



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



To: Tuscarawas County Prosecutor Ryan Steyer

CC: SAS Charles Moran

From: SA John Tingley

Date: June 11, 2024

Case Title: Officer-Involved Critical Incident

Case Number: 2024-1015

Investigative Request:

On Sunday, March 31, 2024, New Philadelphia Police Department (NPPD) Chief Tessa Pohovey 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 Critical Incident. The Officer-Involved Critical Incident reportedly occurred on March 31, 2024, in the area of the 100 Block of 8th Street NE, New Philadelphia, Tuscarawas County, Ohio, and resulted in the death of Matthew Flynn (Flynn).

Preface:

This report serves as a synopsis of the investigation into the Sunday, March 31, 2024, Officer-Involved Critical Incident in Tuscarawas 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 Officer-Involved Critical Incident. Every fact and detail of this investigation 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.

Investigative Team:

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BCI Special Agent (SA) John Tingley (Tingley) was assigned as the lead SIU case agent. SA Tingley received assistance in the investigation from SA Lehnhart, SA Valente, SA Goudy, SA Snyder and SA Shea. Furthermore, BCI Crime Scene SA Hootman, SA Doran, and Crime Scene Technician Rostocil of the Crime Scene Unit processed the incident scene by documenting, preserving, and collecting possible evidence. The investigation was supervised by Special Agent Supervisor Charles Moran.

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:

- Neighborhood canvass of the general area around the two (2) crime scenes on 8th Street NE and Tell Street NE in New Philadelphia and interviewed potential civilian witnesses.
- Processing of the two (2) crime scenes for potential evidence (searching, photographing, measuring, documenting and collecting).
- Utilized the Leica BLK360 scanner to document the scene.
- Recorded interview of TCSO [REDACTED] who discharged his weapon during the incident.
- Reviewed Body Worn Camera video footage of TCSO [REDACTED] related to the incident.
- Reviewed TCSO [REDACTED]'s departmental personnel file to include training and disciplinary/commendation records.
- Reviewed TCSO [REDACTED]'s firearms qualification records.
- Reviewed open and closed source biographical information for Matthew Flynn to include criminal history reports, OHLEG reports, and driving records.
- Reviewed New Philadelphia Fire Department EMS reports for the treatment of Matthew Flynn.
- Reviewed documentation obtained via a search warrant for the treatment records at Cleveland Clinic Union Hospital for Matthew Flynn.
- Reviewed autopsy and toxicology records for Matthew Flynn from the Cuyahoga County Coroner's Office.
- Reviewed Body Worn Camera video from witness law enforcement officers (TCSO Deputy Donley, OSHP Trooper Duvall).
- Reviewed recorded interviews of witness law enforcement officers (TCSO Deputy Donley, OSHP Trooper Duvall, NPPD Sergeant Goble, NPPD Officer Kelley, NPPD Officer Boyd and NPPD Officer Porter).
- Reviewed security camera video and cell phone video footage from civilian witnesses in New Philadelphia (202 8th Street NE, 114 8th Street NE, 125 8th Drive NE, 124 Tell Street NE, and 851 East High Street).
- Reviewed evidence collected and documentation, including photographs, of Matthew Flynn's vehicle which were obtained after executing a search warrant.
- Reviewed evidence collected and documentation, including photographs, of the TCSO cruiser which was taken by Matthew Flynn during the incident.

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- Reviewed audio communications on the radio frequencies utilized by the TCSO on the date of the incident.
- Reviewed TCSO Computer Aided Dispatch (CAD) records.
- Reviewed TCSO report related to the incident.
- Reviewed social media posts related to the incident.
- Reviewed the TCSO Use of Force Policy.

Incident Summary/Overview:

The overall incident began on Sunday, March 31, 2024 at approximately 21:06:49 hours, when the TCSO Dispatch/911 received multiple calls regarding a vehicle versus residence traffic crash on 8th Street NE in New Philadelphia, Ohio. TCSO [REDACTED] was on patrol and saw the call on his Mobile Data Terminal (MDT) regarding the vehicle crash. [REDACTED] was a few blocks from the incident location and began responding to assist with the call.

As [REDACTED] arrived in the general area of the crash, he observed a large number of people standing on the sidewalk and in the street on 8th Street NE. Some of the people began pointing and [REDACTED] pulled over at approximately 21:09 hours in the 100 block of 8th Street NE. A male subject, later identified as Matthew Flynn, came up to the front passenger side of [REDACTED]'s cruiser and stood there. [REDACTED] exited his cruiser and activated the audio on his body worn camera and began to go around the front of his cruiser. As [REDACTED] turned at the front passenger side of his cruiser, he observed the front passenger door to the cruiser standing open.

[REDACTED] went to the open door and observed that Matthew Flynn was in the cruiser sitting in the driver's seat. [REDACTED] immediately began to give Matthew Flynn commands to exit the cruiser and [REDACTED] drew his weapon. As [REDACTED] continued to give commands to exit the cruiser, Matthew Flynn stated a number of times "Its me."

[REDACTED] continued to give commands to exit the cruiser and stated, "Do you understand? Get out of my car." and "I will shoot you." [REDACTED] then grabbed Matthew Flynn's arm and attempted to pull him out of the cruiser. Matthew Flynn resists and [REDACTED] got on his portable radio and requested more units respond. [REDACTED] continued to give commands to exit the cruiser, but Matthew Flynn continued to refuse those commands and stated, "Look at me brother."



██████████ lost his grip on Matthew Flynn who then moved fully into the driver's seat of the cruiser and turned and faced the front of the cruiser and put his hands on the steering wheel. ██████████ continued to give commands to Matthew Flynn to exit the cruiser, but Matthew Flynn instead began to grab different controls on the cruiser.



The cruiser was then put into gear and Matthew Flynn began to drive at which point ██████████ fired multiple rounds as he was falling out of the moving cruiser.



The frame to the passenger door can be seen on the left of the frame of the picture. A fired shell casing can be seen ejecting from the firearm. The blue lighting is reflected from the cruiser's lightbar.

