



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



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
New Philadelphia, Ohio 44663

Investigative Activity: Initial Crime Scene Processing
Involves: Tuscarawas County Sheriff's Department
Activity Date: 04/01/2024
Activity Location: 850 E High Ave & 145 8th St. NE, New Philadelphia, Ohio
Authoring Agent: Crime Scene Technician Michael Rostocil #204

SUMMARY:

On Monday, April 1, 2024, BCI Special Agents Larry Hootman, Chad Doran, and Crime Scene Technician Michael Rostocil assisted the Tuscarawas County Sheriff's Department with the processing of an outdoor crime scene located at multiple locations off E High Avenue in New Philadelphia, OH regarding an officer-involved critical incident. The scene was photographed as it was found, and evidence was collected. The scene was further documented using a Leica BLK360 laser scanner.

DETAILS:

On Sunday, March 31, 2024, at approximately 2200 hours, CST Rostocil was contacted by Special Agent Larry Hootman and was requested to assist the Tuscarawas County Sheriff's Department with the processing of an outdoor crime scene at multiple locations off E High Avenue in New Philadelphia, OH regarding an officer-involved critical incident (Figure #1). At approximately 0015 hours on April 1, 2024, CST Rostocil arrived on scene and met with BCI Special Agents Larry Hootman and Chad Doran. Shortly later, CSU met with BCI Special Investigations Agents John Tingley, Eric Lehnhart, and Jack Shea and learned the following: a pickup truck had crashed into a house located at 145 8th Street NE, New Philadelphia, OH and a Tuscarawas County Sheriff [REDACTED] identified as [REDACTED] responded to the location. Investigators stated that after exiting his vehicle, [REDACTED] was confronted by a subject, identified as Matthew Flynn, who entered the Deputy's police vehicle attempting to steal it. [REDACTED] attempted to remove the subject from the passenger side and a struggle ensued. [REDACTED] fired two (2) rounds at the subject, striking him once in the right shoulder. [REDACTED] was also inadvertently struck by gunfire in his left hand. The subject fled in the police vehicle, terminating on Tell Street on the East side of 850 E High Avenue after colliding with a parked vehicle. EMS responded and transported the subject to a local hospital where he was later pronounced deceased. [REDACTED] was transported to a local hospital for treatment of his injuries.

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Bureau of Criminal Investigation
Investigative Report**



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
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The weather at the time of arrival was calm, approximately 45 degrees Fahrenheit with no wind. At approximately 0145 hours, rain started which turned into a heavy downpour, continuing throughout the remainder of the scene processing.

