



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



2024-4082

Officer Involved Critical Incident – (L) 303 S. Main St.
Celina, Oh 45822

Investigative Activity: Interview of Dep. Spencer Heintl
Involves: Dep. Spencer Heintl
Activity Date: 01/02/2025
Activity Location: 4835 St. Rt. 29 Celina, OH Mercer County Sheriff's Office
Authoring Agent: SA Douglas Burke #162

Narrative:

On Thursday, January 02, 2025, at 1536 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent's (SA) Douglas Burke (Burke) and SA Ryan Emahiser (Emahiser) interviewed Deputy (Dep.) Spencer Heintl (Heintl) of the Mercer County Sheriff's Office (MCSO). Heintl was not accompanied by an attorney as the MCSO does not have any Labor Union or Labor Union Representation. Agents gave Dep. Heintl the opportunity to be represented by an Attorney of his choosing and declined.

The interview took place at the Mercer County Sheriff's Office Conference Room. The interview with Dep. Heintl was audio and video recorded.

SA Burke and SA Emahiser introduced themselves and explained to Dep. Heintl, Agents were present to speak with him about the Officer Involved Critical Incident (OICI) which had taken place at Docksider's Marathon Gas Station located at 303 S. Main St. in Celina, OH in the early morning hours of December 31, 2024. Dep. Heintl acknowledged this OICI and stated he was fine to speak with Agents. Agents asked Dep. Heintl if he had any questions prior to the interview and Dep. Heintl stated he did not.

Prior to speaking with Dep. Heintl, he was read and understood, then signed the BCI Criminal Investigation Notification Form without incident.

During the course of the interview, agents utilized tactics designed to illicit truthful responses and to test the veracity of information provided. As many of the details of the investigation into the incident were publicly available, it was necessary to utilize alternative tactics (beyond the typical methodology of retaining confidential "holdout" information regarding the incident and then comparing/contrasting witness statements with information that could only be known by those with actual knowledge of the incident). These tactics include developing rapport and potentially providing information known to be erroneous. Therefore, misstatements of facts or evidence in

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the recorded interview by the interviewing agents are intentional and align with the strategy for the overall investigative plan.

This report only summarizes the information deemed by the author to be of the most relevance to the investigation and does not claim to contain all the questions and answers from the interview. Further, this report was placed in chronological order 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.

Preliminary and Demographic Information:

Name: Spencer Heintl	Rank: Deputy (Dep.)
Badge Number: 5440	Cruiser/Vehicle Number: 5440
Radio Call Sign: 5440	Immediate Supervisor: Sgt. Darrell Etgen
Radio Channel Utilized: Yes	Mobile Data Terminal: Present & Utilized
Cruiser Description: Marked Sheriff's Cruiser	Occupants of Cruiser and Seating Positions: Driver
Assignment: Road Patrol	Normal Shift: [REDACTED]
In-Car Camera: Operational & Utilized	Spotlight: Present & Utilized
Emergency Lights: Present; Not Utilized	Siren: Present; Not Used
Shift Day of Incident: [REDACTED]	Duty Status: On-Duty
Days Off: [REDACTED]	Prior Overtime or Extra Details within Preceding 48 Hours: No
Hours of Sleep Prior to Incident: Approximately eight (8) hours	Consider Self Well Rested?: Yes
Total Length as Officer: Approximately nine (9) years	Length at Current Agency: Five (5) years
Physical Disabilities (to include hearing aid): No	Corrective Lenses: No Corrective Lenses
Uniform Worn: Sheriff Shirt patrol shirt/Sheriff Pants	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: Taser/OC/Flashlight
Ballistic Vest: Concealed Armor	Body Worn Camera: Present & Used
Other Recording Devices: BWC/IN Car Camera	Partner: K-9 Partner, Hex but dog was not deployed
Injuries: No	Equipment Damage: No
Training or Areas of Specialty: Firearm's	OPOTC Certification: Wright State Lake

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Instructor/Active Shooter Training/SORAT Training/K-9 Handler	Campus 2016
Military Experience/Training: Eight (8) Army Reserves	Use-of-Force Training: Yes
Prior Shooting Incidents: No	Prior Discipline or Use-of-Force Complaints: No
Medications, Prescriptions, or Drugs that might Impair Your Duties at Time of Incident: No	Medications, Prescriptions, or Drugs that might Impair You Now for Interview: No
Alcohol in Past 24 Hours? No	Last Consumed Alcohol Prior to Incident: No

Officer's Firearm(s):

