



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



Officer-Involved Critical Incident – 673 Slate Hollow Ct, Powell

To: Melissa Schiffel, Delaware County Prosecutor
From: Matt Collins, Senior Special Agent, Ohio BCI
Date: March 30, 2023
Involves: DCSO; Deputy Brandon Gaunt; Sean Hinton
BCI Case Numbers: 2022-2813
BCI Laboratory: 22-111754

Investigative Request

On Monday, December 12, 2022, Captain Kevin Savage of the Delaware County Sheriff's Office (DCSO) requested the assistance of the Ohio Bureau of Criminal Investigation's (BCI) Special Investigations Unit (SIU) and Crime Scene Unit (CSU) in conducting an independent investigation into the facts and circumstances surrounding an officer-involved shooting incident. The incident reportedly occurred on December 12, 2022, in the area of 673 Slate Hollow Ct, Powell, OH 43065, and resulted in the Death of Sean Hinton (Hinton).

Preface:

This report serves as a synopsis of the investigation into the December 12, 2022, officer-involved shooting in Delaware County, Ohio. This report only summarizes the information that the investigative team determined to be the most useful in achieving an overall understanding of what occurred in this incident. Every fact and detail is not presented in this summary report. Therefore, it is recommended that each individual report from which this document is derived be read in order to obtain a complete understanding of this investigation. Further, audio and/or video recordings exist for the majority of the interviews conducted, revealing further details of statements given regarding the incident.

This investigation was conducted with the purpose of determining, to the extent possible, the facts and circumstances surrounding this incident. As unbiased collectors of fact, the investigative team has not and will not render any opinion of the legality of officers' actions. Instead, it is anticipated that this investigation will provide the basis of information for decisions to be rendered by the appropriate authorities.

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Investigative Team

Lead BCI Special Agent:

- SA Matt Collins

Assisting Investigative BCI Special Agents:

- SA Kyle Douglas
- SA James Gore
- SA John Rodriguez

BCI Crime Scene Special Agents:

- SA Aja Chung
- SA Chad Holcomb
- CST Amy Gill

BCI Criminal Intelligence Unit:

- IA Stephanie Littell

BCI Investigative Supervisor:

- Special Agent Supervisor Kevin Barbeau

Summary of Process

The following is a partial list of investigative activities or methods which were employed during the course of this investigation, by the investigative team, in an effort to thoroughly and accurately locate and document all pertinent facts and circumstances regarding this incident:

- Recorded interview with Brandon Gaunt who discharged his weapon
- Recorded interviews of three witnessing officers who were involved in the incident at the scene, or otherwise deemed to potentially have relevant information
- Neighborhood canvass of the area surrounding the scene
- *Attempted* Interviews of family members, Michael Hinton and Kelly Hinton, civilian witnesses to the incident (Declined)
- Special agent attendance to post mortem examination (autopsy) of the deceased
- Obtained and reviewed post mortem examination (autopsy) and toxicology reports
- Obtained and reviewed police reports of prior law enforcement contacts with the subject
- Obtained and reviewed open and closed-source biographical information on the involved subjects, to include criminal history reports, OHLEG, driving records, etc.

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- FBI National Crime Information Center (NCIC) checks on any non-law enforcement weapons involved in the incident (to determine if reported stolen)
- Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) trace on any non-law enforcement weapons involved in the incident (to determine ownership history)
- Review of all available dash cameras involved in the incident
- Review of all available body cameras involved in the incident
- Processing of the scene for potential evidence (photographing, searching, measuring, documenting, and collecting)
- 3D scans / model of incident area
- Reviewed audio communications on the radio frequencies utilized during the incident
- Review of 911/phone communications related to the incident
- Review of dispatch/CAD records pertaining to the incident
- Review of Mobile Data Terminal (MDT) communications relative to the incident
- Review of the department's reports, photographs, and investigative materials pertaining to the incident, excluding any Garrity statements or information derived from any compelled statement
- Conducted forensic laboratory examinations to include:
 1. Firearm identification testing of involved firearms, casings, and bullets
 2. Firearm operability testing
- Collected and reviewed the departmental personnel files of the deputy involved in the shooting, to include training and disciplinary records (if any)
- Reviewed firearm qualification and training records for involved deputy
- Verified the Ohio Peace Officer Training Commission (OPOTC) certification status of the deputy who discharged their weapon
- Obtained the department's policies and procedures regarding use of force for prosecutorial review
- Reviewed medical records of those injured, obtained through coroner
- Reviewed EMS records pertaining to their response and the treatment administered