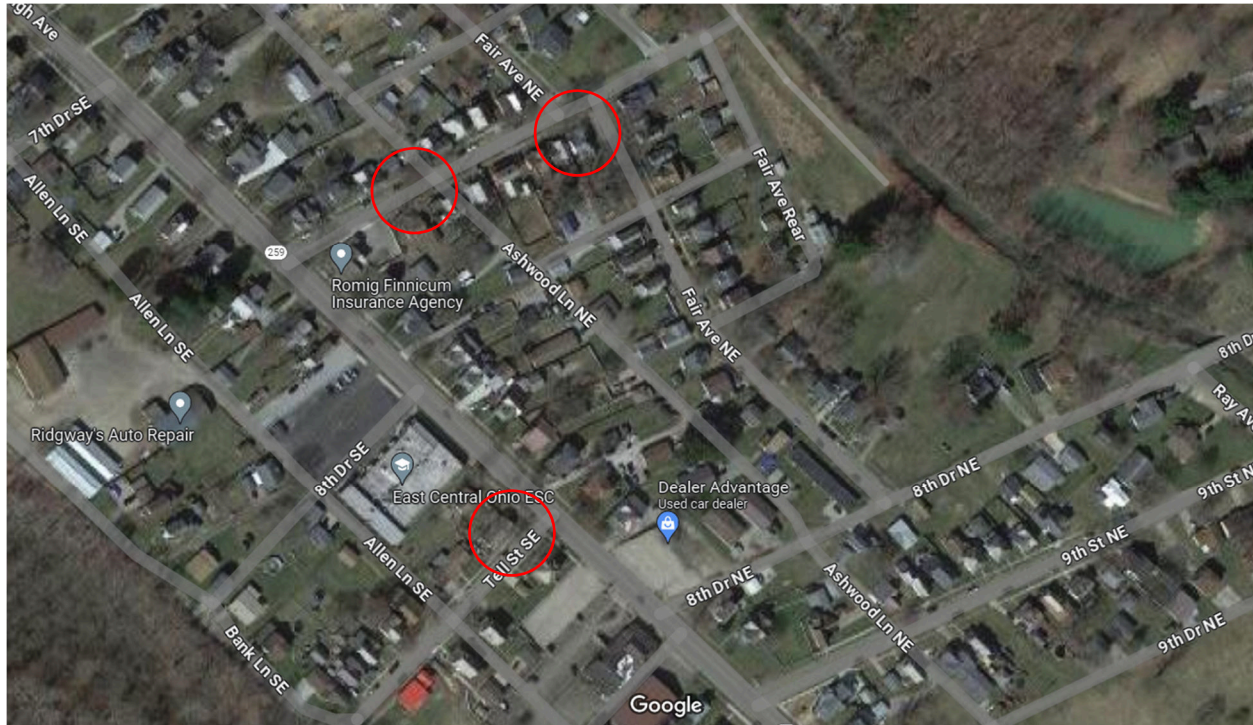


Figure #1 - Overall locations

SA Hootman documented the crime scenes with overall photographs. CST Rostocil took over photography and photographed the crime scenes and close-ups of the evidence and vehicles involved. The initial crash scene involving a silver 4-door Ford F-150 Raptor (OH LIC #FOG6033) was located at 145 8th Street NE (Figures #2-4). The vehicle crashed into the North corner of the residence facing Southeast and debris was on the lawn and roadway Southeast of the location. A pair of apparent tire skid marks was located on Fair Avenue NE, directly in front of 145 8th Street NE (Figure #5). The crash scene was investigated by the Ohio State Highway Patrol and the skids were measured and marked. The skids appeared to have begun in front of 739 Fair Avenue NE (Figure #6).

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



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
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Figure #2 - Front Exterior 145 8th Street NE



Figure #3 - North corner 145 8th Street NE

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



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
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Figure #4 - East side 145 8th Street NE



Figure #5 - Skids on Fair Avenue NE (looking South)

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**Ohio Attorney General's Office
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Investigative Report**



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
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Figure #6 - Beginning of skids in front of 739 Fair Avenue NE

The shooting took place on 8th Street NE, Southwest of the initial crash location. At this location were 2 items of evidence on the roadway marked prior to the arrival of BCI agents (Figure #7). Item #1 was located on the street along the North gutter in front of 114 8th Street NE and identified as a Hornady 9mm Luger +P fired cartridge case (Figures #8-9). Item #2 was located on the street across from Item #1 in front of 121 8th Street NE, identified as a yellow long-sleeve shirt with suspected blood on it (Figures #10-11). A third item of suspected evidence was located and marked as Item #3 on the ground in between residences 139 & 141 8th Street NE. This was identified as a blue and red MAGA hat (Figures #12-14).

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Bureau of Criminal Investigation
Investigative Report**



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
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Figure #7 – Overall location of Items #1-2 on 8th Street NE



Figure #8 – Overall location of Item #1

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Bureau of Criminal Investigation
Investigative Report**



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
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Figure #9 - Close-up of Item #1



Figure #10 - Overall location of Item #2

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



2024-1015

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Figure #11 - Close-up of Item #2



Figure #12 - Overall location of Item #3

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



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
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Figure #13 - Close-up of Item #3



Figure #14 - Close-up of Item #3

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



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
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The secondary crash scene involving [REDACTED]'s police vehicle was located on Tell Street, on the East side of 850 E High Avenue (Figures #15-17). Tuscarawas County Sheriff's Department Ford Interceptor, vehicle # [REDACTED], was at rest on the West curb line along the East side of 850 E High Avenue facing North. The front end of the vehicle was damaged and two (2) suspected ballistic impacts were observed through the front driver door (Figures #18-19).