Weapon #1

Make: Glock	Model: 45
Caliber/Gauge: 9 mm	Serial: [REDACTED]
Type: Semi-Auto Handgun	Method of Carry: Gun Belt Holster
Magazine Capacity: 17	Total Rounds as Carried (including chamber): Seventeen (17) Plus One (1)
Extra Magazines: Two (2)	Number of Rounds in Extra Magazines: Seventeen (17)
Discharged During Incident? Yes	Primary or Backup Weapon: Primary
Rounds Remaining After Incident: Thirteen (13)	Number of Rounds Fired: Five (5)
Right/Left-Handed Carry: Right-Handed	Ownership: Department Owned
Last Qualification Date: May 18, 2024	Type of Holster, if any: Safariland, Model 6360, ALS Duty, Level 3 Retention/Streamlight TLR-1HL

Narrative:

SA Burke asked Dep. Heintz if he could describe how the events unfolded in the early morning hours of December 31, 2024, regarding the OICI. Dep. Heintz stated he was

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working his regularly scheduled shift from [REDACTED] with his K-9 partner, Hex. It should be noted, Dep. Heintl said his working hours could adjust with “kennel” time due to him being a K-9 handler. SA Emahiser asked Dep. Heintl if he has set days off and Dep. Heintl stated his days off changed quarterly and he just switched to [REDACTED] off. Dep. Heintl explained he was on regular patrol, in a marked Sheriff's Office patrol vehicle, in the 6300 block of State Route 118, Mercer County, OH heading northbound when he had overheard radio traffic about Celina Police Department (CPD) being dispatched to a male subject in someone's vehicle. [Through the course of this investigation, the male subject was identified as Moses Alik (Alik)]. There was a possible confrontation which had ensued and Alik then left walking westbound on Warren St. in Celina, OH. This incident took place at Docksider's Gas Station which is located at 303 S. Main Street, in Celina, OH.

Dep. Heintl stated he drove to the City of Celina to see if CPD needed any assistance. Dep. Heintl told Agents he did not call out to his dispatch to let them know he was heading to the area of Docksider's Marathon Gas Station to assist CPD. Dep. Heintl said he crossed paths with Sergeant (Sgt.) Pat Crosby (Crosby) so he knew Dep. Heintl was in the area to assist. Dep. Heintl explained he patrolled the immediate area in an attempt to locate Alik but did not see him.

While Dep. Heintl was on patrol in the area of Docksider's Marathon Gas Station, Dep. Heintl said he overheard Patrolman (Ptl.) Kyle Balthis' (Balthis) radio traffic stating Alik was at the back parking lot outside of the store. Dep. Heintl explained, Ptl. Balthis broadcast over the radio Alik had a knife around a neck. Dep. Heintl said he did not know if Alik had the knife against someone else's neck or Alik's own neck. Dep. Heintl pulled into the alley just south of Warren St., off Walnut St. and parked in a parking lot southwest of the gas station (but not in the actual gas station parking lot where the OICI occurred).

As Dep. Heintl parked his vehicle, he noticed what he believed to be Alik in the parking lot of Docksider's Gas Station. Dep. Heintl then observed Sgt. Crosby had arrived in his cruiser and parked in the same parking lot in the alley just south of Warren St. in the same area as Dep. Heintl; however, Sgt. Crosby had parked just north of Dep. Heintl's location.

Dep. Heintl said he noticed Ptl. Balthis coming from the front of the store (north side) and Alik was standing in the parking lot with his back facing Dep. Heintl. Dep. Heintl “jumped” over a guardrail which separated the parking lot/alley he had parked his cruiser in. As Dep. Heintl “jumped” over the guard rail, he told Agents he pulled his duty weapon and attempted to walk towards Ptl. Balthis to avoid potential crossfire. Dep.

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Heinl explained, Alik at one point dropped the knife, so he secured his weapon in his duty holster. Dep. Heinl stated he believed the reason Alik dropped the knife was due to Sgt. Crosby and Ptl. Balthis ordering Alik to “drop the knife.”

Dep. Heinl explained, Ptl. Balthis had his duty weapon “out” and Sgt. Crosby had his taser “out.” Dep. Heinl said, Sgt. Crosby was to his immediate left, and Ptl. Balthis was directly in front of Dep. Heinl with Alik in the middle of all three (3) officers. Dep. Heinl said since he had re-holstered his duty weapon, he was going to attempt to go hands-on with Alik to detain him.

