should have terminated the pursuit. I asked if there was anything else, and he answered no. Ward said everything in his statement was true and factual. The interview concluded at 1313 hours.

[REDACTED] – Subject:

During an interview on February 4, 2021 [REDACTED] answered questions regarding this administrative investigation. The DPS 0036 form was read to [REDACTED] and he acknowledged he understood the content of the form and the allegations against him. He declined to receive a signed copy of this form at the conclusion of the interview. [REDACTED] participated in the interview with Larry Phillips as his labor representative. [REDACTED] currently works in the [REDACTED] section at the Jackson District Headquarters, and he has served in this capacity for approximately [REDACTED] years. He has been employed with the Division since [REDACTED]

Prior to the interview, I showed [REDACTED] the RTR Committee Review Guide (**Attachment A**), the HP-26 Initial Incident Report (**Attachment B**), the informal training document for Sergeant Glendon H. Ward (**Attachment C**), his informal training document (**Attachment D**), the informal training document for Trooper Nicholas L. Lewis (**Attachment E**), the pursuit video for Trooper Nicholas L. Lewis (**Attachment F**), his pursuit video (**Attachment G**), the pursuit video for Sergeant Glendon H. Ward

(Attachment H), and the IOC dated December 8, 2020 (Attachment I). [REDACTED] acknowledged he reviewed these items prior to the start of the interview.

I asked [REDACTED] if he was working on December 3rd, and he answered yes. [REDACTED] recalled the JCSO asking for units to respond to a pursuit, but he was not sure exactly the type of assistance they needed. I asked if he heard the JCSO request assistance in setting up road spikes, and he said he did not recall. [REDACTED] thought the JCSO was in pursuit of a burglary suspect at the time of the incident, but he later learned the suspect was wanted for breaking and entering. He added the suspect also had several Adult Parole Authority (APA) entries for his arrest.

I asked [REDACTED] if he was aware the JCSO knew the identity of the suspect, and he said he did not know this at the time, but he found it out later. I asked him if the suspect was a fleeing felon, and he said both burglary, and breaking and entering, are felony offenses, which would be further supported by the fact that APA wanted the suspect arrested since that particular agency dealt with felony offenses; otherwise, the Probation Department would have been involved if the suspect had committed misdemeanor violations.

I asked [REDACTED] if pursuits are permitted to continue once the suspect has been identified, and he replied it depended upon the severity of the crime which was committed. I questioned [REDACTED] if a burglary offense is a higher tier felony than a breaking and entering offense, and he said a burglary is a second degree felony, and a breaking and entering is a fifth degree felony, which carries a lower penalty.

I asked [REDACTED] if he remembered where he was when the call for assistance first came in, and he said he was approximately 10 miles west of Jackson on State Route 32. I asked him if he knew how many OSHP units were involved in the pursuit, and he said he recalled hearing Ward, and he also thought he heard Ray being involved. I asked him if he caught up to the pursuit, and he responded yes. [REDACTED] said Lewis was in front of him. He further explained when he first caught up to the pursuit he was the last car in the pursuit, and there were JCSO units and other OSHP units ahead of him.

I asked [REDACTED] if he was the fifth unit in line, and he believed that to be correct. I asked him if one of the OSHP units pulled over to let him get closer to the suspect vehicle in the event his [REDACTED] was needed for apprehension, and he answered yes. I asked [REDACTED] if the pursuit had been ongoing for approximately 21 minutes when he first caught up to the suspect, and he replied yes. I questioned him if he drove past any JCSO units in an effort to get closer to the suspect in order to deploy his canine unit, and he answered yes. [REDACTED] acknowledged the JCSO units stayed behind his cruiser after he passed them.

I asked [REDACTED] if the suspect drove left of center when he first caught up to the pursuit, and he replied, "He went left of center several times." I asked him if these violations occurred on twisty and curvy roads, and he responded yes. I asked [REDACTED] if there were any JCSO units involved in the pursuit once Lewis took over as the lead unit, and he said the JCSO units "disappeared." [REDACTED] recalled looking in his rear view mirror at some point and he did not see any other units behind him, and he did not know where the JCSO units had went. He said there were several requests for the JCSO units to take over the lead, but they never got close enough to assume control of the pursuit. [REDACTED] remembered seeing some red and blue overhead lights at some point, but the JCSO units never got into a position to take over the lead of the pursuit.

I asked [REDACTED] if he knew the speeds of the pursuit, and he said he did not know how fast they were going. I asked if he heard Ward tell Lewis to relinquish the lead position, and he said he remembered his

conversation with Lewis regarding relinquishing the lead position, and Lewis told the dispatcher to have the JCSO units get closer to the suspect vehicle so the OSHP units could get out of the way and let JCSO assume the lead position. [REDACTED] explained the JCSO units never got close enough to assume control of the pursuit. He insisted he would have let them assume command if they would have gotten closer to the suspect vehicle.

I questioned [REDACTED] if Ward told Lewis a second time to let the JCSO assume the lead position after the suspect drove out of the field, and he said he could not remember exactly when it occurred, but he remembered the conversation regarding getting the JCSO units closer to the suspect happening several times. [REDACTED] said when the suspect drove out of the field he saw VCSO and JCSO units in the vicinity. I asked if he later became the lead vehicle behind the suspect, and he answered yes. I asked him if Ward advised him to relinquish the lead position, and he said he did not remember hearing this. I asked if he heard Allwine deny permission for Ward to use the P.I.T. maneuver, and he replied yes.

I asked [REDACTED] if Ward later authorized the P.I.T. maneuver, and he answered yes. [REDACTED] thought this occurred on State Route 327, which is a three lane road with a center turn lane, but he was not exactly familiar with the roadways in Jackson. I asked if Ward told the units to take out the suspect, and he said he did not remember the exact words used by Ward. I asked [REDACTED] if Ward was still actively involved in the pursuit at this time, and he said he thought the pursuit drove by Ward once they drove onto State Route 327, as he remembered seeing Ward's Ford Explorer pulled off the roadway because the suspect drove toward Ward. [REDACTED] believed Ward turned around and caught back up to the pursuit after this occurred.

I asked [REDACTED] if Ward told him to back off the suspect due to the dangerous situation, and he said he did not remember hearing any of this. I told [REDACTED] that I remembered hearing a conversation when Ward told the units to back off the suspect because he kept driving left of center. [REDACTED] said he thought this occurred on State Route 160. I asked [REDACTED] if he backed off the suspect on State Route 160, and he answered no.

[REDACTED] remarked there was a description of events during the pursuit which had been "worded wrong," and he explained this happened when he advised the suspect was trying to "ram us," which he relayed to Ward over the radio. [REDACTED] thought this incorrect verbiage might have made Ward think the suspect was actively trying to ram his vehicle into their cruisers. [REDACTED] said a more accurate description of events would have been for him to say that the suspect was preventing them from passing him. He stated, "What he was really doing was blocking us." I asked [REDACTED] if the pursuit was a stressful situation, and he answered yes. [REDACTED] remembered having "cotton mouth" as the pursuit continued. I told [REDACTED] his video showed him breathing hard at the conclusion of the pursuit, and he agreed with my description.

I questioned [REDACTED] if the pursuit caught up to a semi-truck on State Route 327, and he said he did not know on which road this happened, but he would assume Ward knew the roadways much better than he does. I asked if Ward authorized a rolling road block on the curvy road, and he replied yes. I asked him if he participated in the rolling road block, and he said they were never able to attempt the road block because the semi-truck was in the middle of the roadway, and the suspect kept going left of center, which prevented them from getting ahead of his vehicle. I asked [REDACTED] if anyone told the truck driver about the pursuit, and he said he got on the CB and advised the truck driver there was a pursuit coming up behind him, but he insisted he was only letting the truck driver know what was happening. [REDACTED] said the truck driver never responded to his CB traffic. He insisted he did not ask the truck driver to block the suspect.

I asked [REDACTED] if he became the second vehicle behind Lewis after the suspect drove around the semi-truck, and he answered yes. He explained the suspect turned left onto State Route 160 after driving past the semi-truck. I asked him if the suspect drove left of center almost continually on State Route 160, and he said yes. I asked [REDACTED] if the suspect drove around a set of road spikes, and he recalled this happening a couple of times.

I questioned [REDACTED] if the suspect later drove into a field, and he answered yes. I asked if the P.I.T. maneuver was authorized at this time, and he responded no. I asked if he attempted the P.I.T. maneuver at this time, and he replied yes. [REDACTED] added he was trying to spin the suspect out in the field, and he wanted to keep the suspect from driving back onto the roadway. He said the speeds were only one to two miles per hour at this time. [REDACTED] remarked his Chevrolet Tahoe is four-wheel drive, and he assumed the Toyota the suspect was driving was also a four-wheel drive vehicle. I asked if he knew which type of drivetrain Lewis had in his Dodge Charger, and he said that cruiser was also equipped with all-wheel drive.

I asked [REDACTED] if his cruiser made contact with the suspect while they were in the field, and he answered yes. I asked him if this occurred at slow speeds, and he responded yes. I questioned [REDACTED] if he was unsuccessful in his attempt to stop the suspect, and he again said yes. I asked if he heard about shots being fired by the VCSO units at the edge of the field, and he said he was not sure which units shot at the suspect, as he did not observe any of the other units in the roadway. [REDACTED] remembered the smell of burnt gunpowder, which he thought strange at the time.

[REDACTED] explained he did not intend to become the lead vehicle behind the suspect after they exited the field. I asked him if Lewis was behind him at this time, and he replied yes. I asked if the suspect repeatedly kept driving left of center on the roadway after exiting the field, and he answered yes. I questioned him if the suspect later turned left onto a gravel roadway, and he replied yes. I asked [REDACTED] if the gravel road was narrow and filled with potholes, and he said yes. He stated, "It was bad."

I asked [REDACTED] if he recalled seeing the group of deer hunters wearing blaze orange jackets standing along the edge of the gravel road, and he answered yes. I questioned [REDACTED] if he thought he might have been driving too close to the suspect while they were on the gravel road, and he said the video would make it appear that he was "right on his bumper," but he could not recall exactly how close he was to the suspect. He added, "If you feel I was too close, then maybe I was. I don't, I don't really know."

I asked [REDACTED] if he and Lewis attempted to box in the suspect to initiate the P.I.T. maneuver while they were driving on the three-lane portion of State Route 327, and he responded yes. I asked him if the speeds were above 40 miles per hour, and he said, "Not initially." He further explained the speeds were originally around 30 miles per hour when Lewis first tried to get ahead of the suspect. He heard the suspect had a gun, and he admitted if he could have made intentional contact at this time, he would have. I asked [REDACTED] if the speeds of the pursuit increased to above 40 miles per hour while they were attempting to box in the suspect, and he replied yes.

I questioned [REDACTED] if Lewis drove into the opposite lanes of travel while attempting to get in front of the suspect, and he said he could not remember, but he knew Lewis somehow got around the suspect. I asked if Lewis drove into the opposite lanes of travel at some point while they were on State Route 327, and he responded yes. I asked if he drove into the opposite lanes of travel on State Route 327, and he said, "I don't know, uh, probably." I asked him if he saw Lewis get struck by the suspect vehicle, and he said he did not see this, but he heard Lewis say the suspect made contact with his cruiser.

I asked [REDACTED] if the suspect was driving dangerously during the pursuit, and he responded yes. I asked him if Ward ever told them to terminate the pursuit, and he answered no. I asked [REDACTED] if he ever told Ward they might need to terminate the pursuit, and he again answered no. I asked him if he ever thought about stopping the pursuit, and he said he did not feel he was in a position to terminate the pursuit because there were supervisors monitoring the pursuit as it was happening. [REDACTED] said he felt an obligation to continue in his capacity because he had a canine unit, which could be used for tracking purposes if the suspect decided to bail out and flee on foot. I asked him if he ever made any mention of the pursuit becoming dangerous, and he answered no.

I asked [REDACTED] if he deployed his canine unit at the conclusion of the pursuit, and he said yes. I asked him if the Criminal Patrol supervisors reviewed his canine deployment after the incident, and he replied yes. I asked him if the Inter-Office Communication (**Attachment I**) showed he deployed the [REDACTED] correctly, and he said yes. I asked if he received informal training regarding the pursuit after the incident, and he responded yes. I asked [REDACTED] if the reason given for the informal training was to prevent these issues from reoccurring, and he again said yes.

I questioned [REDACTED] if he observed Lewis “mirror” the suspect while the suspect drove left of center, and he replied yes. I asked [REDACTED] if there were things he could have done differently, and he said yes. He explained if he was told he could have terminated the pursuit, he would have felt comfortable with this. He also said if he would have known the other units were not attempting to block the suspect from leaving the field, he would not have made intentional contact at that time.

[REDACTED] further remarked he felt as if he was “kind of limited” with his options to end the pursuit because Allwine had a “minute by minute” review of the pursuit, and Ward had a “second by second” analysis of events. [REDACTED] said the units were waiting on Allwine to give permission for intentional contact, and he felt Ward should have been the one to make that call. He said he tapped the suspect “gently” in the field because he thought the pursuit was coming to an end at this time. [REDACTED] remarked while he and the suspect were in the field would have been the prime opportunity for the JCSO units to stop the suspect.

I referred [REDACTED] to the RTR Review Guide (**Attachment A**), and I asked him if the RTR Committee ruled that the force used was not reasonable to affect the mission, and he replied yes. I asked him if this opinion conflicted with the rulings made by the Post and District, and he said yes. I questioned [REDACTED] if the RTR Committee, the District, and the Post all agreed that additional training was warranted due to safety or performance deficiencies observed, and he again replied yes.

I asked [REDACTED] if there were other instances where different types of intentional contact could be made during pursuits other than the P.I.T. maneuver, and he said it would be possible to strike the suspect vehicle to end the pursuit. I asked him if other types of intentional contact would be authorized by the Division, and he said, “I believe it is.” [REDACTED] explained the other types of intentional contact would be used to stop the suspect in situations where the P.I.T. maneuver would not be practical.

I asked [REDACTED] if there was anything else he wished to add to his statement, and he said no. [REDACTED] said everything in his statement was true and factual. The interview concluded at 1204 hours.

Trooper Nicholas L. Lewis – Subject:

During an interview on February 4, 2021, Trooper Nicholas L. Lewis answered questions regarding this administrative investigation. The DPS 0036 form was read to Lewis, and he acknowledged he understood the content of the form and the allegations against him. He declined to receive a signed copy of this form at the conclusion of the interview. Lewis participated in the interview with Larry Phillips as his labor representative. Lewis currently works in the Criminal Patrol section at the Jackson District Headquarters, and he has served in this capacity for approximately 12 years. He has been employed with the Division since September 2005.

Prior to the interview, I showed Lewis the RTR Committee Review Guide (**Attachment A**), the HP-26 Initial Incident Report (**Attachment B**), the informal training document for Sergeant Glendon H. Ward (**Attachment C**), the informal training document for [REDACTED] (**Attachment D**), his informal training document (**Attachment E**), his pursuit video (**Attachment F**), the pursuit video for [REDACTED] (**Attachment G**), the pursuit video for Sergeant Glendon H. Ward (**Attachment H**), and the IOC dated December 8, 2020 (**Attachment I**). Lewis acknowledged he reviewed these items prior to the start of the interview.

I asked Lewis if he was working on December 3rd, and he answered yes. I asked him if he heard the JCSO request assistance for a pursuit, and he said he eventually he heard this once he saw [REDACTED] activate his lights and siren. Lewis said once he turned his radios over to the Jackson frequency, he heard the details of the pursuit. I asked if he knew the nature of the pursuit, and he replied it was because the JCSO was pursuing the suspect due to a burglary in progress.

I asked Lewis if the JCSO knew the identity of the suspect, and he said he learned this at 1031 hours when he heard Ward asking if the suspect had any APA warrants. Up until this time, Lewis said he had no idea of the identity of the suspect. I asked him if he knew the suspect, and he responded no. I questioned him if the suspect was wanted for burglary or breaking and entering, and he said he just knew the suspect was involved in a burglary in progress and had fled the scene when the JCSO arrived.

I asked Lewis if burglary and breaking and entering are felony offenses, and he replied yes. I asked him if pursuits are supposed to continue once the identity of the suspect has been established, and he said, “If the reward outweighs the risk, I guess.” I questioned Lewis if he caught up to the suspect, and he said he went north on State Route 93 because the suspect was heading toward Colton. He explained the suspect drove around stop sticks near a Y intersection, and he became the lead unit at that time.

I asked Lewis if he caught up to the pursuit after 12 minutes of driving with his overhead lights activated, and he responded yes. He said he knew he got involved in the pursuit before [REDACTED] got involved. I asked if he knew how many OSHP units were involved in the pursuit, and he said he knew there were three units based upon radio traffic. Lewis explained he thought he recognized Ray setting up stop sticks. He thought Cox and Ward were involved in the pursuit when he first caught up to it. Lewis added he did not know who was behind his cruiser.

I asked Lewis if the JCSO was involved in the pursuit when he got involved, and he said he did not see any JCSO units for a while. He remembered seeing some JCSO units approximately halfway through the pursuit. I asked if the suspect drove left of center for the majority of the pursuit, and he acknowledged the suspect was left of center “often.” I questioned Lewis if Ward told him to relinquish the lead spot, and he

replied yes. I asked him if he relinquished the lead, and he said he drove on the left side of the road to stop any oncoming traffic, but he did not see any JCSO units. He commented he kept following the suspect, but he never saw any JCSO units get into a position to assume the lead.

I questioned Lewis if Ward told him a second time to relinquish the lead, and he said at approximately 1015 hours, he told Ward the JCSO was not coming up to take the lead, and Ward told him to stay in the primary position. I asked if he was deliberately trying to disobey Ward, and he replied no. Lewis added he is currently enrolled in the Early Intervention Program (EIP), and when he first got involved, he told the dispatchers to have Silvey monitor the radios. Lewis insisted he never disobeyed any orders during the pursuit.

I asked Lewis if Ward told him to back off the suspect, and he remarked Ward told him to back off in the event the suspect kept driving the wrong way on the roadway. Lewis explained “back off” did not mean for him to terminate. I asked him if he backed off the suspect, and he responded no. Lewis noted the suspect did not continue to drive left of center after the directive had been given. He acknowledged the suspect could have went left of center at a later point, but he emphasized this was a lengthy pursuit. Lewis explained whenever Ward told him to back off if the suspect kept driving in the opposing lanes, or “signal 100,” the suspect actually stopped driving in the opposing lanes of traffic. He stated, “Back off, to me, does not mean terminate.” Lewis insisted nobody ever told him to terminate the pursuit. He recalled Allwine telling him to relinquish the lead, but he said he never saw the JCSO units get into the position. Lewis thought the JCSO units dropped out of the pursuit.

I questioned Lewis if he recalled the speeds of the pursuit, and he said it was “nothing crazy,” but he estimated speeds reached 60 or 70 miles per hour. I asked him if the speeds reached 100 miles per hour, and he said this could have happened on one of the “straight stretches,” but the suspect was driving a heavily damaged Toyota Rav4, which could not handle the curves very well. I asked Lewis if he heard Ward ask Allwine for permission to initiate a P.I.T. maneuver, and he answered yes. Lewis acknowledged Allwine denied this request. I asked him if Ward permitted him or [REDACTED] to initiate the P.I.T., and he said Ward told them to take out the suspect. I asked if this occurred on the three-lane section of State Route 327, and he replied yes. Lewis remarked this occurred “closer to the end” of the pursuit.

I asked Lewis if the pursuit caught up to a semi-truck on a curvy road, and he said yes. I asked him if Ward authorized the rolling road block on the curvy road, and he replied Ward told him to try and box in the suspect. He stated he never had an opportunity to box in the suspect. Lewis said the semi-truck got involved, but he did not know why the truck driver got involved. He said [REDACTED] attempted to make contact with the truck driver, but he did not hear the commercial driver acknowledge [REDACTED] over the CB radio. Lewis assumed the truck driver was only trying to help because he saw what was going on in his mirrors. Lewis repeated he was never in a position to box in the suspect because the suspect kept swerving over at him. He heard Ward mention a straight stretch on this particular roadway, but he did not recall seeing anything which would resemble a straight section of road.

I asked Lewis if the curvy roadway would be a divided highway, and he answered no. I asked if he was aware rolling road blocks are not to be used on curvy roads, and he replied yes. He again stated he never had an opportunity to get around the suspect due to the curves. I asked Lewis if he ever told the truck driver to block the suspect, and he said no, he only mentioned someone might need to alert the truck driver as to what was occurring behind him.

I questioned Lewis if the suspect drove far left of center at approximately 28 minutes into his video (**Attachment F**), and he answered yes. I asked him if he followed the suspect left of center at this time, and Lewis recalled going left of center in an attempt to pass the suspect on a straight stretch after they got around the semi-truck, and this might be the instance I was referring to.

I asked Lewis if the suspect drove into a field, and he responded yes. He stated he did not attempt to initiate a P.I.T. maneuver at this time, and he also did not make contact with the suspect's vehicle in the field. I asked if he made contact with the suspect later while the pursuit was on State Route 327, and he answered yes. Lewis said the suspect made contact with his cruiser, and he denied making the contact with the suspect. He said the suspect drove off the left side of the roadway into the grass while attempting to pass his cruiser. Lewis explained his cruiser had damage to the driver's side door and left rear door. I asked if this damage disabled his cruiser, and he replied no.

I asked Lewis if he saw [REDACTED] make contact with the suspect while they were in the field, and he answered yes. I asked if he saw or heard the VCSO deputy fire shots at the suspect, and he said he did not see this, but when he saw the deputy standing on the right side of the field, it looked as if the man had fired his gun. Lewis explained the deputy was standing in a field behind a garage holding a gun. He noted the VCSO reported they saw a long gun in the suspect's vehicle. I asked if he ever saw a long gun, and he replied no.

I questioned Lewis if Ward told him to have the JCSO units take over the lead position after they drove back onto the road, and he replied yes. Lewis said there were JCSO units stopped on the roadway, and he even let off the accelerator before leaving the field in an attempt to give the JCSO units time to get out in front. He stated the JCSO cruisers never moved from their positions. Lewis repeated he never saw any JCSO cruisers become involved in the pursuit.

I asked Lewis if [REDACTED] took over the lead position after they drove out of the field, and he answered yes. Lewis said he was the second cruiser, and he thought Ward was behind his cruiser. I asked if the suspect turned left onto a narrow gravel road, and he replied yes. Lewis acknowledged this road was in rough condition, and even if the JCSO units would have been involved in the pursuit they would not have had room to get around the other cruisers while attempting to take over the lead position. I asked Lewis if he remembered seeing the deer hunters standing along the side of the gravel road, and he answered yes. He advised he was in the second position behind [REDACTED] while they were on the gravel road.

I asked Lewis if he saw Ward pull off the right side of State Route 327 because the suspect was coming toward him, and he said yes. Lewis recalled Ward pulling over into the grass before the pursuit drove by his location. I asked him if he drove into the opposing lanes of travel on State Route 327, and he answered yes. He said he did not have to drive into the grass to get around the suspect, as Cox and Ray had already blocked off that lane from vehicular travel. He said there was no traffic in the opposing lanes. I inquired if this was the instance where the suspect made contact with his cruiser, and he acknowledged it was.

Lewis said [REDACTED] made an attempt to initiate the P.I.T. maneuver because Ward told them to take out the suspect. He said the suspect started "building up speed," and he got around the suspect in an attempt to slow him down in order to safely initiate the P.I.T. maneuver. Lewis said the suspect drove into the grass and made contact with his cruiser. I asked Lewis if he thought the suspect was driving in an exceedingly dangerous manner, and Lewis replied, "I wouldn't say exceedingly dangerous because speed wasn't really

a concern. Um, just left of center, but uh, there was really hardly any traffic. So, I wouldn't say it was anything dangerous. I mean, we don't think we ran anybody off the road or anything like that."

I told Lewis the suspect drove off the roadway at one point after passing another semi-truck stopped in the middle of the roadway, and he agreed. Lewis remarked he had nothing to do with the semi-truck taking up the position in the middle of the roadway. I asked if he became the lead unit after the three-lane section of State Route 327, and he replied yes. I asked him if he ever told Ward the suspect kept driving left of center, and he answered no. He explained he was not supposed to be handling the radio traffic as the lead cruiser. I questioned Lewis if he mentioned the suspect was left of center while he was the secondary unit behind [REDACTED] and he said yes. He estimated this occurred several times at the beginning portion of the pursuit. As the pursuit continued, Lewis said Ward took over the radio traffic.

I asked Lewis if he ever thought about terminating the pursuit, and he replied no. He said there was light traffic, and the speeds were not exceedingly fast. I asked him if he could estimate the speeds, and he said he did not think they ever got above 50 to 55 miles per hour. Lewis explained the camera seemed to add speed to the video, but he did not feel as if the speeds were too high. I asked him if he heard Ward direct other units to take alternate routes, and he responded yes. He estimated the other units were "pretty far" behind the pursuit.

I questioned Lewis if he ever thought he might have been pushing the suspect, and he answered no. Lewis thought the suspect was "giving the Toyota Rav4 everything it had." He said it appeared the suspect was slowing down because the vehicle could not handle the curves very well, or possibly due to the damage the vehicle had sustained during the pursuit. Lewis added, "At no point did I ever feel like I was pushing him down the road. I think he was probably giving it all it had anyways."

I asked Lewis if he received informal training after the pursuit, and he answered yes. I asked him if he was told the reason for the informal training was to prevent this from occurring again in the future, and he again replied yes. I asked Lewis to describe how he would handle the situation differently, and he stated, "Realistically, probably nothing." Lewis said he did not take any unnecessary risks, and he only tried to pass the suspect on straight sections of the various roads.

I asked Lewis if he ever attempted to disobey any directives Ward gave him regarding backing off or relinquishing the lead position, and he said no. Lewis emphasized he was enrolled in the EIP program as a result of his involvement in multiple pursuits, and he felt he was "over the top" in asking for guidance on how to proceed during this pursuit. He explained whenever he mentioned it, he was told to continue, and he was never ordered to terminate the pursuit.

I asked Lewis if he ever observed a long gun in the suspect's vehicle, and he said he did not know, as he did not search the car, and he left the scene after the pursuit ended. I referred Lewis to the RTR Review Guide (**Attachment A**), and I asked him if the RTR Committee ruled the force used was not reasonable to affect the arrest, and he answered yes. I asked him if the Post, District, and RTR Committee were all in agreement regarding additional training needed to be conducted, and he replied yes. I asked him if the RTR Committee ruled an administrative investigation was to be conducted, and he again said yes.

I asked Lewis if there was anything else he wished to add to his statement, and he answered no. Lewis said everything in his statement was true and factual. The interview concluded at 1309 hours.

Attachments:

- (A) RTR Review Guide and Committee Findings ... (1 page)**
- (B) HP-26 Initial Incident Report [REDACTED] ... (13 pages)**
- (C) Informal Training Document for Sergeant G. H. Ward ... (1 page)**
- (D) Informal Training Document for [REDACTED] ... (1 page)**
- (E) Informal Training Document for Trooper N. L. Lewis ... (1 page)**
- (F) In-Car Pursuit Video for Trooper N. L. Lewis ... (Video)**
- (G) In-Car Pursuit Video for [REDACTED] ... (Video)**
- (H) In-Car Pursuit Video for Sergeant G. H. Ward ... (Video)**
- (I) Inter-Office Communication dated December 8, 2020 ... (3 pages)**

A.I.#



Attachment--

A

Page

1

of

1



OHIO DEPARTMENT OF PUBLIC SAFETY
OHIO STATE HIGHWAY PATROL

RESPONSE TO RESISTANCE REVIEW GUIDE AND COMMITTEE FINDINGS

CASE REPORT #	CRASH REPORT #	DATE OF INCIDENT 12/3/2020	
NAME Trooper Bryan Cox	UNIT 434	POST Jackson	DISTRICT Jackson
NAME Trooper Nick Lewis	UNIT 1784	POST Criminal Patrol	DISTRICT Jackson

POST COMMANDER / DISTRICT COMMANDER / SECTION COMMANDERS

<i>LTS D. Duncan</i>	POST	DHQ / SECTION		RTR REVIEW COMMITTEE	
	Yes No	Yes No	Yes No	Yes No	Yes No
Was the response to resistance reasonable to affect the arrest, detention, or mission?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>
Were officer safety issues/performance deficiencies identified that warrant additional training?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

DISTRICT REVIEW

COMMITTEE REVIEW	SIGNATURE	DATE
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<i>X S/Lt M. B. [Signature]</i>	12/10/2020
COMMENTS Safety issues identified by District 9 Staff were addressed with unit's 0846, 0531 and 1784 by documentation on OSP 1324 forms. The three signed OSP 1324's are attached as artifacts in the EIR entry.		