Figure #15 - Overall scene on Tell Street

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Bureau of Criminal Investigation
Investigative Report**



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
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Figure #16 - Overall of Tuscarawas Co. Sheriff vehicle # [REDACTED]



Figure #17 - Overall of Tuscarawas Co. Sheriff vehicle # [REDACTED]

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



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
New Philadelphia, Ohio 44663

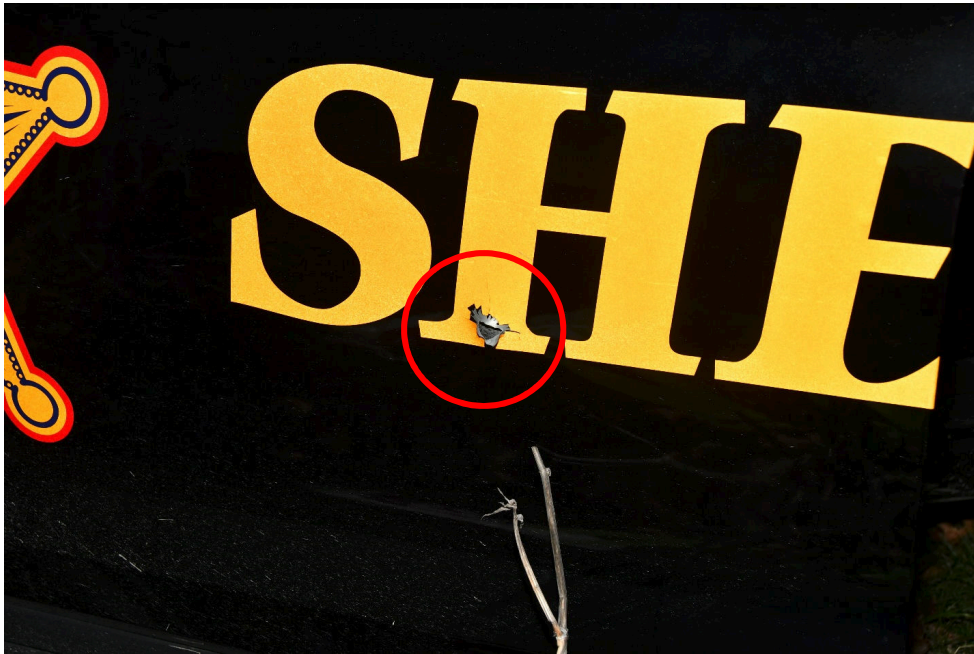


Figure #18 - Susp. ballistic impact, exterior front driver door



Figure #19 - Susp. ballistic impact, interior front driver door

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



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
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A black 4-door Hyundai Elantra (OH LIC #GGW8950) was at rest in the front yard of 858 E High Avenue with the back end up against the front porch/North corner of the residence (Figures #20-21). The vehicle was missing the front bumper and had front end damage.



Figure #20 - Overall location 858 E High Ave.

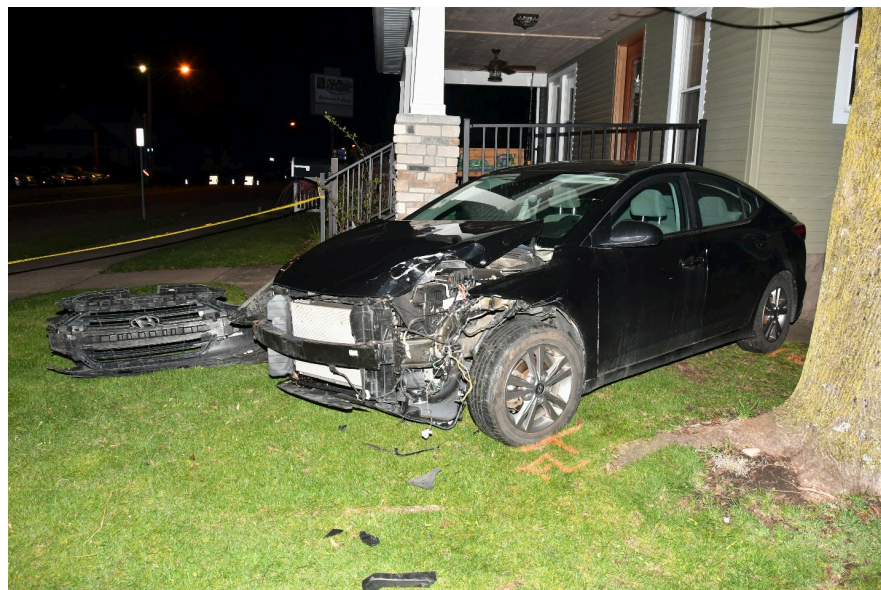


Figure #21 - Overall Hyundai Elantra

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Bureau of Criminal Investigation
Investigative Report**



2024-1015

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New Philadelphia, Ohio 44663

Two (2) additional items of evidence were located and collected from the ground along the driver side of the Tuscarawas County Sheriff vehicle # [REDACTED] (Figure #22). Item #4 was a dark blue REAL ESSENTIALS size L t-shirt with suspected blood and apparent damage (Figure #23) and Item #5 was a pair of blue pants in a cut condition (Figure #24).