██████████ fell to the ground and the cruiser, being driven by Matthew Flynn, drove away towards East High Avenue. ██████████ called out on the radio "Shots fired! He took my car! He's heading to Philly." Once the stolen cruiser arrived at East High Avenue, Matthew Flynn, turned westbound on East High Avenue and was lost from sight. ██████████ is lying injured on the ground and residents of the neighboring houses came to his aid.

The stolen cruiser driven by Matthew Flynn made a number of turns onto different streets before turning onto Tell Street SE at which point he headed back towards East High Avenue. Matthew Flynn then crashed the stolen cruiser into another vehicle near the intersection of Tell Street SE and East High Avenue before crashing into a residence. Multiple law enforcement personnel arrive at the crash scene on Tell Street SE and remove Matthew Flynn from the stolen cruiser and began giving first aid to Matthew Flynn. New Philadelphia Fire Department EMS personnel treat Matthew Flynn at the scene before Matthew Flynn was transported to Cleveland Clinic Union Hospital where he was declared deceased.

██████████ was treated at the scene on 8th Street NE by Dover Fire Department personnel before being transported for treatment to Aultman Hospital in Canton and then eventually to Cleveland Clinic Akron General Hospital in Akron.

Matthew Flynn:

Matthew Flynn was a thirty-four (34) year old White male who resided at 3089 Overdale Drive, Richfield, Summit County, Ohio, 44286. Matthew Flynn had no criminal history and his contact with law enforcement was limited to traffic violations.

Matthew Flynn Autopsy Records:

The Cuyahoga County Coroner's Autopsy Report was authored by Daniel Sullivan, M.D. The autopsy was performed by Daniel Sullivan, M.D. on April 1, 2024 at 0900 hours, at the Cuyahoga County Medical Examiner's Office. ██████████

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Please refer to the complete autopsy report for further details.

ANOTOMIC DIAGNOSIS

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The "TOXICOLOGY LABORATORY FINAL REPORT" noted that the Cuyahoga County Regional Forensic Science Laboratory reported on April 3, 2024 the following information: [REDACTED]

[REDACTED]

EVIDENCE COLLECTED 1. One adhesive stub for gunshot primer residue examination from the hands 2. One swab from under the fingernails of the right hand 3. One swab from under the fingernails of the left hand 4. Blood stain card 6. Buccal swabs from release 7. Projectile from left chest.

Involved Officer – TCSO [REDACTED] Injuries

[REDACTED] was initially transported to Aultman Hospital in Canton, Ohio, for treatment of his injuries. However, the decision was made while he was receiving treatment at Aultman Hospital to transport [REDACTED] to Cleveland Clinic Akron General Hospital for specialized treatment. Accordingly, [REDACTED] was transported by ambulance from Aultman Hospital to Cleveland Clinic Akron General Hospital.

[REDACTED] s injuries included a gunshot wound to his left middle finger and injuries to his right leg.

Physical Evidence:

BCI CSU personnel processed two (2) crime scenes and two (2) vehicles for potential evidence including photographing, searching, measuring, documenting and collecting twenty-four (24) items of evidence. Evidence was also collected from the Cuyahoga County Coroner's Office

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which had been collected during the autopsy.

These items of evidence being:

- 9mm cartridge casing
- Long sleeve shirt
- Ballcap
- Blue shirt
- Blue drawstring pants
- Nike shoes with socks
- Uniform shirt and undershirt
- Right boot
- Left boot
- Sock
- Watch
- Knife
- Firearm – S&W M&P Semi-Automatic pistol ([REDACTED] duty weapon)
- Duty belt
- Uniform style Ballistic Vest
- Mobile phone (from Matthew Flynn's Ford Raptor Truck)
- Metal fragment (from TCSO cruiser)
- Blue Jacket (from Matthew Flynn's Ford Raptor Truck)
- Lift Ticket
- Metal Fragment
- 9mm fired cartridge case
- Air bag with suspected blood
- GSR, Blood Stain card, Fingerprint Swabs, Buccal Swabs (from Matthew Flynn autopsy)
- Projectile (from Matthew Flynn autopsy)

Witnesses:

John Staley – 753 East High Avenue, New Philadelphia, Ohio

Staley advised that he does not smoke inside his residence and gone outside on the front porch (south side of the residence – facing onto East High Street) to light a cigarette. Staley indicated hearing a loud crash that sounded like a car hitting something solid. Staley indicated walking to the sidewalk in front of his residence and to the corner (located to the south and east of his residence), where he observed a figure running on the other side of the street (8th Street, NE) wearing what he believed to be a gray-colored hooded sweatshirt and red pants. Staley indicated it was dark in that area, and he was unable to get a good look at the subject. Staley indicated a few moments later, hearing sirens and then noticed "... a cop sitting in the middle of the road down here – yelling at some guy...". The yelling went on for approximately five minutes, as he continued to watch. Staley heard someone say, "I don't want to shoot you", then everything went quiet until he heard "...pop – pop – pop...", then a car came flying up the road (southbound on 8th Street), turning left and proceeded down East High Avenue (eastbound). Staley indicated that the gunshots occurred consecutively and very close together. Staley said that he was unable to see who fired the gunshots because the vehicle

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headlights were shining towards his position.

Colleen Fitzgerald – 753 East High Avenue, New Philadelphia, Ohio

Fitzgerald said that she had also heard the initial crash that sounded to her as if it was a car accident. She indicated then she went outside and observed that several neighbors were also outside. Fitzgerald reported that someone said the vehicle went into a residence's living room. Fitzgerald also indicated that as she went outside, she heard "pap – pap", very quickly and approximately five minutes after hearing the earlier crash. Fitzgerald said she did not see anything else and was just coming outside when this occurred.