AIU REVIEW

AIU COMMANDER OR DESIGNEE SIGNATURE	DATE	RTR REVIEW COMMITTEE
<i>X S/Lt C.A. [Signature]</i>	12-16-20	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

REVIEW COMMITTEE

PERSONNEL COMMANDER OR DESIGNEE SIGNATURE	DATE
<i>X</i>	<i> </i>
FIELD OPERATIONS COMMANDER OR DESIGNEE SIGNATURE	DATE
<i>X</i>	<i> </i>
CRIMINAL INVESTIGATIONS COMMANDER OR DESIGNEE SIGNATURE	DATE
<i>X</i>	<i> </i>
TRAINING COMMANDER OR DESIGNEE SIGNATURE	DATE
<i>X</i>	<i> </i>
RISK MANAGER OR DESIGNEE SIGNATURE	DATE
<i>X</i>	<i> </i>

FINAL REVIEW COMMITTEE DECISION

COMMENTS			
<i>Note 44 Teams</i>			
<i>AI to be Coordinated</i>			
<i>Review by Committee at Conclusion of AI</i>			
REFERRED FOR AI? IF YES	TRAINING ORDERED? IF YES	ACADEMY	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO AI #	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> DISTRICT/POST	<input checked="" type="checkbox"/> ACADEMY
CHAIRMAN SIGNATURE	DATE		
<i>X L. [Signature]</i>	12-17-2020		

(OSP-283.70)

OHP 1166 9/20 [760-0596]

* ENTIRE COMMITTEE PRESENT

State of Ohio HP-26 10-0157-00 Rev. 08/01/2003		CAD Number:	INCIDENT NUMBER	INCIDENT TYPE Offense	
NATURE CODE: 921 Assistance to Other Law Enforcement Agencies 551 Resisting Arrest by Fleeing(Motor Vehicle)		CLEARANCE CODE: F	COMPLETION DATE:		
GEO CODE: State Route Detailed GEO Code: SR-93 TOD: 09:50 TOA: 09:52				A DEATH OF OFFENDER B PROSECUTION DECLINED C EXTRADITION DECLINED D VICTIM REFUSED TO COOPERATE E JUVENILE / NO CUSTODY F ARREST - ADULT	G ARREST - JUVENILE H WARRANT ISSUED I INVESTIGATION PENDING J CLOSED K UNFOUNDED U UNKNOWN Z COLD CASE
SPECIAL SECTION:				CLEARANCE DATE/TIME 12/3/2020 11:03	CLEARED BY 0434

ADMINISTRATIVE

**Ohio State Highway Patrol
Initial Incident Report**

REPORT DATE / TIME				INCIDENT OCCURED FROM				INCIDENT OCCURED TO			
MONTH	DAY	YEAR	TIME	MONTH	DAY	YEAR	TIME	MONTH	DAY	YEAR	TIME
12	3	2020	09:50	12	3	2020	09:50	12	3	2020	11:03
COUNTY: Jackson County				FIPS Code: (43442) Lick (Township of)							
INCIDENT LOCATION / REF PT. (Street, Apt, City, State, Zip): Northbound SR-93 State Route 0.00 At CR 11				LATITUDE 39:02:36.65		LONGITUDE 82:61:83.01		K9 USED Yes, OSP		TYPE OF SEARCH: Incident to Arrest	

OFFENSE (OFFENSE CODE)	Count	Hate Bias	A/C	F/M & Degree	TYPE CRIMINAL ACTIVITY	
(2921.331B) Failure to Comply with Order or Signal of P.O. ... elude or flee	1	N	C	F-3	(ENTER UP TO 3 FOR EACH OFFENSE) B - BUYING / RECEIVING C - CULTIVATING/MANUFACTURING/PUB D - DISTRIBUTING / SELLING E - EXPLOITING CHILDREN G - OTHER GANG J - JUVENILE GANG N - NO GANG INVOLVED O - OPERATING/PROMOTING/ASSISTING P - POSSESSING / CONCEALING T - TRANSPORTING / TRANSMITTING U - USING / CONSUMING	
<p>A.I.# [REDACTED]</p> <p>Attachment-- B</p> <p>Page 1 of 13</p>						

OFFENSE

LOCATION OF THE OFFENSE			LARCENY TYPE	
47	COMMERCIAL LOCATIONS 15 Auto Shop 16 Financial Institution 17 Barber / Beauty Shop 18 Hotel / Motel 19 Dry Cleaners / Laundry 20 Professional Office 21 Doctor's Office 22 Other Business Office 23 Amusement Center 24 Rental Storage Facility 25 Other Commercial Service RETAIL 26 Bar 27 Buy / Sell / Trade Shop 28 Restaurant 29 Gas Station 30 Auto Sales Lot 31 Jewelry Store	32 Clothing Store 33 Drug Store 34 Liquor Store 35 Shopping Mall 36 Sporting Goods 37 Grocery / Supermarket 38 Variety / Convenience 39 Department Store 40 Other Retail Store 41 Factory / Mill / Plant 42 Other Building OUTSIDE 43 Yard 44 Construction Site 45 Lake / Waterway 46 Field / Woods 47 Street 48 Parking Lot 49 Park / Playground 50 Cemetery	51 Public Transit Vehicle 52 Other Outside Location 53 Abandoned/Condemned Structure 54 Arena/Stadium/Fairgrounds/Coliseum 56 Atrn Machine Separate From Bank 57 Camp/Campground 58 Cargo Container 59 Daycare Facility 60 Dock/Wharf/Freight/Modal Terminal 61 Farm Facility 62 Gambling Facility/Casino/Race Track 63 Military Installation 64 Rest Area 65 Shelter-Mission/Homeless 66 Tribal Lands 67 Library 77 Other Location	23A Pocket Picking 23B Purse Snatching 23C Shoplifting 23D Theft from building 23E Theft from Coin-Op Machine 23F Theft from Motor Vehicle 23G Motor Vehicle Parts/Access 24O Theft of Motor Vehicle 23H Other SUSPECTED OF USING <input type="checkbox"/> ALCOHOL <input type="checkbox"/> DRUGS <input type="checkbox"/> COMPUTER EQUIP <input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> CARGO THEFT

METHOD OF OPERATION:						
METHOD OF ENTRY	METHOD OF ENTRY - BURGLARY / B&E				METHOD OF ENTRY - MOTOR VEHICLE THEFT	
<input type="checkbox"/> Force <input type="checkbox"/> No Force <input type="checkbox"/> No. Premises Entered	ENTRY	EXIT	ENTRY	EXIT	ENTRY	EXIT
	1 BASEMENT 2 1 ST FLOOR 3 2 ND FLOOR 4 OTHER 5 UNKNOWN	1 DOOR 2 WINDOW 3 GARAGE 4 SKYLIGHT 5 OTHER 6 UNKNOWN	1 FRONT 2 SIDE 3 REAR 4 ROOF 5 OTHER 6 UNKNOWN	01 MOTOR RUNNING/ KEYS IN CAR 02 UNLOCKED 03 DUPLICATE KEY USED 04 WINDOW BROKEN 05 TOWED		06 HOT WIRED 07 SLIM JIM/COAT HANGER 08 TUMBLERS REMOVED 09 COLUMN PEELED 10 IGNITION PEELED
TYPE OF WEAPON FORCE : None						
REQUESTING AGENCY:						

REPORTING OFFICER: Tpr. Cox, Bryan C	UNIT NUMBER: 0434	DATE: 12/3/2020
APPROVING OFFICER: Sgt. Ward, Glendon H	UNIT NUMBER: 0846	DATE: 12/6/2020



INCIDENT NO. [REDACTED]	REPORT DATE / TIME 12/3/2020 09:50	PHOTO POUCH NO. [REDACTED]
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Incident Summary

The Jackson County Sheriff's Office requested our assistance in a vehicle pursuit.

Reporting Officer: Tpr. Cox, Bryan C	Unit No: 0434	Date: 12/3/2020
Approving Officer: Sgt. Ward, Glendon H	Unit No: 0846	Date: 12/6/2020



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Suspect / Arrest Report

INCIDENT NUMBER [REDACTED]
REPORT DATE/TIME 12/3/2020 09:50

TOTAL SUSPECTS : 1

NAME / DESCRIPTIVES	No. 1 <input checked="" type="checkbox"/> Adult <input type="checkbox"/> Juvenile <input type="checkbox"/> Unknown <input type="checkbox"/> Business	CHECK APPROPRIATE CATEGORY 3 <input type="checkbox"/> Suspect <input type="checkbox"/> Arrestee <input checked="" type="checkbox"/> Suspect/Arrestee <input type="checkbox"/> Runaway <input type="checkbox"/> Missing <input type="checkbox"/> Other	CHARGES FILED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO					
	NAME: (Last, First, Middle): Boyd, Charles, W		SSN#: [REDACTED]					
	ALIASES:		GANG AFFILIATION: Unknown					
	ADDRESS: 46 E. Coffman St. Jackson, OH - 45640		PHONE #:					
	EMPLOYER NAME & ADDRESS: , OH		PHONE #:					
	PLACE OF BIRTH Unknown	DRIVER'S LICENSE # & STATE [REDACTED]	STATE EMPLOYEE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	OCCUPATION/SCHOOL Unknown				
	AGE / DOB 44 1/9/1976	GENDER M	RACE White, Non-Hispanic Origin	HEIGHT 5ft 9in	WEIGHT 200	HAIR Brown	EYES Blue	MARITAL STATUS Single
	ADDITIONAL DESCRIPTION:							
	SCARS, MARKS, TATTOOS: 1) 2) 3) 4) 5)				RESIDENT CODE	<input checked="" type="checkbox"/> RESIDENT <input type="checkbox"/> TOURIST <input type="checkbox"/> MILITARY <input type="checkbox"/> STUDENT	<input type="checkbox"/> OTHER <input type="checkbox"/> UNKNOWN <input type="checkbox"/> NOT REPORTED	
	POTENTIAL INJURIES: Unknown							
TYPE WEAPON FORCE USED								
SUSPECT USED: 99								
99 NONE	13B OTHER FULLY AUTOMATIC WEAPON	17 SIMULATED FIREARM	50 POISON					
11 FIREARM	14 SHOTGUN	18 BB / PELLET GUN	60 EXPLOSIVES					
12 HANDGUN	15 OTHER FIREARM	20 KNIFE / CUTTING INSTRUM.	65 FIRE / INCENDIARY DEVICE					
12A AUTOMATIC HANDGUN	15A SEMI-AUTOMATIC SPORTING RIFLE	30 BLUNT OBJECT	70 DRUGS/NARC/SLEEP PILLS					
13 RIFLE	15B SEMI-AUTOMATIC ASSAULT FIREARM	35 MOTOR VEHICLE	80 OTHER WEAPON					
13A FULLY AUTOMATIC RIFLE	15C MACHINE PISTOL	40 PERSONAL WEAPON	85 ASPHYXIATION					
			U UNKNOWN					

ASSOC PERSONS	NAME	ADDRESS (Street, Apt, City, State, Zip)	PHONE	RELATION

ARREST / OFFENSE DESCRIPTION	ARREST / OFFENSE CODE	COUNT	F/M & DEGREE	DISPOSITION	LARCENY	ARREST LARCENY TYPE
Failure to Comply with Order or Signal of P.O. _ elude or flee	2921.331B	1	F-3	Referred to other agency		23A POCKET PICKING 23B PURSE SNATCHING 23C SHOP LIFTING 23D THEFT FROM BUILDING 23E THEFT FROM COIN-OP MACHINE 23F THEFT FROM MOTOR VEHICLE 23G MOTOR VEH. PARTS/ACCESSORIES 24O THEFT OF MOTOR VEHICLE 23H OTHER

A.I.# [REDACTED]
Attachment-- B
Page 3 **of** 13

WARRANT NUMBER	WARRANT DESCRIPTION	WARRANT NUMBER	WARRANT DESCRIPTION
1.		2.	
3.		4.	

ARREST DATE: 12/3/2020	TIME: 11:03	ARREST LOCATION (Street, Apt., City, State, Zip) NB SR-93 State Route CR 11	CITATION NUMBER
ARRESTEE ARMED WITH: 1. None		2.	3.
FINGER PRINTED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		THUMB PRINTED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DNA TAKEN: Yes, DNA taken by other agency
ITN NUMBER:		FBI/BCI #:	
<input type="checkbox"/> MULTIPLE ARRESTEE SEGMENTS INDICATOR		<input type="checkbox"/> COUNT ARRESTEE MULTIPLE ARRESTEE INDICATOR <input checked="" type="checkbox"/> N/A	
ARREST TYPE		ARREST DISPOSITION: Other	
<input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Crime In Progress <input type="checkbox"/> Warrant		<input type="checkbox"/> Court Summons/Citation <input type="checkbox"/> Order Of Protection <input type="checkbox"/> Other	
COURT: Jackson Common Pleas			COURT DATE:
JAIL SENTENCE	YEARS: 0.00	DAYS: 0.00	

JUVENILE'S PARENT / GUARDIAN NOTIFIED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DATE/TIME NOTIFIED:	NOTIFIED By:	JUVENILE DISPOSITION:
PARENT / GUARDIAN NAME & ADDRESS	PHONE	RELATIONSHIP	
PARENT / GUARDIAN NAME & ADDRESS	PHONE	RELATIONSHIP	
DATE OF LAST CONTACT	DATE OF EMANCIPATION	NCIC	
LAST SEEN WEARING			

REPORTING OFFICER: Tpr. Cox, Bryan C	UNIT NUMBER: 0434	DATE: 12/3/2020
APPROVING OFFICER: Sgt. Ward, Glendon H	UNIT NUMBER: 0846	DATE: 12/6/2020



Ohio State Highway Patrol
REPORT OF INVESTIGATION
 Victim/Reportee/Witness Report

INCIDENT NUMBER [REDACTED]
REPORT DATE/TIME 12/3/2020 09:50

VICTIM	NO.2	VICTIM TYPE: <input type="checkbox"/> Individual <input type="checkbox"/> Financial Institution <input type="checkbox"/> Police Officer (In The Line Of Duty) <input checked="" type="checkbox"/> Society / Public <input type="checkbox"/> Other <input type="checkbox"/> Business <input type="checkbox"/> Government <input type="checkbox"/> Religious Organization <input type="checkbox"/> Unknown <input type="checkbox"/> Trooper <input type="checkbox"/> State Agency							
	<input checked="" type="checkbox"/> Victim <input type="checkbox"/> Witness <input type="checkbox"/> Reportee		NAME (Last, First, Middle):					Society / Public	
	ADDRESS(Street, Apt, City, State, Zip):							PHONE #:	
	OCCUPATION:				STATE EMPLOYEE: <input type="checkbox"/> YES <input type="checkbox"/> NO		SSN:		
	RESIDENTIAL STATUS: <input type="checkbox"/> Resident <input type="checkbox"/> Military <input type="checkbox"/> Other <input type="checkbox"/> Tourist <input type="checkbox"/> Not Reported <input type="checkbox"/> Student <input type="checkbox"/> Unknown				STATEMENT OBTAINED <input type="checkbox"/> YES <input type="checkbox"/> NO TYPE: <input type="checkbox"/> Written <input type="checkbox"/> Oral <input type="checkbox"/> Taped <input type="checkbox"/> Other				
	AGE / DOB	GENDER	RACE :		HEIGHT FROM - TO	WEIGHT FROM - TO	HAIR	EYES	
	EMPLOYER NAME & ADDRESS							PHONE #:	
	VICTIM <input type="checkbox"/> YES INJURED <input type="checkbox"/> NO		IF INJURED, DESCRIBE INJURIES: 1) 2) 3) 4) 5)		VICTIM DECEASED <input type="checkbox"/> YES <input type="checkbox"/> NO		VICTIM WITNESS REFERRAL INFO <input type="checkbox"/> YES <input type="checkbox"/> NO		TYPE OF REFERRAL
	AGG. ASLT / HOMICIDE CIR : 1)				2)				
	VICTIM/SUSPECT RELATIONSHIP : 1)Unknown				VICTIM OFFENSE LINK : 1)2921.331B				
JUSTIFIABLE HOMICIDE:		ACTIVITY TYPE		ASSIGNMENT TYPE		LE ORI - OTHER JURISDICTION			
My signature verifies that the information on this report is accurate and true							DATE :		

A.I.# [REDACTED]
Attachment-- B
Page 4 **of** 13

REPORTING OFFICER: Tpr. Cox, Bryan C	UNIT NUMBER: 0434	DATE: 12/3/2020
APPROVING OFFICER: Sgt. Ward, Glendon H	UNIT NUMBER: 0846	DATE: 12/6/2020



Ohio State Highway Patrol
REPORT OF INVESTIGATION
 Vehicle Report

INCIDENT NUMBER [REDACTED]
REPORT DATE/TIME 12/3/2020 09:50

VEHICLE INFORMATION							
CHECK CATEGORIES <input type="checkbox"/> Abandoned <input type="checkbox"/> Impounded <input type="checkbox"/> Stolen <input type="checkbox"/> Received <input type="checkbox"/> Recovered <input checked="" type="checkbox"/> Used In A Commission of a Crime <input type="checkbox"/> N/A							
LICENSE HCM9800	LIC STATE OH	VEHICLE IDENTIFICATION NUMBER / OAN JT3GP10V0T0003307		NCIC NO.	STOLEN OPTION	IS VEHICLE LOCATED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	VEHICLE NO. 1
VALUE 1000.00	VEH YR. 1996	MAKE Toyota	MODEL Rav4	STYLE SUV	VEHICLE COLOR TOP White BOTTOM White		TRACK TYPE
OWNER NAME & ADDRESS (Street, City, State, Zip) Samantha Watts 683 S. Napoleon Ave., Columbus, OH - 43201						PHONE	
VEH. ASSOC. W/ SUSPECT #	VEH. ASSOC. W/ VICTIM #	TOWED BY : Clark's			OWNER VERIFIED BY : Registration		
ADDITIONAL DESCRIPTION						DATE TIME NOTIFIED	

A.I.# [REDACTED]
Attachment-- B
Page 5 *of* 13

REPORTING OFFICER: Tpr. Cox, Bryan C	UNIT NUMBER: 0434	DATE: 12/3/2020
APPROVING OFFICER: Sgt. Ward, Glendon H	UNIT NUMBER: 0846	DATE: 12/6/2020



A.I.# [REDACTED]

Attachment-- B

OHIO DEPARTMENT OF PUBLIC SAFETY
OHIO STATE HIGHWAY PATROL Page 6 of 13

REPORT OF INVESTIGATION
INVESTIGATIVE NOTES

INCIDENT NUMBER [REDACTED]	REPORT DATE/TIME 12/3/2020 09:50	PHOTO POUCH NUMBER [REDACTED]
-------------------------------	-------------------------------------	----------------------------------

Thursday, December 3, 2020 12:55

0434 Tpr. Cox, Bryan C

On 12/03/2020 at approximately 0950 AM, I was dispatched to assist Jackson County Sheriff's Office who was actively in a pursuit northbound on SR93 coming from Erwin Road in Jackson County, Ohio. Jackson Ohio State Highway Patrol dispatch stated that the J.C.S.O. stated the driver had warrants and he had just cut off a catalytic converter off a vehicle. I joined the pursuit at CR11 on SR93. The vehicle was an older model white, Toyota Rav 4. I was second in line of the pursuit as the suspect vehicle turned onto Mayhew Road. It went across SR32 continuing on Mayhew. The suspect vehicle turned south onto Mt. Zion Road and came to a brief stop near SR32 and let a female passenger out of the vehicle. She was later identified as Tabitha M. Roe (D.O.B.- 12/13/1977) of Jackson. The suspect vehicle turned eastbound onto SR32, then turned northbound onto SR139. The Jackson Police Department attempted to block the roadway with their cruiser, but the suspect vehicle drove off the roadway around it. I was still second in line as we entered into the City of Jackson. We continued northbound on Bennett Ave. until it turned right onto Caughman St. The suspect vehicle turned northbound onto CR84 and continued until making a right turn onto Sunnysdale Road before making a right turn onto Jackson Hill Road. It continued northbound on SR93 until making a right turn onto Sand Hill Road. It turned left onto Hardscrapple Road. It took Ed Davis Road and turned north onto SR788. A spike strip was set up by Tpr. Ray, Unit 378, at SR788 and SR93. The suspect vehicle drove around the spike strip to the right to avoid them and made a right turn onto SR93 into the city of Wellston. I became the 5th vehicle in the pursuit at this time. Tpr. N. Lewis, Unit 1784, took the lead as the suspect vehicle drove eastbound on Mulga Road towards SR32. I continued towards the back of the line of the pursuit. I could not see the suspect vehicle any longer and continued towards the direction of the pursuit. I heard [REDACTED] advise the suspect was driving through a field off of SR160 in Vinton County. As the suspect vehicle is approaching back towards SR160, I observed a Vinton County Sherrif's Deputy fire 3 rounds at the suspect vehicle with what I presumed to be a shotgun. The pursuit continued eastbound on SR160 and I was towards the back of the line again. Later, Tpr. Ray and I took SR32 westbound to Hiram West Road to set out spike strips. We had both strips set as the suspect vehicle approached. It dove through a ditch around Tpr. Ray's cruiser to avoid the spikes and continued northbound on Hiram West Road. The pursuit continued as I retrieved my spikes. I got back at the end of the line of the pursuit as it was traveling down SR327. I did not see the vehicle go off the roadway at the end of the pursuit near Keystone Furnace Road.. When I arrived I helped secure the suspect and patted him down for the Jackson County Sheriff's Office. The pursuit ended at approximately 1103 and was approximately 113 minutes. The length of the pursuit was approximately 57 miles long.

The Jackson County Sherrif's Office is handling the case, all charges of the suspect, and the vehicle was towed and secured by them.

During the entire duration of the pursuit, I was never directly behind the suspect vehicle. I could observe the driver constantly reaching over to the right side of the vehicle. The suspect vehicle never maintained a proper speed limit and traveled over it multiple times at high speeds while not stopping at several stop signs or red lights. It was left of center multiple times and completely in the opposite lane of travel several times. To my knowledge, no private property damage occurred from the suspect vehicle driving off the roadway. No damage occurred to my cruiser.

REPORTING OFFICER Tpr. Cox, Bryan C	UNIT NUMBER 0434	DATE 12/3/2020
APPROVING OFFICER Sgt. Ward, Glendon H	UNIT NUMBER 0846	DATE 12/6/2020



OHIO DEPARTMENT OF PUBLIC SAFETY
OHIO STATE HIGHWAY PATROL

A.I.# [REDACTED]
Attachment-- 8
Page 7 of 13

REPORT OF INVESTIGATION
INVESTIGATIVE NOTES

INCIDENT NUMBER [REDACTED]	REPORT DATE/TIME 12/3/2020 09:50	PHOTO POUCH NUMBER 40-21490
-------------------------------	-------------------------------------	--------------------------------

Thursday, December 3, 2020 14:34

On December 3, 2020 I was on SR 32 eastbound just outside Jackson. Dispatched gave out information that Jackson was in an active pursuit of a burglary suspect in a RAV 4. I was able to get behind other units actively in the pursuit and could see the suspect vehicle. I radioed to the units involved to allow me around to get closer to the suspect vehicle in the possible event that suspect would flee on foot my [REDACTED] would be closer for apprehension. I am not familiar with any of names of the roads we were on but I witnessed various law enforcement agencies set up "stop sticks" at least three areas that failed. Jackson and Vinton County Sheriff's Office's, Oak Hill Police Department, and Ohio State Highway Patrol set up "stop sticks" that all failed. The suspect drove off road to avoid the sticks on each attempt to deploy the stop sticks.

Trooper Lewis was primary unit in the pursuit and was directly behind him. I could see red and blue lights at a far distance behind me. I believed this was Jackson County Sheriff's Deputies. Dispatched advised the Sheriff's Office to take lead in the pursuit but the deputies either did not wish to be in lead or could not catch up to us. We approached Sheriff's Units that had stop sticks set up at an intersection. The suspect turned left into a field that had a fence that ran parallel with an adjacent roadway. Trooper Lewis and I were able to box the suspect into the corner of the fence. The suspect seen he was about to be boxed into the corner and made a 180 degree turn back toward the road. I did not want the suspect to make it back to the roadway.

I attempted to bump the suspect to spin him out in the field to end the pursuit or give other units a chance to attempt a "box" on the suspect. I bumped the vehicle but the suspect was able to pull away from me in the wet grass and mud. We continued onto the roadway and I now became the primary unit in the pursuit. At one point I heard radio traffic that the Sheriff's Office had fired shots at the suspect and the suspect was armed with a "long gun." I could smell the odor of gun powder as it was sucked into my air vents. The suspect turned onto a gravel road from the State Route and then back onto a State Route. Vinton County Sheriff's Office attempted to set stop sticks again that were unsuccessful. The Sheriff's Office had their vehicle in the left lane and stop sticks in the right. The suspect drove off road to the left around the Sheriff vehicle and continued on. The suspect was in essence was traveling roadways that took us in a circle. We traveled some roadways twice throughout the pursuit. I heard on the radio that S.R.T. and Aviation were contacted. Aviation was about 20 minutes out from our location.

On SR 327 Trooper Lewis passed the suspect to get in front of him to slow his speed so I could execute a P.I.T. The suspect drove off the left side of the roadway and drove around Trooper Lewis and as some point made contact with Trooper Lewis' vehicle. I had a small window to execute the P.I.T. where the suspect's speed was low enough. I attempted to make contact with the suspect but missed as he was accelerating away from me. We did not have another chance to execute the P.I.T. because the the suspect's speed was too high. Trooper Lewis took lead in the pursuit and I dropped back and stayed in secondary.

Radio traffic was given that Oak Hill Police had stop sticks set up about 1.5 miles from our location. We approached the agency and the suspect again drove around the officer's vehicle and into a ditch were he became stuck. The suspect was still in the vehicle with the driver's door open. I gave the suspect several commands to show his hands and to get out of the vehicle. I gave several warnings that I would deploy my [REDACTED] that had beside me and visible to the suspect. The suspect failed to comply with my orders and I gave my [REDACTED]

REPORTING OFFICER Tpr. Cox, Bryan C	UNIT NUMBER 0434	DATE 12/3/2020
APPROVING OFFICER Sgt. Ward, Glendon H	UNIT NUMBER 0846	DATE 12/6/2020



REPORT OF INVESTIGATION
INVESTIGATIVE NOTES

INCIDENT NUMBER [redacted]	REPORT DATE/TIME 12/3/2020 09:50	PHOTO POUCH NUMBER 40-21490
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[redacted] the command to apprehend the suspect. [redacted] approached the vehicle and the suspect shut the driver's door of the vehicle. I recalled [redacted] back to me. I again gave the suspect commands to exit the vehicle. The suspect failed to comply with any orders given. I could then clearly see the suspect's hands but could not see inside the vehicle because of the glare on the glass.

I yelled to Trooper Lewis that I could see the suspect's hands and for someone to cover Trooper Lewis as he broke the window. At least four officers with weapons drawn and myself covered Trooper Lewis as he broke out the passenger window. I gave the suspect commands to exit the vehicle or I would send my [redacted]. The suspect seen I was going to send my [redacted] and began to show his hands but still would not follow directions to exit the vehicle. I told him I was going to send my [redacted] through the window. The suspect began to crawl out the window and was taken into custody by the cover officers. I was not injured and I noticed no injuries to the suspect in the short time I looked at him. A Sheriff's Deputy took control of the suspect and walked him back to a patrol car. This concluded my involvement in the incident.

Thursday, December 3, 2020 15:21 1784 Tpr. Lewis, Nicholas L.

While on patrol in a marked Ohio State Highway Patrol cruiser and traveling eastbound on SR 32 in Jackson County, I overheard the Jackson Post advise they were assisting the Jackson County Sheriff's Office with an active pursuit. As I headed towards the pursuit, I was advised the suspect was fleeing from an active burglary and had an active felony warrant through the Adult Parole Authority. The vehicle was in the Coalton area and was headed to SR 93 from SR 788.

I continued north on SR 93 and as I approached the intersection of SR 788, I saw several law enforcement vehicles preparing to deploy stop sticks. The stop sticks were being deployed as I slowed at the intersection. The suspect vehicle was able to avoid the stop sticks and continued to flee. I had not come to a stop yet and pulled in behind the fleeing vehicle as it traveled north on SR 93. I became the lead vehicle at this point due to the other pursuing vehicles slowing for the stop sticks.

I was advised to allow the Jackson County Sheriff's Office to take over as lead for the pursuit. I advised dispatch to notify the Jackson County Sheriff's Office to have their units overtake me and become primary in the pursuit. However, the pursuing deputies were unable to work their way back to the front. After a few minutes passed and the Sheriff's Office was unable to become primary, I asked Sgt. Ward if he wanted me to continue the pursuit. He stated to continue to pursue. I maintained lead for the majority of the pursuit.

Before becoming the lead unit in the pursuit, I was advised and overheard radio traffic that the suspect was reaching over into the passenger seat. When I became the lead unit, I could see the suspect constantly reaching over to and under the passenger seat. At one point, I could see the suspect pull something from the passenger seat area and reach over the back head rest with it.

The pursuit lasted approximately one hour and went through Jackson and Vinton Counties. Stop sticks were deployed on four separate occasions and the suspect drove off the roadway to avoid them. The suspect fled at an average speed of approximately 70 mph. During the pursuit, Sgt. Ward advised aviation was enroute.

REPORTING OFFICER Tpr. Cox, Bryan C	UNIT NUMBER 0434	DATE 12/3/2020
APPROVING OFFICER Sgt. Ward, Glendon H	UNIT NUMBER 0846	DATE 12/6/2020



REPORT OF INVESTIGATION
INVESTIGATIVE NOTES

INCIDENT NUMBER [REDACTED]	REPORT DATE/TIME 12/3/2020 09:50	PHOTO POUCH NUMBER 40-21490
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At one point during the pursuit, we came in behind a tractor-trailer. I asked for one of the secondary units to attempt to contact the tractor-trailer driver and advise him of the pursuit for their safety. I wanted to make him aware the suspect vehicle may attempt to pass him. The driver began to take up both lanes after being contacted. He was not advised to help slow the suspect vehicle. However, with the suspect slowing we attempted to box the suspect in. As I attempted to box the suspect in, he swerved from side to side and would not allow me to pass or get beside him.

The third time the sticks were deployed, it was done by the Vinton County Sheriff's Office. The suspect drove off the right side of the roadway and into a field. [REDACTED] and I continued to pursue the vehicle into the field. In the field, the suspect vehicle and [REDACTED] cruiser made contact. [REDACTED] stated the two had made contact.

As the suspect vehicle headed back towards the roadway, Sgt. Ward stated a Vinton County Deputy fired three rounds at the vehicle. Dispatch then stated the Vinton County Sheriff's Office had claimed they had seen the suspect with a long gun inside the vehicle. The vehicle made its way back onto the roadway and continue to flee. [REDACTED] became the lead vehicle in the pursuit. The vehicle reached a top speed of approximately 100 mph after being fired upon by the Vinton County Deputy.

We continued to pursue the vehicle, we made a left turn onto SR 327 and began traveling south. We were given permission by Captain Allwine to strike the suspect at a slow speed. I was able to get in front of it on SR 327 near SR 32 in an attempt to slow the vehicle down. I was attempted to slow the vehicle down, so it could the PIT maneuver could be attempted to [REDACTED] or it could be boxed in. In this attempt, the vehicle came up to my left side and struck my cruiser. The vehicle continued to flee south on SR 327.

The Oak Hill Police Department was able to set up stop sticks near Keystone Road. The suspect attempted to go around the stop sticks and traveled off the left side of the roadway. The vehicle came to a rest over an embankment.

I approached the right side of the vehicle with [REDACTED] and his canine. When other units approached the vehicle, I busted both passenger side windows with my ASP as they supplied cover. The suspect was removed from the vehicle and taken into custody by the Jackson County Sheriff's Office.

