



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



2023-0795

Officer Involved Critical Incident - 1433 State Route 7, Brookfield Township, Ohio 44403, Trumbull County

Investigative Activity: Interview of Involved Officer
Involves: Officer ██████████ (S)
Activity Date: 4/5/2023
Activity Location: Vienna Township Police Department –
 856 Youngstown Kingsville Road, Vienna, Ohio 44473
Authoring Agent: SA Charles Moran #67

Narrative:

On Wednesday, April 5, 2023, at 1040 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Chuck Moran (Moran) and SA Cory Momchilov (Momchilov) interviewed Vienna Township Police Department (VTPD) Officer (Ofc.) ██████████ (██████), who as accompanied by his attorney, Mel Lute, from the from the Baker, Dublikar, Beck, Wiley & Mathews Law Firm. The interview took place at the VTPD. The interview was audio and video recorded.

Ofc. ██████████ read, understood, and signed the BCI Criminal Investigation Notification form.

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. It is suggested that the full recording be reviewed to clarify any content or contextual questions regarding the information from the interview.

Preliminary and Demographic Information:

Name: ██████████	Rank: Officer (Ofc.)
Badge Number: ██████	Cruiser/Vehicle Number: █
Radio Call Sign: ██████	Immediate Supervisor: Sgt. Padula
Radio Channel Utilized: LE2, through Trumbull County 911 Center	Mobile Data Terminal: Present; Not Used
Cruiser Description: Ford Explorer with VTPD markings and emblems	Occupants of Cruiser and Seating Positions: Solo
Assignment: Patrol	Normal Shift: 1900 hours – 0300 hours
In-Car Camera: Not Present	Spotlight: Present; Not utilized
Emergency Lights: Present; Not Utilized	Siren: Present; Not Used
Shift Day of Incident: 1900 hours – 0300 hours	Duty Status: On-Duty

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Days Off: Tuesday and Wednesday prior	Prior Overtime or Extra Details within Preceding 48 Hours: Did not recall
Hours of Sleep Prior to Incident: 6 hours	Consider Self Well Rested?: Does not recall being tired or exhausted
Total Length as Officer: 2 years	Length at Current Agency: Mercy Health Police Department August – December 2021, VTPD since December 2021
Physical Disabilities (to include hearing aid): None	Corrective Lenses: Contact Lenses (wearing at time of incident)
Uniform Worn: Navy blue uniform pants, boots, navy blue uniform long sleeve shirt with VTPD patches	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: Belt – (left side) handcuffs, Taser, gloves, (right side) pistol in holster with tourniquet. Vest – (left side) three ammunition magazines, radio, (right side) handcuffs, flashlight. Vest has “POLICE” lettering on it.
Ballistic Vest: External Armor	Body Worn Camera: Present; Not Used – said looked at BWC while walking toward cabin and it was not on, knew that it makes a loud noise when activated, decided not to turn on so it did not alert anyone with sounds or with flashing light in darkness.
Other Recording Devices: None	Partner: Ofc. [REDACTED]
Injuries: None	Equipment Damage: None
Training or Areas of Specialty: None	OPOTC Certification: Current and valid, attended the academy at Youngstown State University and graduated in July 2021.
Military Experience/Training: Army National Guard, 2011 to present, infantry team leader. Deployed in Iraq 2019-2020. Experienced base bombing by Iranian forces in December/January 2020. Received firearms training, patrol tactics, first aid, Bradley gunner, radio work.	Use-of-Force Training: Reviewed Lexipol policy with VTPD, unknown date reviewed.
Prior Shooting Incidents: None	Prior Discipline or Use-of-Force Complaints: None

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Medications, Prescriptions, or Drugs that might Impair Your Duties at Time of Incident: None	Medications, Prescriptions, or Drugs that might Impair You Now for Interview: None
	Last Consumed Alcohol Prior to Incident: None

Officer's Firearm(s):

Weapon #1

Make: Aero Precision	Model: M4E1 (12.5-inch barrel, awaiting ATF paperwork)
Caliber/Gauge: .223 caliber	Serial: ██████████
Type: Rifle	Method of Carry: Magazine in rifle, not charged (no round in chamber), in rifle bag in trunk.
Magazine Capacity: 30	Total Rounds as Carried (including chamber): Believed 30
Extra Magazines: None	Number of Rounds in Extra Magazines: No extra magazines
Discharged During Incident? Yes	Primary or Backup Weapon: Backup
Rounds Remaining After Incident: 27	Number of Rounds Fired: 2-3
Right/Left-Handed Carry: Right-Handed	Ownership: Personally Owned
Last Qualification Date: September 2022 with AR-15 platform.	Type of Holster, if any: None

SA Moran asked Ofc. ██████ if he watched any of the available body-worn camera videos. He said after the incident, he was at the Brookfield Township Police Department (BTPD) and saw a small portion of video when he walked by a room.

