



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



2022- 0727

Officer-Involved Critical Incident-914 Salt Spring Road, Youngstown,
Ohio 44509

Investigative Activity: Search Warrant and Return

Activity Date: April 7, 2022 thru April 13, 2022

Activity Location: Mahoning County Common Pleas Court

Authoring Agent: Special Agent Al Banský #115

Narrative:

Search Warrant Obtained

Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Al Banský (Banský) drafted a search warrant for a 2000 gray Chevrolet Malibu, Ohio Registration HHQ 1258, vin number 21G1NE5217Y6174532, regarding the officer-involved critical incident which occurred on April 1, 2022, regarding an officer-involved critical incident.

On Thursday, April 7, 2022, SA Banský met with Mahoning County Court of Common Pleas Judge Maureen Sweeney (Judge Sweeney). Judge Sweeney reviewed the search warrant and search warrant affidavit. At this time, Judge Sweeney signed/authorized the search warrant.

Search Warrant Executed

On Friday, April 8, 2022, at approximately 10:15 hours, SA Banský executed/served the aforementioned search warrant to SA Dan Boerner of the BCI Crime Scene Unit.

During the search, items of potential evidence were seized (listed on the property receipt; attached to this warrant).

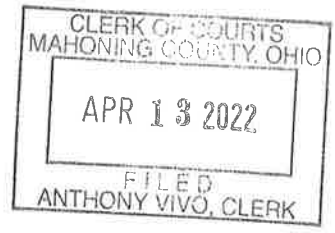
An inventory of the items seized was prepared with a copy provided to the Mahoning County Clerk of Courts.

Search Warrant Returned

On Wednesday, April 13, 2022, SA Banský met with Judge Sweeney. Judge Sweeney reviewed and signed the search warrant return. On April 13, 2022, SA Banský filed the original search warrant, search warrant affidavit, inventory and search warrant return with the Mahoning County Clerk of Courts.

A copy of the search warrant documents and search inventory is attached to this Investigative Report.

225060



MAHONING COUNTY COMMON PLEAS COURT
YOUNGSTOWN, OHIO

IN RE: * SEARCH WARRANT

IN RE: A 2000 GRAY CHEVROLET MALIBU OHIO REG. HHQ 1258 VIN #1G1NE5217Y6174532 CURRENTLY BEING HELD AT THE STRUTHER POLICE DEPARTMENT STORAGE LOCATED AT 6 ELM STREET, STRUTHERS, OHIO 44471, MAHONING COUNTY, OHIO.

To: SPECIAL AGENT AL BANSKY of the Ohio Bureau of Criminal Identification and Investigation (BCI) or any other law enforcement officer with authority.

From affidavit(s) sworn to before a judge of a court of record. I, as judge of this court of record, find that grounds exist (probable cause) for issuing this warrant.

YOU ARE COMMANDED TO SEARCH the Person/Place and seize the Property, described below. Your search shall be within the territorial jurisdiction of this court, within three days (excluding the date this warrant is issued. Saturday, Sunday and any legal holiday), and X only in the daytime (7:00 a.m. to 8:00 p.m.). ___ at anytime of day or night. Promptly return this warrant, together with a written inventory of all property taken (check one): ___ to the undersigned judge. ___ to (judge's name and court's name and location): Judge MAUREEN SWEENEY, MAHONING COUNTY COMMON PLEAS COURT, Mahoning, Ohio.

The Property to be searched for and seized is involved with a violation of Aggravated Assault in violation of section 2901.12 (A) (B) of the Ohio Revised Code and violation of Aggravated Menacing in violation of section 2903.21 (A) (B) may be found or evidence clearing the officers and justifying the shooting may be found.


