



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



2024-3052

Officer Involved Critical Incident - 10300 block Silvercreek
Road, Doylestown, Ohio 44230, Medina County

Investigative Activity: Review of dash and body-worn cameras of MCSO [REDACTED]
[REDACTED]

Involves: [REDACTED] (S)

Activity Date: 10/24/2024

Activity Location: BCI Richfield

Authoring Agent: SA Jon Lieber #50

Narrative:

On Friday, October 11, 2024, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Jon Lieber (Lieber) received video footage from Medina County Sheriff's Office (MCSO) Captain Kris Conwill. SA Lieber was informed that the videos contained footage from the dash and body-worn cameras (BWC) of [REDACTED].

The times referenced in this report will refer to the elapsed time of the video. The images in this report are for demonstrative purposes only.

SA Lieber reviewed the video recordings and noted the following:

File title: [REDACTED]_202410052203_Car [REDACTED]-1

This video shows the in-vehicle dash camera in the cruiser driven by [REDACTED]. The video is 1 hour, 22 minutes, and 56 seconds in duration. Note that no sound can be heard on the video until 02:06.

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The video begins showing an Ohio State Highway Patrol (OSHP) Trooper and [REDACTED] standing at the intersection of Grizzly Way. See screenshot below.



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At 01:47, [REDACTED] began to drive his cruiser. At approximately 04:00, [REDACTED] caught up to another MCSO vehicle. See screenshot below.



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At 04:29, the lead MCSO vehicle, driven by [REDACTED], activated the emergency overhead lights. [REDACTED] pulled his vehicle into the oncoming lane and pointed the spotlight at the pickup truck driven by David Septer (Septer). All vehicles were continuing to drive at this time. See screenshot below taken at 04:34.



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At approximately 04:43, a siren was activated. At 04:52, Septer stopped his truck. [REDACTED] vehicle was stopped behind Septer, while [REDACTED] vehicle is alongside [REDACTED] and partially in the oncoming traffic lane. See screenshot below taken at 04:52.



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At 04:59, [REDACTED] vehicle spotlight was pointed at the driver side of Septer's truck. Septer then opened the driver's side door. See screenshot below taken at 05:00.



At 05:01, a deputy yelled "Let me see your hands." Due to the dash camera being located inside of [REDACTED] vehicle, the voice was more difficult to understand when compared to the body-worn camera (BWC) recording. Please refer to the BWC video review later in this report for more information.

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At 05:09, Septer began to exit the vehicle. See screenshot below.



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Also, at 05:09, as Septer continued to exit the vehicle, a rifle became visible in Septer's hands. See screenshot below.



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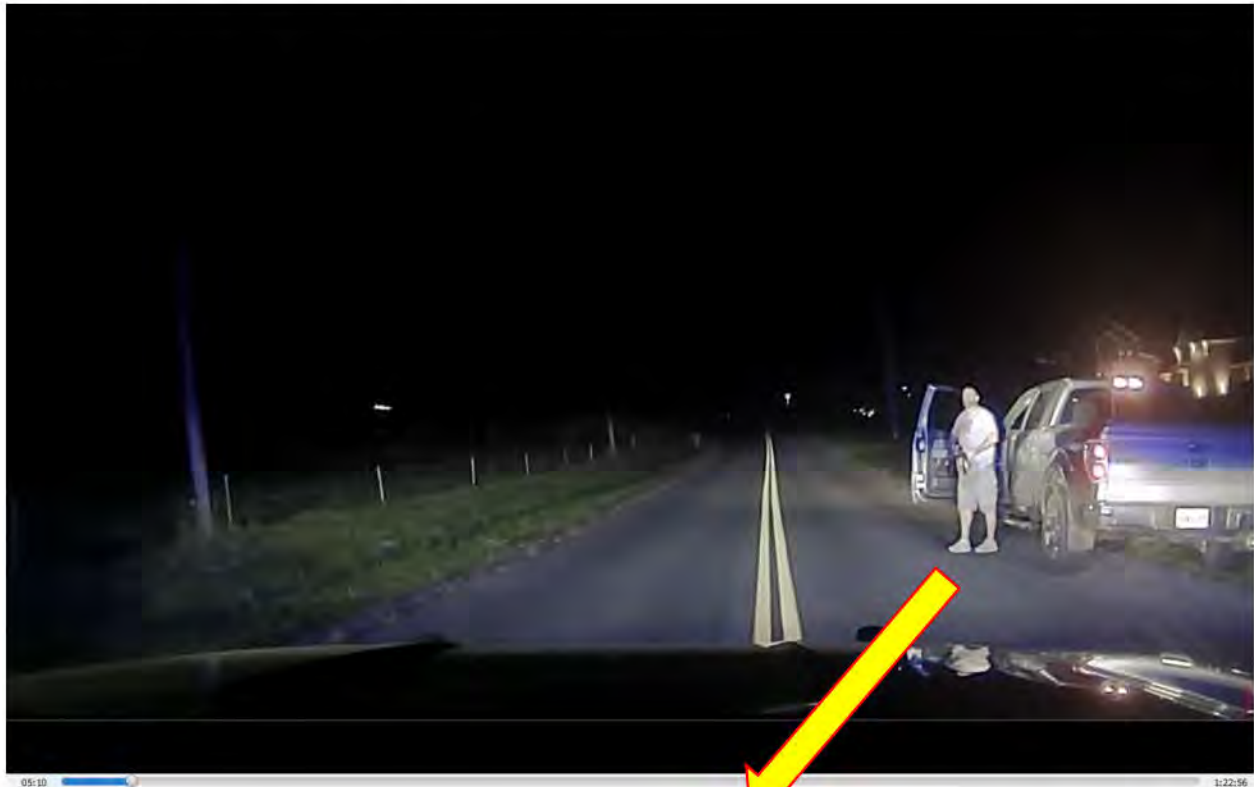
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Septer began to raise the rifle, appearing to orient the rifle toward deputies. See screenshot below taken at 05:10.



