



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



2023-2306

Officer Involved Critical Incident - [REDACTED]  
Ave., Alliance, OH 44601, Stark County

**Investigative Activity:** Officer Documentation and Evidence Collection  
**Activity Date:** September 3, 2023  
**Activity Location:** Alliance Police Department, 470 East Market Street, Alliance, Ohio  
**Authoring Agent:** SA Nick Valente #139

**Narrative:**

On September 3, 2023, at 1445 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Nick Valente (Valente) went to the Alliance Police Department (APD) to contact the involved officer and collect any evidence relevant to the September 3, 2023, officer-involved shooting.

SA Valente met with the involved officer, Robert Toussant (Officer Toussant) and his attorney Max Haupt (Mr. Haupt). SA Valente took four (4) photographs of Officer Toussant as he appeared at the time. Officer Toussant was photographed from the front, left, right, and back. These photographs are attached to this report.

SA Valente asked Officer Toussant if he would like to participate in an interview at that time. Officer Toussant declined to participate in an interview that afternoon through his attorney. Officer Toussant did however inform SA Valente that the weapon he used in this incident was a personally owned rifle which was now located in the back of Cruiser 41 parked in the sallyport of the police station. Officer Toussant further stated that at the time of the incident he did not have immediate access to any additional magazines or ammunition for the rifle beyond the magazine that was inserted into the weapon. Officer Toussant, Mr. Haupt, and Alliance Police Department Lieutenant Don Wensel escorted SA Valente to the sallyport where the rifle used by Officer Toussant was now located. SA Valente asked Officer Toussant for consent to collect the weapon for testing and evidentiary purposes. Officer Toussant granted SA Valente permission to collect the weapon and signed a consent to search waiver indicating the same.

SA Valente photographed the weapon and noted it was a .223 caliber Spikes Tactical rifle bearing serial number [REDACTED]. The weapon was found with a yellow safety chamber flag inserted in the chamber. SA Valente placed the rifle in a cardboard box. SA Valente then removed the remaining cartridges from the accompanying magazine and laid them next to the weapon and magazine. SA Valente noted there were 24 cartridges contained in the magazine. SA Valente photographed the magazine and remaining cartridges that were contained inside. SA Valente then placed the cartridges back into the magazine and placed the magazine inside of the box with the rifle. SA Valente completed a property receipt form noting the collection of the

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rifle, magazine, and cartridges. SA Valente provided copies of the property receipt to Officer Toussant and Lieutenant Wensel.

SA Valente transported the rifle, magazine, and cartridges to the BCI Richfield office where they were packaged as evidence and turned over to SA Armstrong at 2100 hours.

Attachments:

1. 2023-09-03: Consent to Search - Officer Toussant's Rifle
2. 2023-09-03: Evidence Receipt - Alliance PD
3. Collection of eight photographs documenting Officer Toussant and the rifle he used during this incident.

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CONSENT TO SEARCH



Date & Time

SEPTEMBER 3<sup>RD</sup>, 2023 AT 1620 HOURS

Location

ALLIANCE POLICE DEPT., 470 E. MARKET ST. ALLIANCE OH.

I, ROBERT TOUSSANT, having been informed of the constitutional right not to have a search made of the premises, property, or items hereinafter mentioned without a search warrant (and of my right to refuse to consent to such a search), hereby authorize

S/A NICK VALENTE

to conduct a complete search of my

premises, and all curtilage

any vehicles

personal property, to wit: SPIKES TACTICAL RIFLE, MAGAZINE AND CARTRIDGES

computer, cellular telephone, or electronic device, (including data acquisition, copying, and analysis), to wit: \_\_\_\_\_

located at

ALLIANCE POLICE DEPT. 470 E. MARKET STREET, ALLIANCE, OHIO

These above-named officers/agents are authorized by me to take from my premises, curtilage, vehicles, property, computer, cellular telephone, or electronic device (as specified above) any letters, papers, materials, data, or other property which they desire. I state that I am a person who is authorized to give consent for the search of the above mentioned property.

This written permission is being given by me to the above-named officers/agents voluntarily, of my own free will, without threats or promises of any kind, I am not under the influence of drugs or alcohol that prevent me from understand this document, and I understand this document and the English language.

DEL. NICK VALENTE #310  
Signature

9-3-23/1628  
Date/Time

DEL. Robert A. Toussant #310  
Printed Name





CAL MULTI  
MOD ST15



SPIKES TACTICAL  
APOPKA, FL  
USA

MAGPUL





POLICE



























R. A. TOUSSAINT  
**POLICE**

U.S.A. INFORM

PERSONNEL FILE

PERSONNEL FILE