Property to be searched for and seized (description): A 2000 GRAY CHEVROLET MALIBU, OHIO REG. HHQ1258 VIN #1G1NE5217Y6174532 CURRENTLY BEING HELD AT THE STRUTHERS POLICE DEPARTMENT, STORAGE LOCATED AT 6 ELM STREET, STRUTHERS. OHIO 44471, MAHONING COUNTY, OHIO

Specifically, Aggravated Assault in violation of section 2901.12 (A) (B) of the Ohio Revised Code and violation of Aggravated Menacing of section 2903.21 (A) (B) Ohio Revised Code, may be found or evidence clearing the officers and justifying the shooting may be found. Items such as other firearms, live rounds, casings and other evidence from both James J. Sheets and the officers may be found in the vehicle.

Person/Place to be searched (description): A 2000 GRAY CHEVROLET MALIBU, OHIO REG. HHQ 1258 VIN #1G1NE5217Y6174532 CURRENTLY BEING HELD AT THE STRUTHERS POLICE DEPARTMENT STORAGE LOCATED AT 6 ELM STREET, STRUTHERS. OHIO, MAHONING COUNTY, OHIO

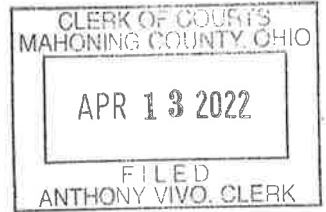
Sworn to before me Judge Marwan A. Sweeney a Judge of a court of record, and in my presence on:

April 7, 2022 11:25 at A . M.
month/date/year time



Judge (signature)
Honorable Judge

22 SW 60



**COURT OF COMMON PLEAS
MAHONING COUNTY, OHIO**

STATE OF OHIO)
) **SS.**
COUNTY OF MAHONING)

IN RE: A 2000 GRAY CHEVROLET MALIBU OHIO REG. HHQ 1258 VIN
#21G1NE5217Y6174532 CURRENTLY BEING HELD AT THE STRUTHERS POLICE
DEPARTMENT STORAGE, LOCATED AT 6 ELM STREET, STRUTHERS, OHIO 44471,
MAHONING COUNTY, OHIO.

AFFIDAVIT FOR SEARCH WARRANT

I, SPECIAL AGENT AL BANSKY of the Ohio Bureau of Criminal Identification and Investigation (BCI), hereinafter referred to as Affiant, **who first being duly sworn according to law state that:**

- 1) The Affiant, Al Bansky, is a Special Agent for the Ohio Bureau of Criminal Investigation (hereinafter BCI) and is currently assigned to Major Crimes Unit. The Affiant is designated by the Ohio Revised Code upon the request of a federal, state or local law enforcement agency or request by a common pleas court judge and is empowered by the law to conduct investigations, make arrest and seize property for violations of the Ohio Revised Code.
- 2) During the course of the Affiant's law enforcement career, the Affiant has written and executed numerous search warrants for homicides, sex offenses, public corruption, gambling, and financial crimes derived as a result of the illicit activity. Further the Affiant has arrested numerous individuals for violations for the State and Federal statutes.
- 3) Affiant has been commissioned as a Trumbull County Sheriff's Deputy for the

last 10 years which additionally provides Affiant with arrest powers within Trumbull County.

- 4) The Affiant has in excess of 38 years, Law Enforcement experience including Narcotics Investigations, Organized Crimes, Major Crimes, Public Corruption, and financial crimes. The Affiant is a certified peace officer and has completed basic police training curriculum by the Ohio Peace Officers Training Academy. The Affiant has received special training and completed advance courses from Public Agency Training Council and the Ohio Peace Officer Training Academy. The affiant has received on-the job training by the Ohio Attorney General, Bureau of Criminal Investigations. Affiant has a degree in Applied Science, Criminal Justice from Kent State University. The affiant is a unit instructor for the Ohio Peace Officer's training Academy and teaches police academy cadets as well as instructing specialized classes in investigations for the Training Academy. Affiant is also certified and a member with the Association of Certified Fraud Examiners.
- 5) The Affiant has worked undercover, dealt with informants, conducted surveillance; proposed and executed search warrants and seized various forms of evidence to show criminal intent. Affiant has questioned suspects, debriefed informants and conferred with other officers plus prosecuting attorneys, and as a result gained considerable experience.
- 6) ON FRIDAY, APRIL 1, 2020 AT APPROXIMATELY 17:00 HOURS STRUCTERS POLICE CHIEF TIM RODDY WAS AT THE INTERSECTION OF SALTSPRING ROAD AND STEEL STREET REGARDING TWO OF

