



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



2025-3318  
Officer Involved Critical Incident - 681 4th St. SW, Warren,  
OH 44483, Trumbull County (L)

**Investigative Activity:** Interview of Witness Warren PD Officer Justin Fenstermaker

**Involves:** Justin Fenstermaker (W), Brad Bailey (S)

**Activity Date:** 10/20/2025

**Activity Location:** Warren City Police Department - 141 South Street  
Southeast, Warren, OH

**Authoring Agent:** SA Ryan Emahiser #36

**Narrative:**

On Monday, October 20, 2025, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Ryan Emahiser (SA Emahiser) and SA Joseph Lamping (SA Lamping) interviewed Warren City Police Department (WPD) Officer (Ofc.) Justin Fenstermaker (Fenstermaker), who was accompanied by his attorney, Dan Leffler, from the Ohio Patrolmen's Benevolent Association (OPBA). The interview took place at the Warren Police Department. The interview was audio and video-recorded with Axon Evidence, and the recording has been uploaded to Axon Justice located in Reference Item F.

Ofc. Fenstermaker was identified as being a police officer who witnessed and/or had some level of involvement in the October 12, 2025, officer-involved shooting which occurred in the area of 681 4th St. SW, Warren, Ohio. Reportedly, Ofc. Fenstermaker did not discharge a firearm during the course of the incident. The purpose of the interview was to obtain all relevant information about the incident known or observed by this officer.

Ofc. Fenstermaker has been employed by the WPD for about 12 years. During the incident, Ofc. Fenstermaker wore his standard green BDU tactical police uniform with a metal police badge affixed to it. He also wore an external ballistic vest and duty belt. He drove a marked WPD patrol unit marked with WPD emblems and emergency lights. Ofc. Fenstermaker typically works from [REDACTED], and days off are [REDACTED]. Ofc. Fenstermaker is a canine handler for WPD, and his canine named Heros has been assigned to him for the last seven years.

Ofc. Fenstermaker advised that on the morning of the incident he was at WPD printing off reports for court and finishing up his shift when he heard dispatch take a call advising that there was a vehicle pursuit entering Warren. Ofc. Fenstermaker said that

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he was one of two WPD officers still in uniform during shift change, and after conferring with his Lieutenant, Ofc. Fenstermaker headed to the area of the vehicle pursuit. Prior to leaving, WPD Ofc. Fenstermaker asked what the reason was for the vehicle pursuit and he was advised that a domestic violence situation had occurred and the subject fleeing police "**wants suicide by cop.**" Ofc. Fenstermaker stated that he arrived in the area of the vehicle pursuit as WPD dispatch was relaying information from the Trumbull County Sheriff's Office (TCSO), and WPD dispatch advised WPD units that TCSO was requesting that WPD use vehicle stop sticks.

Ofc. Fenstermaker advised that he parked his vehicle in the area of Highland Ave. and 4th Street, and deployed his stop sticks as the vehicle pursuit passed his location. Ofc. Fenstermaker stated that the vehicle being pursued hit the stop sticks and he recalled someone over the radio advising "**good stick, good stick.**" Ofc. Fenstermaker said that up to that point he did not recall any mention of weapons being involved or being possessed by the pursued subject, and only recalled that the pursued subject wanted "**suicide by cop.**" Ofc. Fenstermaker said that he did not see the driver of the pursued vehicle as it drove over the stop sticks because he took cover behind his cruiser. Prior to taking cover, the pursued vehicle appeared to be traveling in the path of his cruiser, so Ofc. Fenstermaker gave himself some additional space in the case that the pursued vehicle collided with his cruiser.

