



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



2023-0795

Officer Involved Critical Incident - 1433 State Route 7, Brookfield Township, Ohio 44403, Trumbull County

Investigative Activity: BCI Laboratory Report Received and Reviewed
Involves: BCI (O)
Activity Date: 6/15/2023
Activity Location: BCI – 4055 Highlander Parkway, Richfield, Ohio 44286
Authoring Agent: SA Charles Moran #67

Narrative:

On June 15, 2023, at 0952 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Chuck Moran (Moran) received an email notification from the BCI Laboratory (Lab) that a lab report was ready to be downloaded for BCI Lab case number 23-32790. SA Moran logged into the Ohio Law Enforcement Gateway (OHLEG) and downloaded the BCI Lab report and the Statement of Qualification (SOQ) for Forensic Scientist (FS) Dylan Matt (Matt).

The BCI Lab report originated from the Firearms section and was authored by FS Matt. The items relevant to this report which had been previously submitted to the BCI Lab were as follows:

| Location at Scene | BCI CSU # | Matrix # | BCI Lab # | Item Description | BCI Lab Results |
|-------------------|-----------|----------|-----------|---|---|
| Hunting Trail | 1 | 001 | 1 | One (1) 223 Remington fired cartridge case. | Source Identification to BCI Lab item 17 (BTPD Sgt. ██████'s rifle) |
| Hunting Trail | 2 | 002 | 2 | One (1) 223 Remington fired cartridge case. | Source Identification to BCI Lab item 16 (VTPD Ofc. ██████'s rifle) |
| Hunting Trail | 3 | 003 | 3 | One (1) 223 Remington fired cartridge case. | Source Identification to BCI Lab item 16 (VTPD Ofc. ██████'s rifle) |
| Hunting Trail | 4 | 004 | 4 | One (1) 223 Remington fired cartridge case. | Source Identification to BCI Lab item 16 (VTPD Ofc. ██████'s rifle) |
| Hunting Trail | 5 | 005 | 5 | One (1) 223 Remington fired cartridge case. | Source Identification to BCI Lab item 16 (VTPD Ofc. ██████'s rifle) |

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|--|----|-----|----|---|---|
| Hunting Trail | 6 | 006 | 6 | One (1) 223 Remington fired cartridge case. | Source Identification to BCI Lab item 16 (VTPD Ofc. ██████ s rifle) |
| Hunting Trail | 7 | 007 | 7 | One (1) 5.56x45mm fired cartridge case. | Source Identification to BCI Lab Item 14 (VTPD Ofc. ██████ s rifle) |
| Hunting Trail | 8 | 008 | 8 | One (1) 5.56x45mm fired cartridge case. | Source Identification to BCI Lab Item 14 (VTPD Ofc. ██████ s rifle) |
| Hunting Trail | 9 | 009 | 9 | One (1) 5.56x45mm fired cartridge case. | Source Identification to BCI Lab Item 14 (VTPD Ofc. ██████ s rifle) |
| Hunting Trail | 10 | 010 | 10 | One (1) 223 Remington fired cartridge case. | Source Identification to BCI Lab item 18 (OSHP Sgt. ██████ s rifle) |
| Hunting Trail | 11 | 011 | 11 | One (1) 223 Remington fired cartridge case. | Source Identification to BCI Lab item 18 (OSHP Sgt. ██████ s rifle) |
| Hunting Trail | 12 | 012 | 12 | One (1) 223 Remington fired cartridge case. | Source Identification to BCI Lab item 18 (OSHP Sgt. ██████ s rifle) |
| Chevy Pickup 1996/Chevrolet – C1500/EHM9704 (Hood) | 20 | 020 | 13 | One (1) fired bullet. | Inconclusive |
| From Trp. Brian DePizzo | 21 | 021 | 14 | One (1) Aero Precision 5.56x45mm semi-automatic firearm, model M4E1, serial number ██████ one (1) magazine, sixteen (16) 5.56x45mm cartridges and eleven (11) 223 Remington cartridges. (VTPD Ofc. ██████) | Operable Source Identification for BCI Lab items 7, 8, and 9 |