Adam Ankrom – 715 Fair Avenue, New Philadelphia, Ohio

Ankrom advised while sitting on couch at his residence and dozing off, he and his wife heard a vehicle pass their residence at a high rate of speed and high RPM. They then heard "boom". Ankrom then went out onto his front porch and observed a vehicle partially inside a house to the left of his residence. Ankrom advised both his wife and he began walking towards the vehicle crash and as they got to approximately twenty (20) yards of the location, a sheriff's vehicle passed them going in the same direction. The sheriff was then given directions by other people on the street, directing him to where the subject had gone. The sheriff vehicle turned and went down the street (8th Street NE). Ankrom advised they heard the sheriff telling the subject, "...get down on the ground..." and then heard "pop – pop – pop". Ankrom advised he was not able to see the subject or sheriff at this time. Ankrom believes there were three or four shots fired.

Lisa Hupp – 706 Fair Avenue, New Philadelphia, Ohio

Hupp advised she had been at home, reading, when a vehicle went by her residence at a high rate of speed. She then heard brakes squealing and then a large "ka-boom". Hupp was aware the vehicle struck a house at that time. Hupp indicated she put her book down, went outside and looked down at 8th Street, where she observed a truck inside a house. Hupp did not see anyone inside the vehicle at that time. Hupp then returned to her residence, contacted, and notified the New Philadelphia Police Department of the incident. Hupp then went back outside and walked towards the truck that was in the house. Hupp advised she could then hear the vehicle's engine revving loudly and not moving. Hupp advised she could smell the strong and potent odor of rubber. Hupp advised as she approximately half-way to 8th Street a police officer was coming from 7th Street with his lights on stopped and talked to neighbors who directed him to the residence. As Hupp got to the stop sign at 8th Street, she heard people on the street directing the police officer to where the subject from the truck was. Hupp could hear those people, telling the officer, "...he's right there – he's right there..." Hupp then heard someone say, "...get down on the ground – get down on the ground..." followed shortly by, "pop – pop – pop – pop". Hupp indicated she initially ducked down, then got back up and then heard a vehicle tires "...squealing..." and it left the area. Hupp indicated hearing at least three gunshots.

Charles Caton – 121 8th Street NE, New Philadelphia, Ohio

The Caton's advised that they had returned to their residence at 1930 hours, and were

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watching television when they heard a loud “bang that I knew wasn’t ordinary.” Charles advised that he opened the front door and observed people running down the street and that someone had hit the house. Charles advised knowing “Alex” who owns the house that was hit by a truck. Charles advised because of his prior firefighter background, he took his cellular telephone and went to the location to see if he could be of assistance. Charles advised that when he reached Alex’s house, he heard people screaming and that he had ran and got away. Charles advised that he then began to walk back towards his residence when a cruiser turned on 8th Street. Charles then learned the cruiser was a sheriff's office vehicle. The sheriff's deputy was then heard screaming, “Get out of the car – get out of my car! – get out of my car” followed by three gunshots. Charles advised he was unable to see what occurred at the vehicle because he was fifty (50) to seventy-five (75) yards away. He indicated his sight as also hampered because of the lack of street lighting and the flashing lights on the sheriff's office cruiser but was able to see that there was a commotion going on. Charles then observed the sheriff's office cruiser driving away from the area. Charles indicated he could not tell where the deputy sheriff was located when he heard him yelling. He then added that the deputy sheriff was also yelling, “He’s got a gun – somebody's going to get shot”, causing Charles to believe the subject from the truck had a gun and shot the deputy sheriff. Charles then recalled that he could hear the deputy sheriff yelling loudly and distinctly five or six times, “...Get out of my car!” and then heard three gunshots, after which the sheriff's office vehicle drove away.

Glenda Caton – 121 8th Street NE, New Philadelphia, Ohio

Glenda advised, she also began walking towards the crash area slowly and learned there was a lot of commotion going on. She indicated someone, a male from the crowd of people, yelled for Glenda to get back and that he had a gun, and someone would get shot. Glenda advised this was just prior to the deputy sheriff firing shots. Glenda advised, she then walked away from the commotion and then heard what she believed were three, fast in sequence, gunshots.

Loretta Ankrom – 715 Fair Avenue, New Philadelphia, Ohio

Ankrom and her husband were seated on their living room couch watching television, when they heard a vehicle traveling at a high rate of speed, followed by the sound of a loud crash. Ankrom’s husband looked outside and said that a vehicle had run into a house on the corner. Ankrom’s husband advised that he was going to walk to the accident site, and they both then began walking in the direction of the crash site. As Ankrom and her husband neared the crash site, they heard people at the accident site advising that the driver was not in the vehicle and had jumped out. Ankrom then heard the TCSO cruiser as it approached the scene on Fair Avenue. The people on scene advised the deputy the subject was now in the alley. Ankrom then learned the Deputy was “wrestling” with the subject, who then got away from the Deputy. Ankrom indicated she did not see this occurring. Ankrom advised then hearing three rapid gunshots and heard other people saying the deputy had been shot. Ankrom indicated that she did not hear any voices or commands during this time. Ankrom indicated she was standing on the south-west corner of Fair Avenue and 8th Street SE, when she heard the shots being fired.