Figure #22 - Overall location of Items #4-5

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Bureau of Criminal Investigation
Investigative Report**



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
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Figure #23 - Item #4



Figure #24 - Item #5

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Bureau of Criminal Investigation
Investigative Report**



2024-1015
Officer Involved Critical Incident - 1245 8th Street, N.E.
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The scene and evidence were further documented using a Leica BLK360 laser scanner. The scan data was prepared for viewing using the Leica Cyclone Register360 software. Overhead diagrams were created using the Leica Map360 software program (Figures #25-26). The area on 8th Street NE containing Items #1-2 were not scanned due to the rain. Items #1-2 were placed into the diagram based off the photographs.

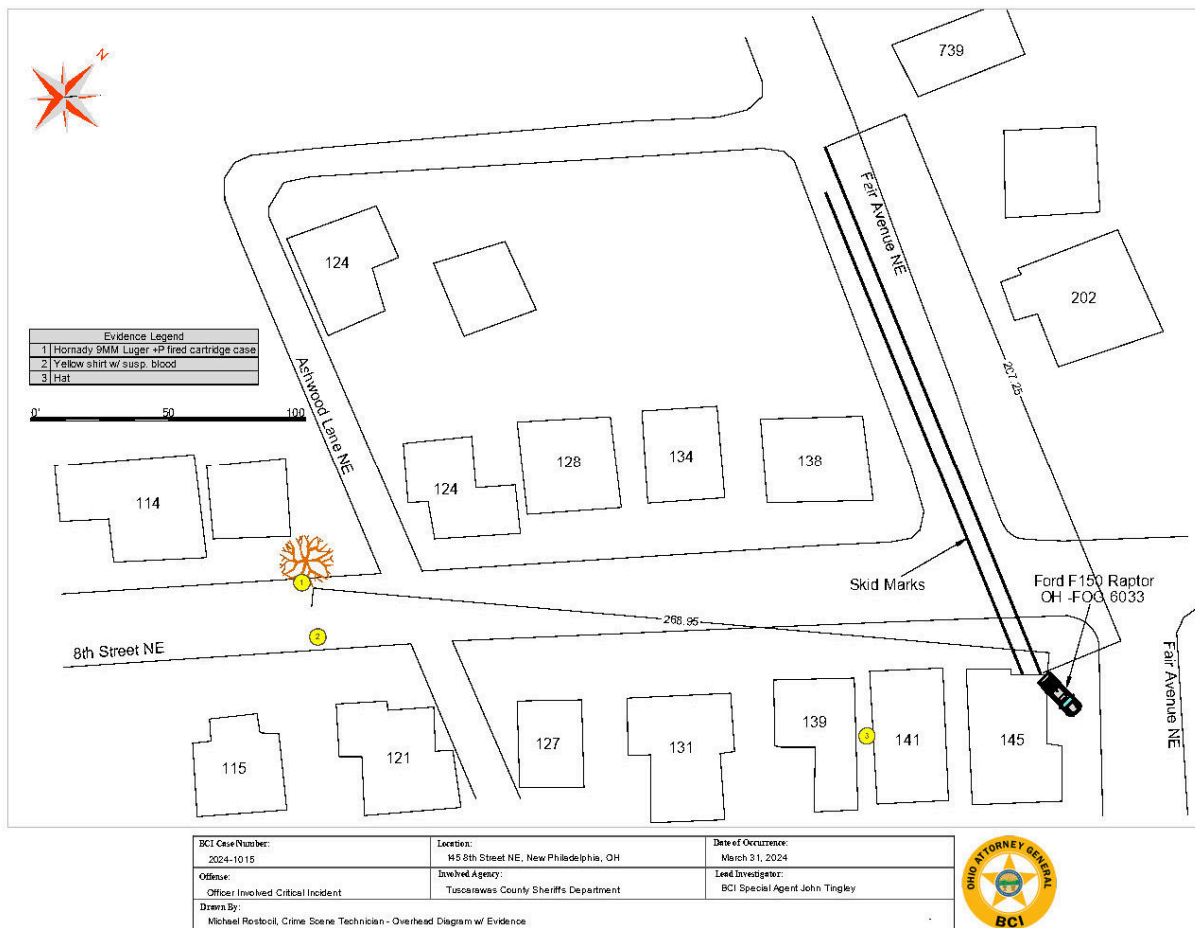


Figure #25 - Overhead diagram, 145 8th Street NE

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Bureau of Criminal Investigation
Investigative Report**