SA Moran asked Ofc. ██████ to provide details about the incident that occurred on March 20-21, 2023. Ofc. ██████ said he heard about the subject, Fred Wild (Wild), because VTPD Ofc. Antonel assisted the Liberty Township Police Department (LTPD) with a vehicle pursuit involving Wild on Saturday, March 18, 2023.

Ofc. ██████ also communicated with BTPD Ofc. Ellwood-Bellas on March 20, 2023, about the pursuit that occurred that day involving Wild. Later that day, Ofc. ██████ assisted BTPD officers

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and went to Wild's father's house in an attempt to locate Wild. They spoke with Wild's father and he told the officers that Wild was likely staying on the property located at 1433 State Route 7.

Ofc. ██████ said that Ofc. ██████ reported to work later that evening. Ofc. ██████ saw the call involving the homeowner contacting the BTPD about Wild's location. The BTPD asked for assistance from the VTPD. Ofc. ██████ went to assist and Ofc. ██████ contacted him and asked if the BTPD needed him too. He said the VTPD officers have a close working relationship with the BTPD. Ofc. ██████ called Sgt. Padula and asked if he could assist. Sgt. Padula said he could go and assist.

Ofc. ██████ went to the briefing area with the other officers, but was called away for an alarm call. After clearing the alarm call, he returned to the briefing area for a few minutes and the officers drove their cruisers to the area in front of 1433 State Route 7. Ofc. ██████ said he could not figure out how to open the trunk of his cruiser and the extra rifle magazine in the car was empty. The group of law enforcement officers began walking down the driveway and Ofc. ██████ was left behind. Ofc. ██████ asked Ohio State Highway Patrol (OSHP) Trooper Brown and Trumbull County Sheriff's Office (TCSO) Sgt. Carr where the group went and they told him they went down the driveway.

Ofc. ██████ hurried and caught up to the group of officers. All of the officers were quiet. Ofc. ██████ referred to an overhead scan map and he said he was initially on the south side as they walked along the driveway and then switched to the north side. As he was some distance away from the cabin, he heard music playing, likely from the truck parked near the cabin. He recalled seeing light coming from the cabin.

Ofc. ██████ was with the OSHP troopers on the north side of the driveway near the woods and continued to approach the cabin. Ofc. ██████ said there was prior information that Wild possibly had a "muzzle loader." Ofc. ██████ momentarily took cover behind a tree. He saw the truck was parked in very close proximity to the cabin. Ofc. ██████ said an officer (unknown) stepped on a stick and it was "really loud." A short time later, he heard the officers on the south side of the truck and cabin screaming. He saw officers on the south side of the truck using their rifles to strike the passenger window of the truck while providing verbal commands.

Ofc. ██████ said he was on the north side with the OSHP troopers and they were "still in front of the truck." He recalled seeing a "pile of bricks" near the truck and cabin. Ofc. ██████ saw Wild

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inside the truck while the officers were trying to break the window. Ofc. ██████ said Wild was “lurching forward and backwards” with the truck in an effort to escape.

Ofc. ██████ said he and the troopers moved closer to the truck during that time and he moved around the pile of bricks. Ofc. ██████ stated (40:42), “I remember we were trying to get closer to try to help them and I was like, well the driver’s side, it’s like so tight you can’t like, really get to him. And I think he started driving so I started backing off from the cabin ‘cause I can, I kind of had a feeling of where it was going, that he was going, that he was probably going to drive off with everyone around it. So, um, yeah, we’re back to where he was lurching forward and back, I started backing off ‘cause I wasn’t sure where he was going to go with it. He went forward, there was a trooper, I would say he like, I think that’s the one tree (pointed to overhead scan map near brick pile), but he got close enough he almost, he was like, hit those bricks. I don’t remember. I know at one point it was close to the bricks but I don’t, I don’t recall how I went from closer to going back. I must have just started backing off ‘cause I was, I was like, the only way he can go for me is like, he either has to go down the path or he has to go forward at me so I’m like, uh, you know, I’m not doing that, I’m going to go, kind of keep moving a little more north to use the trees as cover ‘cause I don’t want to get ran over.”