Daniel Kohler – 822 Fair Street NE, New Philadelphia, Ohio

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Daniel advised he was preparing to “settle in for the night”, when he heard “...screeching and a loud bang...almost sounding like an explosion...” Daniel advised he and Tammy then went outside and observed a lot of smoke a few houses away and realized there had been a vehicle accident. Tammy told Daniel that a truck had gone into the house. Daniel advised whoever was in the truck at that time was revving the engine and trying to get the truck out of the house in an apparent effort to get away. Daniel then advised observing a figure run through the yard in front of them at the house where the truck had struck. The subject went south into the alley, trying to go over the fence at the neighbor’s house. Daniel advised at this point he began to chase the subject to keep track of his location. Daniel advised the subject then crossed the alley and was again blocked by backyard fencing and unable to get through. The subject according to Daniel, then crossed the alley again where Daniel indicated confronting the subject. Daniel also advised that another neighbor then came out of their house and was advised where the subject was at that time. The neighbors then followed Daniel’s voice and were a short distance behind him at this point. As the subject was approximately twenty (20) feet from 8th Street NE between the residences, he stopped moving, possibly trying to catch his breath according to Daniel. At this time, Daniel asked the subject what he was doing. According to Daniel, the subject began talking, making no sense, and saying, “there were changes coming – there’s changes coming for the good.” According to Daniel, at this time he believed the subject was possibly giving up and calming down and began walking towards the TCSO deputy who was the first law enforcement arriving at the scene. The TCSO deputy was flagged down, stopped and as he exited his vehicle, the subject ran around to the passenger side of the TCSO vehicle and jumped into the vehicle. According to Daniel, The deputy chased the subject around the TCSO vehicle and Daniel could hear a struggle was going on, but could not see it. Daniel advised hearing the deputy screaming at the subject to get out of the vehicle repeatedly for at least one minute. The subject was not heard by Daniel, responding to the deputy at this time. Daniel advised warning two other neighbors who were there to back up that he did not believe this was going to turn out good. As they were backing up, Daniel advised the TCSO vehicle shifted into drive and then he heard gunshots. Daniel advised the deputy at this time was on the passenger side of the TCSO vehicle and suspect apparently in the driver’s seat. Daniel indicated the TCSO vehicle went to East High Avenue, turned right (west) and out of sight.

Tammy Kohler – 822 Fair Street NE, New Philadelphia, Ohio

Tammy advised she did hear the “screeching tires, then heard the big old boom and felt it.” Tammy then looked out the door and observed a large amount of smoke and debris at the crash site. Tammy indicated she and her husband went to the crash site and she observed the involved truck in the house. She indicated seeing the truck’s door open and subject, described as a Caucasian male, wearing jeans and a possible brown or black jacket, running towards them and then turn into the alley and trying to jump over a fence in the back yard. Tammy indicated she began looking for Daniel and then heard gunshots and became concerned for his safety. Tammy was unable to see what happened when the gunshots were fired.

Zachary Law – 139 8th Street NE, New Philadelphia, Ohio

Law indicated on March 31, 2024, he was in the second story of his residence, playing computer games, when he heard what he thought was loud screaming followed by a loud

“boom”. Law believed that the noise was from a neighbor who may have been shot or had been defending themselves from a burglar. Law ran downstairs and outside his residence and observed several people running towards the house where a wreck had occurred. Law realized at this time, “... a truck went through the house...”. He got about two steps off his front porch when Law heard people screaming that the subject was running. Law advised that he and neighbor (Austin Hartline – 141 8th Street, NE, New Philadelphia, Ohio 44663) and a couple of other neighbors, began following the subject. Law indicated he ran through his back yard as did Austin, where they then cornered the subject in the alley behind their residences. Law indicated they kept their distance from the subject initially, because of concerns he may have been armed. Law indicated the pursuers were attempting to calm the subject down, who appeared very nervous and out of breath. Law described the subject as dressed in a hoodie type jacket and sweat or jogger type pants. Law advised he had not seen the subject in the crashed vehicle and first observed him in the alley. Law advised returning to his residence to get his cellular telephone and going back out his front door. He then heard the TCSO coming down Ray Avenue. Law then walked out onto the curb in front of Austin’s house and advised the responding TCSO deputy where the subject was at. The TCSO deputy then pulled up and blocked the alley when the subject ran in front of the TCSO vehicle and then jumped into the passenger side. The TCSO deputy then exited his vehicle with his weapon drawn and began ordering the subject, “... Get out of the car now!”. Law then added that when the subject ran across the front headlights of the TCSO vehicle headlights, the deputy likely believed the subject would continue running down the alley. The deputy exited his vehicle as the subject got into the right front passenger seat of the deputy’s vehicle. Law advised watching many police-type videos and being aware of what was going to happen next. Law indicated telling everyone to get cover and back up and that the deputy was going to shoot the subject. The deputy reportedly gave the subject five or six commands to get out of his vehicle. Law indicated he observed the reverse lights of the vehicle “tic”, he knew the subject put the TCSO vehicle in “drive” and this was when the deputy began shooting through the car. Law was uncertain, but he believed the TCSO deputy was outside the vehicle’s right side by the front fender or passenger side door. As soon as the vehicle was placed into “drive”, the deputy shot possibly three or four times. According to Law, the subject then drove off, down (south bound) 8th Street NE to East High Avenue, where he turned to the right (west). Law indicated he was not able to see what had occurred inside the TCSO vehicle, due in part because of the dark tinted window coverings. Law confirmed that he did hear the deputy issuing multiple verbal commands to the subject but heard no response from the subject.

Willow Law – 139 8th Street NE, New Philadelphia, Ohio

Law advised she had been at her residence on Sunday, March 31, 2024 since 1600 hours. She indicated being in bed and asleep when she was awakened by a loud noise she believed sounded like a house explosion. Law indicated that while in her pajamas and carrying her cellphone, she exited her residence by the front door and began calling “9-1-1”. Law advised it was at this time she then observed that a person ran in her direction and discovered he was the subject involved in this incident. Law advised that her son Zachary Law then came out of the house after her and observed that the subject ran into the back yard. Law said that another next-door neighbor (Austin Hartline), a person her son knew, also had come out of his residence and Zachary Law and he began following the running subject and eventually cornered him in the back alley. Zachary Law subsequently advised his mother that the subject

had pulled his hoodie sweatshirt off and reached into his waistband, as if he was armed with a firearm, at which time the pursuers backed away a short distance. A TCSO deputy then drove up and stopped his vehicle, placed it in park and within a very short time, Law observed that the subject ran up to the deputy's vehicle, trying to get inside it. The deputy then ordered the subject to get out of his vehicle several times and then issued warnings that he would shoot the subject if he did not get out of his vehicle. Zachary Law then went back towards Law and warned his mother to "duck - because he is going to shoot" and telling other neighbors there to take cover. Law advised that the subject and deputy struggled inside the vehicle, then she heard "pow, pow, pow" and the TCSO vehicle sped off with the subject in the driver's seat, then turned right onto East High Avenue.