Friday, December 4, 2020 09:03

0378 Tpr. Ray, Tyler F

On December 3, 2020 at approximately 0950 hours the Jackson Dispatch Center advised that the Jackson County Sheriff Office was currently in a pursuit. The location was given and the reason for the pursuit was also given. I then responded to the area of the pursuit in fully marked OSHP cruiser # 1013. I located the suspect vehicle and other patrol cars eastbound on State Route 32 as it was approached the intersection of State Route 139. The vehicle turned left on State Route 139 heading towards the city of Jackson. I then began to parallel the pursuit via State Route 32 as it was in the city of Jackson. The pursuit then traveled out of the city limits and past the Jackson Post. I responded to the State Route 93 and Jackson Hill intersection in hopes to get ahead of the pursuit and be able to utilize stop sticks. I did not get there quick enough but was able to get caught up and join the pursuit. The pursuit was then northbound on State Route 93 and I began to follow. The Jackson County Sheriff Office was able to get setup ahead of the pursuit and block the road causing the vehicle to make a right

REPORTING OFFICER Tpr. Cox, Bryan C	UNIT NUMBER 0434	DATE 12/3/2020
APPROVING OFFICER Sgt. Ward, Glendon H	UNIT NUMBER 0846	DATE 12/6/2020



REPORT OF INVESTIGATION
INVESTIGATIVE NOTES

INCIDENT NUMBER [REDACTED]	REPORT DATE/TIME 12/3/2020 09:50	PHOTO POUCH NUMBER 40-21490
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turn on Sandhill Road. I paralleled the pursuit on State Route 93 and was able to get to the intersection of State Route 788. I got there as the vehicle was within sight and was able to deploy my stop sticks on State Route 788 just before the intersection of State Route 93. My car was parked on the right shoulder of State Route 93 behind a deputy who was blocking the road and as it threw my stop sticks I was behind a guardrail for cover. My attempt was unsuccessful and the suspect vehicle drove to the right committing a marked lanes violation to avoid my stop sticks and failed to stop at the stop sign and made a right turn onto State Route 93 heading towards the city of Wellston.

As the pursuit entered the city I paralleled the pursuit and went to the intersection of Mulga Road and State Route 32. I arrived at the intersection but was unable to have time to deploy stop sticks. I was able to then join the pursuit and became the second vehicle behind the suspect vehicle as we had just went through the intersection of State Route 32 and was still southeast on Mulga Road. We approached the intersection for State Route 124 and turned left going east on State Route 124. I then began to take over the radio traffic. Throughout this time speeds never exceeded 80 mph and the suspect vehicle committed several lane violations. The suspect could be seen with both hands reaching towards his passenger seat area trying to grab items. As we approached the intersection of State Route 160 we had a commercial vehicle attempting to assist us by blocking. Trooper Lewis and I were then given permission to attempt to box the vehicle in. We were unsuccessful as the suspect vehicle was blocking Trooper Lewis from getting beside him. The suspect vehicle then turned left on State Route 160 traveling northbound. I was then third as [REDACTED] was now ahead of me. The Vinton County Sheriff Office was able to get ahead of the pursuit on State Route 160 and formed a road block and utilized stop sticks. As we approached the road block the suspect vehicle drove completely off the road and around the roadblock. I was unable to continue due to the deputy who was blocking the road moving her vehicle further in front of me blocking me even more.

Once the deputy moved I was able to get caught back up to the pursuit. The pursuit then traveled through the intersection of State Route 32, staying on State Route 160. As we approached the intersection for Zion Road the suspect vehicle entered a field. While in the field a Vinton County Deputy fired rounds from a shotgun at either the suspect or suspect vehicle and struck the suspect vehicle several times. The suspect vehicle also struck [REDACTED] cruiser while in the field before it was able to get out of the field and continue northbound on State Route 160.

Trooper Cox and I then paralleled the pursuit and were able to both get stop sticks deployed at the intersection of State Route 124 and Hiram West Road. Both Trooper Cox and I were in a safe location and ready to utilize the stop sticks as the suspect vehicle approached our location. The suspect vehicle then drove off the road into a ditch almost striking my patrol car to avoid the stop sticks. The suspect vehicle then traveled northwest on Hiram West back towards State Route 32.

I rejoined the pursuit at State Route 327 and State Route 32 and got behind the other patrol cars. The pursuit traveled southbound on State Route 327 and permission to complete a PIT maneuver was granted. Trooper Lewis and [REDACTED] were both at the front of the pursuit and began to look for a spot to complete the PIT when the suspect vehicle struck Trooper Lewis's patrol car. Speeds then began to reach 100 mph as the pursuit was southbound on State Route 327. The Oak Hill Police Department was able to get setup with stop

REPORTING OFFICER Tpr. Cox, Bryan C	UNIT NUMBER 0434	DATE 12/3/2020
APPROVING OFFICER Sgt. Ward, Glendon H	UNIT NUMBER 0846	DATE 12/6/2020



OHIO DEPARTMENT OF PUBLIC SAFETY
OHIO STATE HIGHWAY PATROL

A.I.# [REDACTED]
Attachment-- B
Page 11 of 13

REPORT OF INVESTIGATION
INVESTIGATIVE NOTES

INCIDENT NUMBER [REDACTED]	REPORT DATE/TIME 12/3/2020 09:50	PHOTO POUCH NUMBER 40-21490
-------------------------------	-------------------------------------	--------------------------------

sticks and partially blocked the road near the intersection of Keystone Furnace. As the suspect vehicle approached the stop sticks it again tried to drive off the road to avoid the stop sticks. This time the suspect vehicle went down into a deep ditch and got stuck. The suspect then opened his driver door but would not show his hands or exit the car. [REDACTED] then deployed his [REDACTED] however the suspect then shut his door. Both passenger side windows were then busted by Trooper Lewis and as the [REDACTED] was about to be deployed again the suspect crawled out of the window and gave up. The suspect was then handcuffed, searched, and read their Miranda rights by the Jackson County Sheriff Office. The suspect was also secured in their vehicle as well. I then took photos of the suspect vehicle and damaged patrol cars and left the scene.

Sunday, December 6, 2020 21:42

0846 Sgt. Ward, Glendon H

While on patrol northbound on SR 93 in Jackson County, The Jackson Post Dispatch advised that Jackson County Sheriff's Office was in pursuit on SR 93 from Evans Road. I immediately turned around and activated my lights and siren. I asked the reasons for the pursuit and was advised the subject had Adult Parole Authority Warrants, was suspect in five to six burglaries and was caught by the pursuing Deputies in another burglary attempt. I had Dispatch to advise Captain Allwine of the pursuit.

Trooper Cox got behind the Sheriff's Office while the suspect vehicle was turning onto Mayhew Road off of SR 93. I continued to head in the direction and monitored radio traffic. The suspect vehicle continue across Mayhew Road to Mt. Zion road then back to SR 139. The suspect vehicle then slowed and a female passenger exited and was taken into custody by Jackson County Deputy. Trooper Cox stayed with the primary Sheriff's unit as secondary as the continued into the City of Jackson. The suspect took several back streets and came out onto Chillicothe Pike. While all this was going on I was attempting to get [REDACTED] and Trooper Nick Lewis in a position to set up stop sticks. I had Trooper Ray shadowing the pursuit on SR 93. The suspect vehicle turned off of SR 93 onto Sunnydale Road and then to Jackson Hill. The suspect took Jackson Hill to SR 93 and then north to Sands Hill Road. I immediately asked for OSP aviation. Dispatch advised they were in route from the Dayton area.

As we turned onto Sands Hill road I had Trooper Lewis and Trooper Ray to continue to Coalton along with [REDACTED] to get the stop sticks set up at Hardscrapple Road and SR 93. The Suspect made a right turn onto Ed Davis Road in Glen Roy then back to SR 93. This whole time Jackson County Sheriff's Office was the primary unit in the pursuit. The suspect took SR 788 north off of Ed Davis Road. I asked for Wellston PD and for Trooper Ray and Lewis to deploy stop stick. As we approached the intersection Trooper Ray deployed the sticks, however the suspect swerved left going off road and onto SR 93 North towards Wellston.

Trooper Nick Lewis then was the primary unit with Sheriff Deputy the second. I advised Trooper Lewis to back off and allow the Sheriff's Office to take over primary, however they could never catch back up. Trooper Lewis was primary unit as we turned onto New York Avenue in Wellston to Mulga Road. On several occasions Trooper Lewis asked to pit and I denied. The pursuit went out Mulga Road across SR 32 onto SR124 east towards Wilkesville.

As we were pursuing on SR 124 we moved [REDACTED] to the front since he had a [REDACTED] Again, I advised to

REPORTING OFFICER Tpr. Cox, Bryan C	UNIT NUMBER 0434	DATE 12/3/2020
APPROVING OFFICER Sgt. Ward, Glendon H	UNIT NUMBER 0846	DATE 12/6/2020



REPORT OF INVESTIGATION
INVESTIGATIVE NOTES

INCIDENT NUMBER [REDACTED]	REPORT DATE/TIME 12/3/2020 09:50	PHOTO POUCH NUMBER 40-21490
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allow the Sheriff's Office to regain lead, however they never was able to. By this Time Vinton County Sheriff's Office was notified and sending units out SR 160 towards Wilkesville. We got behind a semi on SR 124 and he was moving side to side to slow the suspect down. I advised the lead units to do a rolling road block in a box formation to attempt to get the suspect to stop. As Trooper Lewis attempted to move in the suspect continue to swerve back and forth not allowing Trooper Lewis to get beside.

I asked Captain Allwine if I could conduct a pit maneuver since my car had over 120,000 miles at the time. Captain Allwine stated not to pit or make contact with the violator at this time. As we approached Fitzpatrick Road on SR 160 the Vinton County Sheriff's Office had a cruiser across the road with stop sticks deployed. The suspect went off the left side of the road around the stop sticks and continued on SR 160 across SR 32 toward Hamden.

I advised the direction of the pursuit to Jackson post. Dispatch advised Vinton County Sheriff's Office had another deputy coming down Zion Road at SR 160 to deploy the sticks. As we approached this intersection the suspect went off road with [REDACTED] and Trooper Lewis behind him in a field. I immediately asked for a perimeter to be set up and to keep the suspect in the field. [REDACTED] attempted to bump the suspect vehicle to get him to spin out, but the suspect avoided due to the mud and grass. As the suspect was traveling back to the road way a Vinton County Deputy fired three shots from a shotgun striking the suspect right front fender.

The suspect continued west onto SR 160 to Carr Ridge Road. The whole time I am telling OSP units to back off and allow Jackson County Sheriff Office to regain the primary lead, however the Sheriff's Office were not able to catch up to regain lead. We traveled Carr Ridge to Mulga Road across SR 32 to SR 124 back to SR 327.

As we approached SR 32 I had two of our units to head west on SR 32 and I headed east. This tactic was done to try and set up an area where the suspect would not make it back to SR 32. Trooper Lewis advised that they were traveling west on SR 124. I advised Trooper Cox and Ray to deploy the stop sticks at Hiram West and SR 124. I turned around and started back west on SR 32. As I approached the intersection of Hiram West and SR 32 the suspect went across SR 32. The suspect made his way to SR 327 south. I took SR 327 north to try and get into a position to deploy the stop sticks again, but they passed by me at the Marathon gas station.

As we continued on SR 327 I told the units to box in the suspect vehicle. As Trooper Lewis tried to get around the suspect he made contact with Trooper Lewis patrol car on the driver side rear door. I then advised our units to take him out if they could. Due to the speeds they were unable to conduct a pit maneuver. They continued south onto SR 327. Jackson Dispatch advised that Oak Hill P.D. had set up at SR 327 and Keystone Furnace road with stop sticks. OSP Aviation was now in the area. As they approached Oak Hill PD the suspect vehicle drove to off the left side of the roadway to avoid the sticks and became stuck in a ditch. After ordering the suspect out of the vehicle several times the passenger side windows were busted out. The suspect then crawled out of the vehicle on his own accord. Trooper's Cox [REDACTED] Lewis along with two deputies secured the suspect. I had Trooper Ray to take photos of [REDACTED] and Trooper Lewis vehicles as well as the suspect vehicle. I also asked the suspect if he was injured and he stated no. Suspect William Boyd was turned over to Jackson County Sheriff's Office for possible interview.

Throughout the pursuit I was never closer than the third vehicle. I was advising our OSP units of the roads and

REPORTING OFFICER Tpr. Cox, Bryan C	UNIT NUMBER 0434	DATE 12/3/2020
APPROVING OFFICER Sgt. Ward, Glendon H	UNIT NUMBER 0846	DATE 12/6/2020



OHIO DEPARTMENT OF PUBLIC SAFETY
OHIO STATE HIGHWAY PATROL

A.I.# [REDACTED]
Attachment-- B
Page 13 of 13

REPORT OF INVESTIGATION
INVESTIGATIVE NOTES

INCIDENT NUMBER [REDACTED]	REPORT DATE/TIME 12/3/2020 09:50	PHOTO POUCH NUMBER 40-21490
<p>monitoring the traffic conditions. The suspect vehicle avoided stop sticks on three occasions, was left of center multiple times and was reaching into the passenger seat throughout the pursuit, which was being called off by the primary and secondary units.</p> <p>Jackson County Sheriff's Office is handling all of the charges. In reference to the shots fired by the Vinton County Sheriff's Office, I made contact with their Captain Lydle Cain. Captain Cain stated he had been in contact with Sheriff Justice and the shots fired would be handled within the department. Captain Allwine was notified.</p> <p>After checking on all OSP units they all stated they were not injured. Trooper Lewis vehicle had a tire scuff on the left rear door from the suspect's vehicle making contact with him. [REDACTED] had some scuffs and scratches on the right front bumper where the suspect vehicle had made contact with him.</p> <p>Throughout the pursuit we reached speeds of 110 and slow speeds as low as 40.</p>		

REPORTING OFFICER Tpr. Cox, Bryan C	UNIT NUMBER 0434	DATE 12/3/2020
APPROVING OFFICER Sgt. Ward, Glendon H	UNIT NUMBER 0846	DATE 12/6/2020



INFORMAL COUNSELING OR TRAINING

NAME (RANK, FIRST, MI, LAST) Sergeant Glendon H. Ward		
UNIT 846	DISTRICT / OIU Jackson	POST / SECTION / OIU DISTRICT Jackson
DATE 12/9/2020	INFORMAL COUNSELING <input type="checkbox"/>	INFORMAL TRAINING <input checked="" type="checkbox"/>

Brief summary of the counseling or training session
(include the reason for the counseling or training and the corrective action taken)

This informal training pertains to a multiple agency vehicle pursuit that occurred on December 3rd, 2020 (Case [REDACTED]). Sergeant Ward was the on-scene supervisor actively participating in the pursuit and monitoring radio traffic. Although numerous positive actions were taken by Sergeant Ward, several training issues did arise.

- Per policy OSP-203.20-002 Section A Subsection 8 titled Pursuit Termination, the vehicle pursuit will be terminated under the following conditions:
 - The suspect has been identified to a point where apprehension may be made at a later time and there is no longer a need for immediate apprehension.
The suspect was allegedly involved in a non-violent crime and had been identified. As a supervisor, you must weigh the response to the violation. Other avenues for apprehension could have been taken at a later date that would result in achieving our goal for public safety.
- Per policy OSP-203.20-002 Section B titled Vehicle Pursuit Operations, to prevent "caravanning" an active pursuit no more than two officers unless the supervisor determines that more officers are needed.
During the pursuit, multiple units from multiple jurisdictions were actively involved in the pursuit. As a supervisor, you must take a step back from the situation and evaluate OSP's assets. "Caravanning" adds an unnecessary risk to public safety.
- Per policy OSP-203.20-002 Section C Subsection 2 titled Roadblocks, moving/rolling/boxing-in type of roadblocks should only be used on divided highways with light traffic conditions.
During the pursuit, you ordered and allowed the above listed type of roadblock to be conducted on a two lane roadway with multiple curves. In order to protect the motoring public, this can not be allowed.

I acknowledge that I have been counseled or trained on the issue noted above. I understand the performance expectations of my supervisor and do not need further clarification. I understand that this counseling or training session is not discipline but this session may be used to justify additional corrective action in the future, including an administrative investigation and discipline.

EMPLOYEE (PRINT NAME) SGT. Glendon H. Ward	EMPLOYEE SIGNATURE X Sgt. Glendon H. Ward	DATE 12/9/20
SUPERVISOR (PRINT NAME) LT Steven Danvers	SUPERVISOR SIGNATURE X LT Steven Danvers	DATE 12/9/20



NAME (RANK FIRST MI LAST) [REDACTED]		
	DISTRICT / OIU Jackson District	POST / SECTION / OIU DISTRICT [REDACTED]
DATE 12/9/2020	INFORMAL COUNSELING <input type="checkbox"/>	INFORMAL TRAINING <input checked="" type="checkbox"/>

Brief summary of the counseling or training session
(include the reason for the counseling or training and the corrective action taken)

On December 3, 2020 you were involved in a pursuit in Jackson and Vinton Counties which was initiated by the Jackson County Sheriff's Department. During the review of the in car videos the following issues were documented and found to be in violation of policy OSP-203.20-002 MOTOR VEHICLE AND FOOT PURSUITS.

- During the pursuit, the suspect drove into the oncoming lanes on several occasions on curved portions of the roadway at high speeds. Sgt. Ward advised pursuing units to back off if the suspect drives into oncoming lanes which you failed to do so. The suspect was identified and the pursuit created a danger to the officer, the general public, and the suspect that outweighed the need for apprehension. Per section A8 this pursuit should have been terminated.

- You attempted the Precision Immobilization Technique at speeds between 55-60 miles per hour. Policy section C3 clearly states that the PIT maneuver when executed properly and at or under speeds of 40 MPH, the PIT maneuver does not constitute deadly force. In other circumstances, the PIT maneuver may constitute deadly force and may only be used when deadly force is justified to stop a fleeing suspect.

- You attempted a moving roadblock in violation of Section C2iv. This type of roadblock should only be used on divided highways with light traffic. You attempted this maneuver on a undivided roadway forcing the suspect to drive into oncoming lanes of travel, creating substantial risk of harm to the general public.

- At the conclusion of the pursuit the suspect's vehicle became disabled and you approached the suspect's vehicle without using suitable coverage. The suspect was believed to possibly be armed with a long gun. A perimeter should have been established utilizing cover and the scene should have been held until the SRT units arrived.

I acknowledge that I have been counseled or trained on the issue noted above. I understand the performance expectations of my supervisor and do not need further clarification. I understand that this counseling or training session is not discipline but this session may be used to justify additional corrective action in the future, including an administrative investigation and discipline.

[REDACTED]	DATE	12/10/20
	DATE	12/10/20
<i>LT. S.M. Hutton</i>	X	<i>LT. [Signature]</i>



NAME (RANK, FIRST, MI, LAST) Trooper Nicholas Lewis		
UNIT 1784	DISTRICT / OIU Jackson	POST / SECTION / OIU DISTRICT Criminal Patrol
DATE 12/9/2020	INFORMAL COUNSELING <input type="checkbox"/>	INFORMAL TRAINING <input checked="" type="checkbox"/>

Brief summary of the counseling or training session
(include the reason for the counseling or training and the corrective action taken)

On December 3, 2020 you were involved in a pursuit in Jackson and Vinton Counties which was initiated by the Jackson County Sheriff's Department. During the review of the in car videos the following issues were documented and found to be in violation of policy OSP-203.20-002 MOTOR VEHICLE AND FOOT PURSUITS.

- You took primary of the pursuit and failed to relinquish it back to the originating agency when Sgt. Ward advised you to in violation of section B6.

- During the pursuit, the suspect drove into the oncoming lanes on several occasions on curved portions of the roadway at high speeds. Sgt. Ward advised pursuing units to back off if the suspect drives into oncoming lanes which you failed to do so. The suspect was identified and the pursuit created a danger to the officer, the general public, and the suspect that outweighed the need for apprehension. Per section A8 this pursuit should have been terminated.

- You attempted a moving roadblock in violation of Section C2iv. This type of roadblock should only be used on divided highways with light traffic. You attempted this maneuver on a undivided roadway forcing the suspect to drive into oncoming lanes of travel, creating substantial risk of harm to the general public.

- At the conclusion of the pursuit the suspect's vehicle became disabled and you approached the suspect's vehicle without using suitable cover. The suspect was believed to possibly be armed with a long gun. A perimeter should have been established utilizing cover and the scene should have been held until the SRT units arrived.

I acknowledge that I have been counseled or trained on the issue noted above. I understand the performance expectations of my supervisor and do not need further clarification. I understand that this counseling or training session is not discipline but this session may be used to justify additional corrective action in the future, including an administrative investigation and discipline.

EMPLOYEE (PRINT NAME) NICHOLAS LEWIS	EMPLOYEE SIGNATURE X [Signature]	DATE 12-10-20
SUPERVISOR (PRINT NAME) LT D.M. HUTTON	SUPERVISOR SIGNATURE X [Signature]	DATE 12-10-20

A.I.# [REDACTED]

INTER-OFFICE COMMUNICATION

Attachment-- I
Page 1 of 3



Date December 8, 2020

File 3-ADM

To Captain M. D. Kemmer Attention S/Lt. W. H. Stidham

From Lieutenant K. D. Dillard, Criminal Patrol, ACIRT/K9 Training Commander

Subject [REDACTED] Deployment [REDACTED]

On December 8, 2020, Sergeant Jerrold "Trevor" March and I reviewed case # [REDACTED] this case is associated with a [REDACTED] deployment that occurred at the conclusion of a pursuit on December 3, 2020. The pursuit began at 0950 hours in the Jackson District. The Ohio State Highway Patrol Jackson Dispatch Center was contacted by the Jackson County Sheriff's Office as a request for assistance with a pursuit they were involved in. They were pursuing a male suspect that was a suspect in several breaking and entering burglaries and he was fleeing from a deputy that had just witnessed him attempting another burglary.

[REDACTED] Nicholas Lewis, Tyler Ray, Bryan Cox and Sergeant Glendon Ward all responded to assist in the pursuit. The pursuit traversed approximately 57 miles in both Jackson and Vinton Counties. The top speed was approximately 100 mph at times. The length of the pursuit was approximately 113 minutes. It should be noted that throughout the vast majority of the pursuit the suspect continually swerved left of center and was almost involved in several seemingly intentional collisions with innocent parties. The suspect ran numerous stop signs and red lights without due regard for safety. The suspect is continually observed on video reaching into the passenger seat as he drove during the pursuit. He drove off road and around several officers that had stop sticks out in an attempt to bring the pursuit to a safe end. He also struck [REDACTED] cruiser as they were off road and traversing through a field/lot. Upon re-entry to the roadway, and after contact with [REDACTED] cruiser, a Vinton County Deputy fired three shots towards the suspect vehicle and advised that he observed a long gun in the passenger seat.

The pursuit then headed back towards Jackson County. While in the City of Wellston, Trooper Lewis and [REDACTED] were attempting to perform a rolling roadblock when the suspect intentionally struck Trooper Lewis' patrol car on the driver's side rear door in an attempt to get back on the roadway before he ran out of berm to travel on. The suspect continued on and as he approached the Village of Oak Hill, one of their officers parked his patrol car across the roadway in an attempt to perform a partial roadblock with stop spikes across the southbound lanes of travel where the suspect was driving. Upon seeing the road spikes, the suspect then went to the east berm and drove around behind the Oak Hill cruiser. At this point the suspect lost control in the soft berm and the vehicle slid down the grass covered embankment. The suspect vehicle became stuck in the soft mud of the ditch and the pursuit was ended as a result. All officer's approached the suspect vehicle and [REDACTED] retrieved [REDACTED] from the patrol car. [REDACTED] had full control of [REDACTED] by way of his collar and held onto it as he was approaching the suspect vehicle. As they approached the vehicle, officers were giving commands to the suspect and providing cover for [REDACTED] at one point, [REDACTED] recognized

potential crossfire from officers and addressed it before giving commands to the suspect. [REDACTED] then moved to a position where the suspect could clearly see him and recognize that he had a canine with him. [REDACTED] gave two commands of, "Police Department canine, show me your hands or I'll send my dog." to the suspect as the suspect opened the driver's door. Both times he voiced this very loudly and aggressive so that the suspect would acknowledge. The suspect refused to show his hands so [REDACTED] decided to deploy [REDACTED] towards the suspect. Once the suspect saw [REDACTED] coming down the hill he immediately slammed his driver's side door shut. [REDACTED] was recalled by [REDACTED] after only advancing approximately 15 feet before the door was closed. It should be noted that [REDACTED] were positioned on the passenger side of the vehicle. He then requested for someone to bust the passenger side windows out so that he could deploy [REDACTED] to engage the suspect inside the vehicle should he not comply further. Trooper Lewis advanced on the vehicle and utilized his ASP Baton to bust both passenger side windows out once [REDACTED] could clearly see the suspect's hands.

Once the windows were busted out [REDACTED] then ordered the suspect to show his hands or exit the vehicle. Once the suspect realized that [REDACTED] was about to release [REDACTED] again, he immediately put his hands in the air and surrendered. Trooper Lewis approached the window and removed the suspect from the vehicle where he was then secured.

Upon reviewing the case investigation, reviewing statements and watching the videos, it is imperative that we look at Graham -v- Conner case law to ensure deployment of the canine was reasonable and met the three prongs of this case law.

Prong #1 Severity of the Crime met. Was a felony level crime present?

Answer: Yes. The deployment of the canine was reasonable due to the facts surrounding the pursuit and the suspects felony fleeing. His driving behaviors coupled with the fact that he drove around numerous officers with stops sticks deployed, driving left of center numerous times and almost causing several crashes with innocent parties and his intentional contact with two separate OSHP patrol cars solely in an attempt to flee or evade arrest. Jackson County Deputies were in pursuit of the suspect after catching him in the act of a burglary as well as his having several warrants on file for breaking and entering.

Prong #2 Does the subject pose an immediate threat to the safety of the officers or others?

Answer: Yes. During the pursuit the suspect clearly has a state of mind to flee by all means necessary. It should also be noted that during the pursuit, a Vinton County Deputy shot three times at the suspect vehicle and stated that he observed a long gun on the passenger's seat as the suspect drove past him in the grass field. Upon reading the case investigation, no long gun was located but the on-scene officer's still had the state of mind that the weapon was present as they approached the suspect vehicle to secure the suspect and take him into custody.

Prong #3 Is the suspect actively resisting arrest or attempting to evade arrest by flight?

Answer: Yes. The suspect actively flees during the entire pursuit and is doing so by any means necessary. He has struck patrol cars, drove around roadblocks and or spike strip deployments, traveled in excessive speeds, drove left of center on numerous occasions and ran stop signs without due regard for

safety for himself or anyone else in the vicinity. Once the vehicle became disabled and stuck in the mud the suspect even opened his driver's side door in an attempt to flee on foot until he observed Canine [REDACTED]. He then shut the door and only gave up when the windows were busted out and would have afforded [REDACTED] the ability to apprehend him by coming through the passenger side window.

In conclusion, [REDACTED] gave adequate warnings and opportunities for the suspect to surrender without a need to deploy [REDACTED]. He even positioned himself where the suspect could visibly see him from his vantage point in the ditch. The suspect ignored the warnings and only got back into the suspect vehicle once [REDACTED] was initially deployed. [REDACTED] recalled [REDACTED] once he realized the suspect wasn't giving up immediately and shut the door. He had full control of [REDACTED] by way of the collar lead and kept him at his side and under control. As a result, [REDACTED] deployed his [REDACTED] properly and was justified in deploying [REDACTED] and met all three prongs of Graham-v-Conner.

Note: It should be noted that my review of this case is solely for the deployment of the [REDACTED] and whether or not our [REDACTED] officers are justified in deploying their [REDACTED]. Any other policy issues or violations that are observed will not be covered within my IOC and should be handled within the local District level.



INTERNAL INVESTIGATION PRE-INTERVIEW (OSP ONLY)

EMPLOYEE NAME Glendon H. Ward		UNIT # 846	OAKS EMPLOYEE ID # [REDACTED]	SHIFT [REDACTED]
COMPONENT / POST Ohio Department of Public Safety / Jackson Post 40		DIVISION / DISTRICT Ohio State Highway Patrol / District 9		
DATE 1/28/2021	TIME 1250 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	LOCATION 10179 Chillicothe Pike, Jackson, OH 45640		
INTERVIEWER NAME David E. Bailey	TITLE Sergeant	ASSIGNMENT AND SHIFT Administrative Investigation Unit / 8A-4:30P		

You are the subject of an administrative investigation. The known allegations are:
 The facts and circumstances surrounding a pursuit incident which occurred on the 3rd of December, 2020, where you committed the following policy and safety violations:
 * You permitted the pursuit to continue long after the suspect had been identified.
 * You authorized a rolling roadblock on a two-lane road with multiple curves.
 * You authorized a P.I.T. maneuver after being denied permission on an earlier occasion.
 * You permitted multiple OSHP units to fall behind the suspect vehicle, which lead to caravanning.

Ask employee if he / she wants a labor representative? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Bargaining Unit – O.S.T.A.
IF YES, REPRESENTATIVE NAME Larry Phillips	UNIT #	OAKS EMPLOYEE ID #
COMPONENT / POST Ohio State Troopers' Association	DIVISION / DISTRICT	

If a request for a labor representative is made, do not interview until a representative is available.

CONCLUDED AT	RESCHEDULED FOR
--------------	-----------------

If the employee declines a labor representative or if the representative is present, proceed with the interview by reading the following warning:

You are being interviewed as part of an official administrative investigation by the Department of Public Safety. You will be asked questions relating to the performance of your official duties or fitness for office. If you refuse to answer questions completely and / or accurately, you may be subject to disciplinary action, up to and including dismissal. Statements provided under threat of disciplinary action may not be used against you in any subsequent criminal proceedings.

SIGNATURE OF EMPLOYEE X <i>Glendon H. Ward</i>		DATE 1/28/21
SIGNATURE OF WITNESS X <i>Larry Phillips</i>		DATE 1-28-21
INTERVIEW BREAKS		
STOP 1313	START	STOP START
INTERVIEW COMPLETED AT 1313	TAPE RECORDING MADE OF THE INTERVIEW? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	TAPE RECORDING MADE BY Sergeant David E. Bailey

SIGNATURE OF INTERVIEWER X <i>David E. Bailey</i>	DATE 01/28/2021
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Employee to receive a copy of completed form.



INTERNAL INVESTIGATION PRE-INTERVIEW (OSP ONLY)

EMPLOYEE NAME [REDACTED]		UNIT # [REDACTED]	OAKS EMPLOYEE ID # [REDACTED]	SHIFT [REDACTED]
COMPONENT / POST Ohio Department of Public Safety / Criminal Patrol - Jackson		DIVISION / DISTRICT Ohio State Highway Patrol / District [REDACTED] GHQ		
DATE 2/4/2021	TIME 1126 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.	LOCATION 10179 Chillicothe Pike, Jackson, OH 45640		
INTERVIEWER NAME David E. Bailey	TITLE Sergeant	ASSIGNMENT AND SHIFT Administrative Investigation Unit / 8A-4:30P		

You are the subject of an administrative investigation. The known allegations are:
 The facts and circumstances surrounding a pursuit incident which occurred on the 3rd of December, 2020, where you committed the following policy and safety violations:
 * You participated in the pursuit long after the suspect had been identified.
 * You participated in a rolling roadblock on a two-lane road with multiple curves.
 * You attempted a P.I.T. maneuver outside of the recommended guidelines for this maneuver.