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
New Philadelphia, Ohio 44663

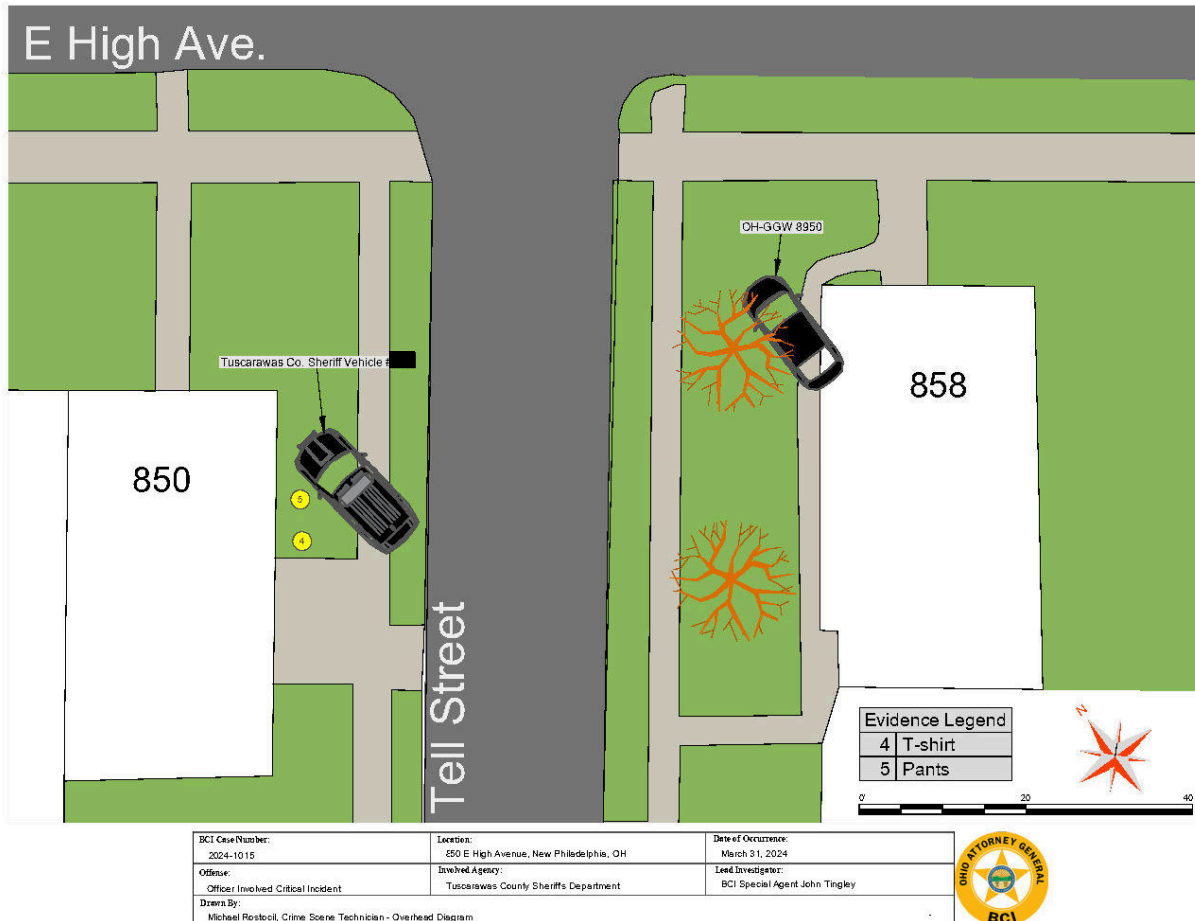


Figure #26 - Overhead diagram, 850 E High Avenue

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Bureau of Criminal Investigation
Investigative Report**



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
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At approximately 0030 hours, SA Hootman responded to Union Hospital in Dover, OH and photographed the deceased subject, Matthew Flynn. SA Hootman documented the body, including a suspected gunshot wound to the right shoulder (Figure #27). SA Hootman collected a bag containing the subject's black NIKE shoes and black socks and transferred custody to CST Rostocil at the crime scene. These items were packaged in a paper bag and identified as Item #6.