Tracy Walker - 1322 Terrace Road NW, New Philadelphia, Ohio

Walker advised that on the date and time of this incident, she had been at her son's residence, at 206 8th Street, NE, New Philadelphia, Ohio, located on the northeast corner of 8th Street and Fair Avenue. Walker said she was doing laundry there and the side door of the residence was open. Walker indicated hearing "screeching of tires - like if they were at the speedway or something along those lines" and then heard "a huge explosion", that scared her. Walker went to the door, looked outside and observed that a truck had driven into a house across the street from her location. Walker advised that she called "9-1-1" immediately and notified dispatchers of the address and that accident. Walker then went outside, retrieved her dog, and took the dog back into the residence. Walker indicated she could hear footsteps, appearing to go towards East High Avenue and observed other people outside. Walker advised that within minutes a police vehicle and a law enforcement officer came down the street and asked Walker and neighbors which way the subject had fled. The officer was advised that the subject possibly ran towards East High Avenue. Walker said that within the next few minutes she heard gunshots. Walker indicated not hearing any loud voices during this time. After hearing the gunshots, Walker said that she then returned to the inside of her son's residence, but later came back outside again. Walker could not identify the law enforcement officer or vehicle as either being a NPPD or TCSO. Walker also added that it was very dark at that time. Walker said that later there were other police vehicles in the area from both agencies.

Witnesses Surveillance Camera Video Reviews

There were multiple residences and cell phone camera videos and photographs reviewed. The videos/photographs will be identified by the subject who owns/took the videos/photographs, the location where the video or photographs were taken, and a brief description of what is contained within the videos/photographs. Furthermore, not all of the videos or photographs provided will be listed below. Only those videos or photographs which the author deemed to be the most helpful in understanding the incident will be listed. It is recommended that all of the videos and photographs taken by the witnesses be viewed in their entirety for a better understanding of the information observed on the different media types. All of the witness's camera video and photographs can be located within the BCI IRW-7 report.

Cindy Abel - 202 8th Street NE, New Philadelphia, Ohio

She stated that the cameras on her residence are live feed only. However, Abel stated that she had video recorded on her cell phone camera of the incident.

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(Cell_phone_video_from_202_8th_St_New_Philadelphia (1))

This video was taken just before the officer involved shooting incident occurred and ended just before. The duration of the video was 0:00:32 seconds. This photo depicts the view from Abel's residence of the truck driven by Flynn after it crashed into the residence across the street. At the 0:00:11 mark of the video, the TCSO deputy is heard yelling, "get out of my car, get out of my car!" multiple times off in the distance.

After multiple times of yelling, "get out of my car!" was heard, Abel walked closer and aimed her cell phone camera down 8th Street NE. At the 0:00:28 mark of the video, the overhead blue lights of the Tuscarawas County Sheriff's Office (TCSO) patrol vehicle were observed down 8th Street NE, approximately halfway down the block. During this time, the deputy was still heard yelling, "get out of my car!" multiple times.

Anna Fisher – 114 8th Street NE, New Philadelphia, Ohio

Fisher stated she had a "Nest" camera system which contained two cameras on the exterior. One camera was positioned on the front porch of the residence facing east. The second camera was positioned above the front door facing south towards 8th Street.

(Surveillance_Video_from_114_8th_St_New_Philadelphia (1))

The duration of the video was 1 minute and 8 seconds. At the start of the video, people can be heard yelling off in the distance. At the 00:10 mark of the video, the TCSO unit arrived on scene with the overhead emergency lights activated. When the TCSO unit arrived, someone is heard yelling, "wait, there he is."

At the 00:15 mark of the video, as the TCSO unit came to a stop, someone ran in front of the headlights of the TCSO unit. When the deputy exited his vehicle, he began to chase the individual, later identified as Flynn. As the deputy ran around the front of the TCSO unit, Flynn entered the vehicle at the driver's side. The deputy was then heard yelling, "get out of my car" multiple times. The deputy was also heard yelling, "I will shoot you." During this time, while Flynn was in the driver's seat of the TCSO unit, Flynn was heard yelling back saying, "It's me, It's me!" As the deputy was yelling at Flynn to get out of the vehicle, the engine of the TCSO unit was heard revving multiple times.

At the 00:57 mark of the video, as Flynn begins to drive away, three gunshots were fired by the deputy.

(Surveillance_Video_from_114_8th_St_New_Philadelphia)

Duration of the video 15 seconds At the start of the video file, no video showed the officer involved shooting incident. Due to the location of this camera on the residence, there was only audio of the actual shooting incident, followed by video of Flynn driving away in the TCSO unit. At the 00:01 mark of the video, three gunshots were heard being fired, followed by the TCSO unit driving away moments later with the overhead emergency lights and siren activated.

Bill Green – 125 8th Drive NE, New Philadelphia, Ohio

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The surveillance video files received from resident Bill Green (Green) did not record the actual officer involved shooting incident. However, audio of the initial accident involving Flynn driving his truck into a house was heard, along with the three gunshots being fired. The video file from Green also recorded some of the aftermath of the shooting, including Flynn driving the stolen TCSO unit through his neighborhood.

(NVR-1-Camera2-20240331205958-20240331220001-2)

Duration of the video file is 43 minutes and 50 seconds This camera was facing 8th Drive NE at an angle in a southwest direction. At the 05:36 mark of the video, tire screeching was heard some distance away, followed by Flynn likely crashing into the residence at 145 8th Street NE. The revving of the truck after it crashed into the residence was also heard.

At the 09:15 mark of the video, the deputy was heard yelling for Flynn "get out of my car" multiple times. At the 09:54 mark of the video, three gunshots were heard being fired by the deputy.

At the 10:31 mark of the video, the TCSO unit driven by Flynn was observed driving by Green's residence at a high rate of speed with the overhead emergency lights and siren activated.

At the 10:51 mark of the video, after the TCSO unit drove past Green's residence and turned left onto Bank Lane SE, a crash was heard off in the distance. This coincided with Flynn crashing the TCSO unit into a parked vehicle on Tell Street SE near E. High Avenue.