Dep. Heinl said Alik dropped the knife; however, still was not fully cooperating with officer's orders. According to Dep. Heinl, Sgt. Crosby deployed his taser engaging Alik. Dep. Heinl stated he started to “lunge” towards Alik in an attempt to detain him and realized the taser had little-to-no effect on Alik. Dep. Heinl said Alik then picked the knife back up and he heard Sgt. Crosby and Ptl. Balthis yell to Alik, “to put the knife down.” Dep. Heinl told Agents he “re-drew his duty weapon out” as Alik picked the knife back up and observed Alik put the knife above his head. With the knife above Alik's head, Dep. Heinl said Alik turned to the left and as this took place Dep. Heinl had been able to get a better view of Alik's face. Dep. Heinl stated as Alik turned (left) towards him, he did not know if Alik was of a Hispanic or Marshallese decent.

With the knife still above Alik's head, Dep. Heinl attempted to walk around towards Ptl. Balthis' location. Dep. Heinl stated Alik still had the knife in his right hand above his head and Alik made eye contact with Dep. Heinl. Dep. Heinl said he had his eye on the knife the entire time.

According to Dep. Heinl, Alik started to come towards him with the knife still above his head. Dep. Heinl said it felt like Alik was within four (4) feet of him, but knew it was a little further than that. Officers were continuously telling Alik to, “drop it” as Alik still had the knife above his head. As Alik “closed” the distance on Dep. Heinl, Dep. Heinl indicated he then fired his duty weapon at Alik. Dep. Heinl said he believed himself to have fired his duty weapon three (3) to five (5) times at Alik. Dep. Heinl said it could have been four (4) shots, but once Alik fell to the ground, Dep. Heinl re-holstered his weapon. Dep. Heinl, Sgt. Crosby, and Ptl. Balthis then approached Alik who was on the ground. Dep. Heinl stated Alik had numerous layers of clothing on his left hand/arm and was not able to get him cuffed; however, Sgt. Crosby and Ptl. Balthis was able to turn Alik over and placed cuffs on him from the back.

Once Alik was placed in handcuffs, Dep. Heinl said he ran to his patrol car and obtained a medical kit to start administering first aid to Alik. When Dep. Heinl returned

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with the medical kit, he noticed Sgt. Crosby and Ptl. Balthis had Alik's shirt opened and Dep. Heint said he was told by the CPD officers to step back. Dep. Heint said this was hard for him to step back and not help because of his medical training background. According to Dep. Heint, the CPD Officer's stated Alik had a wound to his chest. Dep. Heint told the CPD Officer's they would need a chest seal, which Dep. Heint retrieved from his medical kit. Soon after giving the CPD officers the chest seal, the Celina Fire Department (CFD) arrived and administered First Aid. Dep. Heint said he then stood back and waited for his supervisor Sergeant (Sgt.) Darrell Etgen (Etgen) to arrive.

SA Burke asked Dep. Heint if he radioed to his dispatchers that he had been out assisting CPD and he said he notified dispatch. Dep. Heint explained, he did not remember if he specifically told his dispatch he was out at Docksider's Marathon Gas Station; however, this was the only event currently taking place in the county and with their patrol vehicles having GPS Units, the dispatchers knew where he was located.

SA Burke asked Dep. Heint if he could recall exactly what he told Alik about dropping the knife. Dep. Heint said he could not recall specifically what he said or how he told Alik to drop the knife, he just remembered saying "drop it, drop it." According to Dep. Heint, he did not feel like he was being loud as he ordered Alik to "drop the knife," but knew he was loud to the point where he could feel it in his throat.

SA Emahiser asked Dep. Heint if he could hear the other CPD Officer's ordering Alik to "put the knife down," and he said he could, then stated he saw Alik drop the knife, but then soon thereafter, heard the CPD Officer's tell Alik not to pick the knife up. Alik then picked the knife up with his right hand and raised it over his head. Dep. Heint said when Alik dropped the knife initially, he holstered his duty weapon, but when Alik picked the knife up and turned towards him, he re-drew his duty weapon and aimed towards Alik. SA Burke asked Dep. Heint if he could tell for certain that Alik had some sort of sharp-edged weapon in his right hand. Dep. Heint said he definitely knew this was a weapon (knife) in Alik's right hand. Dep. Heint explained the initial radio traffic he overheard, Dep. Heint wanted it known to Agents he did not know if Alik was holding the knife against himself or another individual. Dep. Heint said at the time of the initial call he knew Alik was in possession of a knife.

SA Burke asked Dep. Heint if he observed Alik "stab" himself with the knife. Dep. Heint did not observe Alik "stab" himself, but did see blood around his neck upon initial contact prior to the OICI. Dep. Heint said he did not observe Alik doing anything to himself with the knife, until he picked the knife up and came towards Dep. Heint. Dep. Heint explained, he felt when the taser did not make good contact with Alik then Alik picked up the knife.