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Incident Summary/Overview

On December 12, 2022, at approximately 2051 hours, DCSO deputies responded to 673 Slate Hollow Ct, Powell, OH. They were responding to the above cited address for an “unknown reason” due to a male caller who said, “Send the cops” and then hung up. However, on call back, dispatch learned there was an intoxicated male who may have a weapon on his person. That information was relayed to responding deputies. DCSO Deputies Nick Ambrozich (Ambrozich) and Brandon Gaunt (Gaunt) responded. When deputies arrived, there were three (3) adult civilians and two (2) juveniles at Slate Hollow Court. The involved-subject, Sean Hinton (Hinton), was in the basement with his father, Mike Hinton (Mike), until Mike came upstairs.

Deputies attempted to communicate with Hinton from the top of the stairs while Hinton was in the basement. However, Hinton appeared agitated. Hinton eventually came up the stairs and Dep Gaunt and Hinton encountered each other. Hinton was in possession of a rifle. Dep Gaunt discharged his patrol rifle and struck Hinton. Deputies rendered aid to Hinton while summoning a squad. Ultimately, Hinton succumbed to his injuries and was pronounced dead at the scene.

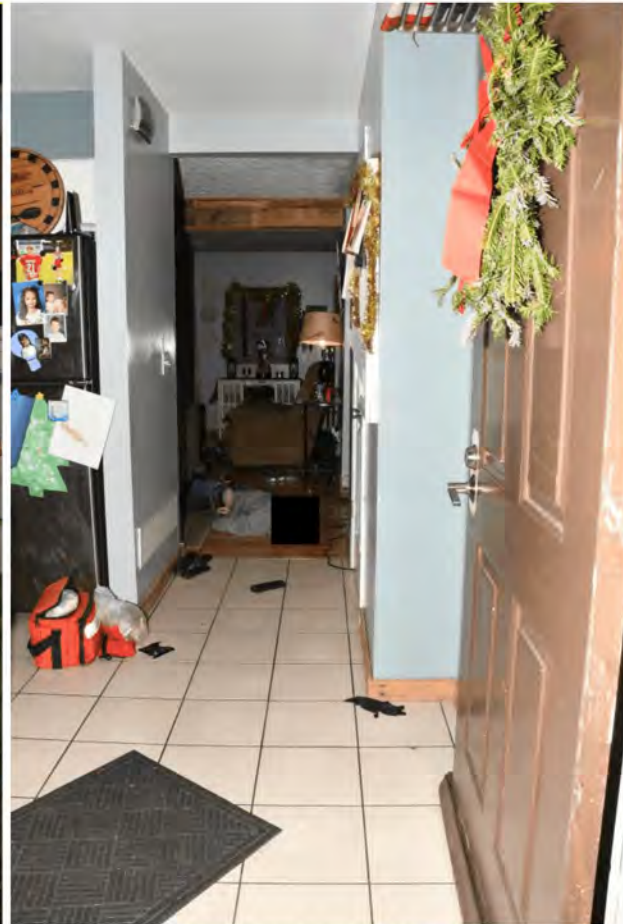


Subsequent Investigation

Physical Evidence and Laboratory Reports



Facing South, just outside door



Facing South, just inside door (kitchen area)

CSU agents arrived and found the scene secure. CST Gill documented the scene as it was found upon her arrival (see above). The main scene was found on the first floor of #673. 673 is further described as a two-story townhouse style residence with other similar units on both sides. The first floor included a kitchen, living room, and bathroom.

As seen in the photo above (Right), Hinton was found lying face-up in the living room area, near the stairs leading to the basement. Also located in that area were multiple rifle magazines, which contained a total of one hundred and fifty (150) rounds or cartridges and a tan Ruger, AR-556,

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5.56x45 NATO rifle (See *Figure 1*). The rifle was found with the safety switch positioned in the "Fire" position (See *Figure 2*).



Figure 1: Tan AR-556 rifle lying on tan recliner



Figure 2: Rifle in "Fire" position

CST Gill was advised Dep Gaunt's patrol rifle had previously been secured by DCSO Dep Cline and was placed in the rear of a patrol car. CST Gill retrieved Dep Gaunt's patrol rifle from DCSO patrol vehicle #61. The rifle was further described as a Sig Sauer, SigM400 .223 caliber rifle with serial number [REDACTED]. See *Figure 3*.



Figure 3: DCSO Deputy Gaunt's patrol rifle.

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Various items of potential evidence were submitted to the BCI Laboratory for analysis. The actual reports should be consulted as the following synopsis does not include many of the details from the full reports.