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| | | | | | |
|----------------------------|----|-----|----|--|---|
| | | | | ██████████'s rifle) | |
| From Trp. Brian DePizzo | 22 | 022 | 15 | One (1) Aero Precision 5.56x45mm semi-automatic firearm, model M4E1, serial number ██████████ one (1) Vortex magnifier, one (1) magazine and twenty-eight (28) 223 Remington cartridges. (TCSO Dep. ██████████'s rifle) | Operable |
| From Trp. Brian DePizzo | 23 | 023 | 16 | One (1) Windham Weaponry 5.56x45mm semi-automatic rifle, model WW-15, serial number ██████████ one (1) magazine and twenty-five (25) 223 Remington cartridges. (VTPD Ofc. ██████████'s rifle) | Operable Source Identification for BCI Lab items 2, 3, 4, 5, and 6 |
| From Trp. Brian DePizzo | 24 | 024 | 17 | One (1) Daniel Defense 5.56x45mm semi-automatic rifle, model DDM4, serial number ██████████ two (2) magazines and fifty-nine (59) 223 Remington cartridges. (BTPD Sgt. ██████████'s rifle) | Operable Source Identification for BCI Lab item 1 |
| From Trp. Brian DePizzo | 25 | 025 | 18 | One (1) Aero Precision 5.56x45mm semi-automatic rifle, model M4E1, serial number ██████████ one (1) magazine and twenty-five (25) 223 | Operable Source Identification for BCI Lab items 10, 11, and 12 |

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|------------------------------------|---|-----|----|--|--|
| | | | | Remington cartridges. (OSHP Sgt. ██████ ██████'s rifle) | |
| Autopsy – Fred Wild III (clothing) | - | 031 | 19 | Two (2) small metallic fragments. | Unsuitable (two small metallic fragments) |
| Autopsy – Fred Wild III (back) | - | 034 | 20 | One (1) bullet jacket fragment and five (5) small metal fragments. | Inconclusive (bullet jacket fragment) |
| Autopsy – Fred Wild III (neck) | - | 035 | 21 | One (1) bullet jacket fragment, one (1) small copper fragment and seven (7) small metal fragments. | Inconclusive (bullet jacket fragment) |
| Autopsy – Fred Wild III (chest) | - | 036 | 22 | One (1) fired bullet, one (1) bullet jacket fragment and two (2) metal fragments. | Inconclusive (fired bullet and bullet jacket fragment) Unsuitable (two metal fragments) |
| Autopsy – Fred Wild III (thorax) | - | 037 | 23 | Two (2) bullet jacket fragments. | Unsuitable (two bullet jacket fragments) |
| Autopsy – Fred Wild III (brain) | - | 039 | 24 | Two (2) small metal fragments and fourteen (14) small fragments of unknown composition. | Unsuitable (two metal fragments and 14 small fragments of unknown composition) |

The BCI Lab report and FS Matt's "Statement of Qualifications" were attached to this report.

Attachments:

1. BCI Lab Case No. 23-32790 - Firearms Report - 2023-06-09
2. BCI Lab Case No. 23-32790 - FS D. Matt SOQ - Firearms Report - 2023-06-09

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DAVE YOST

OHIO ATTORNEY GENERAL

Bureau of Criminal Investigation

Laboratory Report
Firearms

To: Ohio Attorney General's Office
Charles Moran
30 E. Broad Street
Columbus, OH 43215

BCI Laboratory Number: 23-32790

Analysis Date: May 11, 2023

Issue Date: June 09, 2023

Agency Case Number: 2023-0795
BCI Agent: Charles Moran

Offense: Shooting Involving an Officer
Subject(s):
Victim(s):

Submitted on March 27, 2023 by Mike Rostocil:

1. Envelope containing cartridge case (CS-1)
-One (1) 223 Remington fired cartridge case.
2. Envelope containing cartridge case (CS-2)
-One (1) 223 Remington fired cartridge case.
3. Envelope containing cartridge case (CS-3)
-One (1) 223 Remington fired cartridge case.
4. Envelope containing cartridge case (CS-4)
-One (1) 223 Remington fired cartridge case.
5. Envelope containing cartridge case (CS-5)
-One (1) 223 Remington fired cartridge case.
6. Envelope containing cartridge case (CS-6)
-One (1) 223 Remington fired cartridge case.
7. Envelope containing cartridge case (CS-7)
-One (1) 5.56x45mm fired cartridge case.
8. Envelope containing cartridge case (CS-8)
-One (1) 5.56x45mm fired cartridge case.
9. Envelope containing cartridge case (CS-9)
-One (1) 5.56x45mm fired cartridge case.

