



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



2023-2941

Officer Involved Critical Incident - 5230 Douglas Drive,
North Olmsted, Ohio 44070

Investigative Activity: Evidence Collection Westlake Police Department
Activity Date: November 4, 2023
Activity Location: Westlake Police Department
Authoring Agent: SA Matthew Armstrong #146

Narrative:

On November 4, 2023 at approximately 0720 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Matthew Armstrong (Armstrong) went to the Westlake Police Department (WPD) to collect evidence relevant to the November 4, 2023, officer-involved shooting. Prior to responding, SA Armstrong had been informed the involved officer was [REDACTED]. He had been sent home after being photographed in his uniform. Sgt. Frey collected the firearm [REDACTED] [REDACTED] used during the incident and it had been secured at the police department.

At WPD, SA Armstrong met with Sgt. Douglas Shelby (Shelby). Sgt. Shelby turned over [REDACTED] [REDACTED]'s firearm which was identified as a Glock Model 17 9mm pistol SN: [REDACTED]. The firearm was unloaded but had three magazines containing ammunition with it. SA Armstrong completed a round count and photographed the firearm, magazine and ammunition. The magazines contained the following:

- Magazine 1 - 10 live cartridges of F.C. 9mm Luger
- Magazine 2 - 17 live cartridges of F.C. 9mm Luger
- Magazine 3 - 17 live cartridges of F.C. 9mm Luger

Sgt. Shelby indicated he was had no information regarding the collection of the firearm or the condition of the ammunition when it was collected.

SA Armstrong later spoke with Sgt. Frey who indicated he collected [REDACTED] [REDACTED]'s firearm and completed a round count. Sgt. Frey reported he collected three magazines from [REDACTED] [REDACTED]. One magazine was inserted in the firearm and there was one live cartridge of ammunition in the chamber of the gun. The cartridge from the chamber was returned to the magazine he removed from the gun. In addition, two spare magazines were collected from [REDACTED] [REDACTED]'s vest. They each contained 17 live cartridges.

Based on the round count, if [REDACTED] [REDACTED]'s firearm was loaded to full capacity at the time of the shooting, he would have fired eight times.

While present at WPD, Sgt. Shelby indicated [REDACTED] [REDACTED]'s body-worn camera (BWC) was activated moments after the shooting incident. Based on their review of the footage it appeared the 30 seconds of video recorded prior to the activation of the

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camera did not capture the shooting incident. Due to this, [REDACTED]'s BWC was collected as evidence to preserve potential video evidence stored on the device. It was an Axon Body 3 camera SN: [REDACTED]

On November 9, 2023, the relevant video footage was obtained from the BWC. Refer to the investigative report titled *2023-11-09: Video Extracted and BWC Returned to Agency (IRW - 8)* for additional details.

Attachments:

2023-11-04 Evidence Receipt - From Westlake PD

Photographs of [REDACTED]'s Firearm - IMG_0425 - IMG_0435

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CASE# 2023-2941

Inventory/Receipt Attachment

I received the below listed property from (person/location): Westlake Police Department Sgt. Douglas Shelby

Item	Description	Location Found	Found by Whom
1	Glock 17 Gen 5 9mm Pistol with 3 magazines, Pistol SN: [REDACTED] Magazine 1 - 10 live cartridges Magazine 2 - 17 live cartridges Magazine 3 - 17 live cartridges	Westlake PD	MDA
2	Axon Body Camera SN: [REDACTED]	Westlake PD	MDA

