



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



2023-2730
Officer Involved Critical Incident – 4312 Helena Avenue,
Youngstown, OH 44512, Mahoning County

Investigative Activity: Interview with Officer
Involves: Officer David Hilliard (W)
Date of Activity: 01/31/2024
Author: SA John P. Tingley, #154

Narrative:

On Wednesday, January 24, 2024 at approximately 1031 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) John Tingley (Tingley) and SA Jack Shea (Shea) interviewed Youngstown Police Department (YPD) Officer (Ofc.) David Hilliard (Hilliard) who was accompanied by Daniel Leffler, attorney from the Ohio Patrolmen's Benevolent Association (OPBA). Also present was Officer Mike Quinn, a union representative from the YPD. The interview took place at the City of Youngstown City Building, in the Law Library, which is located at 26 South Phelps Street, Youngstown, Ohio. The interview was audio recorded.

Ofc. Hilliard was identified as being a law enforcement officer who witnessed and/or had some level of involvement in the October 12, 2023, officer-involved critical Incident which occurred at 4312 Helena Avenue, Youngstown, Ohio. Reportedly, Ofc. Hilliard did not discharge a firearm during the course of the incident. The purpose of the interview was to obtain all relevant information of the incident known or observed by this officer.

This report only summarizes the information deemed by the author to be of the most relevance to the investigation and does not purport to contain all questions and answers from the interview. Further, this report was placed in a chronology to aid the reader's overall understanding of the information elicited during the interview and may not be reflective of the actual sequencing of questions nor is it a word-for-word translation of either the questions or answers. It is suggested that the full recording be reviewed to clarify any content or contextual questions regarding the information from the interview.

The interview began with SA Tingley presenting Ofc. Hilliard with the BCI Criminal Investigation Notification form which Ofc. Hilliard read, understood, and signed.

Ofc. Hilliard advised that he and YPD [REDACTED] were dispatched to a burglary/prowler call on Helena Avenue. [REDACTED] arrived first and began speaking with a subject (Ricco Acevedo) at the scene. Upon Ofc. Hilliard arriving on scene, he approached and began speaking with a witness. Ofc. Hilliard then approached the residence at 4312 Helena

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Avenue where [REDACTED] is seen talking with Acevedo. Acevedo said that he was doing work at the residence for the homeowner. [REDACTED] asked Acevedo for his personal information and [REDACTED] returned to his cruiser to check the provided information.

Ofc. Hilliard stated that Ofc. Giovanni arrived a short time later and Ofc. Hilliard briefed Ofc. Giovanni on the situation. [REDACTED] returned to the residence and told Acevedo that he was not giving [REDACTED] the correct personal information. [REDACTED] then moved towards Acevedo with the intention of arresting him, but Acevedo broke away and ran into the residence. Ofc. Hilliard then ran to the rear of the residence but eventually goes back to the front and then into the residence when he realizes that Acevedo is still inside.

Ofc. Hilliard advised that upon arriving at the staircase, he observed [REDACTED] at the top of the staircase. [REDACTED] then directed Ofc. Hilliard to retrieve a rifle from the cruiser. Ofc. Hilliard retrieved the rifle and then returned to the bottom of the staircase. Ofc. Hilliard heard [REDACTED] say, "Don't do it". [REDACTED] then fired three (3) rounds. Ofc. Hilliard then observed Ofc. Giovanni kick away an item that appeared to be a gun. Officers then moved to Acevedo and provided first aid.

SA Tingley asked Ofc. Hilliard if he heard Acevedo say anything. Ofc. Hilliard said no.

SA Tingley then asked Ofc. Hilliard if he had watched his body camera footage of the incident. Ofc. Hilliard stated "yes".

SA Tingley continued by asking Ofc. Hilliard if he any prior contact with Acevedo. Ofc. Hilliard replied, no.

The interview was then concluded at approximately 1039 hours. This interview was audio recorded.

The audio recordings and the signed BCI Criminal Investigation Notification Form are attached to this report. Please review the attachment and audio recordings for further details.

Attachments:

Attachment # 01: 2023-2730 INTERVIEW YPF OFC HILLIARD

Attachment # 02: 2023-2730 HILLIARD CRIMINAL NOTIFICATION FORM



DAVE YOST
OHIO ATTORNEY GENERAL



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Criminal Investigation Notification

1. This investigation is being conducted in order to determine whether any criminal laws have been violated on the part of those involved in this incident. Specifically, to collect facts and information to be provided to the prosecutor and/or grand jury in order for them to determine whether the conduct involved is authorized or prohibited by criminal statutes.
2. Your participation in this interview is voluntary and you may decline to answer or cease the interview at any time. You are entitled to have an attorney present if you wish.
3. The criminal investigation is separate from any internal, administrative investigation which your employer may or may not be independently conducting. You are not being compelled to give any statement or answer any questions. This is not a "Garrity" interview (where you could be required to answer).

David Hillard
Printed Name of Interviewee

1/24/24 1031
Date / Time

[Signature]
Signature of Interviewee

SA JIM TINGLEY
BCI Agent (Printed)

[Signature]
BCI Agent (Signature)