Ask employee if he / she wants a labor representative? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Bargaining Unit – O.S.T.A.
IF YES, REPRESENTATIVE NAME Larry Phillips	UNIT #	OAKS EMPLOYEE ID #
COMPONENT / POST Ohio State Troopers' Association	DIVISION / DISTRICT	

If a request for a labor representative is made, do not interview until a representative is available.

CONCLUDED AT	RESCHEDULED FOR
--------------	-----------------

If the employee declines a labor representative or if the representative is present, proceed with the interview by reading the following warning:
 You are being interviewed as part of an official administrative investigation by the Department of Public Safety. You will be asked questions relating to the performance of your official duties or fitness for office. If you refuse to answer questions completely and / or accurately, you may be subject to disciplinary action, up to and including dismissal. Statements provided under threat of disciplinary action may not be used against you in any subsequent criminal proceedings.

SIGNATURE OF EMPLOYEE X [REDACTED]	DATE 2/4/21
SIGNATURE OF WITNESS X <i>Larry Phillips</i>	DATE 2/4/21

INTERVIEW BREAKS			
STOP 1204	START	STOP	START
INTERVIEW COMPLETED AT 1204	TAPE RECORDING MADE OF THE INTERVIEW? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		TAPE RECORDING MADE BY Sergeant David E. Bailey

SIGNATURE OF INTERVIEWER X <i>David E. Bailey</i>	DATE 02/04/2021
--	--------------------

Employee to receive a copy of completed form.



INTERNAL INVESTIGATION PRE-INTERVIEW (OSP ONLY)

EMPLOYEE NAME Nicholas L. Lewis	UNIT # 1784	OAKS EMPLOYEE ID # [REDACTED]	SHIFT [REDACTED]
COMPONENT / POST Ohio Department of Public Safety / Criminal Patrol - Jackson	DIVISION / DISTRICT Ohio State Highway Patrol / District 9 - GHQ		
DATE 2/4/2021	TIME 1227 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	LOCATION 10179 Chillicothe Pike, Jackson, OH 45640	
INTERVIEWER NAME David E. Bailey	TITLE Sergeant	ASSIGNMENT AND SHIFT Administrative Investigation Unit / 8A-4:30P	

You are the subject of an administrative investigation. The known allegations are:
 The facts and circumstances surrounding a pursuit incident which occurred on the 3rd of December, 2020, where you committed the following policy and safety violations:
 * You participated in the pursuit long after the suspect had been identified.
 * You did not relinquish the lead position after being advised to do so by a supervisor.
 * You participated in a rolling roadblock on a two-lane road with multiple curves.
 * You did not back off the suspect after being advised to do so by a supervisor.

Ask employee if he / she wants a labor representative? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Bargaining Unit – O.S.T.A.
IF YES, REPRESENTATIVE NAME Larry Phillips	UNIT # OAKS EMPLOYEE ID #
COMPONENT / POST Ohio State Troopers' Association	DIVISION / DISTRICT

If a request for a labor representative is made, do not interview until a representative is available.

CONCLUDED AT	RESCHEDULED FOR
--------------	-----------------

If the employee declines a labor representative or if the representative is present, proceed with the interview by reading the following warning:

You are being interviewed as part of an official administrative investigation by the Department of Public Safety. You will be asked questions relating to the performance of your official duties or fitness for office. If you refuse to answer questions completely and / or accurately, you may be subject to disciplinary action, up to and including dismissal. Statements provided under threat of disciplinary action may not be used against you in any subsequent criminal proceedings.

SIGNATURE OF EMPLOYEE X <i>Nicholas L. Lewis</i>	DATE 2-4-21
SIGNATURE OF WITNESS X <i>Larry Phillips</i>	DATE 2-11-21
INTERVIEW BREAKS	
STOP 1309	START
STOP	START
INTERVIEW COMPLETED AT 1309	TAPE RECORDING MADE OF THE INTERVIEW? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	TAPE RECORDING MADE BY Sergeant David E. Bailey

SIGNATURE OF INTERVIEWER X <i>David E. Bailey</i>	DATE 02/04/2021
--	--------------------

Employee to receive a copy of completed form.

INTER-OFFICE COMMUNICATION

Date 05/05/2021



File 2-ADM

To Captain David R. Allwine, District Commander Attention _____

From Staff Lieutenant M. B. Norris, Assistant District Commander

Subject Written Reprimand-Sergeant G. H. Ward, U-0846, P-40, Jackson District, AI # [REDACTED]

On 05/05/2021, Sergeant G. H. Ward, Unit 0846, was issued a written reprimand for violation of the Rules and Regulations of the Ohio State Patrol, to wit; Rule 4501:2-6-03(A)(1) Responsibility of Command. To wit: Sgt. Ward displayed supervisory deficiencies during a pursuit.

Sgt. D. H. Ward
Employee Signature

5/5/21
Date

SLT M. B. Norris
Issued By

5/5/2021
Date

REMARKS AND/OR RECOMMENDATIONS

DHQ REVIEW

Capt. D. R. Allwine
Signature

5/5/21
Date

REMARKS AND OR RECOMMENDATIONS

GHQ REVIEW

Capt. C. Brewster ^(USP) 5/12/21



Employee Name Ward, Glendon H	Unit Number 0846	Hire Date 10/31/2001
Job Description Sergeant	Division OSP	Department D9 Post 40 Jackson

202011038

Case Summary

RTR Committee ruled units involved in pursuit displayed operational and/or supervisory deficiencies.

Violation Code(s)

- 4501:2-6-03(A)(1) - Responsibility of Command

Discipline Imposed	Discipline Days	Effective Date	Abeyance Days
Written Reprimand	-	05/05/2021	-

INTER-OFFICE COMMUNICATION



Date 05/06/2021 File 2-ADM

To Captain David R. Allwine, District Commander Attention Staff Lieutenant Max Norris

From Lieutenant Dana Hutton, Jackson District, Office of Investigations Commander

Subject Written Reprimand- [REDACTED] CP, Jackson District, A [REDACTED]

On May 6, 2021, [REDACTED] was issued a written reprimand for violation of work rule 4501:2-6-02(B)(5) Performance of Duty and 4501:2-6-02(Y)(2) Compliance to Orders. To wit: [REDACTED] performed a PIT maneuver without supervisory approval.

[REDACTED]
5/6/21
Date

L.T. Allwine 5/6/21
Issued By Date

REMARKS AND/OR RECOMMENDATIONS

DHQ REVIEW

Capt. D. Allwine 5-11-2021
Signature Date

REMARKS AND OR RECOMMENDATIONS

GHQ REVIEW

Capt. C. Brewster 5/12/21

DEPARTMENT RECORD



Employee Name	Unit Number	Hire Date	
Job Description	Division	OSP	Department
Trooper			Criminal Patrol

202011038

Case Summary

RTR Committee ruled units involved in pursuit displayed operational and/or supervisory deficiencies.

Violation Code(s)

- 4501:2-6-02(B)(5) - Performance of Duty
- 4501:2-6-02(Y)(2) - Compliance to Orders

Discipline Imposed	Discipline Days	Effective Date	Abeyance Days
Written Reprimand	-	05/06/2021	-

INTER-OFFICE COMMUNICATION



Date 05/05/2021 File 2TRA

To Captain David R. Allwine, District Commander Attention Staff Lieutenant Max Norris

From Lieutenant Dana Hutton, Jackson District, Office of Investigations Commander

Subject Trooper Nick Lewis, Unit 1784, Jackson District Criminal Patrol, AI [REDACTED]

On May 5, 2021, Trooper Nick Lewis was counseled for violation of work rule 4501:2-6-02(B)(5) Performance of Duty. To wit: Trooper Lewis displayed operational deficiencies during a pursuit.

[Signature] 5/5/21
Employee Signature Date

[Signature] 5/5/21
Supervisor Signature Date

[Signature] 5-11-2021
DHO Signature Date

Capt. C. Brewster (168) 5/12/21

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Employee Name Lewis, Nicholas L	Unit Number 1784	Hire Date 03/23/2005
Job Description Trooper	Division OSP	Department D9 Criminal Patrol

202010923

Case Summary

The facts and circumstances of a high-speed pursuit involving Trooper Lewis. Sergeant Stuart and Lewis failed to terminate the pursuit after the necessity to apprehend the suspect was outweighed by the excessive risk to the public.

Violation Code(s)

- 4501:2-6-02(B)(5) - Performance of Duty

Discipline Imposed	Discipline Days	Effective Date	Abeyance Days
Written Reprimand	-	02/02/2021	-



Employee Incident

Reporting

Administrative Investigations

Cases Received

Department

Patrol Car Crashes

Pursuits and RTR

Reports

Security

Home

TSBARNES
01128
Administrator
PSSOCJWSP02

Department

Search Type

Criteria

Search

Unit #



Clear Search

PeopleSoft EmplID



Name Search
(Last Name, First Name)



Employee Name	Unit #	Job Description	Department
[REDACTED]	[REDACTED]	Trooper	[REDACTED]

Employee: [REDACTED]

PeopleSoft Dept.: [REDACTED]

Department Description: [REDACTED]

Job Title: Trooper

Unit No: [REDACTED]

Tenure Date: [REDACTED]

"This Employee does NOT have any department records"



Employee Incident

Reporting

Administrative Investigations

Cases Received

Department

Patrol Car Crashes

Pursuits and RTR

Reports

Security

Home

TSBARNES
01128
Administrator
PSSOCJWSP02

Department

Search Type

Criteria

Search

Unit #



Clear Search

PeopleSoft EmplID



Name Search
(Last Name, First Name)



Employee Name	Unit #	Job Description	Department
Debord, Douglas A	0983	Lieutenant	D9 Post 73 Portsmouth

Employee: Debord, Douglas A

PeopleSoft Dept.: [REDACTED]

Department Description: D9 Post 73 Portsmouth

Job Title: Lieutenant

Unit No: 0983

Tenure Date: 7/24/1989

"This Employee does NOT have any department records"



Employee Incident

Reporting

- Administrative Investigations
- Cases Received
- Department
- Patrol Car Crashes
- Pursuits and RTR
- Reports
- Security
- Home
- TSBARNES
01128
Administrator
PSSOCJWSP02

Department

<u>Search Type</u>	<u>Criteria</u>	<u>Search</u>
<input type="button" value="Clear Search"/>	Unit # <input type="text"/> PeopleSoft EmplID <input type="text"/> Name Search <input type="text"/> <small>(Last Name, First Name)</small>	<input type="button" value="Search"/> <input type="button" value="Search"/> <input type="button" value="Search"/>

Employee Name	Unit #	Job Description	Department
Kuehne, Drew W	1256	Trooper	D9 Criminal Patrol

Employee: Kuehne, Drew W
PeopleSoft Dept.: XXXXXXXXXX
Department Description: D9 Criminal Patrol
Job Title: Trooper
Unit No: 1256
Tenure Date: 11/7/2012

"This Employee does NOT have any department records"



**Ohio Department of Public Safety
Department Record for Employee #06043**



Report Generated On: 10/15/2018 4:06:19 PM

Employee Details							
Employee Name	Job Description	Location	R/S	Hire Date			
Robirds, Ryan E - 1880	Sergeant	D9 Post 73 Portsmouth	W/M	03/29/2006			
Case Details							
Case Number	Remarks						
	The facts and circumstances surrounding Sergeant Ryan Robirds posting disparaging comments about a public official to a social media site. (Barnes) Employee charged with violation of work rule 4501:2-6-02(I)(1) Conduct Unbecoming an Officer. 4081						
Offense Code(s)	8 - Conduct Unbecoming: Off Duty Conduct/ Discredit to Division						
Discipline	Abey Flag?	Issued Date	Discipline Time/Days Used	Vacation Hours Used	Comp Hours Used	Personal Hours Used	Abeyance Days
Written Reprimand	No	01/22/2018	0.00	0.0	0.0	0.0	0
Total Cases: 1							



Employee Incident

Reporting

- Administrative Investigations
- Cases Received
- Department
- Patrol Car Crashes
- Pursuits and RTR
- Reports
- Security
- Home
- TSBARNES
01128
Administrator
PSSOCJWSP02

Department

<u>Search Type</u>	<u>Criteria</u>	<u>Search</u>
	Unit # <input type="text"/>	
<input type="button" value="Clear Search"/>	PeopleSoft EmplID <input type="text"/>	
	Name Search <small>(Last Name, First Name)</small> <input type="text"/>	

Employee Name	Unit #	Job Description	Department
Williams, Christopher J	0396	Trooper	D9 Post 73 Portsmouth

Employee: Williams, Christopher J

PeopleSoft Dept.: XXXXXXXXXX

Department Description: D9 Post 73 Portsmouth

Job Title: Trooper

Unit No: 0396

Tenure Date: 5/16/2007

"This Employee does NOT have any department records"

INTER-OFFICE COMMUNICATION



Date November 7, 2018

File 2-ADM

To Major David A. Church Attention S/Lt. Chad A. Miller

From Sergeant Terrill S. Barnes, Administrative Investigation Unit

A.I. # [REDACTED] Lt. D.A. DeBord, U-983, Tpr. D.W. Kuehne,
Subject U-1256, Tpr. N.L. Lewis, U-1784, Sgt. R.E. Robirds, U-1880, Tpr. C.J. Williams, U-396,
District 9

Background:

This investigation is based on the facts and circumstances surrounding a high speed pursuit involving a wrong-way driver and multiple officers. The Highway Patrol officers involved allowed the pursuit to continue, which ended as the result of one officer making intentional contact with the fleeing vehicle. The intentional contact caused an injury crash when the fleeing vehicle struck a parked vehicle. There was one occupant inside the parked vehicle, which was located in a parking lot.

Investigative Action:

I conducted an interview on October 16, 2018, with Lieutenant Douglas A. DeBord, Unit 983. DeBord was interviewed as a subject of this investigation. The interview was digitally recorded and included with this investigation in CD format.

DeBord has been an employee of the Ohio State Highway Patrol for over 17 years. He has been assigned to the Portsmouth Post for over two years, and works the [REDACTED] shift. He advised he is responsible for the day-to-day operations at the Post.

I asked DeBord if he recalled the pursuit which occurred on July 31, 2018, and was initiated by Trooper Kuehne. DeBord said he did recall the pursuit, and he watched the in-car recording taken from Trooper Williams' patrol car. He explained he was in his office when the pursuit began and overheard what was taking place by radio. DeBord said he began monitoring the pursuit, and Sergeant Robirds almost immediately took charge of the pursuit. He listened to what took place until the suspect vehicle came back onto U.S. Route 23. He said he left his office in order to drive in the direction of the pursuit, but he did not get close enough to be involved.

I asked DeBord if he was always in radio contact during the pursuit. He advised he did not overhear the very beginning of the pursuit, but he continually monitored the events of the pursuit after becoming aware it was taking place. I asked if he considered terminating the pursuit, and he said he allowed Robirds to supervise the pursuit during the beginning. DeBord said Robirds seemed to be doing a good job gathering the necessary information as far as speed, location, and traffic, and he was satisfied with how Robirds was handling the pursuit. I asked if he was aware of the initial violation during the pursuit. DeBord said he thought the initial infraction was a lane violation. He asked during the pursuit and was told the initial

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infraction was for marked lanes and fictitious registration. DeBord said that is when he asked if the Portsmouth Police Department had deployed tire deflation devices (Stop Sticks), and were blocking the crossing intersections. He said he learned both were being done. DeBord said he then ordered, over the radio, to terminate the pursuit once it reached the intersection of U.S. Route 52. The pursuit ended two or three blocks north of U.S. Route 52.

I asked DeBord if he overheard the troopers talking about making intentional contact with the fleeing vehicle. DeBord said as he was walking across the lot to his patrol car, he overheard someone say the fleeing vehicle was driving southbound in the northbound lanes; that is when Robirds told them to take the fleeing car out, if they had a chance. DeBord said, soon thereafter, Robirds reported that the fleeing vehicle made contact with Lewis' patrol car. He stated the contact between the fleeing vehicle and Lewis' patrol car was a "game changer," in his mind. The violation went from a marked lanes violation to intentional contact with a deadly weapon toward a trooper. I asked if he specifically told the troopers to terminate at the business district or U.S. Route 52. DeBord said he told them U.S. Route 52, but the troopers know where the business district begins. He wanted the pursuit to end before reaching downtown Portsmouth. I asked DeBord if he thought making contact with the pursuing vehicle was too hazardous. DeBord said, based on his understanding of the information being given him, he was confident Robirds was handling the situation well enough.

I asked DeBord if Robirds asked for permission to make intentional contact with the fleeing vehicle. He answered yes. DeBord said, based on the information he had, he gave the okay to make intentional contact with the fleeing vehicle. I asked if after watching the pursuit video he thought Robirds should have terminated the pursuit. DeBord said that question was difficult. He believes in Robirds' mind the intentional contact with Lewis' patrol car changed the level of the pursuit. DeBord stated he thinks it was okay to pursue the fleeing vehicle further, and believes Robirds did as well. He did not feel as though traffic was heavy enough to stop the pursuit. He added, because of the time of day, it would not be safe to pursue a vehicle into downtown Portsmouth.

I asked DeBord if he was close enough to the pursuit to see the contact being made with the fleeing vehicle, at the end of the pursuit. He advised he arrived on the scene 30 to 40 seconds after the pursuit ended. DeBord said once the contact was made with the patrol car, he was more comfortable allowing the pursuit to continue due to the seriousness of what had occurred. He spoke with Robirds after the pursuit ended, and Robirds told him the contact with the patrol vehicle made things more serious than the initial violation. I asked what he would do if he could go back and change things. DeBord stated, after watching the video, the traffic was heavier than what he first believed, so the pursuit could be called off sooner. He said it is a tough call to make.

DeBord had nothing additional to add to the interview. He was ordered not to talk about the investigation while it is pending, and he acknowledged the order. The interview concluded at 12:57 p.m.

I conducted an interview on October 17, 2018, with Trooper Christopher Williams, Unit 396. Williams was interviewed as a subject of this investigation. The interview was digitally recorded and included with this investigation in CD format.

Administrative Investigation # [REDACTED]

Williams has been an employee of the Ohio State Highway Patrol for 11 years. He has been assigned to the Portsmouth Post since 2009. Williams works the [REDACTED] shift.

I asked Williams if he had the opportunity to watch the video recording of the pursuit in question. Williams said yes, he watched the recording taken from the patrol car, and several other recordings as well. I presented Williams a copy of completed case investigation [REDACTED] and allowed him to identify his typed narrative describing his involvement in the incident. Williams said his narrative was an account of his involvement in the pursuit from beginning until the end. A copy of that case is included with this report as **Attachment A**.

I asked Williams to describe what occurred in the incident. Williams said he was working on U.S. Route 23 in the area of the Village of Rosemont, when he overheard Kuehne radio he was attempting to stop a vehicle, which was traveling south on U.S. Route 23. Williams said he heard Kuehne say the vehicle was using Michigan license plates, and it struck him as unusual when the vehicle turned onto Huston Hollow Road. He said most people do not know anything about Huston Hollow Road. Williams said there have been several cars turn onto Huston Hollow Road and become involved in pursuits.

Williams said he turned and began driving north toward Kuehne's location. He overheard the radio communications say the driver of the suspect vehicle lost control and was now driving back toward U.S. Route 23. He overheard [REDACTED] unsuccessful attempt to place Stop Sticks in the roadway and the suspect drove around them, and Lewis say the suspect vehicle turned onto U.S. Route 23 and was traveling south in the northbound lanes. He also overheard the fleeing vehicle struck Lewis' patrol car. Williams advised Robirds said to make intentional contact with the fleeing vehicle.

I asked Williams if he believed the suspect was attempting to strike Lewis intentionally, but he did not know if the contact by the suspect was intentional. He said he continued in the direction of the pursuit. Williams said he made it to the Clay Township overpass. The pursuing officers were attempting to perform a rolling roadblock in order to force the fleeing vehicle to slow down or stop, but the roadblock was not successful. Williams said he was able to get northbound traffic slowed, and he could see the fleeing vehicle approaching southbound in the left northbound lane. The fleeing vehicle went by him with Lewis, Kuehne, and Robirds following. Williams said Robirds asked him if he had the speed to get in front of the suspect vehicle, so he accelerated and passed the suspect in an attempt to get in front. He described traffic as "light that day." He was hoping to slow the driver down enough to allow Lewis to make intentional contact, but the attempt failed as the driver drove left of the centerline. Williams said Lewis passed his patrol car and he began to follow. The speed of the suspect vehicle slowed enough for Lewis to make intentional contact. Williams said the suspect vehicle began to spin into a parking lot before hitting a parked vehicle, and that was when the pursuit ended.

I asked Williams if the parked car was occupied, and he advised there was an occupant located in the driver's seat of the parked vehicle; the driver of the parked car was eating lunch. Williams said he did not think the driver of the parked vehicle was injured, but there was damage to his truck. I asked if Robirds told him to make intentional contact with the fleeing vehicle, and he noted the suspect initially made contact with Lewis' patrol car. Williams said at that point they were being told to contact the fleeing vehicle intentionally. He stated he did not know if he was specifically told to do so. He said what he

Administrative Investigation [REDACTED]

typed in the second paragraph of his narrative (Attachment A) was mis-worded. The instructions were not specifically to him, but he was hearing, "Make contact, make contact if you can, make contact if you can."

Williams said when he was turning around as the suspect vehicle passed, he attempted to hit the left rear-end of the fleeing vehicle. I asked how fast the fleeing vehicle was traveling when he attempted to make contact, but he did not know. He said he had the opportunity to make contact on the Clay Township overpass, but the speeds were too high, and the suspect was being aggressive in his driving. Williams said he knew there were vehicles on the overpass who would not have been able to see on-coming vehicles. I asked if he observed the suspect driver intentionally attempt to hit a patrol car, and he said no, because he was involved in the pursuit when the contact was made; he could not see the suspect vehicle at that time. Williams said he saw the suspect vehicle nearly hit one non-police vehicle; the suspect swerved into the median to avoid the contact.

I asked Williams if he ever thought the pursuit should be terminated. Williams replied, "No, I don't believe so." Williams said there came a time in the pursuit he thought things were getting out of hand. He thought the speed was too high as they were approaching the city of Portsmouth. Williams said due to the suspect making contact with Lewis' vehicle, it became different then a "regular pursuit." The fleeing driver became the aggressor. I asked if he was ever told by anyone to become involved in the pursuit, and he answered no, the only thing he was told to do was pass the suspect vehicle in order to slow him down. Williams noted that order came after he became involved on his own. I asked if he is allowed, according to policy, to terminate a pursuit. Williams answered yes. He said he did not think anyone was being placed in danger.

Williams said his statement was true and accurate. He was ordered not to speak about the investigation, and he acknowledged the order. The interview concluded at 2:54 p.m.

I conducted an interview on October 17, 2018, with Sergeant Ryan E. Robirds, Unit 1880. Robirds was interviewed as a subject of this investigation. The interview was digitally recorded and included with this investigation in CD format.

Robirds has been an employee of the Ohio State Highway Patrol for over 16 years. He has been assigned to the Portsmouth Post as an assistant Post Commander for over two years and works the [REDACTED] shift. He advised he is responsible for the day-to-day operations at the Post.

I asked Robirds if he took the opportunity to watch a video recording of the pursuit that occurred on July 1, 2018. He acknowledged he did, and it refreshed his memory of the incident. I presented Robirds with a copy of completed case investigation # [REDACTED] (Attachment A) and allowed him to identify his typed narrative describing his involvement in the incident. I asked him to describe his involvement in the pursuit.

Robirds explained there were multiple criminal patrol units working in the area that day, and he was on Post when he overheard Kuehne radio he was attempting to make a traffic stop. Kuehne is assigned to the Jackson District Criminal Patrol Team. Kuehne announced the traffic stop would be on Huston Hollow

Administrative Investigation # [REDACTED]

Road, which is less than one-quarter mile from the Portsmouth Patrol Post. He said he left the Post in order to assist Kuehne because he was the closest officer; Lewis and [REDACTED] were in Lucasville, three miles away. He stated he was about a half mile on Huston Hollow Road when Kuehne said the suspect vehicle lost control and was coming back in his direction. Robirds said he attempted to deploy the Stop Sticks, but he did not have enough time.

Robirds advised he fell in behind Kuehne and the fleeing vehicle, and he was second in the caravan of pursuing officers. [REDACTED] deployed the Stop Sticks, but the suspect drove around them. The suspect drove toward U.S. Route 23 and made a left turn. Robirds stated as the fleeing vehicle turned to go south on U.S. Route 23, it did so in the northbound lanes of travel. He and Kuehne waited for the traffic light to change from red to green before proceeding, and then they traveled south paralleling Lewis and the fleeing vehicle. Robirds said he notified the radio dispatcher that the suspect vehicle was a wrong-way driver. He said he also told Lewis if there was an opportunity he should make intentional contact with the suspect vehicle. Robirds advised it was a high traffic time of day, and he told Lewis to "spin" the suspect vehicle out in order to get it stopped.

Robirds said the fleeing vehicle struck Lewis' patrol car while both were traveling south in the northbound lanes, and both Lewis and the suspect crossed back into the southbound lanes. Robirds said Lewis, Kuehne, and himself were in procession in pursuit of the suspect vehicle. He stated he also gave instructions for Lewis and the rest to attempt a rolling roadblock, but the suspect drove into the median attempting to avoid the roadblock. Robirds said the fleeing vehicle struck Lewis' patrol car a second time as he was attempting to drive out of the median.

Robirds said the fleeing vehicle was southbound in the northbound lanes again. Robirds, along with Lewis and Kuehne, remained parallel to the fleeing vehicle as they traveled south on U.S. Route 23 toward Portsmouth. Williams was traveling north in the northbound lanes attempting to keep northbound traffic slowed down. Robirds said Williams was forced over to the right because the fleeing vehicle continued to drive in between cars. He told Williams to stop and alert oncoming traffic. Robirds said once the suspect drove around Williams, he came back into the southbound lanes and continued his attempt to elude troopers. As they approached the city of Portsmouth, he requested the Portsmouth Police Department begin blocking intersecting streets in order to prevent traffic from crossing. Robirds also requested the police department deploy Stop Sticks. As they approached the intersection of 16th Street, Lewis had the opportunity to make intentional contact and did so. Robirds said the result of the contact by Lewis caused the fleeing vehicle to spin out in a parking lot. The pursuing officers surrounded the vehicle and took the driver into custody. I asked Robirds how fast the fleeing vehicle was traveling at the time of the intentional contact, and he replied probably around 60 miles per hour. He stated he instructed Lewis to make sure speeds were down if the opportunity to make contact was presented.

I asked Robirds what involvement [REDACTED] had in the pursuit, and he informed me [REDACTED] was the [REDACTED] and was there in case the suspect fled on foot. He did not believe [REDACTED] caught up to the pursuit. Robirds said [REDACTED] advised to everyone involved they should not pursue the suspect in the event he flees on foot, and he reiterated the same thing on the radio. I asked Robirds how many patrol vehicles the suspect vehicle struck, and he answered two. I asked if the contact from the suspect vehicle was intentional, and he said he cannot say for sure. Robirds said when he saw it happen, he felt as though the contact was

intentional. I asked, as he was supervising the pursuit and looking ways to end it, if he considered termination. Robirds said after the suspect made contact with the patrol car, he did not consider termination; the incident went from being a minor misdemeanor traffic stop to felonious assault. I asked Robirds if he had a time in his mind he would call for the pursuit to be terminated, and he replied no. He said the moment the driver began to drive against the flow of traffic he knew intentional contact would be necessary to end the pursuit.

I asked Robirds if there was a point in the pursuit that he considered the risk of continuing the pursuit to be too high. He explained up until the driver turned onto U.S. Route 23, the pursuit was only about a mile long, and he did not think there was much risk at that time. Robirds said, when the driver began driving the wrong way in traffic, he has been taught and it is written in policy, that intentional contact shall be made in order to end a pursuit. As soon as the suspect drove into oncoming traffic, he told Lewis to make contact with the fleeing vehicle to end the pursuit. I asked if he thought about terminating the pursuit when the driver re-entered the southbound lanes, and he said that was the point the suspect struck Lewis' patrol car, so he did not think to terminate because the offense was now a felony. I asked Robirds if he thought to terminate the pursuit once it reached the city, and he advised he tried to coordinate with the police department hoping to end the pursuit. He said DeBord also said to shut the pursuit down if it reached the business district, but the pursuit did not make it to that part of town.

I asked Robirds if the suspect's reckless behavior made him consider terminating the pursuit, and he said he attempted other options to end the pursuit. In his opinion, the driver would have continued driving in the same reckless manner. Robirds said he learned, after the pursuit, the suspect was a convicted sex offender who had removed the monitoring device from around his ankle. The suspect was "on the run," and told them he was not going back to prison.

Robirds said his statement was true and accurate. He was ordered not to speak about the investigation, and he acknowledged the order. The interview concluded at 3:39 p.m.

I conducted an interview on October 23, 2018, with [REDACTED] was interviewed as a subject of this investigation. The interview was digitally recorded and included with this investigation in CD format.

[REDACTED] has been an employee of the Ohio State Highway Patrol for over [REDACTED]. He has been assigned to the District [REDACTED] Unit for four years. [REDACTED] is also a [REDACTED] and works the [REDACTED] shift. He advised he is responsible for the tracking of missing or fleeing persons. He is also responsible for using his dog to detect and locate illegal narcotics.

Prior to the interview, [REDACTED] declined an opportunity to watch the video recording of the pursuit. He stated his memory would be sufficient for the completion of the interview.

I presented [REDACTED] with a copy of completed case investigation # [REDACTED] (Attachment A), and allowed him to identify his typed narrative describing his involvement of the incident. I then asked him to describe his involvement in the pursuit. [REDACTED] explained he was stationary in Lucasville, and Kuehne was driving south on U.S. Route 23 when he (Kuehne) requested a license plate check for a rental car that

Administrative Investigation [REDACTED]

appeared to be expired. [REDACTED] said, due to the length of expiration, he thought the vehicle was possibly stolen. He pulled out to follow Kuehne at that time. He overheard Kuehne and the suspect turned onto Huston Hollow Road, so he turned onto Huston Hollow Road as well. [REDACTED] said the suspect turned as he was now driving toward him and went back in the direction of U.S. Route 23. He did not see the suspect vehicle turn southbound into the northbound lanes. [REDACTED] stated he was attempting to gather the Stop Sticks, which he attempted to deploy before the suspect fled by.