STRUTHERS POLICE OFFICERS, (CAPTAIN MATT HAUS AND PATROLMAN TOM SCHNEEMAN, WHO WERE INVOLVED IN AN OFFICER INVOLVED SHOOTING INCIDENT. THE SHOOTING INCIDENT INVOLVED A SUBJECT BY THE NAME OF JAMES J. SHEETS.

- 7) CAPTAIN HAUS ATTEMPTED TO MAKE A TRAFFIC STOP ON A GRAY CHEVROLET MALIBU WITH OHIO REGISTRATION HHQ 1258, BEING OPERATED BY A JAMES SHEETS IN THE CITY OF STRUTHERS. AFTER RUNNING THE VEHICLE PLATE, POLICE DISPATCH ADVISED THAT THE DRIVER (JAMES SHEETS) WAS UNDER SUSPENSION.
- 8) JAMES SHEETS REFUSED TO STOP AND PULLED INTO A DRIVE THRU. CAPTAIN HAUS PULLED HIS CRUISER DIRECTLY BEHIND. JAMES SHEETS. JAMES SHEETS THEN BACKED UP STRIKING CAPTAIN HAUS'S CRUISER AND THEN TOOK OFF.
- 9) CAPTAIN HAUS THEN CALLED IN THE PURSUIT, WHICH LED TO YOUNGSTOWN, OHIO. JAMES SHEETS WAS DRIVING ON STEEL STREET AND ATTEMPTED TO MAKE A SHARP TURN ONTO SALTSRING ROAD. CAPTAIN HAUS ATTEMPTED A PIT MANUEVER, STRIKING JAMES SHEETS RIGHT SIDE OF HIS VEHICLE. AT THIS TIME PATROLMAN SCHNEEMAN ARRIVED AND PLACED HIS CRUSIER AGAINST JAMES SHEETS DRIVER'S DOOR.
- 10) BOTH OFFICERS EXITED THEIR CRUSIERS AND APPROACHED THE 2000 GRAY CHEVROLET MALIBU OHIO REG. HHQ1258 VIN # 1G1NE5217Y6174532, GIVING SEVERAL VERBAL COMMANDS TO

JAMES SHEETS. JAMES SHEETS REFUSED ALL COMMANDS.

- 11) JAMES SHEETS THEN PRODUCED A HAND GUN. PATROLMAN SCHNEEMAN FIRED HIS DUTY WEAPON SEVERAL TIMES. THE SHOOTING INCIDENT RESULTED IN THE DEATH OF JAMES SHEETS.
- 12) BCI WAS CALLED DUE TO THE FACT THAT THIS WAS AN OFFICER INVOLVED SHOOTING AND AFFIANT WAS ASSIGNED AS THE LEAD INVESTIGATOR IN THIS MATTER. IT SHOULD BE NOTED THAT AFFIANT HAS PREVIOUSLY INVESTIGATED NUMEROUS POLICE OFFICER INVOLVED SHOOTINGS.
- 13) BCI CRIME SCENE INVESTIGATORS, RECOVERED APPROXIMATELY SIXTEEN (16) SHELL CASINGS FROM THE SCENE. ADDITIONALLY, A FIREARM WAS LOCATED ON THE DRIVER'S FLOOR AREA OF THE 2000 CHEVROLET MALIBU. THE FIREARM WAS SECURED BY BCI.
- 14) AFFIANT OBSERVED NUMEROUS BULLET HOLES IN THE 2000 CHEVROLET MALIBU. AFFIANT ALSO PERSONALLY OBSERVED NUMEROUS SHELL CASINGS IN THE CRIME SCENE AREA.
- 15) Affiant believes that based on the foregoing evidence of either crimes committed by the officers or evidence that would clear the officers of any wrongdoing will be found in the Gray Chevrolet Malibu, Specifically, Aggravated Assault in violation of section 2901.12 (A) (B) of the Ohio Revised Code and Aggravated Menacing in violation of section 2903.21 (A) (B), of the Ohio Revised Code may be found or evidence clearing the officers and justifying the shooting may be found. Items such as other firearms, live rounds, casings and other evidence from both James