Ofc. ██████ continued (41:59), “One of the troopers, he was, I would say like, maybe, I don’t know what you want to call it (stood up, held both hands a few inches apart near his right thigh), like this, about this close like, from getting clipped by the front of the plow while it was moving forward and back. I think, I don’t know, it looked like one of the tires might even have lifted on the front of the bricks. He went pretty forward and he almost hit that one trooper and from what I remember like, seeing him like, everyone was still around the truck and like, there was no like, he, from how he was driving there was just no, I don’t, he didn’t care that there was anyone around him. He was just going. And there wasn’t, I had a good feeling like, a feeling that nothing was going to really stop him. That he was going to, he didn’t care if there was officers right next to the truck, they’re hitting those windows, he’s going forward, he’s going back, he’s going to do anything he can to get out of there as fast as he can.”

Ofc. ██████ continued (42:52), “And during this I, that’s when I start hearing like, the gunshots going out.” Ofc. ██████ described hearing the gunshots in “strings of like, two or three.” Ofc. ██████ said he had moved further east along the “path” (driveway) near the brick pile. He believed someone fired in close proximity to him because his “ears started ringing.” He said Wild “got around the path” and Ofc. ██████ believed “he backed up more before going forward and hitting that trooper.” Ofc. ██████ said Wild was able to move the truck “further down the



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road, that path.” Ofc. ██████ did not recall how many gunshots were fired but believed two or three people fired. He did not know if officers fired or if Wild fired.

Ofc. ██████ stated (44:16), “He keeps going down the pathway um, I know at one point he keeps going he gets to roughly a little ways past me and I end up, I think I end up taking aim, I made a kind of conscious decision and I was like, ‘Well, I watched him almost hit one of the troopers,’ I, from talking to Trooper Brown and the Trumbull County sheriff, they were, what they were going to do right before we came up to this, I know I forgot this part, but they uh, they were supposed to come down this trail after we tried to apprehend him and they’ll like, block him.” Ofc. ██████ said they were going to use their cruisers to block Wild in and they were supposed to drive “down the path” and it was “kind of tight” especially with the plow on the front of Wild’s truck. Ofc. ██████ continued, “I made the conscious decision, I was like, ‘Well, I watched him almost just run over a trooper, just narrowly that he stepped out of the way of getting hit with the end like, the corner of that snow plow.’ Um, I was concerned that from they already fired on him I, for that, for all I knew I wasn’t totally sure if it was Fred or fod... I know for a fact it was one of the officers obviously fired from that much gunfire. I didn’t know exactly. Fred also might have been armed, but I did know he almost run over one of the troopers. I was, even from where I was, there was still risk of he, he could have, I wasn’t behind bricks or trees anymore ‘cause I started backing out of there to avoid getting hit that, I said, ‘Well, he could still turn at me, he could still, we still have the guys coming down the pathway like, a snow plow into like, you know, a Dodge Charger that could easily kill somebody.’ He could, even if they’re not down the path, he could still run into one of them when they try to stop him out on seven, so I made the conscious decision, I aimed at, around his passenger window to his back window and I fired uh, uh, probably two to three rounds.”

Ofc. ██████ believed he fired one to three gunshots through the driver’s side window (side) or through the back window. Ofc. ██████ said he recalled the “vehicle was still moving at that point.” He added, “But, things go pretty quick.” Ofc. ██████ said after he fired, Wild and the truck “very soon after came to a stop.” Ofc. ██████ said he did not fire “quickly” and recalled pausing between shots. He attributed that to his training it was “disciplined” how he fired. Ofc. ██████ marked on the overhead scan map.

Ofc. ██████ stated, (47:59), “I did kind of go at an angle (demonstrated how he held arms up as if pointing rifle and moved rifle to his left) but um, so it wasn’t totally in front of me. I know before he took off, when he was going forward and back, I think it was he almost hit the trooper, I kind of was deciding (demonstrated holding and aiming a rifle with both arms), I was like, ‘Uh, I might have to.’ ‘Cause I watched him almost just hit these guys and those guys were around it