(NVR-2-Camera3-20240331205959-20240331220000)

Duration of the video file is 59 minutes and 58 seconds. This camera was facing the intersection of Allen Lane SE and 8th Drive SE. The camera was facing northwest. The camera was positioned on the side of the residence. At the 05:38 mark of the video, screeching tires are heard in the distance, followed by the sound of a crash. This coincides with Flynn crashing into the residence on 8th Street NE. The revving of the truck that crashed into the residence was also heard in the distance. People could also be heard yelling in the background.

At the 09:55 mark of the video, three gunshots were heard fired in the distance. At the 10:26 mark of the video, the TCSO unit driven by Flynn was observed driving at a high rate of speed with the overhead emergency lights and siren activated. The TCSO unit stops briefly at the intersection of Allen Lane SE and 8th Drive SE, but then continued traveling southwest on 8th Drive SE past Green's residence.

At the 10:51 mark of the video, the TCSO unit was heard crashing into a parked vehicle on Tell Street SE near E. High Avenue.

(NVR-3-Camera4-20240331205957-20240331220001)

The duration of this video file is 1 hour and 1 second. This camera was facing Green's garage and Allen Lane SE. The camera was facing Southeast. The camera was positioned on the backside of the residence. At the 05:39 mark of the video, screeching tires are heard in the distance, followed by the sound of a crash. This coincides with Flynn crashing into the

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residence on 8th Street NE. The revving of the truck that crashed into the residence was also heard in the distance. People could also be heard yelling in the background.

At the 09:55 mark of the video, three gunshots were heard fired off in the distance. At the 10:49 mark of the video, the TCSO unit was observed driving on Tell Street NE passing Allen Lane SE at a high rate of speed with the overhead emergency lights and siren activated.

At the 10:53 mark of the video, the TCSO unit was heard crashing into a parked vehicle on Tell Street SE near E. High Avenue. Shortly thereafter, a female TCSO deputy was heard yelling for Flynn to get out of the car after the crash occurred.

April Miltenberger – 124 Tell Street SE, New Philadelphia, Ohio

The surveillance video files received from resident April Miltenberger (Miltenberger) did not record the actual officer involved shooting incident. However, audio of the initial accident involving Flynn driving his truck into a house was heard, along with the three gunshots being fired. The video file from Miltenberger also recorded some of the aftermath of the shooting, including Flynn driving the stolen TCSO unit through her neighborhood.

(Surveillance_Video_from_124_Tell_St_SE_New_Philadelphia (1))

This camera is positioned on the front porch of 124 Tell Street NE angled in a southerly direction. The duration of this video file was 15 minutes and 3 seconds. At the 05:37 mark of the video, the sound of screeching tires is followed by a crashing sound, which was consistent with Flynn crashing his vehicle into a house. Soon thereafter, sirens are heard in the distance, getting louder as the TCSO vehicle driven by Flynn approached Miltenberger's residence.

At the 10:40 mark of the video, the stolen TCSO vehicle driven by Flynn was observed driving from Bank Street to Tell Street and was also heard running over a small tree in the process in front of the residence located at 142 Tell Street.

At the 10:45 mark of the video, the stolen TCSO vehicle driven by Flynn was observed driving with the lights and siren activated at a high rate of speed past Miltenberger's residence. An additional TCSO vehicle was observed turning from Bank Street pursuing Flynn.

At the 10:54 mark of the video, the stolen TCSO vehicle driven by Flynn was heard crashing into a parked vehicle before coming to rest. Shortly thereafter, a female TCSO deputy, who was driving the additional TCSO vehicle can be heard yelling commands for Flynn to "Get out of the car" multiple times, followed by, "Show me your hands." The resident, Miltenberger, was seen on the video walking out onto her front porch and observing the incident. Miltenberger was heard saying to another occupant of her residence, "She's chasing somebody and hit'em, she's screaming at him with her gun out to get out of the car."

Cara Marshall – 851 East High Avenue, New Philadelphia, Ohio

The surveillance video files received from resident Cara Marshall (Marshall) did not record the actual officer involved shooting incident. The video files provided by Marshall were cell phone videos of the aftermath of Flynn crashing the stolen TCSO vehicle into a parked vehicle on Tell Street SE near East High Avenue.

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Witness Officers:

A number of witness officers were interviewed with the interviews being recorded. However, none of the officers interviewed witnessed any portion of the officer-involved critical incident. The interviews reflected the actions taken by the officers after the incident and at different locations. For further details, please review the audio recordings of the individual officers.

Those officers interviewed were:

- NPPD Sergeant Goble
- NPPD Officer Kelly
- NPPD Officer Porter
- NPPD Officer Boyd
- TCSO Deputy Donley
- OSHP Trooper Duvall

Involved Officer – TCSO [REDACTED] Interview/Statement:

The following paragraphs are extremely abbreviated versions of Deputy Bailey's account of his actions pertaining to this incident. Further, this report was placed in a chronology to aid the reader's overall understanding of the information elicited during the interview and is not a word-for-word translation of either the statement or the questions or answers. It is suggested that the full recording be reviewed to clarify any content or contextual questions regarding the information documented in the following.

On Wednesday, April 24, 2024 at approximately 0904 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) John Tingley (Tingley) and SA Jack Shea (Shea) interviewed Tuscarawas County Sheriff's Office (TCSO) [REDACTED] ([REDACTED]) who was accompanied by Paul Siegferth, Attorney from the Fraternal Order of Police (FOP) Ohio Labor Council (OLC).

[REDACTED] advised that he was heading into New Philadelphia on East High Street when he became aware through his Mobile Data Terminal (MDT) of a traffic crash near the location of where he was currently driving. [REDACTED] realized that he was the closest unit and proceeded to the area of the traffic crash.

As [REDACTED] arrived in the general area of the traffic crash, he observed that a large number of people were on the sidewalks and in the street on 8th Street NE. Some of those citizens who were standing in the area directed [REDACTED] towards a subject (later identified as Matthew Flynn), who was running nearby. Flynn then ran toward and stopped near the front passenger side of [REDACTED]'s cruiser, which was stopped in the 100 block of 8th Street NE.