Sheets and Captain Matt Haus and Patrolman Tom Schneeman be found in the vehicle.

I believe with good cause shown that inside A 2000 GRAY CHEVROLET MALIBU OHIO REG. 1G1NE5217Y6174532 VIN #2HNYD18965H520300 CURRENTLY BEING HELD AT THE STRUTHERS POLICE DEPARTMENT STORAGE LOCATED AT 6 ELM STREET, STUTHERS, MAHONING COUNTY, OHIO **for which search authorization and seizure is sought, namely;** Items such as other firearms, live rounds, casings and other evidence from both JAMES SHEETS and both Captain Matt Haus and Patrolman Tom Schneeman may be found in the vehicle.

The Affiant knowing the same to be contrary to clearing the officers and justifying the shooting may be found. The Affiant believes Aggravated Assault in violation of section 2901.12 (A) (B) of the Ohio Revised Code and violation of Aggravated Menacing in violation of section 2903.21 (A) (B), there is good cause shown that probable cause exists to search the above property and premises, and further that there is urgent necessity that said property and premises be searched in the day time to prevent said property from being concealed, removed or destroyed.


Affiant, Special Agent Al Banský

Sworn to and subscribed before me this 7th day of April, 2020


Honorable Judge
Judge, Court of Common Pleas
Trumbull County, Ohio

Evidence Receipt for Case #: 2022-0727

CLERK OF COURTS
 MAHONING COUNTY, OHIO
 APR 13 2022
 FILED
 ANTHONY VIVO, CLERK



Agency:
 Prepared By: Special Agent Boemer (#135)
 Case Date: Apr 1, 2022
 Offense(s): Officer Involved Critical Incident
 Victim(s):
 Witness(es):
 Suspect(s):
 Scene #: 2
 Scene Address: 6 Elm Street, Struthers, OH 44471

| Evidence # | Item Description | Location | Collected By | Date/Time |
|------------|---|---|--------------|-------------|
| 1 | Paper Bag containing Ammo Box -- Quantity: 2; 28 cartridges total, 9mm Luger +P | Subject vehicle 2000/Chevrolet - Malibu/HHQ1258 (DeWalt Bag) | Dan Boemer | Apr 8, 2022 |
| 2 | Paper Bag containing Ammo Magazine -- Quantity: 2; 58 cartridges total | Subject vehicle 2000/Chevrolet - Malibu/HHQ1258 (DeWalt Bag) | Dan Boemer | Apr 8, 2022 |
| 3 | Paper Bag containing Scale (Drug) -- Quantity: 1; w white powder | Subject vehicle 2000/Chevrolet - Malibu/HHQ1258 (DeWalt Bag) | Dan Boemer | Apr 8, 2022 |
| 4 | Paper Bag containing Drug Paraphernalia -- Quantity: 1; Glass pipe | Subject vehicle 2000/Chevrolet - Malibu/HHQ1258 (Under pass side front seat) | Dan Boemer | Apr 8, 2022 |
| 5 | Envelope containing Fragment -- Quantity: 1 | Subject vehicle 2000/Chevrolet - Malibu/HHQ1258 (Dr side front seat) | Dan Boemer | Apr 8, 2022 |
| 6 | Envelope containing Fired Projectile -- Quantity: 1 | Subject vehicle 2000/Chevrolet - Malibu/HHQ1258 (Cup holder) | Dan Boemer | Apr 8, 2022 |
| 7 | Envelope containing Fragment -- Quantity: 1 | Subject vehicle 2000/Chevrolet - Malibu/HHQ1258 (Btw pass side front seat and center console) | Dan Boemer | Apr 8, 2022 |
| 8 | Envelope containing Fired Projectile -- Quantity: 1 | Subject vehicle 2000/Chevrolet - Malibu/HHQ1258 (Dr side rear floor board) | Dan Boemer | Apr 8, 2022 |
| 9 | Envelope containing Taser probe -- Quantity: 1 | Subject vehicle 2000/Chevrolet - Malibu/HHQ1258 (Pass side front seat belt) | Dan Boemer | Apr 8, 2022 |
| 10 | Envelope containing Fired Projectile -- Quantity: 1; Pass side front seat back | Subject vehicle 2000/Chevrolet - Malibu/HHQ1258 (BI | Dan Boemer | Apr 8, 2022 |