Please address inquiries to the office indicated, using the BCI case number.

BCI -Bowling Green Office
750 North College Drive
Bowling Green, OH 43402
Phone:(419)353-5603

BCI -London Office
1560 St Rt 56 SW P.O. Box 365
London, OH 43140
Phone:(740)845-2000

BCI -Richfield Office
4055 Highlander Pkwy. Suite A
Richfield, OH 44286
Phone:(330)659-4600

10. Envelope containing cartridge case (CS-10)
-One (1) 223 Remington fired cartridge case.
11. Envelope containing cartridge case (CS-11)
-One (1) 223 Remington fired cartridge case.
12. Envelope containing cartridge case (CS-12)
-One (1) 223 Remington fired cartridge case.
13. Envelope containing bullet (CS-20)
-One (1) fired bullet.
14. One box containing firearm with magazine (Serial# [REDACTED] (CS-21) (Ofc. [REDACTED])
-One (1) Aero Precision 5.56x45mm semi-automatic firearm, model M4E1, serial number [REDACTED] one (1) magazine, sixteen (16) 5.56x45mm cartridges and eleven (11) 223 Remington cartridges.
15. One box containing firearm with magazine (Serial# [REDACTED] (CS-22) (TCSO)
-One (1) Aero Precision 5.56x45mm semi-automatic firearm, model M4E1, serial number [REDACTED] one (1) Vortex magnifier, one (1) magazine and twenty-eight (28) 223 Remington cartridges.
16. One box containing firearm with magazine (Serial# [REDACTED] (CS -23) (Vienna PD)
-One (1) Windham Weaponry 5.56x45mm semi-automatic rifle, model WW-15, serial number [REDACTED] one (1) magazine and twenty-five (25) 223 Remington cartridges.
17. One box containing firearm with magazine (Serial# [REDACTED] (CS -24) (Sgt. Dean)
-One (1) Daniel Defense 5.56x45mm semi-automatic rifle, model DDM4, serial number [REDACTED] two (2) magazines and fifty-nine (59) 223 Remington cartridges.
18. One box containing firearm with magazine (Serial# [REDACTED] (CS-25) (OSP 1376)
-One (1) Aero Precision 5.56x45mm semi-automatic rifle, model M4E1, serial number M4-0427404, one (1) magazine and twenty-five (25) 223 Remington cartridges.
19. Envelope containing bullet fragments (M31)
-Two (2) small metal fragments.
20. Envelope containing bullet fragments (M34)
-One (1) bullet jacket fragment and five (5) small metal fragments.
21. Envelope containing bullet fragments (M35)
-One (1) bullet jacket fragment, one (1) small copper fragment and seven (7) small metal fragments.
22. Envelope containing bullet fragments (M36)
-One (1) fired bullet, one (1) bullet jacket fragment and two (2) metal fragments.
23. Envelope containing bullet fragments (M37)
-Two (2) bullet jacket fragments.
24. Envelope containing bullet fragments (M39)
-Two (2) small metal fragments and fourteen (14) small fragments of unknown composition.

