



Ohio Attorney General's Office  
Bureau of Criminal Investigation  
Prosecutor Summary

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**Involves:** Thomas Henry Cromwell (S), Kelly Rose (V), Mason Police Department (O), Warren County Sheriff's Office (O), Franklin Police Department (O), Lebanon Police Department (O), Officer Daniel Fry (W), James Schelldorf (W), Antwaun Scott (W), Carl Hoskins (W), Christopher Keene (S), Deputy Adam Sturgill (W), Phillip Green (W), Scott Williams (W), Stanley Matuszak (W), Gerrett Rosell (W), Joseph Gray (W), Riley Hensley (W), Ryan Frasher (W), Brad Walker (W), Eric Wallace (W), James Doddy (W), Gregory Nate Trout (W), Kevin Knobbe (W), Josh Emmel (W), Chris Evans (W), Matt Kohl (W)

**Author:** SA Kenneth J. Smith, #53

**To:** Mr. David Fornshell, Warren County Prosecutor

**CC:** Special Agent Supervisor Will Jones, Ohio Bureau of Criminal Investigation

**From:** Special Agent Kenneth Smith, Ohio Bureau of Criminal Investigation

**Date:** August 29, 2022

**Case Title:** Officer Involved Critical Incident / 2793 Waterpark Drive, Mason Ohio

**Case Number:** 2022-1472

**Investigative Request:**

The prosecutor's summary that follows provides an overview of the criminal investigation into an Officer-Involved Critical Incident (OICI) that occurred at 2793 Water Park Drive in Mason, Warren County, Ohio (Baymont Inn Room 310). The incident began as a call for an attempted arrest of an escapee (Thomas Cromwell) from the River City facility in Cincinnati, Ohio. That call turned into a barricaded suspect with a hostage in the hotel room. At the conclusion of the standoff, Warren County Tactical Response Unit Officer (Franklin Police Department) Officer Christopher Keene (Officer Keene) along with other members of the Warren County Tactical Response Team breached the locked and barricaded door of Room 310, and in the process, Officer Keene discharged a single round from his department-issued rifle. The round fired by Officer Keene struck and fatally wounded Thomas Cromwell. The investigation was conducted by the Ohio Bureau of Criminal Investigation (BCI) at the request of the Mason Police Department Captain Jerry Deidesheimer.

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## Preface:

This report only summarizes the investigative activity and information gathered by BCI. Every fact, detail, and full summary of all interviews is not presented in this report. Therefore, it is recommended that each individual report from which this document is derived be reviewed in order to obtain a complete understanding of this investigation. Audio and/or video recordings exist for some of the interviews conducted, revealing further details of statements given regarding the incident.

## Investigative Team:

BCI Special Agent Kenneth Smith (SA Smith) was assigned as the lead Special Investigations Unit (SIU) case agent. BCI Special Agent Richard Ward (SA Ward) was assigned as an assisting agent. SA's Ward, Roeser, Eveslage, and Seitzman of SIU assisted in subsequent witness interviews. BCI Special Agents Chad Holcomb (SA Holcomb) and Kevin Wagner (SA Wagner) from the Crime Scene Unit processed the scene of the incident, documenting, preserving, and collecting possible evidence. The investigation was supervised by Special Agent Supervisor Will Jones. Additionally, personnel from the BCI Crime Laboratory performed scientific analysis on submitted evidentiary items.