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but I decided, there's too many people. When he came down the path and I fired I turned a little bit (demonstrated how he moved to left as aiming rifle) 'cause I had like, the opportunity, I had you know, the angle, I knew there was, no one caught up to him on this side (drew on overhead scan map), so I had an angle where I didn't have anyone, I didn't have, I had a clear backstop. I didn't have to worry about potentially hitting another officer so I, I had a good back stop so I decided, I was like, well, you know, he almost just hits a trooper, he was fired on, I don't know if he's armed, and that he can, obviously doesn't care for the safety of any individuals here you know, I was in fear for my life, I was in fear for the life of the officers that were in front of me that almost got ran over, and in fear for the guys coming down the road. So I, you know, like I said I kind of went at an angle (demonstrated holding rifle and aiming and moving to his left), fired my one, or I said two to three rounds um, we held, when he stopped, the vehicle came to a stop, I came up to the vehicle not to, I don't know how long after, it was probably shortly after I came up to it 'cause the truck hasn't moved, came up to the driver's side, I pulled open the door, had my rifle still out (demonstrated left hand opening door while holding rifle in right arm), and I could see he was like, lurched over (demonstrated by leaning to his right) kind of like this, I can't see his face, but he has a hand in a pocket. I saw maybe like, a bullet wound through his wrist or his forearm (pointed to the left forearm)."

Ofc. ██████ said Sgt. ██████ approached from the other side because he was not comfortable with Wild's hand being in his pocket of the clothing he was wearing. Wild did not move and it was clear that Wild was deceased. Ofc. ██████ backed away from the vehicle and his weapon was collected after the incident.

SA Moran asked Ofc. ██████ if he had any prior contact with Wild before the incident. Ofc. ██████ said he had no prior contact with Wild before the incident.

SA Moran asked Ofc. ██████ about any other information that was received from Wild's father. Ofc. ██████ said he believed that Wild and his father had not spoken in some time. Ofc. ██████ knew that Wild had recently led officers on two different pursuits, was possibly armed with a "muzzle loader," and had a warrant in Lake County.

SA Moran asked Ofc. ██████ if any officers had any night vision equipment. Ofc. ██████ believed the Sgt. ██████ had night vision equipment and possibly one other officer had night vision equipment. SA Moran asked about the lighting conditions during the incident. Ofc. ██████ said it was "very, very dark." He recalled having to use his rifle light near the cabin to see his footing.



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SA Moran asked about the law enforcement briefing and plan. Ofc. ██████ said he was not certain who developed the plan. When he approached the officers walking down the path and he could tell from his military training where he was supposed to be and to be spread out. He said he used his training during the incident and realized that he was in front of the truck and was at a “disadvantage.”

SA Moran asked Ofc. ██████ about the first moments when he saw Wild. Ofc. ██████ said he did not see Wild until he was driving the truck. He did not see him inside the cabin. He did not see Wild when he entered the truck, but heard the officers “screaming.” SA Moran asked Ofc. ██████ if it appeared that Wild was complying with verbal commands. Ofc. ██████ responded, “No, absolutely not.” Ofc. ██████ added, “He didn’t care who was in front of him.” He described Wild as being “desperate.” Ofc. ██████ did not hear Wild say anything during the incident.

SA Moran asked Ofc. ██████ about the moments when Wild drove the truck forward. Ofc. ██████ confirmed that a trooper was in front of the plow on the truck and “damn near got hit by it.” Ofc. ██████ was not certain which trooper was in front of the truck. Ofc. ██████ recalled the snow plow on the front of the truck being raised slightly. He also remembered a wheel on the truck lifting as it drove on the brick pile. He remembered a trooper standing on the brick pile and was “damn near hit by a plow like, almost clipped.”

SA Moran stated, “I think you had mentioned, at one point you said that you thought you were going to have to like, fire then because of that clip, but then you backed down.” Ofc. ██████ responded (59:19), “Yeah, there was too many guys by it. I, I, I wasn’t...I didn’t feel like it was necessary ‘cause I know he is nearly hitting someone I was, I didn’t think it was safe. I didn’t feel it was warranted quite yet. I wanted to see if we could still apprehend him. We still had people trying to get in the windows. They’re still trying to get him. I’m like, ‘Uh, we’re not doing that.’ ” Ofc. ██████ clarified that he did not fire at that time because he still believed Wild could be apprehended even though he saw Wild almost hit a trooper with the snow plow. Ofc. ██████ said he “wasn’t quite ready to do something like that.” He recalled raising his rifle, but not all the way up. Ofc. ██████ said this occurred as gunfire started and then he realized “something just happened.” He could not tell if Wild fired, but due to the number of shots he believed other officers were firing. Ofc. ██████ was not certain if Wild hit an officer or if Wild had “weapon” other than the truck with the plow. Ofc. ██████ said as the gunfire started and Wild drove down the path, he had a “clear way” he could fire.