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At 05:10, the first shot fired by [REDACTED] was noted by a sound consistent with gunfire, as well as the appearance of powder/smoke discharge that can be seen on the left side of the image below.



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From 05:10 to 05:13, it is believed that [REDACTED] fired 13 shots. The screenshot below, taken at 05:11, shows what was occurring at approximately the time that [REDACTED] is believed to have fired his 3rd shot.



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The screenshot below, taken at 05:12, shows what was occurring at approximately the time that [REDACTED] is believed to have fired his 7th shot.



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The screenshot below, taken at 05:13, shows what was occurring at approximately the time that [REDACTED] is believed to have fired his 13th and final shot.



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The screenshot below, taken at 05:14, shows Septer now lying supine with the rifle next to him.



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At 05:15, radio traffic could be heard saying "Shots fired, shots fired." OSHP Sgt. Gasser, [REDACTED], and MSCO Sgt. King approached Septer and the truck. At 05:43, Sgt. Gasser and Sgt. King moved the rifle further away from Septer using their feet. See screenshot below taken at 05:44.



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After verifying that no other persons were inside of the truck, radio traffic could be heard saying "Start a squad ASAP" [05:47]. [REDACTED] returned to his vehicle and retrieved a medical kit. Officers began providing aid to Septer. See screenshot below taken at 06:25.



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At 09:53, an EMS worker jogged toward Septer and the officers. At 10:12, additional EMS personnel brought a gurney into view. At 10:47, [REDACTED] drove his cruiser past the incident scene, toward the south, and parked across the roadway. [REDACTED] vehicle remained in this position for the remainder of the video. See screenshot below taken after [REDACTED] stopped the vehicle.



At approximately 13:27, a deputy could be seen putting up crime scene tape.

At 1:20:56, sound could no longer be heard. The video ends at 1:22:56.

File title: [REDACTED]_202410052203_Car[REDACTED]-2

This video shows the in-vehicle dash camera in the cruiser driven by [REDACTED]. The video is 1 hour, 22 minutes, and 57 seconds in duration. This video is the same as above only in the wide-angle version.

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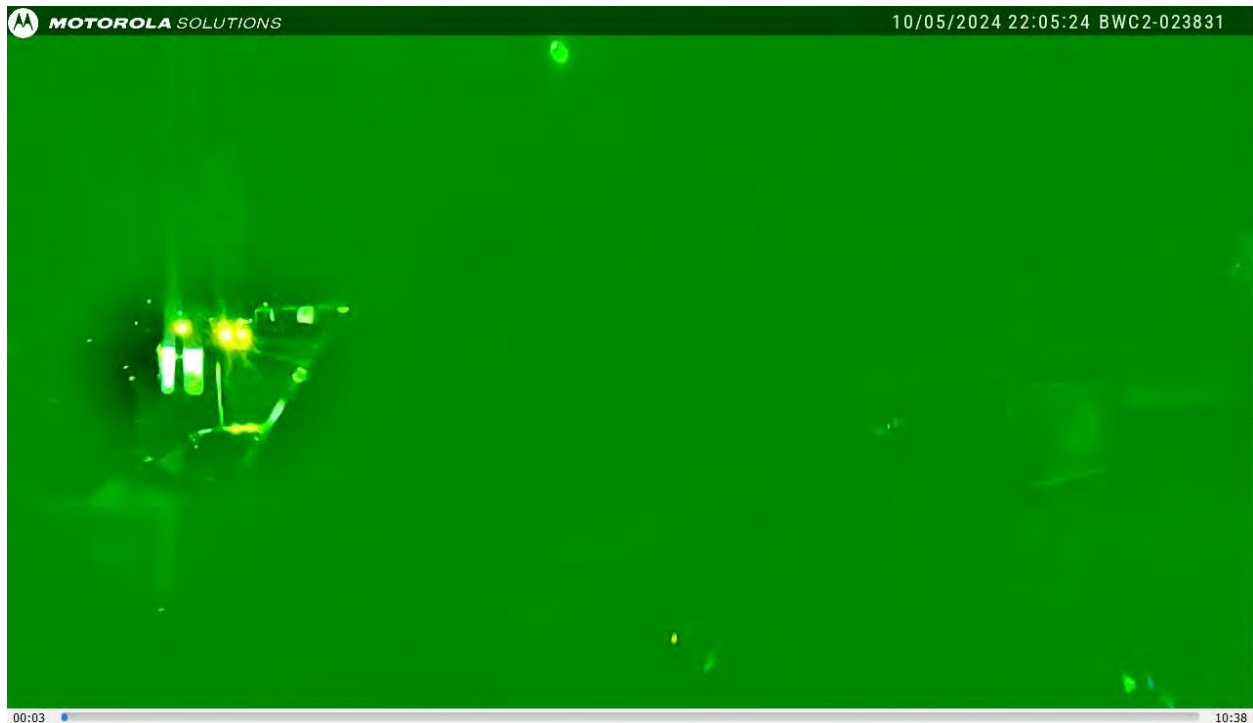
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File title: [REDACTED]_202410052203_Car[REDACTED]-3