## Synopsis of Incident:

The following information is based on the statements of the involved law enforcement officers, statements of witnesses, and dispatch/CAD information. On the afternoon of July 11, 2022, at 1409 hours, Hamilton County Sheriff's Office Detectives Illing and Beckwith, observed Thomas Cromwell, an escapee from the River City Correctional Facility in Cincinnati, Ohio (Hamilton County) in the lot of the Baymont Inn 2793 Water Park Dr., Mason, OH. They were unable to make a positive identification before Cromwell entered the hotel. The Mason Police Department was contacted and a Mason officer learned that the female observed in the parking lot with Cromwell (Kelly Jo Rose) was registered to room 310. Detective Illing, Detective Beckwith and Mason Police Officers Limke, Donley and Simmons went to room 310. Several Hamilton County detectives and additional Mason PD officers had the perimeter of the hotel under surveillance. Officers knocked on the door and were immediately met with screaming, yelling, profanity and threats of violence made by Thomas Cromwell toward Kelly Jo Rose. Mason Police immediately notified their on-duty supervisor, Lt. Jeff Burson, who in turn requested the assistance of the Warren County Tactical Response Unit (WCTRU). Units held their positions until the WCTRU team arrived and took command. Thomas Cromwell had placed items in front of the door and barricaded himself inside keeping Kelly Rose as a hostage and threatening to kill her if officers came through the door. Multiple times Thomas Cromwell went to the window and officers could see a knife in his hand. WCTRU used a negotiator throughout the night to talk to Thomas Cromwell. The standoff lasted until approximately 0229 hours when the WCTRU forced entry into room 310. As tactical members entered the room Thomas Cromwell had the knife against Kelly Rose's neck. A WCTRU team member fired one round from his rifle fatally wounding Thomas Cromwell.

## Summary of Investigative Process:

The following is a partial list of investigative activities or methods that were employed during

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the course of this investigation by the investigative team.

- Processing of the scene by the BCI Crime Scene Unit.
- Autopsy completed by the Hamilton County Coroner's Office, attended by BCI SA Ward and SA Smith.
- Obtained a written letter of request for assistance from Mason Police Department Captain Jerry Deidesheimer.
- Recorded interview with Officer Keene, who discharged his weapon.
- Recorded interviews of other Warren County Tactical Response Unit members who were present during the OICI.
- Recorded interviews of Warren County Tactical Response Unit Hostage Negotiators.
- Interview of Hostage Kelly Rose.
- Interview of family members of the decedent.
- Obtained and reviewed open and closed-source biographical information on Cromwell, to include criminal history reports, OHLEG, driving records, and more.
- Reviewed Hamilton County Sheriff's Office records, photographs, and investigative materials pertaining to the OICI.
- BCI Firearm Laboratory examination, which included: Firearm operability testing and firearm identification testing on the involved firearm, casing, and bullet.
- Collected and reviewed the departmental personnel file of Officer Keene, which included training, disciplinary records, and firearms qualification records.
- Collected and reviewed Franklin Police Department's use of force policy.
- Collected and reviewed audio logs of the communications between Negotiators and Cromwell.
- Collected and reviewed Facebook Live Video by Thomas Cromwell livestreamed from inside room 310 from Hostage's phone.
- Collected and reviewed audio communications from the police radio channel utilized during the standoff and subsequent OICI.
- Collected and reviewed dispatch/CAD records pertaining to the OICI.
- Collected and Reviewed the Autopsy Report from the Warren County Coroner's Office
- Obtained all other known and pertinent records or recordings.

#### Investigative Interviews:

Kelly Jo Rose (Ms. Rose) was interviewed as a part of this investigation. Ms. Rose was the hostage inside Room 310. On July 12, 2022 at 0434 hours, Special Agents Douglas Eveslage (SA Eveslage) and Kenneth Smith (SA Smith) interviewed Ms. Rose at the Mason Police Department. Ms. Rose described that she had rented a room at the Baymont Inn and ran into an acquaintance named Deanna (Hilton) in the parking lot. Deanna introduced Ms. Rose to two male subjects in the parking lot. One of the subjects ended up being Thomas Cromwell (Cromwell) but was introduced to Ms. Rose as "Q". Cromwell and Ms. Rose ended up talking about how Cromwell needed a room for the night and was willing to pay her for her room with Cash App. Ms. Rose couldn't get into her room for another 45 minutes and ended up taking Cromwell to the Arby's nearby to get food at the drive-thru while she waited for her room. Ms. Hilton took the other male subject and drove somewhere else. Ms. Rose and Cromwell returned to the Baymont Inn. Ms. Rose got her room and checked in. Cromwell went to her room with her and they sat there talking for about 45 minutes when the police knocked on the door. Ms. Rose described that