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SA Emahiser asked Dep. Heintl where he had observed the blood on Alik. Dep. Heintl said he felt the blood was around his face or his hand but could not specifically remember. Dep. Heintl said as soon as he saw Alik turn towards him, Dep. Heintl stated he was completely “locked” onto Alik’s right hand. SA Burke asked Dep. Heintl after he had engaged Alik, did he radio to dispatch shots had been fired. Dep. Heintl said he did, but all Dep. Heintl could remember is he said, “shots fired, we need a squad.”

Dep. Heintl remained on scene with Sgt. Etgen until administration arrived. Dep. Heintl was driven to the Sheriff’s Office by Sgt. Etgen.

SA Burke asked Dep. Heintl, since he is a K-9 handler, was his K-9 partner Hex ever deployed during this OICI. Dep. Heintl said his K-9 partner, Hex, was never deployed during this incident. SA Burke asked Dep. Heintl if his duty weapon which he engaged Alik with was an office issued weapon (Glock Model 45, 9 mm Pistol) and he said it was; which is equipped with a TAC Light and Red Dot. SA Emahiser asked Dep. Heintl what he did with his service weapon after he had engaged Alik. Dep. Heintl stated he re-holstered his weapon and did not remove it from his holster until he returned to the Sheriff’s Office. Once back to the Sheriff’s Office, Dep. Heintl said he removed the magazine, pulled the slide back and removed the chambered round, left the slide racked back, and placed these items in an Evidence Locker. Dep. Heintl said he was present when SA Emahiser seized his office issued duty weapon.

SA Burke asked Dep. Heintl if he has an office issued rifle and he said he did; however, it was not used during this incident. Dep. Heintl stated each deputy is issued a back-up pistol; however, he does not carry a back-up pistol. The only firearm Dep. Heintl had on his person during this OICI, was his office issued Glock Model 45, 9mm pistol.

SA Emahiser asked Dep. Heintl if he felt his life or any other officer’s life was in danger as Alik had the knife in his hand and had not complied to commands of the officer’s. Dep. Heintl said he did, especially when Alik put the knife in his right hand, turned (left) towards Dep. Heintl and started to approach him. Dep. Heintl told Agents he felt Alik was going to stab him. Dep. Heintl felt it was, “me or him” when Dep. Heintl pulled the trigger due to Alik closing the gap on Dep. Heintl with the knife. SA Burke asked Dep. Heintl if he was following the MCSO Use of Force Policy and Procedure and Dep. Heintl said he felt he was.

SA Burke asked Dep. Heintl if he was familiar with Alik. Dep. Heintl said prior to this incident, he was not familiar with Alik. According to Dep. Heintl, he previously backed CPD up at a bar fight at Boots and Bourbon Bar in Celina, OH. Dep. Heintl said as he had been standing by while CPD was conducting their investigation, there was a male

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Marshallese (Alik) subject standing on the sidewalk yelling at Dep. Heint. Dep. Heint said he told Alik on numerous occasions; he needed to walk away and was close to arresting the male for Disorderly Conduct. According to Dep. Heint, later that night this same male was arrested by Sgt. Crosby for Persistent Disorderly Conduct for the same issues Dep. Heint had been dealing with. Dep. Heint said this would have probably been the only time he had dealt with him.

SA Emahiser asked Dep. Heint if Alik made any comments during this incident. Dep. Heint said he did not recall Alik making any comments prior to the OICI; however, after the OICI had occurred Dep. Heint said Alik more than once said, "let me die." Dep. Heint said he had no other conversation with Alik.

SA Emahiser asked Dep. Heint if he observed any signs of impairment of Alik and Dep. Heint said he could not tell. Dep. Heint said things happened so quickly, he could not tell if Alik was impaired.

SA Burke asked Dep. Heint if Alik could have been communicating with the CPD Officers and Dep. Heint believed this to be true. SA Burke asked Dep. Heint if he knew what was possibly being said and he said he did not know, but believed there was a possibility Alik was trying to communicate with Sgt. Crosby and Ptl. Balthis. SA Burke and SA Emahiser asked Dep. Heint if there was anything the Agents had not asked him and he said there was not.

The interview concluded at approximately 1620 hours.

The interview was audio recorded. The audio recording was attached to this report. The signed BCI Criminal Investigation Notification form is also attached to this report. Please see the attachments for further details.

Attachments: #01 Interview with Dep. Spencer Heint

#02 BCI Criminal Investigation Notification Form

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