Released By
 Special Agent Boemer (#135) *SA B Boemer*

Released To
 Temporary Evidence

Date/Time
 Apr 8, 2022 15:57

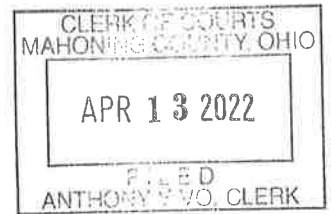
Evidence Receipt for Case #. 2022-0727



Agency:
 Prepared By: Special Agent Boerner (#135)
 Case Date: Apr 1, 2022
 Offense(s): Officer Involved Critical Incident
 Victim(s):
 Witness(es):
 Suspect(s):
 Scene #: 2
 Scene Address: 6 Elm Street, Struthers, OH 44471

| | | | | |
|----|---|---|-------------|-------------|
| 11 | Envelope containing Fired Projectile -- Quantity: 1 | 1.0) Subject vehicle 2000/Chevrolet - Malibu/HHQ1258 (BI 3.0) | Dan Boerner | Apr 8, 2022 |
|----|---|---|-------------|-------------|

| Released By | Released To | Date/Time |
|--|--------------------|-------------------|
| Special Agent Boerner (#135) <i>SIA D B 135</i> | Temporary Evidence | Apr 8, 2022 15:57 |
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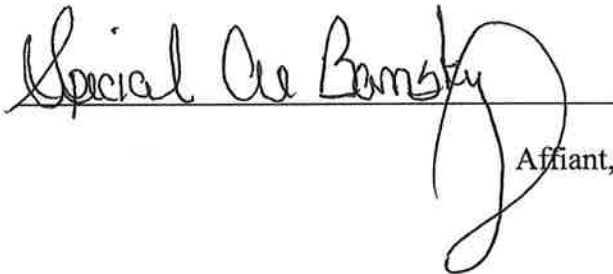


RETURN OF SERVICE

I have attached the search warrant on April 7, 2022 and have executed it as follows.

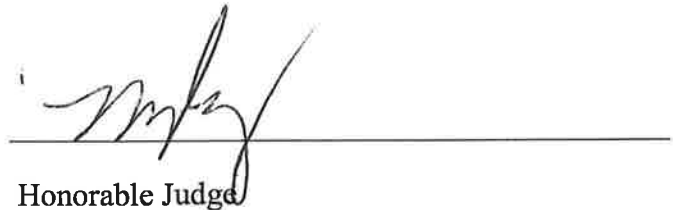
On April 8, 2022 at approximately 10:15 AM, the Ohio Attorney General Office, Ohio Bureau of Criminal Investigation commenced a search of the property described above, in the warrant and return subsequently furnishes listing, of the property described above in the warrant to the issuing Court of record on April 13, 2022 at approximately 11:26 am

All listed inventory items are currently in possession of the Ohio Attorney General, Ohio Bureau of Criminal Investigation as provided in the attached search warrant.



Affiant, Special Agent Al Banský

Sworn to and subscribed before me this 13 day of April, 2022



Honorable Judge

Mahoning County Judge, Court of Common Pleas