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the police had knocked on the door and said "Room Service". Neither she nor Cromwell opened the door and then Cromwell told her that he had warrants and demanded her phone and said that he needed to get ahold of somebody and get out of there. He attempted to climb out the window and saw more police outside. He said that they are everywhere and then started barricading the door. Ms. Rose said that he then got out a knife stating that it was bad. They remained in the room for hours and described a cop named Adam on the phone, eventually. Ms. Rose stated that Cromwell was trying to talk to his mom and sister and somehow the police interfered with her phone and Adam was on the phone every time Cromwell tried to make a call. Ms. Rose fell asleep for awhile and stated that she felt that Cromwell didn't want to hurt her but was using her to get what he wanted. She also stated that she kept trying to remain calm and not freak out. The police eventually shut off the television and the air conditioning which agitated Cromwell because he enjoyed watching himself on the news. Ms. Rose attempted to call a friend to come get her dog and kept getting Adam. Cromwell ended up telling Adam that she (Ms. Rose) wanted to let the dog go but he wouldn't let her go and that she wanted to talk to her mom. Cromwell continued to argue with Adam. Ms. Rose was eventually able to call her sister through an app. Ms. Rose stated that Cromwell told her that he didn't want to hurt her but also talked about "death by cop shit". She stated that Cromwell told her "either they're going to let me go and I'm going to be free or they're going to kill me and I'm going to be free." She stated that the police broke into the room and that bullets were flying and that Cromwell had grabbed her and got behind her and was holding the knife up to her. She then saw blood (on Cromwell) and he went limp. She stated that the police then pulled her out of there. Ms. Rose stated that she was not injured during the shooting. She described the knife as being up against her neck. She stated that they fell onto the sofa bed and Cromwell was behind her. Ms. Rose stated that Cromwell was yelling at the police and was shot before he could finish his sentence. SA Smith asked if she thought that Cromwell was saying that he was going to kill her at that point. Ms. Rose stated, "I think so." SA Smith asked Ms. Rose if she felt her life was in danger at that point. She stated that she hadn't been afraid earlier but that she had been afraid that it would get more dangerous at the end.

#### Witnessing Officer Interviews:

On July 13, 2022, at 1340 hours, BCI SA Eveslage interviewed Officer Josh Emmel Warren County Tactical Response Unit member regarding his involvement in the OICI. The interview took place at the Warren County Sheriff's Office. He was represented by Ohio Patrolman's Benevolent Association Senior Counsel Joe Hegedus. During the hostage rescue operation, Emmel was the second person in the "stack" assigned to make entry into room #310 after Officer Chris Keene (Keene), who was the first person assigned to enter. Emmel explained that as Keene entered room #310, Emmel cleared the bathroom inside room #310 and then continued to clear the hotel room with Keene. At that point Emmel stated he saw "the male suspect, his eyes were open wide, he was yelling something but I don't remember exactly what he was saying." Emmel stated, "I saw the male subject or suspect, he had a knife in his hand and it was to the female's throat. I can't recall what hand it was, but I could tell it was his hand. Um, the way I perceived it was that he is extremely agitated, his muscles were tensed up, like he was extremely agitated and serious and his muscles were tensed up." After viewing this, Emmel said "I brought my gun up, placed my optic on his forehead, as I did that, I heard a shot from Officer Keene and I saw the subject go down, and the hostage go down with him." Emmel said that Keene and he ordered the female hostage to "run out of the room and someone took custody of her." Emmel

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explained that Keene and he cleared the rest of the room as another team member rendered first aid to the Thomas Cromwell.

On July 13, 2022, at 1352 hours, BCI SA Ward and SA Seitzman interviewed Sergeant James Doddy Warren County Tactical Response Unit member regarding his involvement in the OICI. The interview took place at the Warren County Sheriff's Office. He was represented by union Attorney Steve Lazarus. With respect to the critical portion of the incident, the Sergeant provided BCI agents with the following information: After the shotgun breach and several attempts from the ram on what appeared to "some kind of barricade interior" at the door, Doddy stated the door was forced open. As the team entered the room, Chris Keene was first followed by Josh Emmel in the stack and Doddy heard "some kind of challenge between them and the suspect", but did not know what was said. Moments later, Doddy stated he heard one suppressed gunshot. Sergeant Doddy stated when he entered the room, Stan Matuszak had placed flex handcuffs on Cromwell and he (Doddy) had called for a medic. According to Doddy, the SWAT medics arrived and declared Cromwell deceased. Kelly Rose, who had exited the room, was secured and he had all personnel move out of the scene.