Ofc. Fenstermaker explained that the pursued vehicle turned right on 5th Street after being disabled by the stop sticks, and Ofc. Fenstermaker decided to parallel the vehicle pursuit down 4th Street. Ofc. Fenstermaker noticed the emergency lights on the pursuing cruisers stop on 5th Street so he assumed that the subject, later identified as Brad Bailey (Brad), must have bailed from the vehicle. At that time, Ofc. Fenstermaker said that he did not believe that WPD was patched in with TCSO because he was not hearing any of the pursuing officers' radio traffic. As Ofc. Fenstermaker was driving down 4th Street he saw shadows running through a wooded area as he drove past the wooded area located on the south side of 4th Street. At that time, Ofc. Fenstermaker stopped his cruiser, exited the cruiser and saw Brad running through the wooded area, and deployed his canine Heros, who immediately began running toward Brad, as he was being pursued by other officers.

Ofc. Fenstermaker stated that Brad stopped in the middle of an empty lot, turned towards Ofc. Fenstermaker and said "**I have a gun. I'm going to fucking kill you!**" (5:36 on recording). Ofc. Fenstermaker said that at that moment he couldn't see a gun in Brad's hands and questioned whether Brad actually had a gun even though Brad had just threatened to kill Ofc. Fenstermaker. Ofc. Fenstermaker saw Brad bending over, and as he was unsure whether Brad had a gun or did not. Ofc. Fenstermaker decided to

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take cover and concealment behind a nearby telephone pole, called his canine Heros off from pursuing Brad, and pulled his duty weapon out. Ofc. Fenstermaker stated that at that time the other pursuing officers were now exiting the wooded area towards Brad's location, and canine Heros noticed the other officers running towards Brad's location, so Ofc. Fenstermaker continued recalling canine Heros. Ofc. Fenstermaker advised that Brad then started to run again and Ofc. Fenstermaker did observe a gun in Brad's hand. However, Ofc. Fenstermaker could not recall which hand the gun was in but recalled seeing the gun in one of Brad's hands, as Brad was running and swinging his arms in stride. SA Emahiser asked Ofc. Fenstermaker if he recalled any description of the gun Brad had in his hand, but only recalled the shape being of a pistol.

Ofc. Fenstermaker said that Brad ran down the sidewalk area of 4th Street eastbound toward an approaching cruiser, and at the time Ofc. Fenstermaker was unsure what department cruiser was approaching Brad. At that same time, officers, pursuing Brad on foot, were closing in on Brad, and Ofc. Fenstermaker started yelling "***gun, gun, he does have a gun!***" while keeping canine Heros near him. Ofc. Fenstermaker said that the approaching cruiser veered off the roadway into a small ditch and made physical contact with Brad. Ofc. Fenstermaker said that it wasn't enough contact to cause Brad to lose his balance because Brad was at the front of the cruiser and brought the gun up toward the cruiser. On the recording at 8:03 Ofc. Fenstermaker said "***then I saw him [Brad] bring the gun up. He [Brad] went around the driver's window and he started like punching the window with, with the gun hand. Um, I was on the op.. passenger side of the car, still running that way. Um, there really wasn't anything at that point I could do.***"

Ofc. Fenstermaker said that at the same time he was trying to be aware of where canine Heros was and then he started to hear gunfire. By that time, canine Heros had continued towards Brad, and when Ofc. Fenstermaker rounded the rear of the WPD cruiser canine Heros was biting Brad's right thigh/buttocks area. Ofc. Fenstermaker described Brad in that moment as lying on his stomach with his hands under his body.

SA Emahiser asked Ofc. Fenstermaker if he saw which officers fired their weapons, and Ofc. Fenstermaker said that he did not. With everything going on and shots being fired, he took cover and was focused on canine Heros. Ofc. Fenstermaker was not even sure of the names of the officers involved but knew that they were from TCSO and Champion Township Police Department. The only officer that he was aware of firing their weapon was WPD [REDACTED], who had been seated in the cruiser being struck with the gun by Brad.

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Ofc. Fenstermaker said that after he recalled canine Heros from biting Brad, multiple officers began providing life saving measures to Brad until EMS arrived and transported Brad to the hospital.

Ofc. Fenstermaker did not have any additional information to provide and the interview was concluded.

The interview was audio and video-recorded utilizing Axon Capture, see below reference for the recording location.

**References:**

Reference Item F - Officer Interviews folder > Justin Fenstermaker subfolder - stored in Axon Justice

**Attachments:**

None

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