Signed *M. [Signature]* #146
Inventory Agent

Date 11-4-23 0730 hours

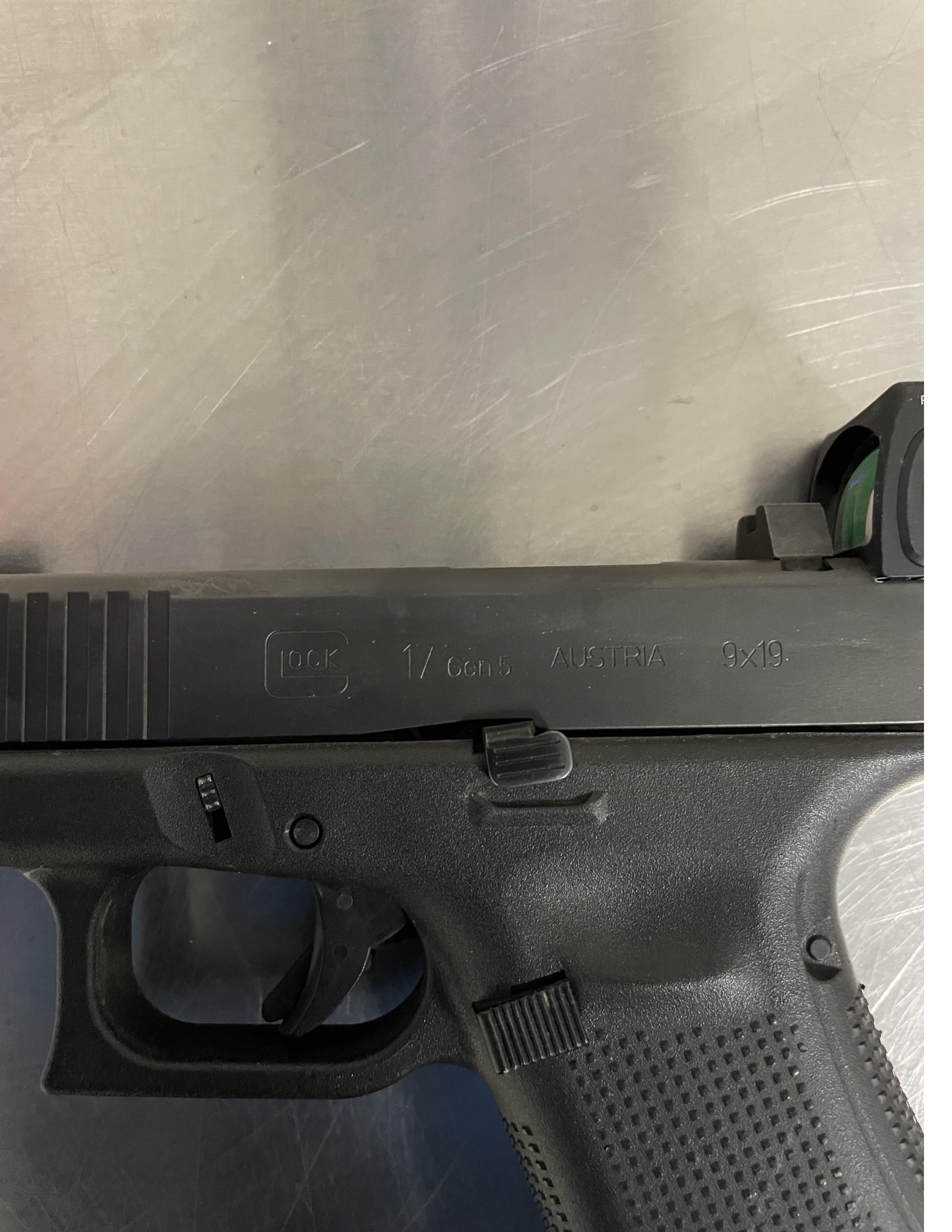
Items	Released By	Received By	Date/Time
1	Sgt. Shelby	SA Armstrong #146	11-4-23 0730
2	Sgt. Shelby	SA Armstrong #146	11-4-23 0805
1-2	SA Armstrong #146	Temp Evidence Locker #40	11-4-23 1415 hrs.











GLOCK

17 Gen 5

AUSTRIA

9x19



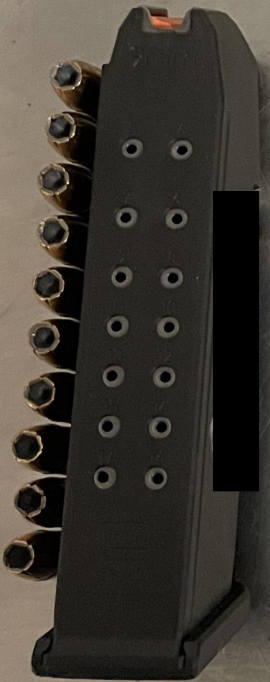
GLOCK

17 Gen 5

AUSTRIA

9x19

PATENT



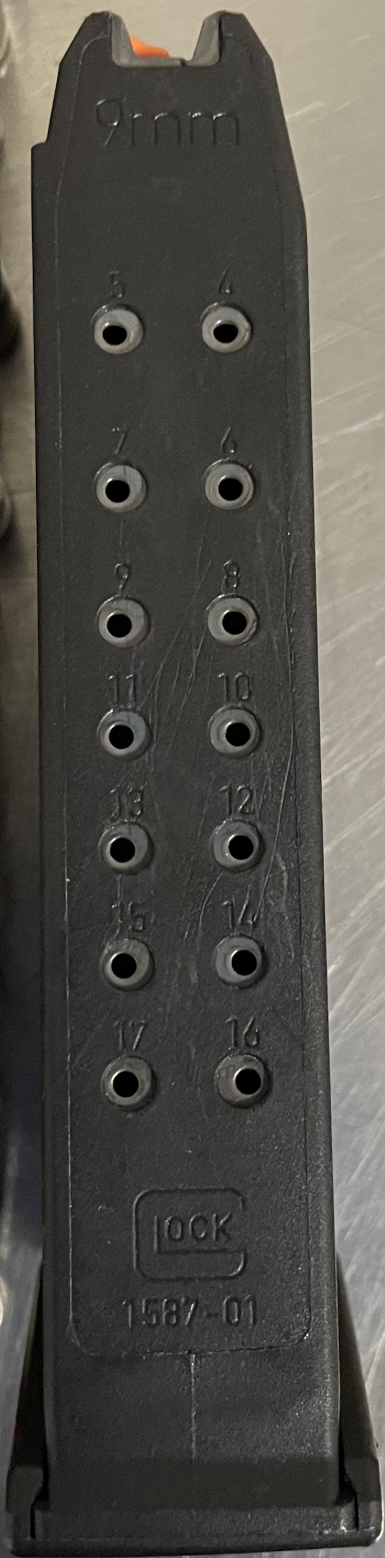


9mm

5 4
7 6
9 8
11 10
13 12
15 14
17 16

LOCK

1587-01





9mm

- | | |
|----|----|
| 5 | 4 |
| 7 | 6 |
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| 13 | 12 |
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| 17 | 16 |

LOCK

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