SA Moran asked Ofc. ██████ about the movement and speed of the truck. Ofc. ██████ did not recall the truck going fast as it moved from his right to left. Ofc. ██████ added (01:03:31), “Like I

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said before, that decision was made from him almost hitting a trooper and then almost hitting whoever's by and then whoever we had Brown and the sheriff's office sergeant that are coming down the road. I mean, you've seen it. That path is pretty narrow."

SA Momchilov asked, "So there wasn't an immediate threat when you fired? It was maybe what he could have done afterwards?" Ofc. ██████ replied (01:04:03), "Um, how I perceived it was an immediate threat. That we had those officers that, from what I understood from the briefing, from talking to them, they were coming down the road. I don't know the exact moment, but after watching him almost run over you know, one officer like, in front of me and then potentially more and they have that you know, we, that the other guys had fired upon him, I didn't know if he was exactly armed, he was supposedly to be armed, they did fire upon him." SA Momchilov followed, "It was the officers coming down the path?" Ofc. ██████ continued, "Yeah, that I was concerned that he was already fired upon, I already watched him almost run over another officer, they had other officers near him that he, that he, what do you want to call it? There was a substantial risk to the officers down that pathway or even parked down the road that he was you know, a risk to the public you know, I thought he was risk to my life if he even didn't go past me he could have swerved at any of us still out there and if that kind of solves the question."

SA Momchilov asked Ofc. ██████ what he was aiming at when he fired. Ofc. ██████ said he was aiming at the driver's side door window and the driver's side back window. He believed his rounds entered the driver's side door window and the driver's side back window. Ofc. ██████ said he had his weapon-mounted light activated at one point during the incident, but it was not activated when he fired. Ofc. ██████ stated, "Because I didn't need it. I could see well enough. I'm not sure why I could see well enough 'cause it was dark, but at that point, I think it was because he was so close to the cabin. It might have been, the cabin might have lit it up so I could see." Ofc. ██████ did not know if any other officers had flashlights activated.

SA Moran asked Ofc. ██████ if he recalled experiencing any perceptual phenomena during the event. Ofc. ██████ answered, "Maybe time slowing down a little but after the shots rang out." He believed someone shot very close to him and his ears started "ringing." Ofc. ██████ said he felt like he had time to think about what was going on and make a "conscious" decision. SA Moran asked Ofc. ██████ if he fired due to "sympathetic gunfire" since he heard the shots first. Ofc. ██████ said he remembered thinking about that, but made his own "conscious decision" to fire after observing and knowing all of the other factors he previously described. He confirmed that he did not fire just because other officers fired.

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SA Moran asked Ofc. [REDACTED] if he spoke with any other officers “at length” about what happened. Ofc. [REDACTED] said he spoke with BTPD Ofc. Ellwood-Bellas and he learned that he was next to him during the incident. He spoke with BTPD Ofc. Colloman about the BTPD BWC videos. He only asked if he was on the videos, but he did not review them and did not learn any information from that conversation. Ofc. [REDACTED] said his statement was what he “perceived at the time.”

Ofc. [REDACTED] believed his actions during the incident were consistent with his training and his experience. He said the no one asked him to lie or tried to influence his statement to BCI.

The interview ended at 1151 hours.

Reference Item:

The video recorded interview of Ofc. [REDACTED] was copied to a DVD+R and was submitted to the BCI Special Investigations Unit (SIU) case file as Reference Item J.

Attachments:

1. BCI Criminal Investigation Notification Form - VTPD Ofc. [REDACTED]
2. Overhead Scan Map Used by VTPD Ofc. [REDACTED] During Interview
3. 2023-04-05 - Audio - Interview of VTPD Ofc. [REDACTED] - 803_0758



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).

[Redacted] _____
Printed Name of Interviewee

April 5, 2023 10:34
Date / Time

[Redacted] _____
Signature of interviewee

SA CHARLES MORAN #67
BCI Agent (Printed)

SA [Signature] #67
BCI Agent (Signature)

April 15 - 23

03/21/2023
9023-0795
CI for TCSG
433 Sx 7, Brookfield, Ohio
A Dan Boerner #135
of scale

- FC 223 REM
- FC 223 REM
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- Hornady 5.56
- Hornady 5.56
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- 2 - Hornady 223 REM
- 20 - Projectile