[REDACTED] did not recall the exact location where he caught up to the other troopers. He acknowledged the fleeing vehicle was pretty far ahead of him, so he did not see the intentional contact with the fleeing vehicle and did not see the crash afterward. I asked [REDACTED] if he was given instruction from a supervisor, during the pursuit, and he said not him in particular. He told the others not to chase after the suspect if he attempted to flee on foot. I asked why he was following in behind the pursuit, and he said he felt as though he was obligated to be present with his [REDACTED] in case the suspect fled on foot. [REDACTED] assumed the suspect vehicle had already struck Lewis' vehicle, due to overhearing Lewis say he had damage to his vehicle. I asked if he was operating pursuit lights and sirens as he attempted to catch up to the pursuit caravan, and he replied yes. I asked [REDACTED] if he was operating his patrol car in a safe, reasonable manner, and he said he stopped at the red traffic light on U.S. Route 23 and Huston Hollow Road. He said he kept his patrol car at a distance from the other patrol cars.

[REDACTED] said his statement was true and accurate. He was ordered not to speak about the investigation, and he acknowledged the order. The interview concluded at 9:20 a.m.

I conducted an interview on October 23, 2018, with Trooper Nicholas L. Lewis, Unit 1784. Lewis was interviewed as a subject of this investigation. The interview was digitally recorded and included with this investigation in CD format. Lewis has been an employee of the Ohio State Highway Patrol for over 13 years and assigned to the District 9 Criminal Patrol Unit for 9 years. He works the [REDACTED] p.m. shift.

I asked Lewis if he took the opportunity to view the video recording of the pursuit video. Lewis said yes. I asked him to explain his involvement in the pursuit. Lewis said [REDACTED] Kuehne, and himself were stationary in Lucasville, and Kuehne pulled out in order to follow the suspect vehicle as it drove by. Lewis said after Kuehne ran the license plate, the dispatcher said the tag and suspect vehicle were not a match. He overheard Kuehne say the suspect vehicle was not coming to a stop and was turning onto Huston Hollow Road.

Lewis said he and [REDACTED] began to drive in the direction of Kuehne. Lewis said he understood that Robirds was following Kuehne, when he advised the suspect vehicle spun around and was now driving back toward U.S. Route 23. [REDACTED] attempted to deploy Stop Sticks, but was unsuccessful. He said the fleeing vehicle drove around him, and he fell into pursuit. The fleeing vehicle then turned left onto U.S. Route 23 and started southbound in the northbound lanes; Lewis was not sure if the driver did this intentionally. He pulled alongside the fleeing vehicle, and that is when the fleeing vehicle struck the right front fender of his patrol vehicle. Lewis said the suspect vehicle crossed back into the southbound lanes.

Administrative Investigation [REDACTED]

Lewis acknowledged he, Kuehne, and Robirds attempted a rolling roadblock, which was unsuccessful. As the suspect drove back into the southbound lanes, he (suspect) passed Williams, who was traveling northbound. Williams turned and began traveling south with the rest of the troopers. Lewis said the law enforcement vehicles were traveling south, following the suspect as he fled southbound in the northbound lanes. Lewis slowed down, hoping it would allow the suspect to re-enter the northbound lanes, but he continued in the southbound lanes. Lewis said Williams drove out ahead of the pursuit attempting to warn oncoming traffic.

Lewis said the suspect crossed back into the correct lanes just prior to entering the City of Portsmouth. He said he was told the Portsmouth police were setting up at intersections south of the overpass in town. That traffic split off at the overpass, eliminating the concern for northbound traffic. He said he believed it was the best opportunity to make intentional contact with the suspect vehicle, so that was the point he performed a pit maneuver. Lewis said the suspect vehicle spun into a parking lot of the dry cleaners and hit a parked vehicle. Lewis said they all surrounded the suspect vehicle and arrested the driver.

I asked Lewis who gave the order to perform a pit maneuver, and he said he believed it was Robirds who said to go ahead and hit the suspect, at the beginning of the pursuit. He said by that time the suspect had crossed back into the southbound lanes. Lewis said the best opportunity came when the driver came back into the city because speeds were so high on the highway. Lewis said he knew there was no threat of the suspect vehicle hitting oncoming traffic because the northbound and southbound lanes split off. I asked how fast he was going at the time of the pit maneuver, and he said he believed 65 miles per hour. He believes policy limits intentional contact to 35 or 40 miles per hour. Lewis added, "I know they want slow speeds." He said the way the suspect was driving, he took the best opportunity to stop him. Lewis said the pursuit lasted about six and a half miles. I asked if he asked permission to perform the pit maneuver, or was he ordered to do so, and he replied Robirds just said to make contact.

I asked Lewis, when during the pursuit he began to feel as though the driver was becoming a hazard to other traffic. Lewis advised when he struck his patrol car. I asked if the driver struck his patrol car on purpose or was trying to get away. Lewis stated he would say on purpose because he could have crossed over the median to get back on the correct side of the roadway. I asked how many times the fleeing driver struck his vehicle, and he answered twice. Lewis said he does not know if anyone asked the suspect if he made contact with the patrol car on purpose. He did not speak with the driver after he was arrested.

I presented Lewis with a copy of completed case investigation [REDACTED] (Attachment A) and allowed him to identify his typed narrative describing his involvement of the incident. He identified his typed narrative, which was included in the case report. Lewis said the difference was the initial contact between his patrol car and the suspect vehicle. His patrol car sustained a small dent in the fender and paint transfer from the suspect vehicle's tires.

I asked Lewis to read pursuit policy. I asked if there was a good time to terminate the pursuit, and he said no, to terminate did not cross his mind. He said he did not think it would be safer for him to turn off his pursuit lights and allow the driver to continue driving the wrong way on U.S. Route 23. I asked if he has ever terminated a pursuit in the past, and he said not that he could remember. I asked if he overheard the

initial traffic violation. Lewis said no, he overheard the dispatcher say the license plate did not match. He said he did not think the suspect was going to pull over for the traffic stop.

Lewis acknowledged he heard DeBord say the pursuit would be terminated if it made it to the business district of the city. By that time Robirds had already said intentional contact was going to be made because the suspect had struck his patrol car. Lewis said they were two or three blocks from the business district when the pursuit ended; the business district was downtown Portsmouth. I asked if it was mostly businesses where they were already pursuing, and he answered yes. I asked if he would have terminated if the pursuit entered the business district, and he said it depends because Robirds had already said to make intentional contact due to the contact between his patrol car and the fleeing vehicle. Lewis said if he was told to terminate, he would have obeyed the order.

I asked Lewis if he agreed that the contact he made with the pursuit vehicle was over the permitted 40 mile per hour, at the time. He said yes, it was the best opportunity at that moment. I asked if the suspect was driving recklessly, prior to the pursuit, and he replied no, not before he turned onto Huston Hollow Road. I asked Lewis if he felt as though he could have terminated the pursuit if he chose to, and he said yes.

Lewis said his statement was true and accurate. He was ordered not to speak about the investigation, and he acknowledged the order. The interview concluded at 10:36 a.m.

I conducted an interview on October 23, 2018, with Trooper Drew W. Kuehne, Unit 1256. Kuehne was interviewed as a subject of this investigation. The interview was digitally recorded and included with this investigation in CD format.

Kuehne has been an employee of the Ohio State Highway Patrol for 6 years. He has been assigned to the District 9 Criminal Patrol Unit for over four years. He was previously assigned as a K-9 Handler for three and a half years. Kuehne works the [REDACTED] n. shift. He advised he is responsible for enforcing the traffic and criminal laws in the State of Ohio.

Kuehne verified that an attempted traffic stop on July 31, 2018, resulted in a pursuit. I presented Kuehne with a copy of completed case investigation [REDACTED] (Attachment A), and allowed him to identify his typed narrative describing his involvement of the incident. Kuehne identified his typed narrative, which was included in the case report. He advised he was on stationary patrol in the Village of Lucasville when he observed a white Chevrolet Monte Carlo. The car was traveling southbound and had dark tinted windows with a Michigan license plate on the rear. He stated he began to follow the car and saw the driver commit a marked lane violation. Kuehne said he radioed the license plate to the dispatcher. He gave an incorrect plate, which did not match the suspect car, so the second time he radioed the correct license plate, which also did not match the suspect vehicle. Kuehne said he began believing the car was stolen or there was a fictitious registration violation. The suspect vehicle began turning onto Huston Hollow Road where he initiated a traffic stop by turning on the pursuit lights. The suspect vehicle did not pull over, which is when he radioed to the dispatcher that he was in pursuit.

Kuehne said while pursuing the suspect on Huston Hollow Road, the speeds reached 60 to 65 miles per hour. Kuehne described the road as "curvy." He said he did not think the driver of the fleeing vehicle knew the road very well; the driver went onto the wrong side of the road in a couple curves, and into a ditch along the right side of the road and spun around. Kuehne remained inside his patrol car to ascertain what the suspect driver would do next, and the driver then drove toward him and passed his location. He turned into a driveway and continued to pursue the suspect vehicle. He notified everyone the pursuit was coming back toward U.S. Route 23.

I asked Kuehne to explain why he did not think the suspect driver was familiar with Huston Hollow Road. He said because the vehicle was from Michigan, so the driver probably did not know the road. Kuehne advised he is very familiar with Huston Hollow Road. I asked if he thought about terminating the pursuit when the fleeing vehicle was driving left of center, and he answered no, because he did not see anything dangerous at that point. I asked if he felt as though he could have terminated the pursuit at that point, and he said he did feel like he could have terminated then. Kuehne stated as he and the suspect vehicle were traveling back toward U.S. Route 23, Robirds fell in behind him. He could see [REDACTED] and Lewis up ahead, and [REDACTED] attempted to deploy Stop Sticks, but they missed the suspect's vehicle. Kuehne said he had to slow down in order to avoid the Stop Sticks, and Lewis then became the first patrol car behind the suspect vehicle. Robirds continued to follow behind him.

Kuehne advised the suspect turned onto U.S. Route 23 and was traveling southbound in the northbound lanes, with Lewis following behind. He stopped at the traffic light and went into the southbound lanes paralleling Lewis and the fleeing vehicle. Kuehne said around that time the suspect vehicle made contact with Lewis's patrol car. The suspect driver then came over into the southbound lanes through a crossover. Kuehne said the radio discussion was to perform a rolling roadblock on the fleeing vehicle. As he and Lewis came into position to initiate the roadblock, the suspect drove over into the grass median. Kuehne said that is when the fleeing vehicle came back onto the road and made contact with Lewis's patrol car, for a second time.

I asked Kuehne when he heard the order to make intentional contact with the fleeing vehicle. Kuehne said Robirds gave the order just prior to reaching milepost 8. I asked if he believed the suspect was not going to stop unless forced to do so, or crashed. Kuehne said he did not know what he was going to do. Kuehne said he was trying to assess the situational hazards. He did not lose sight of the fleeing vehicle. I asked Kuehne if there was a time he thought the pursuit should be terminated, and he answered no. I asked if he witnessed the near head-on collisions. Kuehne replied he saw a couple of times when the fleeing vehicle approached some northbound vehicles, and he saw the vehicles swerve off the right side of the road. Kuehne said he did not think the near collisions were "relative." He believes it is of opinion that they were near collisions. Kuehne said others have watched the video, and believe they were near collisions. I asked, if after watching the video, he thought the fleeing vehicle nearly collided with oncoming traffic, and he said he thought the oncoming drivers could see the suspect and the pursuit lights and had time to get out of the way.

I asked Kuehne if he felt as though he could have terminated the pursuit after getting onto U.S. Route 23. He believes if he had spoken up and called for the termination of the pursuit, it would have been terminated. I asked if there was a point when he thought the pursuit was too hazardous, and he replied he

believes the suspect would have continued driving the same way even after terminating the pursuit. Kuehne said it was more beneficial to be behind the fleeing vehicle with pursuit lights activated. He did not think the driving behavior would change. I asked why he thought the suspect would continue driving that way, and he said the suspect hit a patrol car twice and had been driving the wrong way. I asked if the suspect was driving reckless before the traffic stop, and he said no. Kuehne said he feels the suspect would have continued with the reckless driving even after the pursuit was terminated.

Kuehne verified that several methods for ending the pursuit were attempted. I asked why no one considered terminating the pursuit, and he replied the suspect assaulted a police officer and would be a danger to the public if not stopped. I asked if he felt the necessity to apprehend the suspect outweighed the dangers to the public, and he said he did not think catching the suspect outweighed hurting an innocent civilian. Kuehne said measures were taken to prevent a head-on collision when Williams went out ahead to warn oncoming traffic, and the city police were notified as well.

I asked Kuehne how far into the city did the intentional contact take place, and he said probably a mile. He advised the speeds were less in the city than on the highway. He acknowledged speeds might have reached 60 miles per hour. The intentional contact by Lewis happened around 40 or 50 miles per hour. Kuehne said it happened in the perfect place and conditions were optimal. The fleeing vehicle spun into a parking lot and hit a parked vehicle. Kuehne said someone was sitting inside the parked car. I asked if those results were optimal, and he said yes. I asked if he believed the intentional contact had to be done, and he again answered yes.

I asked Kuehne if he considered a marked lanes violation a serious offense. Kuehne replied no, but through his experience all of his major arrests have originated from a minor traffic offense. He stated, as a Criminal Patrol trooper, what he does is different from a Post unit traveling the roadway, seeing a marked lanes violation, and stopping a car. Kuehne said he encounters criminals, drug traffickers, stolen cars, and warrants. I asked if his position as a Criminal Patrol Unit gives him more leeway to chase and pursue cars. Kuehne advised minor violations for him turn into felony criminal violations. Kuehne said he was thinking that the fleeing vehicle was a stolen car. I asked if the recovery of a stolen car justifies dangerous pursuits, and he stated every situation is different. Kuehne said the suspect hit a patrol car twice, nearly crashed, and seemed like he wanted to get away at all costs. He said they felt as though the suspect was not going to change because they stopped giving chase. They took the precautions to end the pursuit as safely as possible. He felt the contact between the suspect vehicle and Lewis's patrol car was intentional.

Kuehne was ordered not to speak about the investigation, and he acknowledged the order. The interview concluded at 9:56 a.m.

I re-interviewed Sergeant Ryan E. Robirds on November 5, 2018, as a subject of this investigation. The interview was digitally recorded and included with this investigation in CD format.

Robirds said he gave the order for Lewis to make intentional contact with the fleeing suspect vehicle. I asked Robirds what the goal was for the intentional contact, and he said it was to stop the violator because he drove into oncoming traffic, and made intentional contact with Lewis. I pointed out, according to the recording, he gave the order prior to any contact between the vehicles involved. Robirds responded he

Administrative Investigation [REDACTED]

first said it because the driver was southbound in the northbound lanes. He stated he was instructed to do so when he attended In-Service training, and pursuit policy also gives the same instruction. Robirds said several other options were attempted, but failed to end the pursuit; intentional contact was the only way to get the fleeing vehicle stopped.

I asked Robirds if he was intending to follow DeBord's orders and terminate the pursuit when it entered the business district of Portsmouth. Robirds said yes. I asked, if the violations were such a hazard to the public that they needed to intentionally hit the suspect vehicle inside the city limits, why terminate at the business district. Robirds said he did not intend to terminate the pursuit. He said his intentions were to get the suspect stopped before he killed someone. Robirds advised the business district had multiple crosswalks and traffic signals, as well as many businesses. He stated if the pursuit would have continued that far it would have been terminated, based on DeBord's order.

I asked Robirds why he waited so long to ask for the initial violation. He said he does not remember when he asked for the violation. He was the closest officer, so he ran out of the Post to assist in the pursuit. I asked Robirds if knowing what the original violation was would have been important in his decision on whether it should be terminated. He said he does not remember if he heard Kuehne give the initial traffic violation. I pointed out that he asked about the initial violation after the pursuit reached the city limits. I asked Robirds if that information should be gathered by a supervisor early into the pursuit to help determine the necessity of continuing the pursuit. Robirds said yes, but everything happened so quickly. He again reiterated he does not remember when he asked for the violation. I asked if he has read the Patrol's policy on pursuing motor vehicles, and he acknowledged he has read the policy. Robirds stated he knows what his responsibilities are.

Robirds said his statement was true and accurate. He was ordered not to speak about the investigation, and he acknowledged the order. The interview concluded at 3:21 p.m.

Attachments

- A. Photocopy of case investigation [REDACTED]
- B. DVD copy of Kuehne's in-car recording.
- C. DVD copy of Lewis' in-car recording.
- D. DVD copy of Robirds' in-car recording.
- E. DVD copy of Williams' in-car recording.
- F. DVD copy of [REDACTED] in-car recording.
- G. DVD copy of Kuehne's radio traffic.
- H. AVL History Reports.



RESPONSE TO RESISTANCE REVIEW GUIDE AND COMMITTEE FINDINGS

CASE REPORT #		CRASH REPORT #		AI #	
DATE OF INCIDENT 7/31/2018		DATE FWD TO RTR COMMITTEE		AIU: DATE RECEIVED	
NAME Trooper D. W. Kuehne	UNIT 1256	POST CP	DISTRICT 09		
NAME Trooper N. L. Lewis	UNIT 1784	POST CP	DISTRICT 09		
NAME Sergeant R. Robirds	UNIT 1880	POST 73	DISTRICT 09		

POST COMMANDER / DISTRICT COMMANDER / SECTION COMMANDERS

	POST		DHQ / SECTION		RTR REVIEW COMMITTEE	
	Yes	No	Yes	No	Yes	No
<i>H. K. M. Taulbee</i> Was the response to resistance reasonable to affect the arrest, detention, or mission?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Were officer safety issues / performance deficiencies identified that warrant additional training?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Should an administrative investigation be conducted?					<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISTRICT REVIEW

COMMITTEE REVIEW: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	SIGNATURE <i>X S/LT M B Morris</i>	DATE 8-15-18
COMMENTS: <i>SEE I.O.C.</i>		

REVIEW COMMITTEE

AIU COMMANDER OR DESIGNEE SIGNATURE <i>X S/LT. C.A. Mill</i>	DATE 9-6-18
PERSONNEL COMMANDER OR DESIGNEE SIGNATURE <i>X MAT. D.A. [Signature]</i>	DATE 9/6/18
FIELD OPERATIONS COMMANDER OR DESIGNEE SIGNATURE <i>X MAJOR C.M. [Signature]</i>	DATE 9/6/18
CRIMINAL INVESTIGATIONS COMMANDER OR DESIGNEE SIGNATURE <i>X</i>	DATE
TRAINING COMMANDER OR DESIGNEE SIGNATURE <i>X CAPT. C.A. [Signature]</i>	DATE 9/6/18
RISK MANAGER OR DESIGNEE SIGNATURE <i>X S/LT [Signature] 48</i>	DATE 9/6/18

FINAL REVIEW COMMITTEE DECISION

COMMENTS: <i>AI to be Conducted.</i>	
CHAIRMAN SIGNATURE <i>X [Signature]</i>	DATE 9/6/18

State of Ohio HP-26 10-0157-00 Rev. 08/01/2003		CAD Number:	INCIDENT NUMBER	INCIDENT TYPE Offense
NATURE CODE: 551 Resisting Arrest by Fleeing(Motor Vehicle) 500 Illegal Weapons - Firearms			CLEARANCE CODE: F	COMPLETION DATE:
GEO CODE: Federal US Route Detailed GEO Code: US-23 TOD: TOA: SPECIAL SECTION: Criminal Patrol				A DEATH OF OFFENDER B PROSECUTION DECLINED C EXTRADITION DECLINED D VICTIM REFUSED TO COOPERATE E JUVENILE / NO CUSTODY F ARREST - ADULT G ARREST - JUVENILE H WARRANT ISSUED I INVESTIGATION PENDING J CLOSED K UNFOUNDED U UNKNOWN Z COLD CASE
				CLEARANCE DATE/TIME 7/31/2018 17:10

**Ohio State Highway Patrol
Initial Incident Report**

REPORT DATE / TIME				INCIDENT OCCURED FROM				INCIDENT OCCURED TO			
MONTH	DAY	YEAR	TIME	MONTH	DAY	YEAR	TIME	MONTH	DAY	YEAR	TIME
7	31	2018	15:10	7	31	2018	15:10	7	31	2018	17:10
COUNTY: Scioto County				FIPS Code: (79170) Valley (Township of)							
INCIDENT LOCATION / REF PT. (Street, Apt, City, State, Zip): Southbound US-23 Federal US Route 0.50 Miles North of mile post 8				LATITUDE		LONGITUDE		K9 USED No		TYPE OF SEARCH: Probable Cause	

OFFENSE (OFFENSE CODE)	Count	Hate Bias	A/C	F/M & Degree	TYPE CRIMINAL ACTIVITY	
(2921.331B) Failure to Comply with Order or Signal of P.O. ... elude or flee	1	N	C	F-3		(ENTER UP TO 3 FOR EACH OFFENSE) B - BUYING / RECEIVING C - CULTIVATING/MANUFACTURING/PUB D - DISTRIBUTING / SELLING E - EXPLOITING CHILDREN G - OTHER GANG J - JUVENILE GANG N - NO GANG INVOLVED O - OPERATING/PROMOTING/ASSISTING P - POSSESSING / CONCEALING T - TRANSPORTING / TRANSMITTING U - USING / CONSUMING
(2923.13) Having Weapons While Under Disability	1	N	C	F-3	P	
(2919.22) Endangering Children	1	N	C	F-5		

LOCATION OF THE OFFENSE				LARCENY TYPE
47	COMMERCIAL LOCATIONS	32 Clothing Store 33 Drug Store 34 Liquor Store 35 Shopping Mall 36 Sporting Goods 37 Grocery / Supermarket 38 Variety / Convenience 39 Department Store 40 Other Retail Store 41 Factory / Mill / Plant 42 Other Building	51 Public Transit Vehicle 52 Other Outside Location	23A Pocket Picking 23B Purse Snatching 23C Shoplifting 23D Theft from building 23E Theft from Coin-Op Machine 23F Theft from Motor Vehicle 23G Motor Vehicle Parts/Access 24O Theft of Motor Vehicle 23H Other
	RESIDENTIAL STRUCTURE	15 Auto Shop 16 Financial Institution 17 Barber / Beauty Shop 18 Hotel / Motel 19 Dry Cleaners / Laundry 20 Professional Office 21 Doctor's Office 22 Other Business Office 23 Amusement Center 24 Rental Storage Facility 25 Other Commercial Service	53 Abandoned/Condemned Structure 54 Amusement Park 55 Arena/Stadium/Fairgrounds/Coliseum 56 Atm Machine Separate From Bank 57 Camp/Campground 58 Cargo Container 59 Daycare Facility 60 Dock/Wharf/Freight/Modal Terminal 61 Farm Facility 62 Gambling Facility/Casino/Race Track 63 Military Installation 64 Rest Area 65 Shelter-Mission/Homeless 66 Tribal Lands 67 Library 77 Other Location	SUSPECTED OF USING <input type="checkbox"/> ALCOHOL <input type="checkbox"/> DRUGS <input type="checkbox"/> COMPUTER EQUIP <input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> CARGO THEFT
	PUBLIC ACCESS BUILDING	06 Transit Facility 07 Government Office 08 School 09 College 10 Church 11 Hospital 12 Jail/Prison 13 Parking Garage 14 Other Public Access	OUTSIDE 43 Yard 44 Construction Site 45 Lake / Waterway 46 Field / Woods 47 Street 48 Parking Lot 49 Park / Playground 50 Cemetery	

METHOD OF OPERATION:

METHOD OF ENTRY	METHOD OF ENTRY - BURGLARY / B&E				METHOD OF ENTRY - MOTOR VEHICLE THEFT			
<input type="checkbox"/> Force <input type="checkbox"/> No Force	ENTRY	EXIT	ENTRY	EXIT	ENTRY	EXIT		
No. Premises Entered	1 BASEMENT 2 1 ST FLOOR 3 2 ND FLOOR 4 OTHER 5 UNKNOWN	1 DOOR 2 WINDOW 3 GARAGE 4 SKYLIGHT 5 OTHER 6 UNKNOWN	1 FRONT 2 SIDE 3 REAR 4 ROOF 5 OTHER 6 UNKNOWN	01 MOTOR RUNNING/ KEYS IN CAR 02 UNLOCKED 03 DUPLICATE KEY USED 04 WINDOW BROKEN 05 TOWED 06 HOT WIRED 07 SLIM JIM/COAT HANGER 08 TUMBLERS REMOVED 09 COLUMN PEELED 10 IGNITION PEELED				
TYPE OF WEAPON FORCE :	None							
REQUESTING AGENCY:								

REPORTING OFFICER: Tpr. Kuehne, Drew W	UNIT NUMBER: 1256	DATE: 7/31/2018
APPROVING OFFICER: Sgt. Kelley, Christopher S	UNIT NUMBER: 1091	DATE: 8/6/2018

ADMINISTRATIVE

OFFENSE



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Suspect / Arrest Report

INCIDENT NUMBER [REDACTED]
REPORT DATE/TIME 7/31/2018 15:10

TOTAL SUSPECTS: 1

NAME / DESCRIPTIVES	No. 1	<input checked="" type="checkbox"/> Adult <input type="checkbox"/> Juvenile <input type="checkbox"/> Unknown <input type="checkbox"/> Business	CHECK APPROPRIATE CATEGORY 3 <input type="checkbox"/> Suspect <input type="checkbox"/> Arrestee <input checked="" type="checkbox"/> Suspect/Arrestee <input type="checkbox"/> Runaway <input type="checkbox"/> Missing <input type="checkbox"/> Other	CHARGES FILED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
	NAME: (Last, First, Middle): Hernandez, Carlos, J			SSN#: [REDACTED]	
	ALIAS:			GANG AFFILIATION:	
	ADDRESS: 27652 W Outer Dr Ecorse, MI - 48229			PHONE #:	
	EMPLOYER NAME & ADDRESS: , OH			PHONE #:	
	PLACE OF BIRTH Unknown	DRIVER'S LICENSE # & STATE [REDACTED]		STATE EMPLOYEE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	OCCUPATION/SCHOOL unknown
	AGE / DOB 31 12/11/1986	GENDER M	RACE White, Hispanic Origin	HEIGHT 6ft 4in	WEIGHT 227
			HAIR Brown	EYES Brown	MARITAL STATUS Unknown
	ADDITIONAL DESCRIPTION:				
	SCARS, MARKS, TATTOOS: 1) 2) 3) 4) 5)			RESIDENT CODE	<input type="checkbox"/> RESIDENT <input checked="" type="checkbox"/> TOURIST <input type="checkbox"/> MILITARY <input type="checkbox"/> STUDENT <input type="checkbox"/> OTHER <input type="checkbox"/> UNKNOWN <input type="checkbox"/> NOT REPORTED
POTENTIAL INJURIES:					
TYPE WEAPON FORCE USED					
SUSPECT USED: 99					
99 NONE	13B OTHER FULLY AUTOMATIC WEAPON	17 SIMULATED FIREARM	59 POISON		
11 FIREARM	14 SHOTGUN	18 BB / PELLET GUN	60 EXPLOSIVES		
12 HANDGUN	15 OTHER FIREARM	20 KNIFE / CUTTING INSTRUM	65 FIRE / INCENDIARY DEVICE		
12A AUTOMATIC HANDGUN	15A SEMI-AUTOMATIC SPORTING RIFLE	30 BLUNT OBJECT	70 DRUGS/NARC/SLEEP PILLS		
13 RIFLE	15B SEMI-AUTOMATIC ASSAULT FIREARM	35 MOTOR VEHICLE	80 OTHER WEAPON		
13A FULLY AUTOMATIC RIFLE	15C MACHINE PISTOL	40 PERSONAL WEAPON	85 ASPHYXIATION		
			U UNKNOWN		

ASSOC PERSONS	NAME	ADDRESS (Street, Apt, City, State, Zip)	PHONE	RELATION
	Elkins Pamela	24622 Hopkins St, Dearborn Heights, MI - 48125	(313) 574-7138	BG
	Vazquez Angel	24622 Hopkins St, Dearborn Heights, MI - 48125		SC
	Vazquez Gene	24622 Hopkins St, Dearborn Heights, MI - 48125		SC

ARREST / OFFENSE DESCRIPTION	ARREST / OFFENSE CODE	COUNT	F/M & DEGREE	DISPOSITION	LARCENY	ARREST LARCENY TYPE
Failure to Comply with Order or Signal of P.O. elude or flee	2921.331B	1	F-3			23A POCKET PICKING 23B PURSE SNATCHING 23C SHOP LIFTING 23D THEFT FROM BUILDING 23E THEFT FROM COIN-OP MACHINE 23F THEFT FROM MOTOR VEHICLE 23G MOTOR VEH. PARTS/ACCESSORIES 240 THEFT OF MOTOR VEHICLE 23H OTHER
Having Weapons While Under Disability	2923.13	1	F-3			
Endangering Children	2919.22	1	F-5			

WARRANT NUMBER	WARRANT DESCRIPTION	WARRANT NUMBER	WARRANT DESCRIPTION
1.		2.	
3.		4.	

