



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



2023-2307

Officer Involved Critical Incident – I-75 Southbound at Mile  
Marker 110, Danny E Berry (S)

**Date of Activity:** 09/03/2023  
**Author:** SA Joshua S. Rammel, #175

**Narrative:**

On September 3, 2023, Special Agent (SA) Josh Rammel (Rammel) conducted an interview with Sergeant Christopher Fitzgerald (Fitzgerald) of the Ohio State Highway Patrol (OSP). The interview was conducted at the Auglaize County OSP Post located at 15472 Wapak-Fisher Road, Route 5, Wapakoneta, Ohio.

The interview was recorded using a digital audio recorder. A copy of the recording was attached to this investigation. Also present during the course of the interview was OSP Staff Representative Bruce Elling (Elling).

Fitzgerald began the interview by providing a few basic identifiers such as his date of birth (October 6, 1976), phone number (██████████), and that Fitzgerald had been employed by OSP for 22 years. Fitzgerald indicated that he is assigned to the Swanton Post. Fitzgerald also mentioned that he was wearing a body camera, and it is specifically assigned to him.

SA Rammel informed Fitzgerald that the interview was purely voluntary, Fitzgerald was not obligated to speak with SA Rammel, and that the interview could be ended at any time. Fitzgerald stated that he understood and agreed to proceed with the interview.

Fitzgerald told SA Rammel that Fitzgerald was issued an email indicating that an individual suspected of Homicide by Chicago Police Department was "pinged" near the area of Interstate 75 (I-75) and the Ohio Turnpike. Fitzgerald alerted all his staff and proceeded near the area looking for the subject vehicle.

Fitzgerald advised that he met with another Trooper near the Buck Road exit from I-75. At that time, it was decided that both Troopers would proceed south down I-75 following the updated ping alerts.

Fitzgerald said they never caught up to the vehicle as they continued to follow the pings on a ten minute delay. Fitzgerald confirmed that the Findlay Post was also informed about the vehicle. The vehicle was found and Fitzgerald was informed that other Troopers had set up spike sticks south on I-75 as a way to stop the subject's vehicle.

Fitzgerald stated that he arrived on scene near the 110 mile marker on south I-75 where

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Troopers were verbally engaging with the subject outside of his vehicle. Fitzgerald indicated that he put on his tactical vest and started to engage also. Fitzgerald mentioned that he could hear several Troopers providing verbal commands to the subject wanting him to drop his gun, but Fitzgerald did not know who actually shot the subject.

Fitzgerald told SA Rammel that the subject was switching back and forth aiming his weapon at his own head before putting it back down to his side as the subject kept looking away and then facing the Troopers on scene. Fitzgerald mentioned that the subject's vehicle was a green Chrysler and that it was on fire as the subject came to a stop.

Fitzgerald advised that he saw the subject fall to the ground after being shot, and Fitzgerald performed first aid on the subject as the subject was lying on the ground after being shot.

Fitzgerald stated that he did not have anymore information, nor did he have any questions for SA Rammel at that time.

SA Rammel thanked Fitzgerald for speaking with him and the interview was concluded.

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

**Attachments:**

Attachment # 01: trooper christopher fitzgerald 2023-09-03