Findings

| Item Description | Comparison | Conclusion |
|---|---|-----------------------|
| Item #14: Aero Precision firearm | N/A | Operable |
| | Items #7-9: three (3) 5.56x45mm fired cartridge cases | Source Identification |
| Item #15: Aero Precision firearm | N/A | Operable |
| Item #16: Windham Weaponry rifle | N/A | Operable |
| | Items #2-6: five (5) 223 Remington fired cartridge cases | Source Identification |
| Item #17: Daniel Defense rifle | N/A | Operable |
| | Item #1: one (1) 223 Remington fired cartridge case | Source Identification |
| Item #18: Aero Precision rifle | N/A | Operable |
| | Items #10-12: three (3) 223 Remington fired cartridge cases | Source Identification |
| Items #14-18: all five (5) firearms | Item #13 one (1) fired bullet, three (3) bullet jacket fragments from Items #20-22 and fired bullet from Item #22 | Inconclusive* |
| Eighteen (18) metal fragments from Items #19-22 & 24, one (1) copper fragment from Item #21, two (2) bullet jacket fragments from Item #23 and fourteen (14) fragments of unknown composition from Item #24 | N/A | Unsuitable^ |

*Similar class characteristics but insufficient corresponding individual characteristics to identify or exclude.

^Insufficient class and/or individual characteristics present.

Remarks

Thirty-four (34) submitted cartridges were used for the testing of Items #14-18.

The Vortex magnifier from Item #15 and second magazine from Item #17 were not examined.

Test fired cartridge cases from Law Enforcement firearms are not entered into the NIBIN database.

All evidence will be returned to the submitting agency.

Analytical Detail

Analytical findings offered above were determined using visual and microscopic examinations / comparisons.



Dylan Matt
Forensic Scientist
234-400-3648
dylan.matt@OhioAGO.gov



Based on scientific analyses performed, this report contains opinions and interpretations by the analyst whose signature appears above. Examination documentation and any demonstrative data supporting laboratory conclusions are maintained by BCI and will be made available for review upon request.

Your feedback is important to us! Please complete our Laboratory Satisfaction Survey at: <https://www.surveymonkey.com/r/O9VOHL5>

Comparison Conclusion Scale

The following lists the conclusions a Forensic Scientist may reach when performing comparisons. In reaching a conclusion, a Forensic Scientist considers the similarities and dissimilarities and assesses the relative support of the observations under the following two propositions: the evidence originated from the same source or from a different source.

A Forensic Scientist may utilize their knowledge, training, and experience to evaluate how much support the observed similarities or dissimilarities provide for one conclusion over another. A conclusion shall not be communicated with absolute certainty. It is an interpretation of observations made by the Forensic Scientists and shall be expressed as an expert opinion.

| | | |
|---|------------------------------|--|
| 1 | Source Identification | The observations provide extremely strong support for the proposition that the evidence originated from the same source and the likelihood for the proposition that the evidence arose from a different source is so remote as to be considered a practical impossibility. |
| 2 | Support for Same Source | The observations provide more support for the proposition that the evidence originated from the same source rather than different sources; however, there is insufficient support for a Source Identification. The degree of support may range from limited to strong or similar descriptors of the degree of support. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion. |
| 3 | Inconclusive | The observations do not provide a sufficient degree of support for one proposition over the other. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion. |
| 4 | Support for Different Source | The observations provide more support for the proposition that the evidence originated from different sources rather than the same source; however, there is insufficient support for a Source Exclusion. The degree of support may range from limited to strong or similar descriptors of the degree of support. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion. |
| 5 | Source Exclusion | The observations provide extremely strong support for the proposition that the evidence originated from a different source and the likelihood for the proposition that the evidence arose from the same source is so remote as to be considered a practical impossibility; or the evidence exhibits fundamentally different characteristics |

We invite you to direct your questions to:
Abby Schwaderer, Quality Assurance Manager
(740) 845-2517
abby.schwaderer@ohioattorneygeneral.gov

Dylan C. Matt
Statement of Qualifications
dylan.matt@ohioattorneygeneral.gov

Education

- Bachelor of Science in Forensic Science. December 2015. Waynesburg University. Waynesburg, PA.

Professional Experience

- Ohio Bureau of Criminal Investigation. Forensic Scientist. 2016 - present

Selected Specialized Training

- Ohio Bureau of Criminal Investigation. Operability Training. 2016
- Ohio Bureau of Criminal Investigation. NIBIN Training. 2017
- Bureau of Alcohol, Tobacco, Firearms and Explosives. National Firearms Examiner Academy. 2017

A complete CV can be made available upon request

Updated: 9/27/16