ARREST DATE: 7/31/2018	TIME: 17:10	ARREST LOCATION (Street, Apt., City, State, Zip) SB US-23 Federal US Route mile post 8	CITATION NUMBER
ARRESTEE ARMED WITH: 1. None		2.	3.
ARREST DISPOSITION: Slated / Incarcerated		BAIL:	
FINGER PRINTED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	THUMB PRINTED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DNA TAKEN:	ITN NUMBER:
<input type="checkbox"/> MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/> COUNT ARRESTEE MULTIPLE ARRESTEE INDICATOR <input checked="" type="checkbox"/> N / A		ARREST TYPE	<input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Crime In Progress <input type="checkbox"/> Warrant <input type="checkbox"/> Court Summons/Citation <input type="checkbox"/> Order Of Protection <input type="checkbox"/> Other
COURT: Portsmouth Municipal Crt			COURT DATE: 8/1/2018
JAIL SENTENCE	YEARS: 0.00	DAYS: 0.00	

JUVENILE	JUVENILE'S PARENT / GUARDIAN NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO	DATE/TIME NOTIFIED:	NOTIFIED By :	JUVENILE DISPOSITION:	
	PARENT / GUARDIAN NAME & ADDRESS			PHONE	RELATIONSHIP
	PARENT / GUARDIAN NAME & ADDRESS			PHONE	RELATIONSHIP
	DATE OF LAST CONTACT	DATE OF EMANCIPATION	NCIC		
	LAST SEEN WEARING				

REPORTING OFFICER: Tpr. Kuehne, Drew W	UNIT NUMBER: 1256	DATE: 7/31/2018
APPROVING OFFICER: Sgt. Kelley, Christopher S	UNIT NUMBER: 1091	DATE: 8/6/2018



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Victim/Reportee/Witness Report

INCIDENT NUMBER [REDACTED]
REPORT DATE/TIME 7/31/2018 15:10

VICTIM	NO.1	VICTIM TYPE: <input type="checkbox"/> Individual <input type="checkbox"/> Financial Institution <input type="checkbox"/> Police Officer (In The Line Of Duty) <input checked="" type="checkbox"/> Society / Public <input type="checkbox"/> Other <input type="checkbox"/> Business <input type="checkbox"/> Government <input type="checkbox"/> Religious Organization <input type="checkbox"/> Unknown <input type="checkbox"/> Trooper <input type="checkbox"/> State Agency					
	<input checked="" type="checkbox"/> Victim <input type="checkbox"/> Witness <input type="checkbox"/> Reportee NAME (Last, First, Middle): Society / Public						
	ADDRESS(Street, Apt. City, State, Zip):		PHONE #:				
	OCCUPATION:		STATE EMPLOYEE: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO SSN:				
	RESIDENTIAL STATUS: <input type="checkbox"/> Resident <input type="checkbox"/> Military <input type="checkbox"/> Other <input type="checkbox"/> Tourist <input type="checkbox"/> Not Reported <input type="checkbox"/> Student <input type="checkbox"/> Unknown		STATEMENT OBTAINED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO TYPE: <input type="checkbox"/> Written <input type="checkbox"/> Oral <input type="checkbox"/> Taped <input type="checkbox"/> Other				
	AGE / DOB	GENDER	RACE :	HEIGHT FROM - TO	WEIGHT FROM - TO	HAIR	EYES
	EMPLOYER NAME & ADDRESS		PHONE #:				
	VICTIM <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF INJURED, DESCRIBE INJURIES: 1) 2) 3) 4) 5)	VICTIM DECEASED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	VICTIM WITNESS REFERRAL INFO <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	TYPE OF REFERRAL		
	AGG. ASLT / HOMICIDE CIR : 1)		2)				
	VICTIM/SUSPECT RELATIONSHIP : 1)Citizen/Society		VICTIM OFFENSE LINK : 1)2919.22 2)2921.331B 3)2923.13				
JUSTIFIABLE HOMICIDE:		ACTIVITY TYPE	ASSIGNMENT TYPE	LE ORI - OTHER JURISDICTION			
My signature verifies that the information on this report is accurate and true						DATE :	
VICTIM	NO.2	VICTIM TYPE: <input checked="" type="checkbox"/> Individual <input type="checkbox"/> Financial Institution <input type="checkbox"/> Police Officer (In The Line Of Duty) <input type="checkbox"/> Society / Public <input type="checkbox"/> Other <input type="checkbox"/> Business <input type="checkbox"/> Government <input type="checkbox"/> Religious Organization <input type="checkbox"/> Unknown <input type="checkbox"/> Trooper <input type="checkbox"/> State Agency					
	<input checked="" type="checkbox"/> Victim <input type="checkbox"/> Witness <input type="checkbox"/> Reportee NAME (Last, First, Middle): Carver David						
	ADDRESS(Street, Apt. City, State, Zip): 9946 US 52, Stout, OH - 45684		PHONE #:				
	OCCUPATION: unknown		STATE EMPLOYEE: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO SSN:				
	RESIDENTIAL STATUS: <input checked="" type="checkbox"/> Resident <input type="checkbox"/> Military <input type="checkbox"/> Other <input type="checkbox"/> Tourist <input type="checkbox"/> Not Reported <input type="checkbox"/> Student <input type="checkbox"/> Unknown		STATEMENT OBTAINED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO TYPE: <input type="checkbox"/> Written <input type="checkbox"/> Oral <input type="checkbox"/> Taped <input type="checkbox"/> Other				
	AGE / DOB	GENDER	RACE :	HEIGHT FROM - TO	WEIGHT FROM - TO	HAIR	EYES
	EMPLOYER NAME & ADDRESS		PHONE #:				
	VICTIM <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF INJURED, DESCRIBE INJURIES: 1) 2) 3) 4) 5)	VICTIM DECEASED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	VICTIM WITNESS REFERRAL INFO <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	TYPE OF REFERRAL		
	AGG. ASLT / HOMICIDE CIR : 1)		2)				
	VICTIM/SUSPECT RELATIONSHIP : 1)Citizen/Society		VICTIM OFFENSE LINK : 1)2921.331B				
JUSTIFIABLE HOMICIDE:		ACTIVITY TYPE	ASSIGNMENT TYPE	LE ORI - OTHER JURISDICTION			
My signature verifies that the information on this report is accurate and true						DATE :	

REPORTING OFFICER: Tpr. Kuehne, Drew W	UNIT NUMBER: 1256	DATE: 7/31/2018
APPROVING OFFICER: Sgt. Kelley, Christopher S	UNIT NUMBER: 1091	DATE: 8/6/2018



Ohio State Highway Patrol
 REPORT OF INVESTIGATION
 Vehicle Report

INCIDENT NUMBER [REDACTED]
REPORT DATE/TIME 7/31/2018 15:10

VEHICLE INFORMATION									
CHECK CATEGORIES <input type="checkbox"/> Abandoned <input type="checkbox"/> Impounded <input type="checkbox"/> Stolen <input type="checkbox"/> Received <input type="checkbox"/> Recovered <input type="checkbox"/> Used In A Commission of a Crime <input type="checkbox"/> N/A									
LICENSE DUW0322	LIC STATE MI	VEHICLE IDENTIFICATION NUMBER / OAN			NCIC NO.	STOLEN OPTION		IS VEHICLE LOCATED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	VEHICLE NO. 1
VALUE 1000.00	VEH YR. 2004	MAKE Chevrolet	MODEL Monte Carlo	STYLE 2Door	VEHICLE COLOR TOP White BOTTOM White		TRACK TYPE		
OWNER NAME & ADDRESS (Street, City, State, Zip) Carlos J Hernandez & 27652 W Outer Dr, Ecorse, MI - 48229								PHONE	
VEH. ASSOC. W/ SUSPECT # 1		VEH. ASSOC. W/ VICTIM #		TOWED BY : Gahms		OWNER VERIFIED BY : Tag Receipt			
ADDITIONAL DESCRIPTION								DATE TIME NOTIFIED	

VEHICLE INFORMATION									
CHECK CATEGORIES <input type="checkbox"/> Abandoned <input type="checkbox"/> Impounded <input type="checkbox"/> Stolen <input type="checkbox"/> Received <input type="checkbox"/> Recovered <input type="checkbox"/> Used In A Commission of a Crime <input type="checkbox"/> N/A									
LICENSE GNN4662	LIC STATE OH	VEHICLE IDENTIFICATION NUMBER / OAN			NCIC NO.	STOLEN OPTION		IS VEHICLE LOCATED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	VEHICLE NO. 2
VALUE 15000.00	VEH YR. 2012	MAKE Chevrolet	MODEL Silverado	STYLE Pick-up Truck	VEHICLE COLOR TOP Black BOTTOM Black		TRACK TYPE		
OWNER NAME & ADDRESS (Street, City, State, Zip) David Carver & 9946 US 52, Stout, OH - 45684								PHONE	
VEH. ASSOC. W/ SUSPECT #		VEH. ASSOC. W/ VICTIM # 2		TOWED BY : Teds		OWNER VERIFIED BY : Tag Receipt			
ADDITIONAL DESCRIPTION								DATE TIME NOTIFIED	

REPORTING OFFICER: Tpr. Kuehne, Drew W	UNIT NUMBER: 1256	DATE: 7/31/2018
APPROVING OFFICER: Sgt. Kelley, Christopher S	UNIT NUMBER: 1091	DATE: 8/6/2018



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Property Report

INCIDENT NUMBER [REDACTED]
REPORT DATE/TIME 7/31/2018 15:10

TYPE PROPERTY LOSS (ENTER CODES BELOW)										1 NONE	3. COUNTERFEITED / FORGED	5. STOLEN / ETC	7. RECOVERED	E EVIDENCE	P PHOTO	U UNKNOWN
										2 BURNED	4. DESTROYED / DAMAGED / VANDALIZED	6. SEIZED	D DAMAGED	F FOUND	L LOST	
PROPERTY NO.1	PROPERTY CODE	LOSS CODE	QUANTITY	PROPERTY VALUE	VICTIM NO. :	SUSPECT NO. :	VEHICLE NO. :	VEH LIC STATE :	VEHICLE YEAR :							
	44	6	1.00	50.00		1										
PROPERTY DESCRIPTION black pistol							FOUND LOCATION under suspects feet									
MAKE / BRAND Ruger			MODEL P345		SERIAL		N.C.I.C. #									
FIREARM	CALIBER 45	TYPE Pistol - Semiautomatic		BARREL LENGTH 5	FINISH Blue, Dark		N.C.I.C. ENTRY #									
NARCOTICS	DRUG TYPE		UNIT OF MEASURE	DRUG CODE		PILL TYPE	PILL SHAPE	PILL COLOR1	PILL COLOR2							
	PILL MARKING 1				PILL MARKING 2											
OWNER	NAME & ADDRESS Carlos J Hernandez / 27652 W Outer Dr, Ecorse, MI						OWNER PHONE									
EVIDENCE CODE	EVIDENCE DATE/ TIME	EVIDENCE COLLECTED BY				EVIDENCE FINAL DISPOSITION		OTHER EVIDENCE								
	7/31/2018 15:30	(1256) Tpr. Kuehne, Drew W														

PROPERTY CODES	17 COMP HARDWARE/SOFTWARE	38 BUSES	60 CHEMICALS
EXCHANGE MEDIUMS	18 OFFICE EQUIPMENT	39 TRUCKS	61 CROPS
01 MONEY	19 STEREO EQUIPMENT, TV AND RADIO (NON-VEHICLE)	40 TRAILERS	62 DOCUMENTS/PERSONAL OR BUSINESS
02 CREDIT/DEBIT CARD	20 RECORDINGS	41 WATERCRAFT	63 EXPLOSIVES
03 NEGOTIABLE INSTRUMENTS	21 SPORTS EQUIPMENT (ALL EXCEPT BICYCLES AND FIREARMS)	42 RECREATIONAL VEHICLE	64 FIREARM ACCESSORIES
04 OTHER EXCAHNGE MEDIUMS	22 PHOTOGRAPHIC EQUIPMENT	43 OTHER MOTOR VEHICLE	65 FUEL
DOCUMENTS	23 FARM EQUIPMENT	WEAPONS	66 IDENTITY-INTANGIBLE
05 NON-NEGOTIABLE INSTRUMENTS	24 HEAVY CONSTRUCTION / INDUSTRIAL EQUIPMENT	44 FIREARMS	67 LAW ENFORCEMENT EQUIPMENT
06 PERSONAL (IDENTITY) PAPERS	25 BUILDING SUPPLIES FOR CONSTRUCTION	45 OTHER WEAPONS	68 LAWN/YARD/GARDEN EQUIPMENT
07 OTHER DOCUMENTS	26 TOOLS	STRUCTURES	69 LOGGING EQUIPMENT
VALUABLES	27 VEHICLE PARTS / ACCESSORIES	46 SINGLE OCCUPANCY	70 MEDICAL/MEDICAL LAB EQUIPMENT
08 JEWELRY/PRECIOUS METALS	28 SCHOOL SUPPLIES	47 OTHER DWELLINGS	71 METALS, NON-PRECIOUS
09 ART OBJECTS, ANTIQUES, AND OTHER PRECIOUS ITEMS	29 OTHER EQUIPMENT	48 COMMERCIAL/BUSINESS	72 MUSICAL INSTRUMENTS
10 OTHER VALUABLES	CONSUMABLE ITEMS	49 INDUSTRIAL/MANUFACTURING	73 PORTABLE ELECTRONIC COMMUNICATIONS
PERSONAL EFFECTS	30 ALCOHOL	50 PUBLIC/COMMERCIAL	74 WATERCRAFT
11 CLOTHING FURS	31 DRUGS / NARCOTICS	51 STORAGE	EQUIPMENT/PARTS/ACCESSORIES
12 PURCHASES/HANDBAGS/WALLETS	32 CONSUMABLE GOODS	52 OTHER STRUCTURES	
13 OTHER PERSONAL EFFECTS	ANIMALS	OTHER	
HOUSE HOLD ITEMS	33 LIVE STOCK	53 MERCHANDISE	
14 HOUSEHOLD ITEMS	34 HOUSEHOLD PETS	54 OTHER PROPERTY	
EQUIPMENT	VEHICLES	55 PENDING INVENTORY	
15 DRUG/NARCOTIC EQUIPMENT	35 AIRCRAFT	56 SPECIAL CATEGORIES	
16 GAMBLING EQUIPMENT	36 AUTOMOBILES	57 AIRCRAFT PARTS OR ACCESSORIES	
	37 BICYCLES	58 ARTISTIC SUPPLIES OR ACCESSORIES	
		59 CAMPING/HUNTING/FISHING EQUIPMENT/SUPPLIES	

REPORTING OFFICER: Tpr. Kuehne, Drew W	UNIT NUMBER: 1256	DATE: 7/31/2018
APPROVING OFFICER: Sgt. Kelley, Christopher S	UNIT NUMBER: 1091	DATE: 8/6/2018

State of Ohio
HP-26
10-0167-00
Rev. 08/01/2003



Ohio State Highway Patrol Initial Incident Summary

INCIDENT NO. [REDACTED]	REPORT DATE / TIME 7/31/2018 15:10	PHOTO POUCH NO.
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Incident Summary

A traffic stop was initiated with a vehicle for marked lanes. The vehicle failed to stop and a pursuit ensued. Intentional contact was made and the occupants were apprehended. A firearm was located under the drivers feet. The driver was a convicted felon with an outstanding felony warrant.

Reporting Officer: Tpr. Kuehne, Drew W	Unit No: 1256	Date: 7/31/2018
Approving Officer: Sgt. Kelley, Christopher S	Unit No: 1091	Date: 8/6/2018



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Investigative Notes

INCIDENT NO: [REDACTED]	REPORT DATE/TIME 7/31/2018 15:10	PHOTO POUCH NO.
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Tuesday, July 31, 2018 15:09

0396 Tpr. Williams, Christopher J

I was traveling south on US 23 in Rosemount when Tpr. Kuehne advised dispatch that he was attempting to stop a vehicle on Houston Hollow Road. He stated that the car was still rolling and was not going to stop. I listened to the radio traffic. When he said their speed just went to 60 mph, I turned out across from Andy's Toyota and started north on US 23. I was monitoring the radio traffic and trying to decide to cut over Fuert Hill Road or Maple Benner Road towards SR 139 when Tpr. Kuehne said the vehicle spun out and was now heading back towards US 23.

I continued north as [REDACTED] attempted to use spike strips on the vehicle. The vehicle drove around the spike strips and continued towards US 23. Tpr. Lewis advised the vehicle made a left turn onto US 23 in the north bound lanes of travel. I was continuing north around Maple Benner at this time. I slowed traffic down behind me and then accelerated to gain distance between me and northbound traffic. I then slowed and got over to the right side of the roadway as the vehicle was approaching me south in the northbound lanes. I was told to try and make contact with the vehicle but was unsuccessful. I traveled across the median and accelerated. Sgt. Robirds told me to pass the pursuit and try to warn northbound traffic. I made it to the Clay overpass and was trying to get all northbound traffic into the right lane. The vehicle then passed me in the wrong lane of travel just before cresting the overpass. Tpr. Lewis was now directly behind the vehicle and I fell in behind him. I again was told by Sgt. Robirds to try and pass the vehicle and get in front of him to try and slow the vehicle down so Tpr. Lewis could make contact with him. I passed the vehicle. As I was trying to slow him down he kept going further left in the northbound lanes of travel. I continued with him until we reached another hill crest. I got back over and let him by as traffic was approaching us. I again fell in behind Tpr. Lewis who was directly behind the vehicle.

I followed south behind Tpr. Lewis as the vehicle went off the right side of the roadway nearly striking a car at US 23 and 16th Street. That scuffed off enough speed of the vehicle for Tpr. Lewis to make contact with the vehicles left rear quarter panel causing it to spin out into a private parking lot. The vehicle struck a parked truck and spun around to a stop. I drove up to the passenger's door and exited my patrol car with my gun drawn. Once the female passenger was removed from the vehicle I secured her with my handcuffs and then escorted the male child to the rear of my patrol car with the female child.

Tuesday, July 31, 2018 15:10

1784 Tpr. Lewis, Nicholas L

While on patrol in a marked Ohio State Highway Patrol cruiser and sitting stationary on US 23 near mile post 11, I heard Tpr. Kuehne say he was attempting to initiate a traffic stop with a vehicle on Houston Hollow Road. He advised the vehicle was failing to stop and he was in pursuit of the vehicle. I pulled out from my location and began south.

As I turned onto Houston Hollow Road, I heard Tpr. Kuehne advise the vehicle was heading back towards US 23. I turned in the middle of the roadway as [REDACTED] attempted to deploy stop sticks. The suspect vehicle missed the stop sticks and continued west on Houston Hollow Road. I pulled in behind the vehicle and began to pursue after it.

The vehicle made a left turn onto US 23 and was traveling south in the northbound lanes. I followed the vehicle in an attempt to warn oncoming traffic with my overhead lights. After about a quarter of a mile the vehicle crossed over into the southbound lanes.

REPORTING OFFICER: Tpr. Kuehne, Drew W	UNIT NUMBER: 1256	DATE: 7/31/2018
APPROVING OFFICER: Sgt. Kelley, Christopher S	UNIT NUMBER: 1091	DATE: 8/6/2018



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Investigative Notes

INCIDENT NO: [REDACTED]	REPORT DATE/TIME 7/31/2018 15:10	PHOTO POUCH NO.
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While the vehicle was still traveling south, we attempted a rolling roadblock. I pulled in front of the vehicle, but it forced Tpr. Kuehne into the median. The vehicle pulled up next to me and struck my cruiser on the left side. It then crossed back into the northbound lanes. The vehicle continued in the northbound lanes for approximately 1 mile before crossing back into the southbound lanes. Sgt. Robirds advised me to make intentional contact with the vehicle once I found a spot safe enough to do so.

I continued to pursue after the vehicle as we entered the city of Portsmouth. After traveling through several intersections, I found a place where the northbound and southbound lanes had separated. With no other traffic around, I struck the right rear of the suspect vehicle spinning it off the left side of the roadway. The vehicle traveled through a parking lot and struck an occupied parked vehicle.

The suspect vehicle was surrounded by officers from the Portsmouth Police Department, Scioto County Sheriff's Office, and OSHP. The driver, front seat passenger, and two children were removed from the vehicle without incident.

Tuesday, July 31, 2018 15:10

1880 Sgt. Robirds, Ryan E

On 7/31/2018 around 1510 hours I was at the Portsmouth Patrol Post on regular duty as the shift supervisor when I heard Trooper Kuehne U-1256 advised he had a vehicle that was not stopping. The area of the initial traffic stop was approximately 2 miles from Post 73 on Houston Hollow Long Run Road. Due to being his closest back-up unit, I immediately left Post 73 and went to assist. When I arrived in the area, Trooper Kuehne advised the driver has spun out and was now heading toward my location. I attempted to pull into a driveway to deploy stop-sticks but the driver came over the hill crest as I pulled in the driveway. I then pulled out behind Trooper Kuehne and took over radio traffic.

While traveling westbound on Houston Hollow Long Run Road [REDACTED] and Trooper Lewis U-1784 arrived in the area. [REDACTED] attempted a stop-stick deployment but the suspect traveled through a yard to avoid them. Trooper Lewis then became the primary unit in the pursuit. When the suspect came to the intersection of U.S. 23 and Houston Hollow Long Run Road he ran the red light almost striking a northbound vehicle. He turned southbound through the intersection on U.S. 23 in the northbound lanes of travel. Due to almost striking a vehicle and time of day I advised all units to make intentional contact to stop the suspect.

After a few seconds on the northbound lanes the suspect used the cross-over to transition back to the southbound lanes. At that point in time Trooper Lewis was the lead car, Trooper Kuehne was second and I was third. Having three units a rolling road block was then attempted. I advised Trooper Lewis to get in front of the suspect and Trooper Kuehne to get beside the suspect. When we attempted to slow down, the suspect traveled in the gap and broke free of the road block. He traveled off the left edge of the roadway and into the median. When he attempted to get back on the pavement he struck Trooper Lewis's Patrol Car(SP-1979). After striking his patrol car he traveled back into the northbound lanes of travel.

The suspect almost struck multiple vehicles while traveling into oncoming traffic. One of those vehicles being Trooper Williams U-396 who was northbound attempting to stop northbound traffic. Once the suspect passed Trooper Williams, he turned southbound to assist. Due to the heavy traffic and almost causing multiple crashes I advised Trooper Williams to pass the other pursuing units and attempt to stop all northbound traffic in the oncoming curve. While Trooper Williams was trying to stop traffic the suspect passed him on the left and then transitioned back into the southbound lanes again. At that time I advised The Portsmouth Dispatch Center to make contact with The Portsmouth Police Department for assistance due to heading toward the city.

REPORTING OFFICER: Tpr. Kuehne, Drew W	UNIT NUMBER: 1256	DATE: 7/31/2018
APPROVING OFFICER: Sgt. Kelley, Christopher S	UNIT NUMBER: 1091	DATE: 8/6/2018



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Investigative Notes

INCIDENT NO: [REDACTED]	REPORT DATE/TIME 7/31/2018 15:10	PHOTO POUCH NO.
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I advised the Portsmouth Dispatch Center due to driving multiple times in the wrong lane of travel, striking a patrol car, failed stop-stick deployment, and a failed rolling road block that we were going to again attempt intentional contact to stop the suspect. I also advised Lieutenant DeBord U-983 of the order and he advised to proceed with it. Shortly after The Portsmouth Police Department was blocking traffic at the intersection of U.S. 23(Chillicothe Street) and 15th Street. They also advised they had stop-sticks set up a couple blocks away. As we approached the intersection the suspect traveled off the right side of the roadway striking a concrete curb and going airborne. He was able to not strike the cars at the intersection and then came back onto the roadway still southbound on U.S. 23. Due to the suspect losing speed Trooper Lewis was able to make intentional contact with the suspect's vehicle causing him to spin out in a parking lot. When the suspect spun into the parking lot he struck a parked car with one male in the driver's seat. At that time we started to surround the vehicle. As I was pulling my vehicle toward the suspect's driver's side door I saw it come open. I then pulled my Patrol Car(SP-3156) against the driver's side door of the suspect's car to keep him from trying to flee. Due to the extremely dark window tint, the windows were busted out and the suspect was taken into custody without further incident. Once removed, a gun was observed in the driver's side floorboard. One female front seat passenger and two juvenile rear seat passengers were also removed from the car.

The female claimed injury and a squad was called to the scene. The two juveniles and the female were transported from the scene to Southern Ohio Medical Center to be evaluated. The male suspect had a cut on his left foot. I requested EMS on scene to evaluate the suspect and clean the cut. The suspected stated he didn't want medical treatment and wasn't giving any information. The male victim that was parked in the pickup truck advised he only received a bump on his head from the impact. He signed a refusal with EMS on scene. He was also provided victim/witness information on scene. Two wreckers were called to the scene for the vehicles. Ted's Towing was owners request for the victim's pickup and Gahms Towing was next available for the suspect's car.

While trying to clear the scene the Scioto County Sheriff's Office transported the suspect to the Scioto County Jail. Upon his arrival he claimed he wanted medical attention. He was then transported from the Jail to King's Daughters Medical Center by [REDACTED]. Upon being discharged he was transported back to the Scioto County Jail by [REDACTED] and incarcerated.

No units involved in the pursuit sustained injury

SP-1979 and SP-3156 received damage from contact with the suspect's car. SP-1979 sustained damage to the front bumper, and right front hubcap. SP-3156 sustained damage to the front bumper. No other patrol equipment was damaged.

Lieutenant DeBord was on scene. Sergeant Kelley U-1091 and Lieutenant Taulbee U-1286 were advised of the incident and were going to handle the case and EIR entry.

Tuesday, July 31, 2018 15:10

1256 Tpr. Kuehne, Drew W

While on patrol in a marked Ohio State Highway Patrol cruiser and traveling south on US 23 in Scioto County just south of mile post 11, I observed a white Chevrolet Monte Carlo travel outside its lane. The vehicle was traveling southbound in the left lane ahead me and I noticed that it crossed over the dotted white center line by approximately a tire width. The vehicle moved back into its lane and began to draw close to it in the right lane. As we approached mile post 9, while pacing the vehicle I noticed that its speed began to rapidly slow down. As we approached the Houston Hollow intersection I noticed the vehicle had slowed to 45 mph in a 55 mph zone

REPORTING OFFICER: Tpr. Kuehne, Drew W	UNIT NUMBER: 1256	DATE: 7/31/2018
APPROVING OFFICER: Sgt. Kelley, Christopher S	UNIT NUMBER: 1091	DATE: 8/6/2018



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Investigative Notes

INCIDENT NO: [REDACTED]	REPORT DATE/TIME 7/31/2018 15:10	PHOTO POUCH NO.
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and was impeding the van traveling behind it. I read the registration to dispatch and was advised that the license plates were registered to a four door Chevrolet rental car. At that point I was under the impression that the vehicle had fictitious registration. The suspects vehicle quickly turned left into the Houston Hollow turn lane and made a left turn at the intersection. I changed lanes and also made the turn. I activated my over head blue lights and attempted to initiate a traffic stop with the vehicle.

The suspect vehicle failed to stop and continued eastbound on Houston Hollow. I activated my siren and pursued the vehicle. After reaching speeds between 60-70 mph, the vehicle drove into a ditch on the left side of the roadway. The vehicle spun around in the road and then traveled back westbound past my patrol car. I changed directions in a driveway and continued pursuing the vehicle. I caught up to the vehicle near the Candy Run/Houston Hollow intersection and Sgt. Robirds pulled out and followed in behind me. He advised me he was taking over radio traffic at that point. As we approached US 23, [REDACTED] threw out stop sticks. The suspect drove around the sticks and I continued behind the fleeing vehicle. As we passed [REDACTED] Tpr. Lewis pulled out behind the suspect and in front of me.

The suspect ran the red light at US 23 and made a left turn traveling south in the northbound lanes. Tpr. Lewis continued behind the suspect in the northbound lanes. I began traveling south in the southbound lanes. At mile post 8, after running several vehicles off the road, the suspect cut across the grass median and began traveling in the southbound lanes. We were advised by Sgt. Robirds to attempt a rolling roadblock. Tpr. Lewis passed the vehicle and changed lanes in front of the suspect. I sped up and was almost parallel with the suspect when he swerved toward my patrol car and forced me into the median. The suspect also went into the median and then swerved into the left side of Tpr. Lewis' patrol car. The suspect then swerved down into the median and back into the northbound lanes almost striking Tpr. Williams' patrol car.

All patrol units paralleled the suspect between mile posts 8 and 6 as he continued in the northbound lanes running several vehicles off the road. As we approached the Clay Overpass, the suspect swerved back into the southbound lanes. As we traveled over the overpass, the suspect swerved into the northbound lanes several times. We continued southbound through the 45 mph speed zone at speeds between 50-80 mph. The pursuit continued into the Portsmouth city limits and the suspect ran the red light at the Kinneys Lane intersection. The suspects vehicle then ramped a curb and continued south. Tpr. Lewis initiated contact with the suspects vehicle and it began to spin. The suspects vehicle then crashed into a black truck that was sitting on the edge of the Advanced Auto parking lot. The vehicle then came to rest.

Units from the Portsmouth Police Dept., Scioto County Sheriffs Office, and all units from OSP surrounded the vehicle with weapons drawn. I used my baton to break the window on the passenger side and removed the front seat passenger, Pamela. R. Ekins (2/19/89) from the vehicle. She was handcuffed and secured at that time. Sgt. Robirds removed the driver of the vehicle, Carlos J. Hernandez (12/11/86), from the drivers side of the vehicle and handcuffed him. An unloaded Ruger .45 pistol was located under Mr. Hernandez' feet in the vehicle. The serial number on the weapon had clearly been scratched off.

As the suspects were removed from the vehicle, I overheard another officer say that there were children in the vehicle. We then assisted the two small children, Gene Vazquez (1/8/10) and Angel Vazquez (10/28/08) from the vehicle and they were placed with Ms. Elkins. She was transported to SOMC for minor injuries and released with no charges.

[REDACTED] advised Mr. Hernandez of his Miranda Rights. Mr. Hernandez advised that he had just purchased the firearm on the previous night. He stated that he violated his parole in Michigan and cut his ankle monitor. He knew he had a felony warrant and was attempting to flee with his girlfriend and her children to Ashland, KY,

REPORTING OFFICER: Tpr. Kuehne, Drew W	UNIT NUMBER: 1256	DATE: 7/31/2018
APPROVING OFFICER: Sgt. Kelley, Christopher S	UNIT NUMBER: 1091	DATE: 8/6/2018



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Investigative Notes

INCIDENT NO: [REDACTED]	REPORT DATE/TIME 7/31/2018 15:10	PHOTO POUCH NO.
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where his grandmother lived. [REDACTED] transported Mr. Hernandez to Kings Daughters to be treated for minor injuries. He was released and [REDACTED] transported him to the Scioto County Jail.

I took an inventory of the suspects vehicle. I again advised dispatch of the vehicle's registration. Dispatch advised at that time that they had ran the registration wrong before I initiated the traffic stop and that the plates actually do return on that vehicle. Gahms Towing arrived on scene and towed the vehicle. I transported the firearm to the OSP Post and placed it in temporary evidence. I then drove to the jail and cited Mr. Hernandez with failure to comply F3, weapons under disability F3, and child endangerment F5.