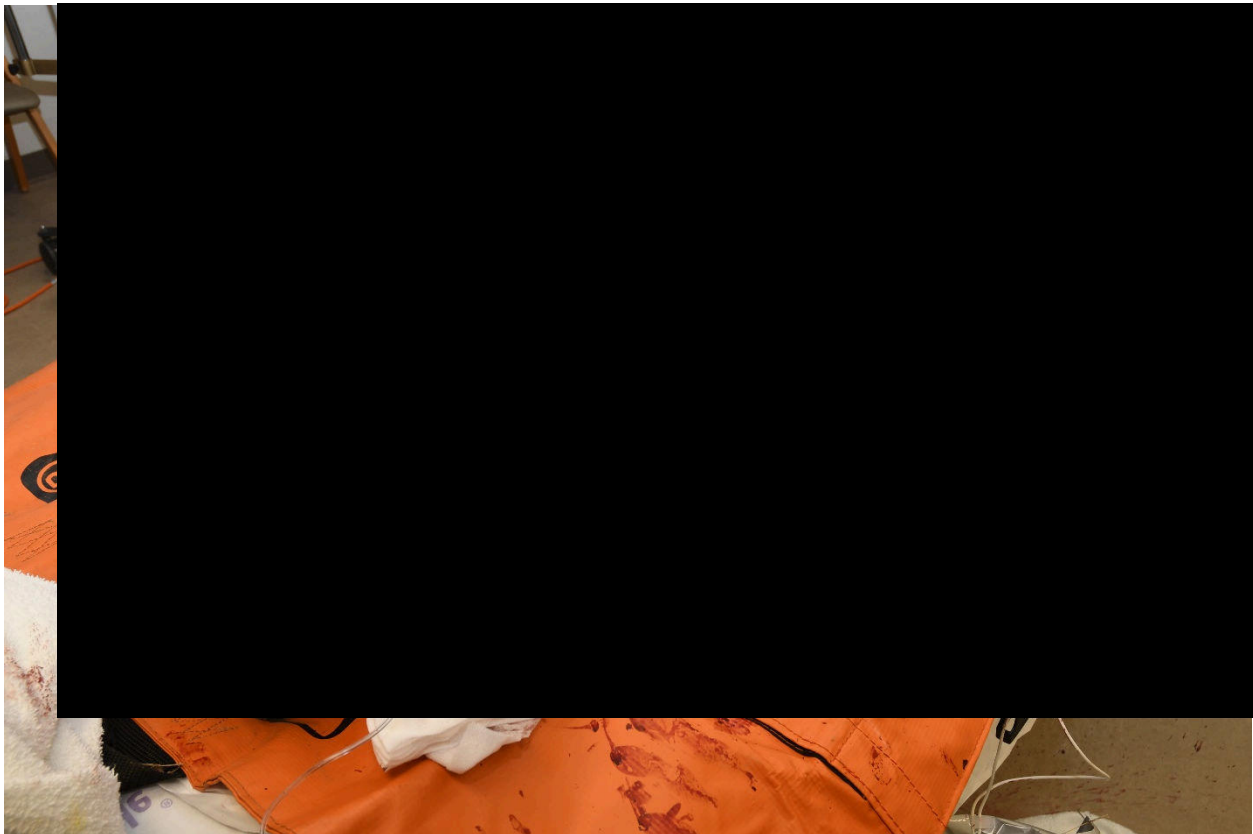


Figure #27 - Gunshot wound to right shoulder

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



2024-1015

Officer Involved Critical Incident - 1245 8th Street, N.E.
New Philadelphia, Ohio 44663

At approximately 0234 hours, CST Rostocil transferred custody of Items #1-6 to Special Agent Supervisor Charles Moran to be taken to temporary evidence storage at the BCI Richfield Office. An evidence inventory/receipt form was filled out and signed by CST Rostocil and SAS Moran and a copy was given to SAS Moran and uploaded into Matrix.

The photographs were uploaded into Matrix. A copy of the scan data was uploaded to the "BCI Scanner Files" folder on the shared directory.

A copy of this report should be sent to:

Ohio BCI – Richfield Office
Attn: Special Agent John Tingley
Email: John.Tingley@OhioAGO.gov

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