



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



2022-0498

Officer-Involved Critical Incident- 34 E. Fulton Ave., Columbus, 43215

Investigative Activity: Records Obtained, Records Reviewed

Involves: Deputies ██████ Feery and ██████

Activity Date: 5/17/2022

Activity Location: Franklin County Sheriff's Office

Authoring Agent: SA John Butterworth

Narrative:

As of Tuesday, May 17, 2022, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) John Butterworth (SA Butterworth) has yet to receive the personnel files for Deputies ██████ Feery and ██████ from Franklin County Sheriff's Office (FCSO). SA Butterworth has made several attempts requesting the personnel files as well as a request via telephone and electronic mail by SAS Kevin Barbeau.

On March 10th, 2022, SA Butterworth was advised by FCSO Sgt. Billy Duffer to request personnel files from Mary Jane Martin who is a legal representative for FCSO. SA Butterworth left a voicemail message for Martin requesting she make contact via telephone or email to secure the records requested.

On March 31st, 2022, SA Butterworth again attempted to contact Martin regarding the personnel files for the deputies from FCSO that were involved in the Officer-Involved Critical Incident. SA Butterworth left a voicemail message for Martin again stating to contact via telephone or electronic mail regarding the request for records.

On April 15th, 2022, SA Butterworth again attempted to contact Martin regarding the personnel files for the deputies from FCSO who were involved in the Officer Involved Critical Incident.

On May 5th, 2022, SA Butterworth received a telephone call from Martin advising that she had received the message regarding the requested personnel files. Martin advised SA Butterworth that a subpoena would be needed to obtain the records. SA Butterworth informed SAS Barbeau of the request for a subpoena and SAS Barbeau stated he was going to make contact with FCSO Chief Deputy Minerd regarding the request.

On May 17th, 2022, SA Butterworth was copied on an email that SAS Barbeau sent to Chief Deputy Minerd requesting the records as BCI had not yet received them.

As of June 6th, 2022, SA Butterworth, has not received the records requested nor received any other communication about them.



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The personnel file request email to Chief Minerd is attached to this report.

John Butterworth

From: Kevin Barbeau
Sent: Tuesday, May 17, 2022 10:04 AM
To: Miner, Jr., Richard D.
Cc: John Butterworth
Subject: Personnel Files

Good morning Sir,

BCI SA Butterworth is investigating the Officer-Involved Shooting (OIS) from the parking garage and has requested three (3) personnel files involving: Sgt. [REDACTED] Dep. Declan Feery, and Dep. [REDACTED]

This is a normal request during our investigations when any agency requests BCI conduct an OIS. The purpose is for BCI to collect background on both any involved officers and any involved parties. However, to date we have not been provided the personnel files. SA Butterworth was advised by HR that he needs to get a subpoena for materials that can usually be obtained with a public records request.

This is not the first time HR requested additional investigative documents for records. However, Former Assistant Superintendent Heinz Von Eckartsberg had a previous conversation with Sheriff Baldwin. It is my understanding, Sheriff Baldwin authorized the release of requested documents to BCI with no additional request.

Could you verify if this is still the Sheriff's stance? I am open for a conversation should it be necessary, 614-633-5586.

Respectfully,

Kevin Barbeau, CFE

Special Agent Supervisor

Special Investigations Unit – Major Crimes

Bureau of Criminal Investigation

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