Tuesday, July 31, 2018 15:10 [REDACTED]

On July 31, 2018, Trooper Drew Kuehne radioed that he was attempting to stop a vehicle on US 23 southbound. Dispatch stated the license plates were expired by several years and they belonged to Enterprise Rental LLC. The vehicle was an older white Chevrolet Monte Carlo and I believed the vehicle was possible stolen. Trooper Kuehne stated the vehicle had turned left on Houston Hollow Road from US 23. I turned onto Houston Hollow and Trooper Kuehne then stated the vehicle had turned around and was traveling back toward US 23. I stopped and attempted to deploy the stop sticks but the string came from the wand and I was forced to toss the sticks in the roadway. I did not have enough time to safely grab the sticks and string to re-deploy. The defendant drove around the stop sticks and continued to US 23. The window tint was extremely dark and I was unable to see any occupants in the vehicle. I gathered the sticks and secured them back in my patrol car and continued back to US 23 southbound. I then noticed the defendant was traveling southbound in the northbound lanes. The defendant was southbound in the northbound lanes from mile post #8 to approximately mile post #5.

We entered the City of Portsmouth on US 23 and near the intersection of 13th Street I saw the defendant's vehicle had crashed and came to rest in a parking lot. I pulled my patrol car in front of the defendant's vehicle and I noticed the vehicle was disabled. I saw an adult male driver and an adult female passenger. I was still unable to see occupants in the rear of the vehicle but could see movement in the back seat. A Portsmouth Police Officer broke the driver window and grabbed the hands of the male driver. Trooper Kuehne broke the passenger side window and I was now able to see the occupants. I could now see the rear occupants were children. I yelled to the officers that there were children in the vehicle and they were coming out of the vehicle. The defendant was taken into custody by a Portsmouth Police Officer and the female passenger was detained by Trooper Kuehne.

I witnessed Trooper Kuehne pull a handgun from the driver side of the vehicle and he showed it to me. The defendant was placed in the rear of patrol car where I read him his Miranda Rights. The defendant stated to me that he fled because he had just spent 13 years in prison and was released on parole. The defendant stated he had cut his ankle monitor off the night before and was fleeing the Parole Authority to hide at his Grandmother's home in Ashland, Kentucky. The defendant admitted the handgun belonged to him and that he had purchased it off the "street." EMS and the Fire Department arrived and transported the children and female passenger to SOMC as a precaution. The defendant refused medical treatment to the point of even refusing to give them his name. Deputy Frantz volunteered to transport the defendant to the jail while I assisted with the vehicle inventory.

I started toward SOMC to give the female passenger her cell phone and gather their information. While en route to the hospital, the jail contacted the post and stated the defendant was now requesting medical treatment. I responded and transported the defendant to King's Daughters Medical Center. While at the hospital the defendant began talking about the incident and was requesting to know how long his prison sentence was going

REPORTING OFFICER: Tpr. Kuehne, Drew W	UNIT NUMBER: 1256	DATE: 7/31/2018
APPROVING OFFICER: Sgt. Kelley, Christopher S	UNIT NUMBER: 1091	DATE: 8/6/2018



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Investigative Notes

INCIDENT NO: [REDACTED]	REPORT DATE/TIME 7/31/2018 15:10	PHOTO POUCH NO.
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to be for fleeing. I explained to him that he had caused a great risk to his family and told him that at no point during the chase did we know there children in the vehicle. The defendant stated at one point he did slow his vehicle to surrender but then changed his mind and stated we were just going to have to catch him. I attempted to reason with the defendant of how his actions could have ended with someone getting hurt but his only response was that we should have just let him go.

The defendant was seen by a nurse and a doctor but again refused medical treatment and wanted to go to jail. The hospital gave me a release for the defendant and I transported him back to the jail where he was booked in. I then went SOMC and gave the female passenger her phone so she could call family. I collected an HP-60 for the phone and two credit cards that were released to her. I inquired about any injuries she or her children may have but she stated they were not injured. I explained to her that the defendant was incarcerated in the Scioto County Jail and she could contact the wrecker service to obtain her clothing from the vehicle. This concluded my interaction with the passenger of the vehicle.

Wednesday, August 01, 2018 09:22 **1408 Tpr. Moorhead, Jeffrey T**

I assisted by preparing a search warrant for the suspect's vehicle per the Scioto County Prosecutor's office. The warrant will be executed at Gahm's Salvage Yard in Lucasville, Ohio.

Monday, August 06, 2018 11:02 **1091 Sgt. Kelley, Christopher S**

The case was reviewed and prepared for DHQ review. An e-mail was sent to OIS, Trooper Moorhead and Sergeant Maughmer, in regards to the recovered gun identification. I spoke to Trooper Moorhead and he advised that he would process it to BCI&I.

Monday, August 06, 2018 12:18 **1408 Tpr. Moorhead, Jeffrey T**

The weapon was removed from the evidence locker at Post 73 by Sergeant J. Howard; I will be relaying the weapon to BCI&I Lab in London, Ohio for serial number restoration.

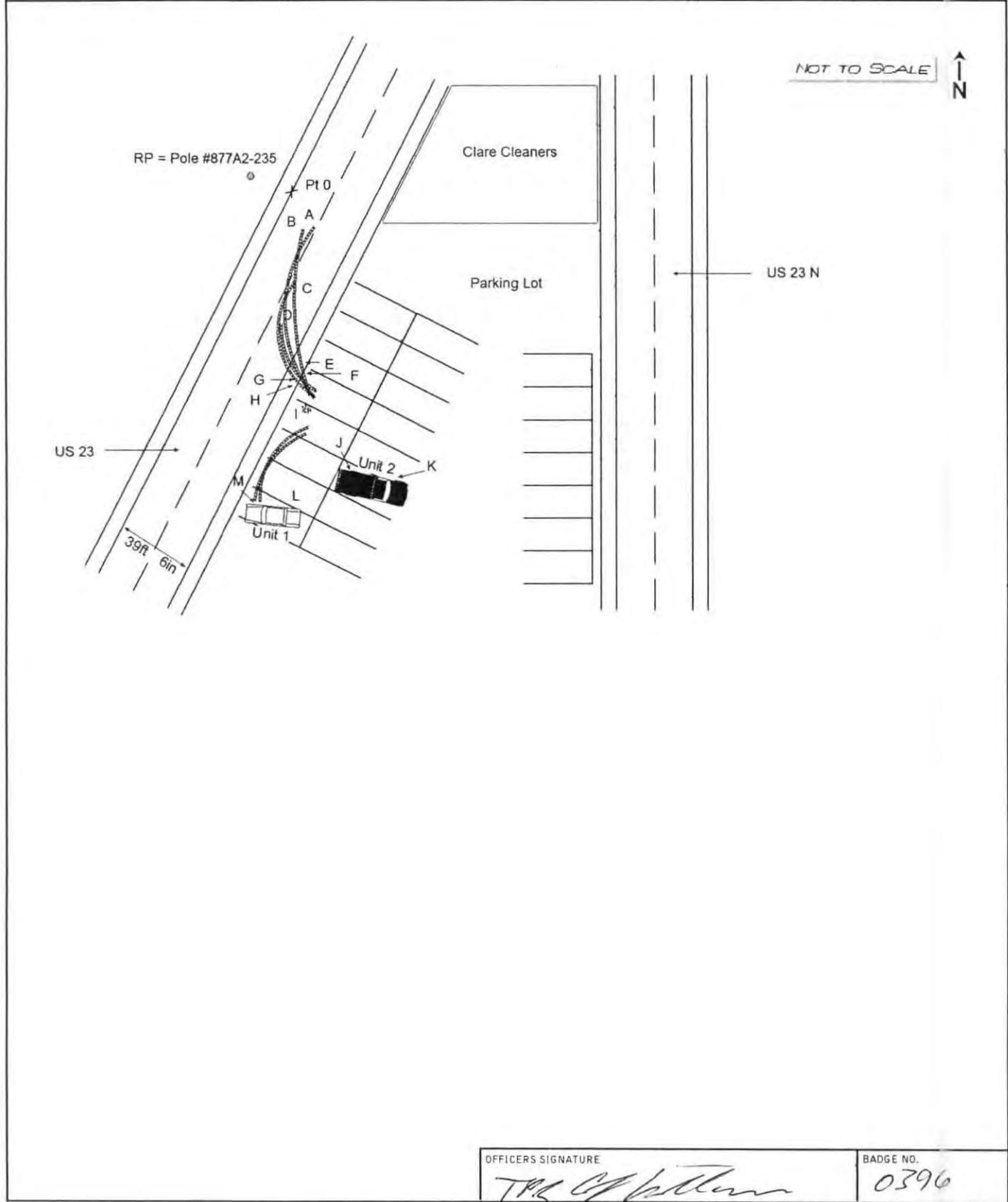
Tuesday, August 07, 2018 11:20 **1408 Tpr. Moorhead, Jeffrey T**

The weapon was processed and relayed to BCI lab in London, Ohio and released; will be secured in BCI lab until the weapon's serial number is restored. BCI Lab number #18-18781

REPORTING OFFICER: Tpr. Kuehne, Drew W	UNIT NUMBER: 1256	DATE: 7/31/2018
APPROVING OFFICER: Sgt. Kelley, Christopher S	UNIT NUMBER: 1091	DATE: 8/6/2018

OHIO TRAFFIC ACCIDENT - DH2 DIAGRAM

LOCAL REPORT NUMBER --	REPORTING AGENCY Ohio State Highway Patrol	REPORTING AGENCY
IN COUNTY OF <i>Scioto</i>	ACCIDENT LOCATION	<i>7/31/18</i>



OFFICERS SIGNATURE <i>TRC [Signature]</i>	BADGE NO. <i>0396</i>
--	--------------------------

LOCAL REPORT NUMBER --	REPORTING AGENCY Ohio State Highway Patrol	DATE OF CRASH
IN COUNTY OF <i>SCIOTO</i>	ACCIDENT LOCATION	<i>7/31/18</i>

RP = Pole # 877A2-235

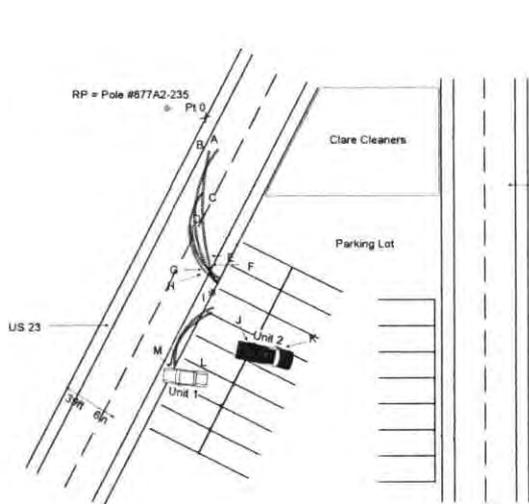
Pt 0 = West White Edge Line

RP to Pt 0 = 14ft 5in

Road Width = 39ft 6in

	AE	FE	Description
A	11ft 2in	13ft 0in	Start of Unit #1 Left Rear Tire Mark
B	34ft 0in	10ft 0in	Start of Unit #1 Right Rear Tire Mark
C	48ft 10in	25ft 4in	Start of Unit #1 Left Front Tire Mark
D	79ft 2in	29ft 7in	Start of Unit #1 Right Front Tire Mark
E	93ft 6in	39ft 6in	Unit #1 LeftFront Off Road Left
F	98ft 5in	39ft 6in	Unit #1 Left Rear Off Road Left
G	110ft 9in	39ft 6in	Unit #1 Right Front Off Road Left
H	117ft 1in	39ft 6in	Unit #1 Right Rear Off Road Left
I	144ft 10in	64ft 4in	Area of Impact
J	150ft 0in	86ft 10in	Unit #2 Left Front Wheel at Final Rest
K	155ft 9in	76ft 2in	Unit #2 Left Rear Wheel at Final Rest
L	172ft 2in	64ft 4in	Unit #1 Right Rear Wheel at Final Rest
M	177ft 0in	60ft 3in	Unit #1 Right Front Wheel at Final Rest

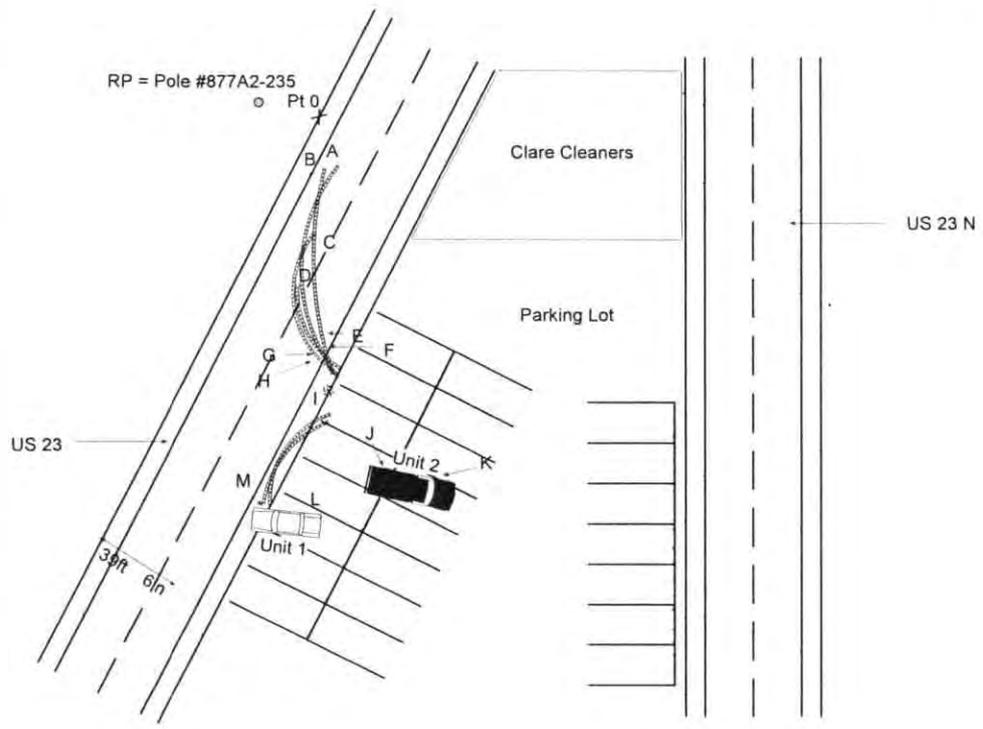
OFFICERS SIGNATURE <i>TRK Cybister</i>	BADGE NO. <i>0396</i>
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NOT TO SCALE ↑
N

	AE	FE	Description
A	11ft 2in	13ft 0in	Unit #1 Start of Left Rear Tire Mark
B	34ft 0in	10ft 0in	Unit #1 Start of Right Rear Tire Mark
C	48ft 10in	25ft 4in	Unit #1 Start of Left Front Tire Mark
D	79ft 2in	29ft 7in	Unit #1 Start of Right Front Tire Mark
E	93ft 6in	39ft 6in	Unit #1 Left Front Off Road Left
F	98ft 5in	39ft 6in	Unit #1 Left Rear Off Road Left
G	110ft 9in	39ft 6in	Unit #1 Right Front Wheel Off Road Left
H	117ft 1in	39ft 6in	Unit #1 Right Rear Wheel Off Road Left
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NOT TO SCALE



	AE	FE	Description
A	11ft 2in	13ft 0in	Unit #1 Start of Left Rear Tire Mark
B	34ft 0in	10ft 0in	Unit #1 Start of Right Rear Tire Mark
C	48ft 10in	25ft 4in	Unit #1 Start of Left Front Tire Mark
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I	144ft 10in	64ft 4in	Area of Impact
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K	155ft 9in	76ft 2in	Unit #2 Left Rear Wheel at Final Rest
L	172ft 2in	64ft 4in	Unit #1 Right Rear Wheel at Final Rest
M	177ft 0in	60ft 3in	Unit #1 Right Front Wheel at Final Rest



LOCAL REPORT NUMBER	REPORTING AGENCY OHIO STATE HIGHWAY PATROL	DATE OF CRASH M 7 D 31 Y 18
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FOR LOCAL USE ONLY - DO NOT SUBMIT TO THE STATE EXCEPT FOR FATAL CRASHES

I, David M Carver HEREBY MAKE THIS VOLUNTARY STATEMENT TO
PRINTED
SCOT. ROBIROS AT CRASH SCENE
OFFICER'S NAME LOCATION

I was sitting in my Truck in The Parking Lot of Go green Cleaners eating Lunch I had been Parked For about ten minutes when I started hearing cop cars The next Thing I know a car From Michigan hits my truck in the back and knocked me side ways. I hit my head on something but I'm ok just a little bump on my head The truck looks pretty bad its not driveable

Q. WHAT ARE YOUR INJURIES?

A. JUST MY HEAD

Q. WERE YOU MOVING OR PARKED?

A. COMPLETELY PARKED

Q. DID YOU SEE THE CAR BEFORE IMPACT?

A. NO, I JUST HEARD THE SIRENS

Q. DID EMS CHECK YOU ON SCENE?

A. YES I WAS CHECKED AND RELEASED?

Q. DO YOU WANT TO ADD ANYTHING?

A. NO

9946 US 52 Stout oh 45684

ADDRESS OF WITNESS

SIGNATURE OF WITNESS

X David M Carver

OFFICER'S SIGNATURE

X SCOT. ROBIROS



LOCAL REPORT NUMBER [REDACTED]	REPORTING AGENCY OSHP	DATE OF CRASH M 7 03 Y 18
IN COUNTY OF Scioto	CRASH LOCATION US 23 500FT NORTH OF 13TH ST	

RP = OPC 877A2-235
PTO = W E RD
RP TO PTO =
RD = 39^e

	AE	FE	
A	11 ²	13 ²	LR STTM
B	34 ²	10 ²	RR STTM
C	48 ²	23 ¹	LF STTM
D	79 ²	29 ¹	RF STTM
E	93 ⁶	39 ⁶	RF OFF LFT
F	98 ⁵	39 ⁴	LR OFF LFT
G	110 ⁹	39 ⁴	RF OFF LFT
H	117 ¹	39 ⁶	RR OFF LFT
I	144 ¹⁰	64 ²	A OFF
J	150 ²	86 ¹⁰	U ² LFR
K	155 ⁹	76 ³	U ² LRFR
L	172 ²	44 ⁴	U ¹ RRFR
M	177 ²	60 ³	U ¹ RFR

OFFICER'S SIGNATURE X	BADGE NUMBER
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**Ohio State Highway Patrol
Pursuit/RTR Case Information**

Case Number: [REDACTED]



Report Generated On:
8/7/2018 1:30:06 PM

Pursuit/RTR Occurrence

Occurrence Type

Case Type	Case Number	County	Occurrence Date/Time
Pursuit	[REDACTED]	Scioto County	07/31/2018 15:10:00

Division/Section/Department

PeopleSoft Department

290973 D9 Post 73 Portsmouth

Units Involved

Name	District/Post	Primary?
Robirds, Ryan E - 06043	D9 Post 73 Portsmouth	No

Location and Conditions

Start Location	Latitude Start:	Longitude Start:
	38:50.13.31	082:59.03.65
Stop Location	Latitude Stop:	Longitude Stop:
	38:44.32.12	082:59.39.42

Route	Route Type	Width	Dividers	Weather
0023	US Route	20.0	Median	Cloudy

Character	Area Type	Pavement Type	Road Conditions	Light Conditions
Curves	Rural	Asphalt	Dry	Daylight

Pursuit Crash Information

Crash Report Number	Crash Severity	Unit Involved	Suspect Involved	Other Agency Involved	Patrol Car Crash

Pursuits...Persons Injured or Killed

Units	Injured	Killed	Medical Treatment
	0	0	0
Suspects	Injured	Killed	Medical Treatment
	0	0	0



**Ohio State Highway Patrol
Pursuit/RTR Case Information**

Case Number [REDACTED]



Report Generated On:
8/7/2018 1:30:06 PM

Other Persons Injured	0	Killed	0	Medical Treatment	0
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RTR...Persons Injured or Killed

Units Injured	Killed	Medical Treatment
Suspects Injured	Killed	Medical Treatment
Other Persons Injured	Killed	Medical Treatment

Pursuit Details

Fleeing Vehicle Type	Contact	Lights	Sirens	Terminated By		
Marked Patrol Car	Traffic Violation	Constant Pursuit	Constant Pursuit	Other		
Peak Speed of Patrol Unit	Peak Speed of Suspect	Distance of Pursuit	Duration of Pursuit	# of Pursuit Vehicles	# of OSHP Vehicles	
100	100	11.91	12.00	5	5	
# of Agencies Involved	Pursuit Initiated by Another Agency	# of Deflating Devices	# of Deflating Devices Deployed	# of Inadvertent Police Tire Deflations	# of Other inadvertent Tire Deflations	# of Crashes
3		1	Ineffective	0	0	0

Violations

Violator

Race/Sex	Age	Alcohol Involved	BAC	BAC Unknown?	Violator Captured?	Case Type	Drugs Involved
White Male	31	No	0.00	Yes	Yes	Pursuit	

Narrative

A traffic stop was initiated after the trooper observed a marked lanes violation. The suspect fled south on US 23 at an approximate speed of 100 MPH. Stop Sticks were deployed at one point but the suspect was able to avoid striking them. Intentional contact was eventually made by an OSP trooper to shove the suspect into a parking lot where he was taken into custody.

Pursuit Violations



**Ohio State Highway Patrol
Pursuit/RTR Case Information**



Case Number: [REDACTED]

Report Generated On:
8/7/2018 1:30:06 PM

Violation	Pursuit Charge	Eluding	Eluding Reason Flag
Other	DUS Fleeing/Eluding	Other	Opinion of Unit
Speeding	DUS Fleeing/Eluding	Other	Opinion of Unit

Response to Resistance Violations

Unit's Action	Situation	Violator's Actions	Charged With	Firearm Type	Fully Automatic	Class	Occasion
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Conductive Energy Weapon Information

Unit lost control of device during use	CEW Malfunction	Number of times dart deployed	Number of times cycled	Number of times stun used
Level of Effectiveness	Injury to Unit due to device use	Injury to Suspect due to device use		Reason for device ineffectiveness

Comments

Reviews

Review Information

In-Car Video/Audio?	Freedom Caller?	Sent to Review Committee
No	No	



Ohio State Highway Patrol
Pursuit/RTR Case Information

Case Number: [REDACTED]



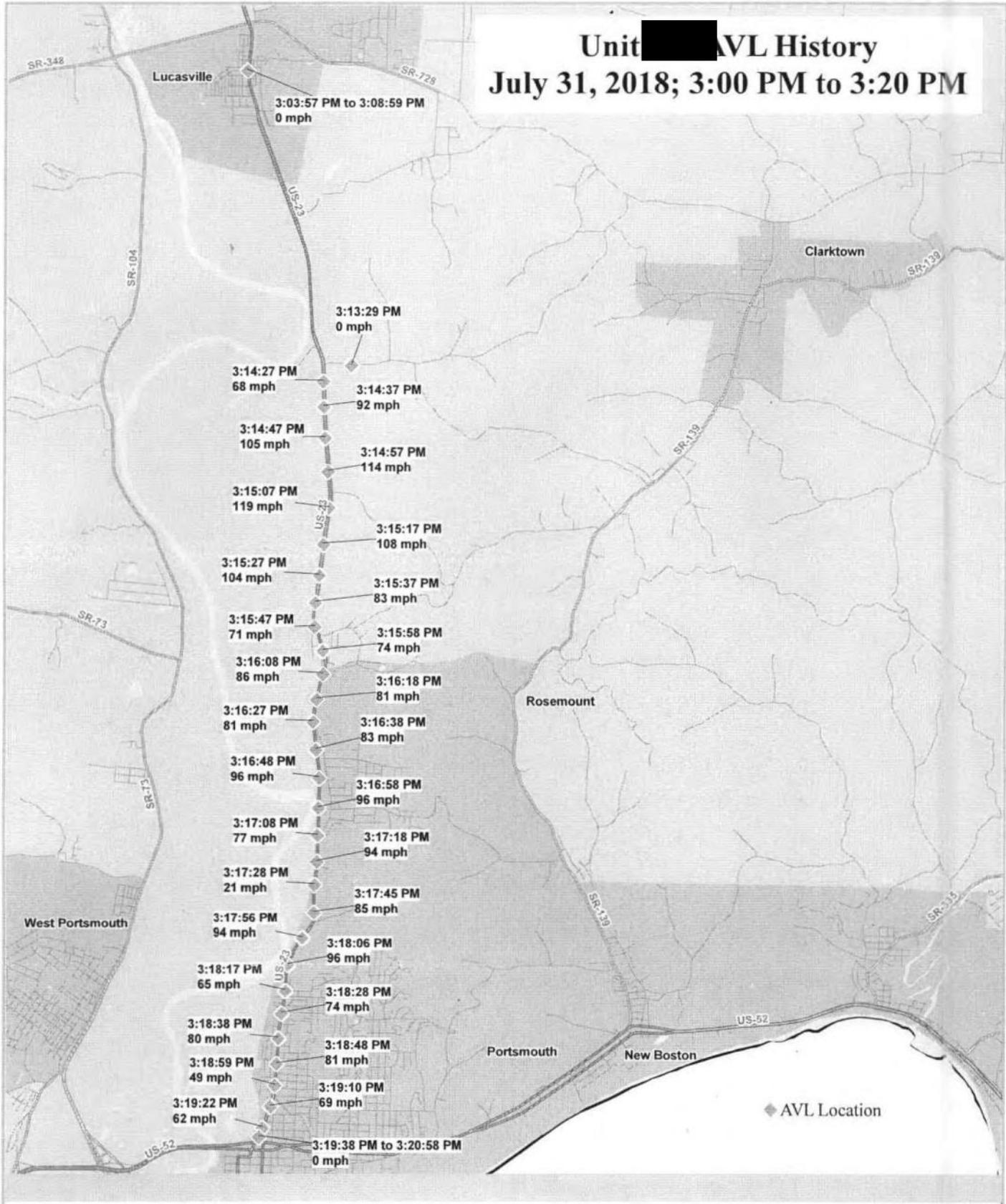
Report Generated On:
8/7/2018 1:30:06 PM

Reviewer Name

Review Location

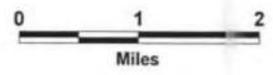
Review Date

Unit [REDACTED] AVL History July 31, 2018; 3:00 PM to 3:20 PM



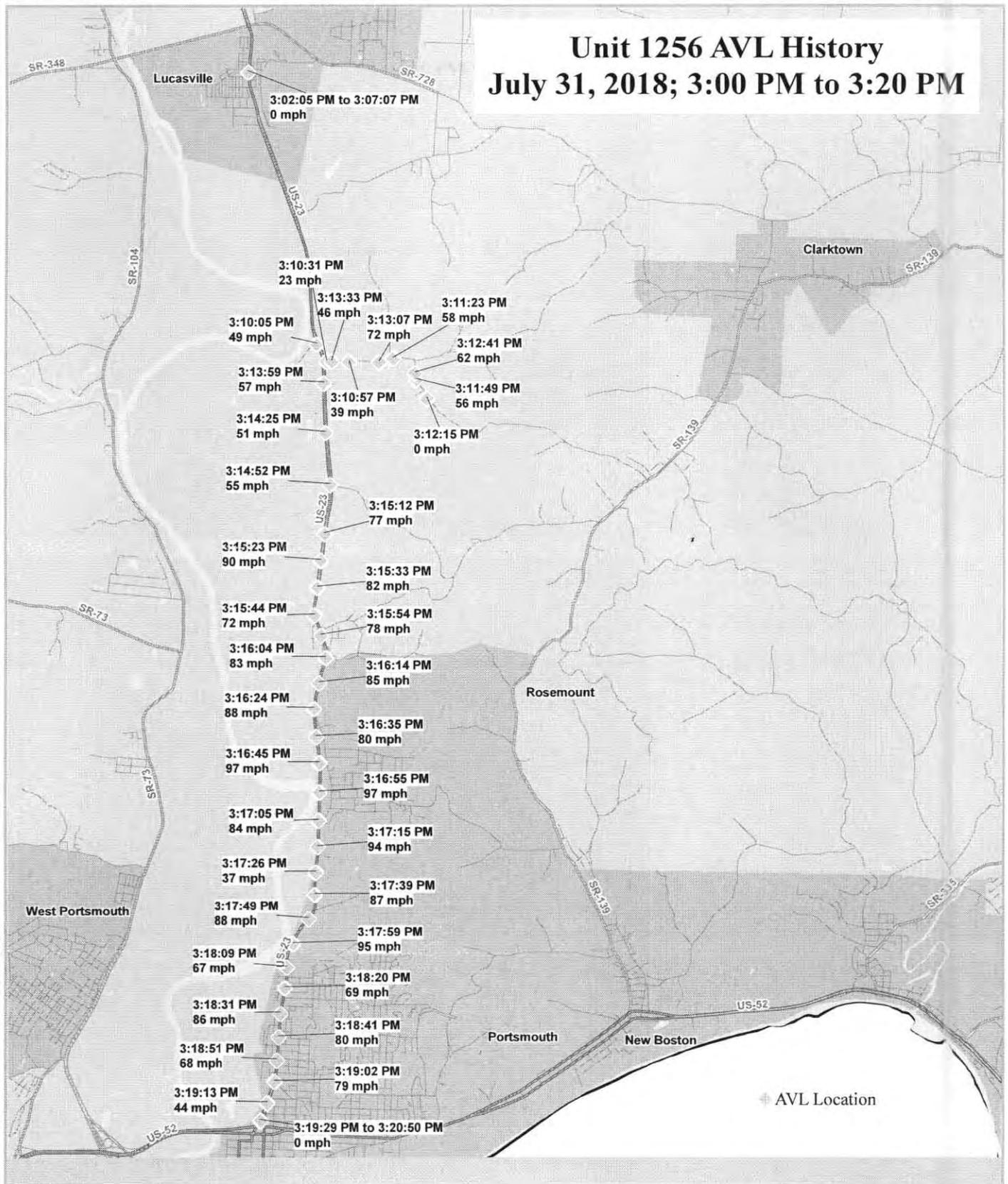
TROOPER SHIELD
OHIO STATE HIGHWAY PATROL

Data Source: OSHP Computer-Aided Dispatch (CAD) System; AVL Data
Map Design and Layout: OSHP Statistical Analysis Unit
Ohio State Highway Patrol
October 24, 2018