[REDACTED] then put his cruiser into park, exited his cruiser, and began moving towards the front passenger side of the cruiser. Once [REDACTED] arrived there, he noticed that the passenger side door was standing open. [REDACTED] then observed Flynn in the front passenger seat of the cruiser moving towards the driver's seat of the cruiser. [REDACTED] grabbed Flynn, but Flynn was able to get into the driver's seat. [REDACTED] then got into

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the front passenger seat of the cruiser and repeatedly gave commands for Flynn to exit the cruiser while he continued to try and grab Flynn. [REDACTED] then observed that Flynn grabbed at different controls and realized that Flynn was trying to put the cruiser into drive. [REDACTED] continued to give commands to Flynn but noticed that when Flynn looked at him, Flynn had a "thousand-yard stare" and was ignoring everything that [REDACTED] was telling him.

[REDACTED] became concerned as he believed that Flynn had committed numerous criminal violations, including felonies, and was currently trying to steal the cruiser. At that point, [REDACTED] determined that due to the weapons in the cruiser, the large number of people on the street and on the sidewalk, the fact that Flynn had already crashed a vehicle, and the fact that Flynn was trying to steal the cruiser, [REDACTED] pulled his weapon.

Flynn then began to rev the engine and continued to ignore the commands that [REDACTED] was giving while [REDACTED] was still in the cruiser. Flynn then put the cruiser into drive and at that time, [REDACTED] fired three (3) times, as the cruiser began to pull away. [REDACTED] then fell out of the cruiser, as it was driving away, and suffered an injury to his right leg, as well as an injury to his left index finger. [REDACTED] then recalled seeing the cruiser driving towards East High Street.

SA Tingley then asked [REDACTED] why he fired his weapon. [REDACTED] replied that he feared for his own life and to prevent the loss of life.

A Tingley asked [REDACTED] if he feared for his safety and the safety of others in the area. [REDACTED] replied "Correct".

SA Tingley asked [REDACTED] if he perceived any other options other than the use of deadly force. [REDACTED] stated not at that time.

Involved Officer – TCSO [REDACTED] Body Worn Camera Video Review:

At approximately 21:09:23 hours, [REDACTED] put his cruiser into park and exited his cruiser.

At approximately 21:09:24 hours, the audio was activated. [REDACTED] then ran around the front of his cruiser and moved towards the passenger side of the cruiser.

At approximately 21:09:25 hours, [REDACTED] came around the front passenger side of the cruiser and the front passenger door was seen standing open.

At approximately 21:09:27 hours, [REDACTED] reached the open front passenger door and began giving commands of "Get out of my car. Get out of my car."

At approximately 21:09:29 hours, a male subject, Matthew Flynn, was observed seated in the cruiser's driver's seat. Flynn stated, "It's me".

[REDACTED] continued to give multiple commands for Flynn to get out of his cruiser and Flynn responded multiple times "It's me."

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At approximately 21:09:30 hours, [REDACTED] advised Flynn "I will shoot you." and "Do you understand? Get out of my car."

At approximately 21:09:36 hours, [REDACTED] grabbed Flynn's arm.

As [REDACTED] has a hold on Flynn's arm, he repeated his commands for Flynn to get out of his car and again advised Flynn that he will shoot him.

At approximately 21:09:47 hours, [REDACTED] got on his radio and advised that he needed more units.

At approximately 21:09:50 hours, Flynn stated "Look at me brother." [REDACTED] continued to give commands to Flynn to get out of his car, but Flynn continued to ignore [REDACTED]'s commands.

At approximately 21:09:54 hours, Flynn got free of [REDACTED]'s grip and began facing forward in the driver's seat of the cruiser.

At approximately 21:09:58 hours, Flynn is facing forward and began to grab different controls related to the operation of the vehicle.

[REDACTED] continued to give commands to Flynn to exit his vehicle and again advised Flynn that he would shoot him.

At approximately 21:10:06 hours, [REDACTED] fired multiple rounds as he is moving out of the cruiser.

TCSO Dispatch Radio Traffic:

Unit [REDACTED] – TCSO [REDACTED]

Unit 38 – TCSO Deputy Donley

21:07:47 hours – [REDACTED] enroute

21:09:34 hours – Unit [REDACTED] radioed to get units there now

21:09:53 hours – Dispatch replied that units were enroute

21:10:00 hours – Unit [REDACTED] shouted (Out of breath and in distress), "Shots fired! He took my car! He's headed towards Philly".

21:10:07 hours – Dispatch replied, "Copy about your car and shots fired".

21:10:08 hours – Unit 38 radioed that she saw the subject coming down E. High Street and then said he lost sight. Unit 38 then said he got him again on Fourth Street.

21:10:44 hours – Unit [REDACTED] radioed, "I hit my finger".

21:10:54 hours – Unit 38 radioed she saw the subject on E. High Street.

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21:11:17 hours – Unit [REDACTED] radioed that the subject was hit.

21:11:32 hours – Unit 38 radioed the subject "went into the house and was unconscious" at E. High Avenue and (unintelligible).

TCSO Dispatch CAD Report:

Records were also received from the TCSO which included Computer Aided Dispatch (CAD) records from the date and time of the incident. Below are two (2) excerpts taken directly from the CAD records related to the Officer-Involved Critical Incident.