The BCI Firearms Section performed an analysis of the officers' firearms, as well as the firearm-related evidence collected from the scene, vehicles, and autopsies (casings and bullets). By comparing evidentiary cartridge casings/projectiles to known standards from each weapon, identifications were able to be made as to which casings/projectiles were fired from each firearm. Of the casings/projectiles recovered, the following identifications were made:

The Sig Sauer M400 possessed by DCSO, Deputy Brandon Gaunt was found to be operable. Furthermore, the fired jacketed bullet (**BCI Scene #3, Item #1**) recovered from the body of Sean Hinton was fired from Dep. Gaunt's firearm.

Post-Mortem Examination / Autopsy Report

The autopsy report for the decedent (Sean Hinton) was obtained from the Delaware County Coroner's Office. A review of those documents revealed the following information:



Investigative Interviews

The following information comprises extremely abbreviated versions of the statements made by the witness and/or participants of this incident deemed by the author to be of most relevance to the overall understanding of the incident. More detailed accounts can be found by reading the separate reports written by the interviewers and by reviewing the recordings of each interview, including those not synopsized below.

Dep Gaunt-

Deputy Gaunt stated he was aware of Dep Ambrozich being dispatched to a "domestic" related call. Dep. Gaunt said he witnessed messages on his MDT related to the call. He stated the messages read "send a deputy," "send the fucking cops" and "protect and serve." Dep. Gaunt said he responded to assist Dep Ambrozich. Dep. Gaunt arrived and witnessed Kelly Hinton (Kelly), who identified herself as Hinton's wife. Dep. Gaunt said, Kelly stated Sean was very intoxicated and there were in fact weapons inside the home and Sean may have a weapon on him. Dep Gaunt was aware Sean was downstairs and Kelly's father in-law (Mike) was attempting to speak with him. Dispatch advised, Kelly was yelling, "It's all coming to a head!" and "Get that

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gun off of him or the cops are going to fucking shoot him!” Kelly had told dispatch Sean had served in the Marine Corp. Dispatch advised Kelly was crying and saying Sean was talking about killing himself.

Dep. Gaunt stated he took up a position *“at the back door.”* He described the door as having a full-length vertical window to the left of the door. Which allowed him a clear view to the top of the basement stairs. Dep. Gaunt stated he witnessed Sean come up the stairs wearing black body armor, armed with a rifle. Dep. Gaunt described Sean *“clearing”* the top of the stairs and he pointed the rifle out in front himself. Dep Gaunt was asked to elaborate on what he meant by *“clearing.”* Dep Gaunt stated Sean did not run up the stairs. He described Sean to be acting more methodical with his movements. Dep. Gaunt stated Sean pointed the rifle directly at him, while he was at the back door. Dep. Gaunt stated, *“I feared for my own safety and the safety of the other deputies. I also knew Kelly; her two children and father in-law were still in the vehicle in the driveway directly beyond the back door. At this time, I fired my rifle at Sean. Sean immediately dropped to the ground and I ceased firing.”* Dep. Gaunt described Sean not moving, but also could not see Sean’s rifle. Dep Gaunt described securing Sean and making the scene safe to treat him for his injury/s.

Dep. Ambrozich-

Dep. Ambrozich stated he recalled the initial dispatch call was of, a subject reportedly requested police, and they were yelling at the dispatcher(s), to 'protect and serve'. Dispatchers relayed that the caller was potentially intoxicated and uncooperative. Dep. Ambrozich stated he was the first deputy on scene and went to the door to make contact. While at the door, Dep. Ambrozich stated he witnessed Kelly inside on the phone.

Dep. Ambrozich said he tapped on the window and when Kelly saw him, she yelled, *“The cops are here!”* Dep. Ambrozich said he motioned for Kelly to come to the door, but she appeared reluctant to open the door. Dep. Ambrozich said it was clear to him that his presence made Kelly nervous. Dep. Ambrozich said he could also see a young boy playing on a cell phone in the residence.

Dep. Ambrozich said Kelly stepped outside, shut the door behind her and spoke with him. Dep. Ambrozich described Kelly's comments as being dismissive when he asked her what was going on inside. Kelly reportedly told Dep Ambrozich everything was fine, yet she appeared to be frantic. According to Dep. Ambrozich, Kelly said Hinton was in the basement speaking with his father, Mike, and Mike was trying to get Hinton to calm down. Mike was also reportedly trying to get Hinton to give up a firearm.