TPR. RUEHNE

Unit 1256 AVL History July 31, 2018; 3:00 PM to 3:20 PM

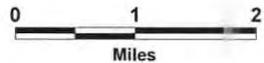


AVL Location



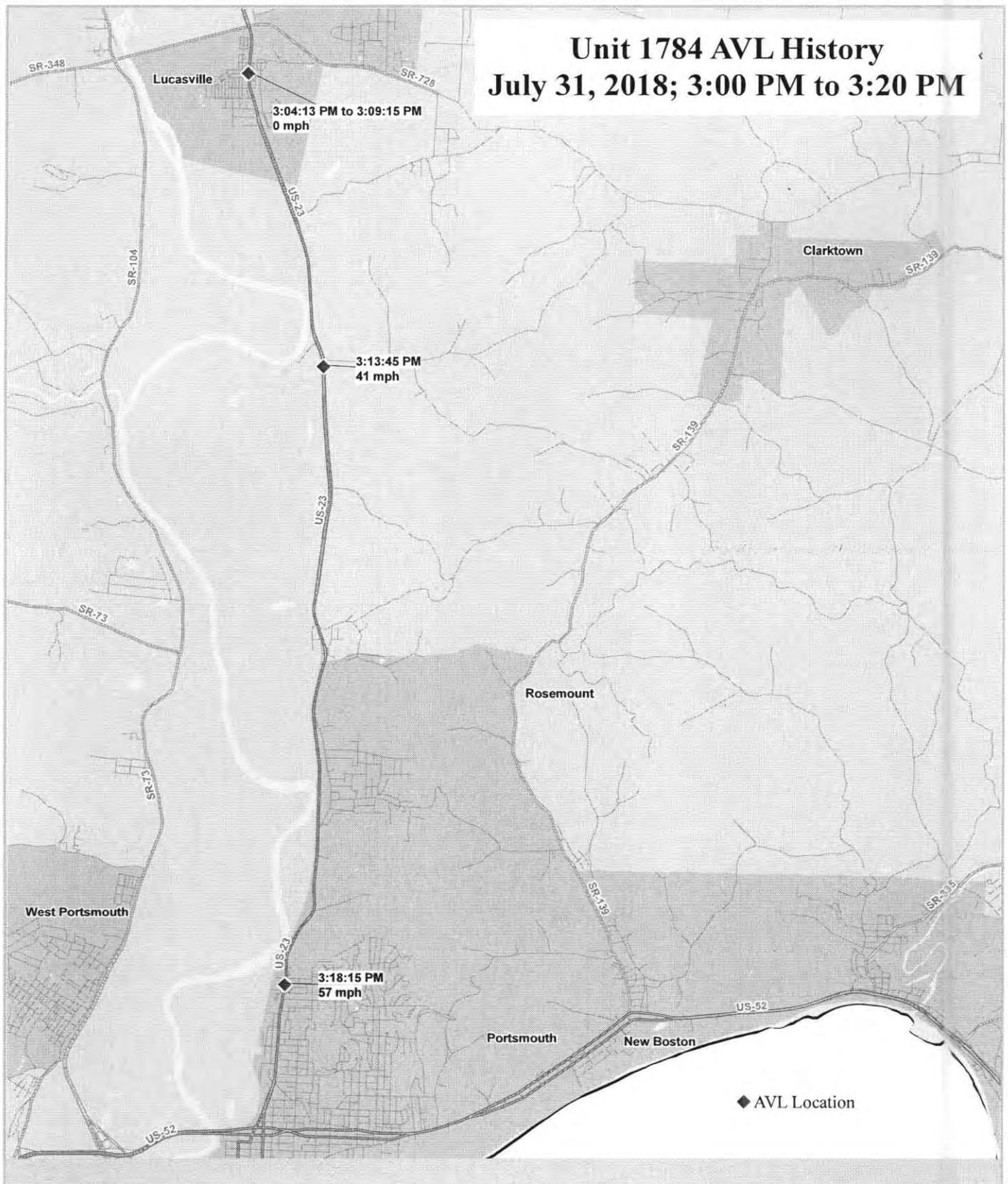
TROOPER SHIELD
OHIO STATE HIGHWAY PATROL

Data Source: OSHP Computer-Aided Dispatch (CAD) System; AVL Data
Map Design and Layout: OSHP Statistical Analysis Unit
Ohio State Highway Patrol
October 24, 2018



TPR. LEWIS

Unit 1784 AVL History July 31, 2018; 3:00 PM to 3:20 PM



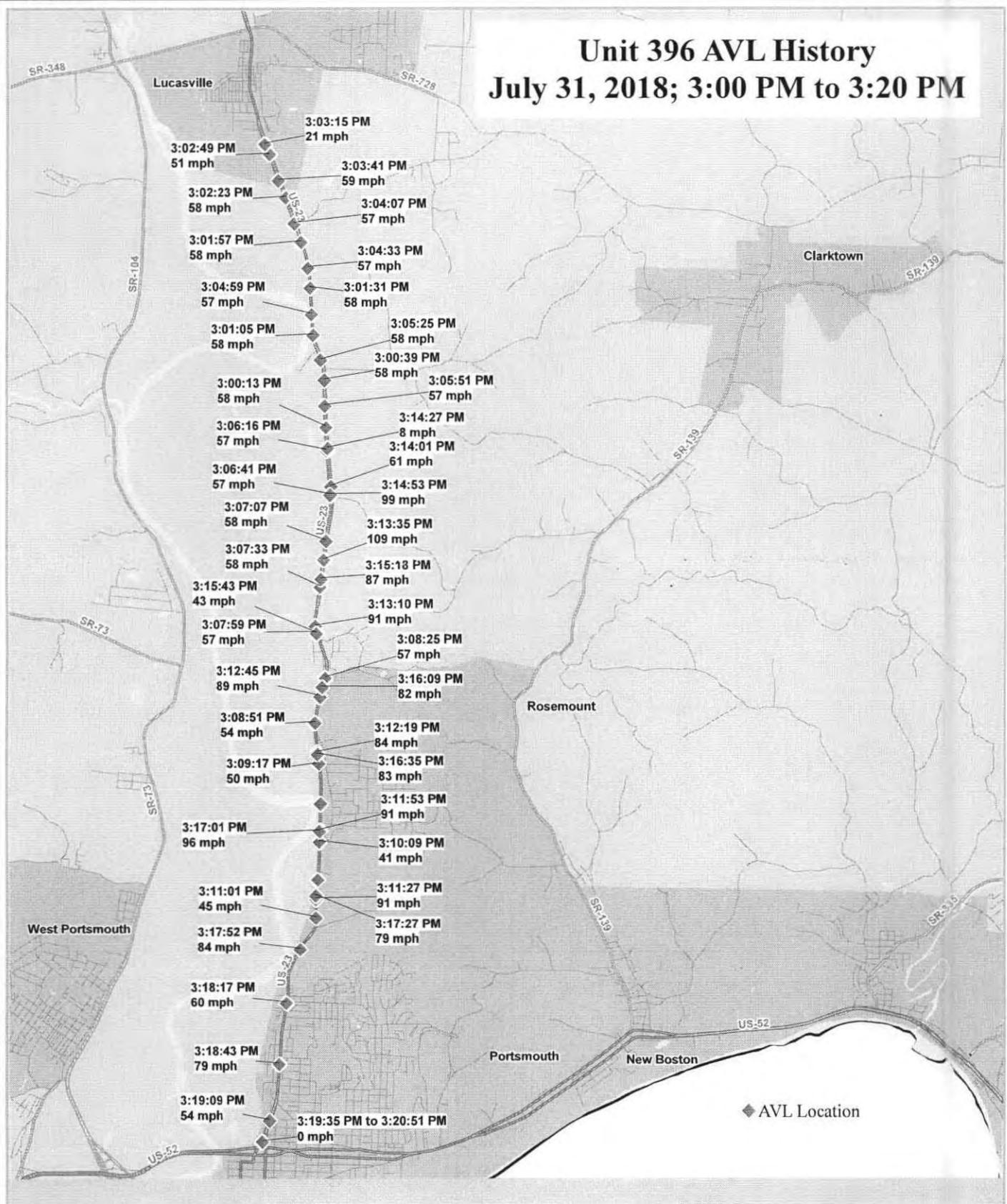
TROOPER SHIELD
Strength Through Character

Data Source: OSHP Computer-Aided Dispatch (CAD) System; AVL Data
Map Design and Layout: OSHP Statistical Analysis Unit
Ohio State Highway Patrol
October 24, 2018



Trooper Williams

Unit 396 AVL History July 31, 2018; 3:00 PM to 3:20 PM



TROOPER SHIELD
Through Faith, Character

Data Source: OSHP Computer-Aided Dispatch (CAD) System; AVL Data
Map Design and Layout: OSHP Statistical Analysis Unit
Ohio State Highway Patrol
October 23, 2018





INTERNAL INVESTIGATION PRE-INTERVIEW (OSP ONLY)

EMPLOYEE NAME Ryan E. Robirds		UNIT # 1880	OAKS EMPLOYEE ID # [REDACTED]	SHIFT [REDACTED]
COMPONENT / POST Portsmouth Post 73		DIVISION / DISTRICT OHSP / District 9		
DATE 10/17/2018	TIME 3:18 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	LOCATION Portsmouth Post		
INTERVIEWER NAME Terrill S. Barnes	TITLE Sergeant	ASSIGNMENT AND SHIFT AIU / [REDACTED]		

You are the subject of an administrative investigation. The known allegations are:
 The A.I. is based on the facts and circumstances surrounding a high-speed pursuit involving a wrong way driver and multiple officers. Sergeant Robirds allowed the pursuit to continue, which ended as the result of one officer making intentional contact with the fleeing vehicle. The intentional contact caused an injury crash that involved a civilian in a parked vehicle.

Ask employee if he / she wants a labor representative? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Bargaining Unit - OSTA	
IF YES, REPRESENTATIVE NAME Larry Phillips	UNIT #	OAKS EMPLOYEE ID #
COMPONENT / POST	DIVISION / DISTRICT	

If a request for a labor representative is made, do not interview until a representative is available.

CONCLUDED AT	RESCHEDULED FOR
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If the employee declines a labor representative or if the representative is present, proceed with the interview by reading the following warning:
 You are being interviewed as part of an official administrative investigation by the Department of Public Safety. You will be asked questions relating to the performance of your official duties or fitness for office. If you refuse to answer questions completely and / or accurately, you may be subject to disciplinary action, up to and including dismissal. Statements provided under threat of disciplinary action may not be used against you in any subsequent criminal proceedings.

SIGNATURE OF EMPLOYEE X <i>[Signature]</i>		DATE 10-17-18	
SIGNATURE OF WITNESS X <i>[Signature]</i>		DATE 10-17-18	
INTERVIEW BREAKS			
STOP	START	STOP	START
INTERVIEW COMPLETED AT 3:39 P.M.	TAPE RECORDING MADE OF THE INTERVIEW? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	TAPE RECORDING MADE BY Sergeant Barnes	

SIGNATURE OF INTERVIEWER X <i>[Signature]</i>	DATE 10/17/2018
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Employee to receive a copy of completed form.



INTERNAL INVESTIGATION PRE-INTERVIEW (OSP ONLY)

EMPLOYEE NAME Nicholas L. Lewis		UNIT # 1784	OAKS EMPLOYEE ID # [REDACTED]	SHIFT [REDACTED]
COMPONENT / POST District 9 Criminal Patrol		DIVISION / DISTRICT OHSP / District 9		
DATE 10/23/2018	TIME 10:02 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.	LOCATION Jackson District Headquarters		
INTERVIEWER NAME Terrill S. Barnes	TITLE Sergeant	ASSIGNMENT AND SHIFT AIU / [REDACTED]		

You are the subject of an administrative investigation. The known allegations are:
 The A.I. is based on the facts and circumstances surrounding a high-speed pursuit involving a wrong way driver and multiple officers. Trooper Lewis allowed the pursuit to continue. Trooper Lewis made intentional contact with the fleeing vehicle. The intentional contact caused an injury crash that involved a civilian in a parked vehicle.

Ask employee if he / she wants a labor representative? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Bargaining Unit - OSTA	
IF YES, REPRESENTATIVE NAME Larry Phillips		UNIT #	OAKS EMPLOYEE ID #
COMPONENT / POST		DIVISION / DISTRICT	

If a request for a labor representative is made, do not interview until a representative is available.

CONCLUDED AT	RESCHEDULED FOR
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If the employee declines a labor representative or if the representative is present, proceed with the interview by reading the following warning:

You are being interviewed as part of an official administrative investigation by the Department of Public Safety. You will be asked questions relating to the performance of your official duties or fitness for office. If you refuse to answer questions completely and / or accurately, you may be subject to disciplinary action, up to and including dismissal. Statements provided under threat of disciplinary action may not be used against you in any subsequent criminal proceedings.

SIGNATURE OF EMPLOYEE <i>X [Signature]</i>	DATE 10/23/18
SIGNATURE OF WITNESS <i>X [Signature]</i>	DATE 10/23/18

INTERVIEW BREAKS			
STOP	START	STOP	START
INTERVIEW COMPLETED AT 10:36 A.M.	TAPE RECORDING MADE OF THE INTERVIEW? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		TAPE RECORDING MADE BY Sergeant Barnes

SIGNATURE OF INTERVIEWER <i>X [Signature]</i>	DATE 10/23/2018
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Employee to receive a copy of completed form.



INTERNAL INVESTIGATION PRE-INTERVIEW (OSP ONLY)

EMPLOYEE NAME Drew W. Kuehne		UNIT # 1256	OAKS EMPLOYEE ID # [REDACTED]	SHIFT [REDACTED]
COMPONENT / POST District 9 Criminal Patrol		DIVISION / DISTRICT OHSP / District 9		
DATE 10/23/2018	TIME 9:24 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.	LOCATION Jackson District Headquarters		
INTERVIEWER NAME Terrill S. Barnes	TITLE Sergeant	ASSIGNMENT AND SHIFT AIU / [REDACTED]		

You are the subject of an administrative investigation. The known allegations are:
 The A.I. is based on the facts and circumstances surrounding a high-speed pursuit involving a wrong way driver and multiple officers. Trooper Kuehne allowed the pursuit to continue, which ended as the result of one officer making intentional contact with the fleeing vehicle. The intentional contact caused an injury crash that involved a civilian in a parked vehicle.

Ask employee if he / she wants a labor representative? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Bargaining Unit - OSTA
IF YES, REPRESENTATIVE NAME Larry Phillips	UNIT #	OAKS EMPLOYEE ID #
COMPONENT / POST	DIVISION / DISTRICT	

If a request for a labor representative is made, do not interview until a representative is available.

CONCLUDED AT	RESCHEDULED FOR
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If the employee declines a labor representative or if the representative is present, proceed with the interview by reading the following warning:

You are being interviewed as part of an official administrative investigation by the Department of Public Safety. You will be asked questions relating to the performance of your official duties or fitness for office. If you refuse to answer questions completely and / or accurately, you may be subject to disciplinary action, up to and including dismissal. Statements provided under threat of disciplinary action may not be used against you in any subsequent criminal proceedings.

SIGNATURE OF EMPLOYEE <i>X</i>		DATE
SIGNATURE OF WITNESS <i>X</i>		DATE 10-23-18
INTERVIEW BREAKS		
STOP	START	STOP
INTERVIEW COMPLETED AT 9:50 A.M.	TAPE RECORDING MADE OF THE INTERVIEW? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	TAPE RECORDING MADE BY Sergeant Barnes

SIGNATURE OF INTERVIEWER <i>X</i>		DATE 10/23/2018
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Employee to receive a copy of completed form.



INTERNAL INVESTIGATION PRE-INTERVIEW (OSP ONLY)

EMPLOYEE NAME [REDACTED]		UNIT # [REDACTED]	OAKS EMPLOYEE ID # [REDACTED]	SHIFT [REDACTED]
COMPONENT / POST District [REDACTED]		DIVISION / DISTRICT OHSP / District [REDACTED]		
DATE 10/23/2018	TIME 9:07 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.	LOCATION Jackson District [REDACTED]		
INTERVIEWER NAME Terrill S. Barnes	TITLE Sergeant	ASSIGNMENT AND SHIFT [REDACTED]		

You are the subject of an administrative investigation. The known allegations are:
 The A.I. is based on the facts and circumstances surrounding a high-speed pursuit involving a wrong way driver and multiple officers. [REDACTED] allowed the pursuit to continue, which ended as the result of one officer making intentional contact with the fleeing vehicle. The intentional contact caused an injury crash that involved a civilian in a parked vehicle.

Ask employee if he / she wants a labor representative? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Bargaining Unit - OSTA
IF YES, REPRESENTATIVE NAME Larry Phillips	UNIT # [REDACTED]
COMPONENT / POST	OAKS EMPLOYEE ID # [REDACTED]
	DIVISION / DISTRICT [REDACTED]

If a request for a labor representative is made, do not interview until a representative is available.

CONCLUDED AT	RESCHEDULED FOR
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If the employee declines a labor representative or if the representative is present, proceed with the interview by reading the following warning:

You are being interviewed as part of an official administrative investigation by the Department of Public Safety. You will be asked questions relating to the performance of your official duties or fitness for office. If you refuse to answer questions completely and / or accurately, you may be subject to disciplinary action, up to and including dismissal. Statements provided under threat of disciplinary action may not be used against you in any subsequent criminal proceedings.

[REDACTED]	DATE 10/23/2018
SIGNATURE OF WITNESS X [Signature]	DATE 10/23/18

INTERVIEW BREAKS			
STOP	START	STOP	START
INTERVIEW COMPLETED AT 9:20 A.M.	TAPE RECORDING MADE OF THE INTERVIEW? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	TAPE RECORDING MADE BY Sergeant Barnes	

SIGNATURE OF INTERVIEWER X [Signature]	DATE 10/23/2018
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Employee to receive a copy of completed form.



INTERNAL INVESTIGATION PRE-INTERVIEW (OSP ONLY)

EMPLOYEE NAME Ryan E. Robirds		UNIT # 1880	OAKS EMPLOYEE ID # [REDACTED]	SHIFT [REDACTED]
COMPONENT / POST Portsmouth Post 73		DIVISION / DISTRICT OHSP / District 9		
DATE 11/5/2018	TIME 3:09 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	LOCATION Portsmouth Post		
INTERVIEWER NAME Terrill S. Barnes	TITLE Sergeant	ASSIGNMENT AND SHIFT AIU / [REDACTED]		

You are the subject of an administrative investigation. The known allegations are:
 The A.I. is based on the facts and circumstances surrounding a high-speed pursuit involving a wrong way driver and multiple officers. Sergeant Robirds allowed the pursuit to continue, which ended as the result of one officer making intentional contact with the fleeing vehicle. The intentional contact caused an injury crash that involved a civilian in a parked vehicle.

Ask employee if he / she wants a labor representative? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Bargaining Unit - OSTA	
IF YES, REPRESENTATIVE NAME Larry Phillips		UNIT #	OAKS EMPLOYEE ID #
COMPONENT / POST		DIVISION / DISTRICT	

If a request for a labor representative is made, do not interview until a representative is available.

CONCLUDED AT	RESCHEDULED FOR
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If the employee declines a labor representative or if the representative is present, proceed with the interview by reading the following warning:

You are being interviewed as part of an official administrative investigation by the Department of Public Safety. You will be asked questions relating to the performance of your official duties or fitness for office. If you refuse to answer questions completely and / or accurately, you may be subject to disciplinary action, up to and including dismissal. Statements provided under threat of disciplinary action may not be used against you in any subsequent criminal proceedings.

SIGNATURE OF EMPLOYEE <input checked="" type="checkbox"/> <i>[Signature]</i>	DATE 11-5-2018
SIGNATURE OF WITNESS <input checked="" type="checkbox"/> <i>[Signature]</i>	DATE 11-5-18

INTERVIEW BREAKS			
STOP	START	STOP	START
INTERVIEW COMPLETED AT 3:21 P.M.		TAPE RECORDING MADE OF THE INTERVIEW? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	TAPE RECORDING MADE BY Sergeant Barnes

SIGNATURE OF INTERVIEWER <input checked="" type="checkbox"/> <i>[Signature]</i>	DATE 11/5/2018
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Employee to receive a copy of completed form.



INTERNAL INVESTIGATION PRE-INTERVIEW (OSP ONLY)

EMPLOYEE NAME Douglas A. DeBord		UNIT # 0983	OAKS EMPLOYEE ID # [REDACTED]	SHIFT [REDACTED]
COMPONENT / POST Portsmouth Post 73		DIVISION / DISTRICT OHSP / District 9		
DATE 10/16/2018	TIME 12:40 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	LOCATION Portsmouth Post		
INTERVIEWER NAME Terrill S. Barnes	TITLE Sergeant	ASSIGNMENT AND SHIFT AIU [REDACTED]		

You are the subject of an administrative investigation. The known allegations are:
The A.I. is based on the facts and circumstances surrounding a high-speed pursuit involving a wrong way driver and multiple officers. Lieutenant DeBord allowed the pursuit to continue, which ended as the result of one officer making intentional contact with the fleeing vehicle. The intentional contact caused an injury crash that involved a civilian in a parked vehicle.

Ask employee if he / she wants a labor representative? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Bargaining Unit -
IF YES, REPRESENTATIVE NAME	UNIT #
COMPONENT / POST	DIVISION / DISTRICT
	OAKS EMPLOYEE ID #

If a request for a labor representative is made, do not interview until a representative is available.

CONCLUDED AT	RESCHEDULED FOR
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If the employee declines a labor representative or if the representative is present, proceed with the interview by reading the following warning:

You are being interviewed as part of an official administrative investigation by the Department of Public Safety. You will be asked questions relating to the performance of your official duties or fitness for office. If you refuse to answer questions completely and / or accurately, you may be subject to disciplinary action, up to and including dismissal. Statements provided under threat of disciplinary action may not be used against you in any subsequent criminal proceedings.

SIGNATURE OF EMPLOYEE <i>X [Signature]</i>	DATE 10-16-2018
SIGNATURE OF WITNESS <i>X</i>	DATE

INTERVIEW BREAKS			
STOP	START	STOP	START
INTERVIEW COMPLETED AT 12:57 P.M.	TAPE RECORDING MADE OF THE INTERVIEW? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		TAPE RECORDING MADE BY Sergeant Barnes

SIGNATURE OF INTERVIEWER <i>X [Signature]</i>	DATE 10/16/2018
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Employee to receive a copy of completed form.



INTERNAL INVESTIGATION PRE-INTERVIEW (OSP ONLY)

EMPLOYEE NAME Christopher J. Williams		UNIT # 0396	OAKS EMPLOYEE ID # [REDACTED]	SHIFT [REDACTED]
COMPONENT / POST Portsmouth Post 73		DIVISION / DISTRICT OHSP / District 9		
DATE 10/17/2018	TIME 2:26 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	LOCATION Portsmouth Post		
INTERVIEWER NAME Terrill S. Barnes	TITLE Sergeant	ASSIGNMENT AND SHIFT AIU / [REDACTED]		

You are the subject of an administrative investigation. The known allegations are:
 The A.I. is based on the facts and circumstances surrounding a high-speed pursuit involving a wrong way driver and multiple officers. Trooper Williams allowed the pursuit to continue, which ended as the result of one officer making intentional contact with the fleeing vehicle. The intentional contact caused an injury crash that involved a civilian in a parked vehicle.

Ask employee if he / she wants a labor representative? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Bargaining Unit - OSTA	
IF YES, REPRESENTATIVE NAME Larry Phillips		UNIT #	OAKS EMPLOYEE ID #
COMPONENT / POST		DIVISION / DISTRICT	

If a request for a labor representative is made, do not interview until a representative is available.

CONCLUDED AT	RESCHEDULED FOR
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If the employee declines a labor representative or if the representative is present, proceed with the interview by reading the following warning:
 You are being interviewed as part of an official administrative investigation by the Department of Public Safety. You will be asked questions relating to the performance of your official duties or fitness for office. If you refuse to answer questions completely and / or accurately, you may be subject to disciplinary action, up to and including dismissal. Statements provided under threat of disciplinary action may not be used against you in any subsequent criminal proceedings.

SIGNATURE OF EMPLOYEE X <i>[Signature]</i> 0396		DATE 10/17/18
SIGNATURE OF WITNESS X <i>[Signature]</i>		DATE 10/17/18
INTERVIEW BREAKS	STOP	START
STOP	START	STOP
INTERVIEW COMPLETED AT 2:54 P.M.	TAPE RECORDING MADE OF THE INTERVIEW? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	TAPE RECORDING MADE BY Sergeant Barnes

SIGNATURE OF INTERVIEWER X <i>[Signature]</i>	DATE 10/17/2018
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Employee to receive a copy of completed form.

Wood, Michael

From: Wood, Michael
Sent: Thursday, January 10, 2019 12:03 PM
To: Roark, Carl; Robinson, Lynne
Cc: Pyles, Jacob; Wood, Michael
Subject: [REDACTED] Lewis, W/R

Good morning,

On Al [REDACTED] Lewis, please issue a written reprimand for violation of work rule 4501:2-6-02(B)(5) Performance of duty. To wit: Trooper Lewis made intentional contact with a vehicle at a high rate of speed during a motor vehicle pursuit.

Please advise and provide a copy of the signed reprimand when signed.

Thank you,

Michael D. Wood
Labor Relations Officer 3
Office of Personnel, OSHP
1970 West Broad Street
Columbus, Ohio 43223
(614) 466-7889



Wood, Michael

From: Wood, Michael
Sent: Thursday, January 10, 2019 12:05 PM
To: Roark, Carl; Robinson, Lynne
Cc: Pyles, Jacob; Wood, Michael
Subject: [REDACTED] Robirds, Counseling

Good morning,

On Al [REDACTED] Robirds, please issue a documented counseling for violation of work rule 4501:2-6-03(A)(1) Responsibility of Command. To wit: Sergeant Robirds failed to adequately command and control a pursuit.

Please advise and provide a copy of the signed counseling when issued.

Thank you,

Michael D. Wood
Labor Relations Officer 3
Office of Personnel, OSHP
1970 West Broad Street
Columbus, Ohio 43223
(614) 466-7889



Wood, Michael

From: Wood, Michael
Sent: Thursday, January 10, 2019 12:07 PM
To: Roark, Carl; Robinson, Lynne
Cc: Pyles, Jacob; Wood, Michael
Subject: [REDACTED] eBord, [REDACTED] Kuehne, & Williams; No Discipline

Good afternoon,

On All [REDACTED] DeBord, [REDACTED] Kuehne, & Williams; no discipline will be issued.

Thank you,

Michael D. Wood
Labor Relations Officer 3
Office of Personnel, OSHP
1970 West Broad Street
Columbus, Ohio 43223
(614) 466-7889



INTER-OFFICE COMMUNICATION

Date January 28, 2019



File 2-ADM

To Captain Carl Roark, District Commander Attention S/Lt Max Norris

From Lt. C. Shawn Kelley, Portsmouth Post Commander

Subject Sergeant Ryan Robirds, Unit 1880, Portsmouth Post 73, AI [REDACTED]

On January 28, 2019, Sergeant Robirds was counseled for Work Rule 4501:2-6-03(A)(1) Responsibility of Command. To wit: Sergeant Robirds failed to adequately command and control a pursuit.

Sgt. [Signature] 1-28-19
Employee Signature Date

Lt. CS Kelley 1-28-19
Supervisor Signature Date

As national leaders, the Ohio State Highway Patrol collaborates with community and safety partners to provide professional law enforcement services focused on deterring crime and promoting traffic safety to improve the quality of life for those we serve.
An Equal Opportunity Employer

INTER-OFFICE COMMUNICATION



Date January 14, 2019 File 2-ADM

To Captain Michael Kemmer, Criminal Patrol Commander Attention Captain Carl Roark, District Commander

From Lieutenant Dana M. Hutton – Jackson District Criminal Patrol Commander

Subject Written Reprimand, Trooper Nicholas Lewis, Unit 1784, Post 0900, AI [REDACTED]

On January 14, 2019, Trooper N. L. Lewis, Unit 1784, was issued a written reprimand for violation of the Rules and Regulations of the Ohio State Highway Patrol, to wit; Rule 4501:2-6-02(B)(5), Performance of Duty. To wit: Trooper Lewis made intentional contact with a vehicle at a high rate of speed during a motor vehicle pursuit.

TPR [Signature] 1-14-19
Employee Signature Date

LT. [Signature] 1-14-19
Issued By Date

REMARKS AND/OR RECOMMENDATIONS

DHQ REVIEW

Capt Carl Roark 1-14-19
Signature Date

REMARKS AND/OR RECOMMENDATIONS

S/SGT [Signature] 1/15/19
GHQ REVIEW

As national leaders, the Ohio State Highway Patrol collaborates with community and safety partners to provide professional law enforcement services focused on deterring crime and promoting traffic safety to improve the quality of life for those we serve.
An Equal Opportunity Employer



Ohio Department of Public Safety
Department Record for Employee # [REDACTED]



Report Generated On: 1/15/2019 4:06:54 PM

Employee Details				
Employee Name	Job Description	Location	R/S	Hire Date
Lewis, Nicholas L - 1784	Trooper	D9 Criminal Patrol	W/M	03/23/2005

Case Details

Case Number	Remarks
20180549	The A.I. is based on the facts and circumstances surrounding a high-speed pursuit involving a wrong way driver and multiple officers. The pursuit ended as a result of one officer making intentional contact with the fleeing vehicle, which caused an injury crash that involved a civilian in a parked vehicle. (Barnes) Trooper Lewis charged with violation of work rule 4501:2-6-02(B)(5) Performance of Duty; Sergeant Robirds charged with violation of work rule 4501-2-6-03(A)(1) Responsibility of

Offense Code(s)	122 - Mishandling of an Event - Improper Course of Action						
Discipline	Abey Flag?	Issued Date	Discipline Time/Days Used	Vacation Hours Used	Comp Hours Used	Personal Hours Used	Abeyance Days
Written Reprimand	No	01/14/2019	0.00	0.0	0.0	0.0	0

Case Number	Remarks
20160734	Trooper Nicholas Lewis was involved in a preventable patrol car crash. Trooper Lewis drove off the right side of the road during a high-speed pursuit struck a guardrail and overturned multiple times into a creek. (Barnes) Employee charged with violation of work rule 4501:2-6-05(D)(1) Motor Vehicle and Aircraft Operation. 4081

Offense Code(s)	856 - Preventable Patrol Car Crash						
Discipline	Abey Flag?	Issued Date	Discipline Time/Days Used	Vacation Hours Used	Comp Hours Used	Personal Hours Used	Abeyance Days
Written Reprimand	No	01/18/2017	0.00	0.0	0.0	0.0	0

Total Cases: 2



Employee Name	[REDACTED]	Unit Number	[REDACTED]	Hire Date	[REDACTED]
Job Description	[REDACTED]	Division	OSP	Department	[REDACTED]

202312107

Case Summary

[REDACTED] made a copy of camera footage from a traffic stop for his personal use, and a family member later shared it.

Violation Code(s)

- 4501:2-6-02(H)(1) - Release and Control of Information
- 4501:2-6-02(Y)(3) - Compliance to Orders

Discipline Imposed

Written Reprimand

Discipline Days

-

Effective Date

12/15/2023

Abeyance Days

-