

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



2023-2639 Officer Involved Critical Incident - 7498 Van Ness Avenue, Hubbard, Ohio 44425, Trumbull County

| Investigative Activity: | Interview of Witness Deputy            |
|-------------------------|--|
| Involves:               | Deputy Kelsee Osborn (W)               |
| Activity Date:          | 10/25/2023                             |
| Activity Location:      | Trumbull County Sheriff's Office –     |
|                         | 150 High Street NW, Warren, Ohio 44481 |
| Authoring Agent:        | SA Charles Moran #67                   |

## Narrative:

On October 25, 2023, at about 1538 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Chuck Moran (Moran) interviewed Trumbull County Sheriff's Office (TCSO) Deputy Kelsee Osborn (Osborn). The interview took place at the TCSO. The interview was audio recorded.

Deputy Osborn was identified as being a law enforcement officer who witnessed and/or had some level of involvement in the officer-involved shooting that occurred on October 3, 2023, in the area near 7498 Van Ness Avenue, Hubbard, Ohio. Deputy Osborn did not discharge a firearm during the course of the incident. The purpose of the interview was to obtain all relevant information of the incident observed by this law enforcement officer.

Deputy Osborn has been employed by the TCSO for about 1  $\frac{1}{2}$  years. Deputy Osborn worked for the Ohio State Highway Patrol (OSHP) for about 5  $\frac{1}{2}$  years prior to working for the TCSO.

Deputy Osborn confirmed that she was on duty at the time of the incident. She drove a marked TCSO cruiser and was dressed in her standard TCSO uniform during the incident. Deputy Osborn said her radio call sign was 49.

SA Moran asked Deputy Osborn to provide details about the incident that occurred on October 3, 2023. Deputy Osborn said the Hubbard Township Police Department (HTPD) was dispatched to a domestic violence incident. About an hour later, HTPD requested additional assistance from TCSO.

Deputy Osborne, Deputy Clayton, K-9 Deputy Jarrett, and Sergeant (Sgt.) Jones responded to the area to assist. Deputy Osborn was stationed at the intersection of Van Ness Avenue and Hubbard Masury Road. She said the male subject was on the phone with dispatch and she was notified that the male subject was possibly moving toward the area where she was stationed.

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Deputy Osborn saw other officers moving behind some of the houses on Van Ness Avenue. Deputy Clayton informed Deputy Osborn that he saw movement to their "right" on Van Ness Avenue. Deputy Clayton began running in that direction and Deputy Osborn followed him.

Deputy Osborn said the OSHP trooper, and the Vienna Township Police Department (VTPD) officer were in front of her, and Deputy Clayton was to her right. Deputy Osborn saw the male subject in the yard of a residence. She stated (05:10), "As I got closer, I saw the suspect pointing the shotgun at, in my direction and due to the other officers being downrange from me, I just took cover. So, I took cover behind a bush and then I heard two gunshots um, and when I got up, I saw you know, that he was already down like, he was no longer standing." Deputy Osborn checked on the OSHP trooper and the VTPD officer and she learned that they were the officers that fired their weapons.

SA Moran asked Deputy Osborn if her approach to the area and the subject pointing the firearm in her direction happened "simultaneously." Deputy Osborn responded (06:05), "From what I saw, the, the suspect, I saw his barrel kind of coming in my direction. Um, I didn't, I didn't see him very much long before that because I was, it was dark out, and I was kind of, I was looking at, you know, I don't know if he was there the entire time or if he just popped up, like, I'm not sure how long that was, but from when I noticed it, I saw him standing there, the barrel, and then I took cover and I heard the two shots."

Deputy Osborn said she had her pistol drawn during the incident. She confirmed that the OSHP trooper, the VTPD officer, and Deputy Clayton were in front of her, and she did not fire her pistol because she did not want to "take the chance" of one of the officers moving into her line of fire.

SA Moran noticed Deputy Osborn simulating holding a shotgun as she described seeing the subject and the barrel of the shotgun. SA Moran asked her about the subject and the movement of the shotgun. Deputy Osborn stated (07:20), "I'm not sure if I saw him holding it with both hands. I just remember seeing the barrel of the shotgun pointed at, like, down, in our direction." SA Moran asked, "Right. So, it's not up in the air? Not down at the ground? It's leveled at you?" Deputy Osborn replied, "No, it was pointed directly, yeah, level. I saw it, and then as soon as I saw it, like, I could see him kind of moving it, and once it moves, like, directly at me, that's when I

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dropped down. But it was, like, it was out, pointed, pointed straight out." SA Moran asked, "Pointed straight out from him?" Deputy Osborn answered, "Yes."

SA Moran asked Deputy Osborn if she knew who fired when she initially heard both gunshots. Deputy Osborn stated, "At that time I did not. No." She confirmed that she later learned that the OSHP trooper and VTPD officer had fired their weapons during the incident. SA Moran asked Deputy Osborn if either officer spoke to her at length after the incident. She said everything happened "fast" and she did not have a chance to speak with the involved officers. Deputy Osborn said she spoke with Deputy Clayton, and he told her that he saw the subject had both shotguns. He said the subject threw one behind his back and then had another shotgun out and was moving it in a "sweeping motion" while pointing it at them. Deputy Osborn said she did not see the other shotgun and did not see the sweeping motion because it might have occurred before she saw the subject.

Deputy Osborn said the subject went to the ground but was in a ditch and the officers could not see him. She confirmed that they waited for more officers to try to see the subject before moving towards him. She remembered another officer having a shield and using that as cover as the subject was detained.

SA Moran asked, "So, when you took cover, what did you think the subject was going to do at that time?" Deputy Osborn answered (10:23), "Oh, I thought he was going to shoot at one of us." Deputy Osborn explained that she knew the subject was making "threats" over the phone about "seeing the officers" and how he could "kill them" if he wanted to. SA Moran asked, "If those officers had not been in front of you, you know, potential line of fire, is it possible that you might have fired?" Deputy Osborn replied, "Yes." Deputy Osborn said that she believed her actions during the incident were consistent with her training and experience.

The interview ended at 1550 hours. The audio recording was recorded using Axon Capture and it was uploaded to Evidence.com under BCI case number 2023-2639. A copy of the audio recorded interview was later downloaded, placed in Matrix, and attached to this report.

## Attachment:

1. TCSO\_Deputy\_Kelsee\_Osborn\_Axon\_Capture\_Audio\_2023-10-25\_153550\_67

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