03/31/24 21:06:06 | Longwell, Jamie | New CFS
03/31/24 21:06:49 | Fach, Nikole | 827 E HIGH AVE. SOMEONE WRECK INTO A HOUSE, IS WALKING ON ASHWOOD LN IN THE ALLEY
03/31/24 21:06:51 | Fach, Nikole | CALLER ADVISING THEY ARE RUNNING ON FOOT
03/31/24 21:06:59 | Longwell, Jamie | CAR V HOUSE
03/31/24 21:07:01 | Walton, Nichole | **BLIND TRANSFER**
03/31/24 21:07:08 | Fach, Nikole | UNSURE WHAT THEY ARE WEARING
03/31/24 21:07:08 | Homan, Bryant | ADDITIONAL CALLER [REDACTED] - CAR WENT INTO THE HOUSE ADV ONE GUY TOOK OFF RUNNING
03/31/24 21:07:10 | Longwell, Jamie | UNKNOWN IF ANYONE IS IN THE HOUSE
03/31/24 21:07:21 | Walton, Nichole | M2111, PD21 | Assign
03/31/24 21:07:22 | Fach, Nikole | PD21 | Assign
03/31/24 21:07:22 | Longwell, Jamie | HOMEOWNER IS OK
03/31/24 21:07:31 | Longwell, Jamie | VEHICLE DRIVER RAN
03/31/24 21:07:33 | Fach, Nikole | 7938 | Enroute
03/31/24 21:07:55 | Fach, Nikole | [REDACTED] | Enroute
03/31/24 21:07:55 | Walton, Nichole | ST21 | Acknowledged Call
03/31/24 21:08:26 | Walton, Nichole | ADDITIONAL BLIND TRANSFER
03/31/24 21:08:50 | Fach, Nikole | CALLER ON 6TH ST NE - ONE MALE, IN ALL BLACK - RP - FOG6033 FORD F 150 PLATINUM - MALE TOOK OFF ON FOOT
03/31/24 21:08:59 | Fach, Nikole | PD21 | Available - ADVD
03/31/24 21:09:21 | Fach, Nikole | CPT21 | Enroute - GRAHAM
03/31/24 21:09:49 | Fach, Nikole | [REDACTED] | RP
03/31/24 21:10:02 | Fach, Nikole | [REDACTED] YELLING ON THE RADIO, UNABLE TO COPY

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03/31/24 21:10:04 | Fach, Nikole | ██████ ADVD SHOTS FIRED
03/31/24 21:10:12 | Fach, Nikole | SUSPECT TOOK ██████'S CRUISER
03/31/24 21:10:14 | Walton, Nichole | R2103 | Enroute - REQ ALL CALL
03/31/24 21:10:15 | Fach, Nikole | COMING DOWN W HIGH
03/31/24 21:10:19 | Fach, Nikole | 7935 | Enroute
03/31/24 21:10:28 | Fach, Nikole | 7950 | Enroute
03/31/24 21:10:35 | Walton, Nichole | 21ALL | Assign
03/31/24 21:10:37 | Fach, Nikole | 7938 ADVISING SHE IS ON 4TH ST EXT FOLLOWING THE VEH
03/31/24 21:10:49 | Fach, Nikole | ██████ - SHOTS FIRED, HIT MY FINGER
03/31/24 21:11:00 | Fach, Nikole | 7938 - BACK ON E HIGH
03/31/24 21:11:18 | Longwell, Jamie | 8TH AND ALLEN LN TOOK OOFF ON WEST ON EAST HIGH AV TOWARDS TOWN
03/31/24 21:11:25 | Fach, Nikole | SUSPECT HIT, UNSURE WHERE
03/31/24 21:11:36 | Walton, Nichole | DEPUTY- 8TH ST/ALLEN LANE
03/31/24 21:11:44 | Homan, Bryant | PD21 IS BEING UPDATED
03/31/24 21:12:00 | Walton, Nichole | R2103 | Enroute
03/31/24 21:12:05 | Fach, Nikole | BY THE EDUCATION BUILDING - PLOTTING FROM CARS
03/31/24 21:12:37 | Walton, Nichole | M2111 | Clear Alarms
03/31/24 21:13:09 | Fach, Nikole | 7938 E HIGH HAVE DRIVER IS STILL IN THE VEH
03/31/24 21:13:16 | Fach, Nikole | 7939 | Enroute
03/31/24 21:13:21 | Walton, Nichole | DEPUTY - SHOT IN THE HAND. DEPUTY CRUISER WAS TAKEN BY THE SUSPECT. REQ ST2 TO STAGE EAST HIGH AND 8TH ST

Conclusion:

On Sunday, March 31, 2024, TCSO ██████ responded to a motor vehicle versus house crash on 8th Street NE, New Philadelphia, Ohio. Upon arriving in the general area of the crash, ██████ observed numerous people standing in yards and the roadway on 8th Street NE. A White male, later identified as Matthew Flynn, ran up to the front passenger side of ██████'s cruiser, where Matthew Flynn stopped with his hands on the hood of the cruiser.

█████ put his cruiser into park and exited the cruiser. ██████ then moved around the front of his cruiser while attempting to locate Matthew Flynn. However, as ██████ reached the passenger side of his cruiser, he observed the front passenger door open and no sign of Matthew Flynn. ██████ moved to the open door and observed that Matthew Flynn was seated in the driver's seat of ██████'s cruiser. ██████ entered his cruiser through the passenger door and began giving commands for Matthew Flynn to exit the cruiser. Matthew Flynn ignored ██████'s commands and ██████ reached in and grabbed Matthew Flynn.

█████ continued giving commands which Matthew Flynn continued to ignore. ██████ lost his grip on Matthew Flynn at which point Matthew Flynn moved his position in the driver's seat of the cruiser so that Matthew Flynn was now facing forward. ██████ continued giving commands, but Matthew Flynn ignored the commands, put the cruiser into drive and began to drive away. At that time, ██████ who was moving out of the cruiser, fired multiple shots. ██████ then fell to the ground sustaining multiple injuries.

Matthew Flynn drove the stolen cruiser away before turning from 8th Street NE onto East Main Avenue. After making a number of turns, Matthew Flynn crashed the stolen cruiser on Tell

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Street SE near the intersection with East High Avenue.

██████████ was transported to Aultman Hospital for treatment while Matthew Flynn was transported to Cleveland Clinic Union Hospital where Matthew Flynn was declared deceased.

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 Special Agent Tingley. Special Agent Tingley can be reached via email at John.Tingley@OhioAGO.gov or by telephone at 216-218-2425.