This video shows the in-vehicle rear seat camera in the cruiser driven by [REDACTED]. The video is 1 hour, 22 minutes, and 57 seconds in duration. At no time was David Septer put into the rear seat of [REDACTED] vehicle. As a result, this video was spot checked and nothing noteworthy was observed.

File title: [REDACTED]_202410052205_BWC2023831-0

This video shows the body-worn camera (BWC) video of [REDACTED]. The video is 10 minutes, and 38 seconds in duration. It should be noted that the entirety of the recording has either a pink or green color haze over the video. SA Lieber checked with MCSO Captain Kris Conwill, and it was confirmed that the video was recorded in that manner, and they were unable to fix the haze. See screenshot below taken at 00:03, showing the haze.



No sound can be heard until 00:30.

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At 03:19, [REDACTED] appeared to be exiting his vehicle. The truck driven by Septer can be seen in the background. See screenshot below.



At 03:23, [REDACTED] said "Let me see your hands." It should be noted that [REDACTED] was also yelling to Septer. For detail on [REDACTED] communication to Septer, refer to the report reviewing [REDACTED] BWC and dash camera videos.

At 03:25 [REDACTED] said "Get your hands out of the car." At 03:29, [REDACTED] said "He, he's flipping something."

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At 03:32, Septer exited his truck. See screenshot below. At this same time, [REDACTED] said "Hands up."



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At 03:34, sounds consistent with gunfire could be heard. See screenshot below taken near the time that the first gunshot can be heard. Note the reflection from the vehicle spotlight against what is believed to be gunpowder discharge from [REDACTED] firearm.



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At approximately 03:36/03:37, the last gunshot was heard. At 03:38, radio traffic was heard saying "Shots fired. Shots fired." At 03:39, Septer appeared to be lying on the ground. See screenshot below.



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At 03:51, someone said "Let's clear the truck." [REDACTED] moved around the left side of the driver's door and walked toward Septer. See screenshot below taken at 03:56.



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At 04:00, as [REDACTED] moved closer to the truck, Septer could be seen lying on the ground with a rifle next to him. See screenshot below.



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At 04:08, OSHP Sgt. Gasser could be seen using his foot to move the rifle away from
Septer. See screenshot below.



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At 04:10, someone radioed "Start a squad." At 04:18, [REDACTED] began to move toward his vehicle to retrieve a medical kit. At 04:41, [REDACTED] returned with the medical kit. Sgt. Gasser could be seen attempting to cut or tear Septer's shirt. See screenshot below.



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Officers provided aid to Septer over the next several minutes and until EMS personnel arrive. At 05:01, [REDACTED] retrieved a second medical kit from [REDACTED] vehicle. At 08:21, an EMS responder approached the scene and asked "Alright, what do we got?" At 08:52, [REDACTED] said "I heard him racking it (unintelligible)." At 09:12, [REDACTED] walked toward his vehicle.

At 10:38, the video ends.

ADDITIONAL FACTORS FOR EVALUATING THE VIDEO RECORDINGS

There are numerous other factors that need to be considered when reviewing and evaluating the videos and audio recordings of this incident. Those factors are:

- A. Video recording devices record within the video and sound capabilities available, and they record objectively. Video recordings lack the history, perspective, and interest of the people involved. The positions, angles, obstacles, lighting, and distance from the incident are also factors that need serious consideration.
- B. Video recording devices also record more information about a particular scene or incident than the person(s) involved in the incident can process during the critical incident. Video recording devices rarely record an event from the same perspective of the officer. It captures the action but not the perception, decision making, focus, or intent of the officer. Video recordings often miss tactile cues or other actions of a subject.
- C. The speed of the incident is remarkable. The speed and complexity of rapidly evolving situation(s) that occur during use of force encounters are difficult concepts to comprehend by only watching the video.

The thumb drive containing the video footage was submitted to the physical BCI case file as item D for reference only.

References:

Item D - USB Thumbdrive - BWC and Dash camera videos from MCSO [REDACTED]
[REDACTED], King, McGurk, Postlethwait, Cotrufo

Attachments:

None

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