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Dep. Ambrozich said he told Kelly he was going to have to check the wellbeing of the other occupants, given the circumstances. Dep. Ambrozich said he'd gone in and positioned himself at the top of the stairwell leading down to the basement. Dep. Ambrozich said he could see Mike, but not Hinton. Just as he'd positioned himself, Mike came up the stairs "frantically," and said Hinton had an "A-R."

Dep. Ambrozich said he maintained his position at the top of the stairwell, and he attempted to engage Hinton with verbal dialogue using crisis intervention techniques. He said it became obvious, Hinton grew more agitated, and he was not receptive to the communication. Dep. Ambrozich stated that he told Kelly and Mike to gather the children and get out of the house.

Dep. Ambrozich said once the occupants, except Hinton, were out of the house, Dep. Ambrozich backed out and requested other deputies to obtain a shield. Dep. Ambrozich said Dep Gaunt maintained a position at the door with his AR-15, while Dep Ambrozich assisted Dep. Cline in getting Mike, Kelly, and the children away from the home. Dep. Ambrozich stated Kelly was not cooperating and he was grabbing her by the arm in order to assist her into a vehicle when he heard gunshots. Dep Ambrozich said he could not initially discern whether the gunfire was outside or inside the residence, but it was loud. Dep. Ambrozich explained that as he looked over and observed gun smoke around Dep. Gaunt, he realized that Dep. Gaunt had fired his rifle. Dep. Ambrozich was uncertain how many shots were fired.

Dep. Ambrozich described drawing his own firearm and aided Dep Gaunt. Dep. Ambrozich stated he entered the home with Dep. Gaunt and witnessed Hinton on the floor, unresponsive, with a wound to his head. Dep. Ambrozich stated he witnessed Hinton wearing body armor, with five to six (5-6) AR-15 magazines and it appeared he had been armed with an AR-15. Dep. Ambrozich stated he removed the rifle from Hinton's grasp, removed the magazine and ejected a cartridge from the chamber. Dep. Ambrozich stated he rendered aid, assessing injuries, while medics were responding to their location.

Dep. Cline-

Dep. Cline heard the dispatch traffic for a domestic disturbance at 673 Slate Hollow Court. Dep. Cline recalled that the dispatch radio traffic indicated that there was a male on scene with a gun and that he was possibly intoxicated. Dep. Cline said he responded to Slate Hollow. When he arrived, Dep. Cline witnessed Dep Ambrozich speaking with Kelly outside. Dep. Cline said Kelly appeared "distracted". He witnessed Dep Ambrozich explain to Kelly, they needed to check the welfare of the other occupants of the home. When they entered, Dep Cline witnessed a child in the living room area. Dep. Cline said Dep Ambrozich began descending down the basement

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stairs, appeared alarmed and then came back up. Dep. Cline said Dep. Ambrozich began instructing Kelly and Mike to get the children and to get out of the house.

Dep. Cline witnessed Dep. Ambrozich attempt to speak with Hinton. Dep. Cline heard Hinton say something to the effect of 'having a bad day,' and 'he wanted his wife gone'.

Dep. Cline stated other deputies arrived, retrieved a ballistic shield and Dep. Cline prepared the shield for assembly. Dep. Cline said as he was doing so, Dep. Ambrozich had to physically restrain Kelly from re-entering the home. Dep. Cline said they received instructions to back out and wait for the tactical team to arrive. Dep. Cline said while he was struggling with Kelly to keep her back, he heard shots fired. Dep. Cline stated he was unsure of who fired the shots. Dep. Cline said his attention continued to be on Kelly and tried to get her and her children away from the scene. Dep. Cline said he assisted in securing the scene.

Summary

All persons known to have relevant information regarding this investigation have been interviewed (or attempted), and all known pertinent records and evidence have been obtained and reviewed. BCI will continue to offer investigative assistance into any newly identified witnesses or information relative to this criminal investigation. BCI's investigation into this Officer-Involved Critical Incident is concluded unless such new information/witnesses is/are identified through grand jury or other means.

Agents remain available for consultation and/or to perform any additional investigation, analysis, processing and/or other assistance/involvement you might deem to be necessary.

Contact Information

The preceding information comprises only a portion of facts and circumstances collected during the investigation of the officer-involved shooting incident. For further review of specific information or documentation collected during the investigation, please refer to the individual reports and documents from which this summary was derived. Any questions regarding the content or context of the information contained in this document can be directed to the attention of Senior Special Agent Matt Collins. SA Collins can be reached via email at Matthew.Collins@OhioAGO.gov or by telephone, at (██████████).

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