#### Involved Officer Interview:

On July 20, 2022, at 1301 hours, BCI SA Smith and SA Ward interviewed Officer Keene at the Warren County Sheriff's Office, located at 822 Memorial Drive, Lebanon, OH 45036. Officer Keene's Attorney, Steve Lazarus, was present for the interview. The following information was elicited during the interview of Officer Keene: Officer Keene had been assigned by Team Command to the Entry Team standing by on the third floor of the hotel. TRU members were advised that during different points of the negotiations, Cromwell threatened suicide by cop, that they would have to kill him to save her, that he was going to go out in a glorious death. They also received information that he possibly had mental health issues and had shot someone in the past. The Team in the hall, at different times, could hear Cromwell laughing, cheering, and yelling as well as smell smoke that Officer Keene believed to be narcotics of some kind. As negotiations continued and hours passed, Hamilton County Police Association SWAT came in to relieve Warren County around 11pm. The Warren County SRT Team then went to a nearby firehouse to rest. The Team stood by at the firehouse for a few hours until Team Leader Doddy received a call that Cromwell had posted a live video showing him holding a knife and threatening the hostage. Things were ramping up and the Warren County Team was needed back at the scene. Officer Keene and his Team again took up positions in the 3rd floor hallway outside of room 310. The Team Commander (Trout) announced over the radio that the plan was going to be executed. During the countdown, the breach was executed on the room, the door opened slightly and Officer Keene was able to enter the room. The door had been barricaded from the inside making entry difficult. There was an upside-down recliner on the floor behind the door. Officer Keene used the flashlight on his rifle and observed Cromwell and the hostage in the center of the room. Officer Keene recalled seeing the reflection of his tactical light off the knife blade being held to the hostage's throat. Cromwell was using the hostage as a shield. He remembers the hostage crying and could see Cromwell's mouth moving but couldn't understand what he was saying. Officer Keene described Cromwell as "amped". Officer Keene states that he yelled "Police" or "drop it". Officer Keene then moved towards the left and forward of the bathroom door. Officer Keene states that he could observe the muscle tension in Cromwell's arm and on his face. Cromwell pulled the hostage closer to him and his

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head moved out from behind hers. Officer Keene states that he thought Cromwell was going to slit her (hostage's) throat so he fired one round from his rifle striking Cromwell. Cromwell and the hostage then fell forward and to the left and the hostage was able to get away from Cromwell. Officer Keene then yelled at her to get out of the room. Officer Keene continued to cover Cromwell and stated that he still had the knife. Another officer then stepped up and secured Cromwell. Officer Keene feels that his actions were in compliance with the Franklin Police Department's Response to Resistance Policy.

#### **BCI Firearms Laboratory Reports:**

On July 22, 2022, Ohio Bureau of Criminal Investigation (BCI) Special Agent Kenneth Smith (SA Smith) received the BCI Firearms Laboratory Report. SA Smith reviewed the report and noted the following: Warren County Tactical Response Unit Member (Franklin Police Department) Officer Christopher Keene (Officer Keene) department-issued DSA/Wetzel Firearms Model ZM4 rifle was found to be operable. The examiner reported no visible damage to the external surfaces or internal components of the firearm. Officer Keene's DSA/Wetzel Firearms Model ZM4 rifle was identified as the source of the fired .223 Remington cartridge case located at the scene of the Officer-Involved Critical Incident. Officer Keene's DSA/Wetzel Firearms Model ZM4 rifle was identified as the source of the fired bullet recovered during the autopsy of subject Thomas Cromwell.

#### **Post-Mortem Examination/ Autopsy**

On October 5, 2022, SA Smith received and reviewed a copy of the Autopsy report from the Warren County Coroner's Office.

#### **Summary:**

All persons known to have relevant information regarding this investigation have been interviewed, and all known records have been obtained and reviewed. BCI has striven to conduct a thorough and impartial investigation into this OICI. BCI will continue to offer investigative assistance to any newly identified witnesses or information relative to this criminal investigation. It appears that BCI's investigation into this OICI shall be concluded, unless such new information or witnesses are identified through the Grand Jury or other processes. As always, we remain available for consultation and look forward to your assessment of this investigation and your decision as to any additional efforts, processes, or further assistance or involvement you might determine to be necessary.

**End of Summary.**