



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



2022-1115

Officer Involved Critical Incident – SR 339 near mile marker 3,
Belpre (L)

Investigative Activity: Interview with Officer
Involves: Lt. Pat Gherke (W)
Date of Activity: 06/21/2022
Activity Location: Washington County Sheriffs Office – 309 Fourth Street , Marietta,
OH 45750, Washington County
Author: SA Shane R. Hanshaw, #102

Narrative:

On Thursday, June 21, 2022, at 1248 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Shane Hanshaw (Hanshaw) interviewed Washington County Sheriff's Office (WCSSO) Lieutenant (Lt.) Pat Gherke (Gherke) relative to the Officer-Involved Critical Incident (OICI) that occurred on Thursday, May 19, 2022. The interview took place at the Washington County Sheriff's Office located at 309 4th Street in Marietta, Ohio. The purpose of the interview was to obtain all relevant information regarding the activities that occurred on State Route 339 in Washington County. Prior to conducting the interview, SA Hanshaw advised Lt. Gherke that the investigation was a criminal investigation. The interview was audio recorded.

Lt. Gherke was identified as being a police officer who witnessed and/or had some level of involvement in the May 19, 2022, officer-involved shooting which occurred in the area of State Route 339 in Washington County Ohio. Reportedly, Lt. Gherke did not discharge a firearm during the course of the incident.

This report only summarizes the information deemed by the author to be of the most relevance to the investigation and does not purport to contain all questions and answers from the interview. Further, this report was placed in a chronology to aid the reader's overall understanding of the information obtained during the interview and may not be reflective of the actual sequencing of questions. It is suggested that the full recording be reviewed to clarify any content or contextual questions regarding the information from the interview.

At the onset of the interview SA Hanshaw identified himself as a BCI Special Agent and

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began by asking some preliminary questions. Lt. Gherke stated his radio call sign on May 19, 2022, was 597. Lt. Gherke is currently the Lieutenant for the night shift road patrol division and normally works from 1800 hours to 0600 hours. Lt. Gherke was not working his normal shift when the incident occurred, but was called to duty by Captain Lockhart. He has been employed by the Washington County Sheriff's Office since 1997. Prior to working at the WCSO, Lt. Gherke worked as a police officer in Parkersburg West Virginia, starting in 1993.

During the incident, Lt. Gherke wore his police uniform consisting of green tactical dress uniform (TDU). He also wore his full Special Response Team (SRT) kit, consisting of his vest, helmet, glasses, and gloves. Lt. Gherke was equipped with a thigh holster and Taser. Lt. Gherke was carrying his department issued Smith & Wesson MP 9mm duty weapon and four 17 round magazines. Lt. Gherke was not wearing a body camera because he came directly from his home to the scene. Lt. Gherke was driving a Ford Police Interceptor Utility vehicle, vehicle number 8464. Lt. Gherke stated his vehicle is not outfitted with a vehicle camera.

Lt. Gherke stated he originally parked his vehicle at the park and ride located at State Route 339 and US 50, and traveled to the scene with Captain Lockhart and Sergeant Johnson. After the scene was secure, Lt. Gherke retrieved his vehicle and came back to the scene to provide perimeter security until BCI arrived.

Lt. Gherke stated he is trained in Special Weapons and Tactics (SWAT), and currently serves as the department SWAT commander. Lt. Gherke stated he is an OPOTA certified firearms instructor. Lt. Gherke is also an academy certified instructor.

Lt. Gherke considered himself to be well-represented as a police officer during the incident. He stated he was not under the influence of any substance that would impair his memory or judgment during the incident or during the interview with BCI. He does not wear corrective lenses.

When asked, Lt. Gherke stated he was present during a previous OICI, but did not discharge his firearm. Lt. Gherke has never been disciplined for any excessive force incidents. Pertaining to the incident involving Deputy ██████ Lt. Gherke stated he did not fire his weapon, or deploy any type of less lethal during the incident, nor did anyone fire a weapon while he was present at the scene.

On the day of the incident, Lt. Gherke said he would have normally been working; however, his shift changed the day before the incident because interviews for a sergeant position were conducted and he was present for the interviews. Lt. Gherke said he was directly contacted by Captain Lockhart and asked to assist with approaching the vehicle because they were not getting a response from the driver of the vehicle. Lt. Gherke said he and Sgt. Johnson met Captain Lockhart at the park and ride, dressed in their SRT gear and traveled to the scene.

Upon arrival at the scene, Lt. Gherke said they parked south of the crashed vehicle location and walked to Deputy [REDACTED] vehicle, using shields as cover. As they approached Deputy [REDACTED] vehicle, Lt. Gherke stated officers were attempting to make verbal contact with the driver of the vehicle. At that point, Sgt. McConnell stated he had been trying to get the subject to come out of the car, but got no response or movement from the driver.

Lt. Gherke said he made the decision to approach the driver side of the vehicle. The vehicle was several feet below the road surface making it difficult to get to the driver side door. Lt. Gherke said he, Sgt. Johnson, and Captain Lockhart approached the rear driver side quarter of the vehicle and attempted to look through the vehicle's back window. Lt. Gherke said the front and rear airbags on both sides of the vehicle were deployed, making it difficult to see inside the vehicle. Lt. Gherke said they approached the passenger side rear window, but was unable to see inside the vehicle. Lt. Gherke said he asked if anyone had an ASP or glass breaker. Sgt. Johnson broke the glass on the driver front side and attempted to look inside the vehicle. Lt. Gherke said it was still difficult to see inside the vehicle because of the low elevation of the vehicle.

After not being able to see from the front driver side window, Lt. Gherke said they approached the rear passenger side and eventually moved to the front passenger side door. From this location, Sgt. Johnson was able to lift the side airbag curtain because the front passenger side window was already broken out. Lt. Gherke said at that time they were able to see a male subject sitting in the front driver seat, lying across the center console. The driver of the vehicle did not appear to be breathing, and there was no rise or fall in his back. Lt. Gherke said they called to the driver but got no response.

Lt. Gherke said someone opened the front door and then he reached in the vehicle and removed the driver's hat, placing it on the seat. This was done to try to get some response from the driver. At that point, Lt. Gherke said Deputy Aultman had arrived at the scene. Knowing that Deputy Aultman was a certified nurse, Lt. Gherke asked Deputy Aultman to check for signs of life. Once Deputy Aultman was unable to find any signs of life, Lt. Gherke said everyone backed away from the vehicle and secured the perimeter of the vehicle while Captain Lockhart requested additional assistance.

When asked about visibility, Lt. Gherke said Deputy [REDACTED]'s spotlight was on the car. Lt. Gherke said the exterior of the vehicle was visible; however, the interior was not as visible due to the fact that both side airbag curtains were deployed. Lt. Aultman said it was possible to see through the back glass, but you could not see beyond the back of the front seats.

Lt. Gherke said once they moved to the front of the vehicle, after entry had already been made, they were able to see some bullet holes in the hood and windshield.

At approximately 1309 hours, SA Hanshaw concluded the interview with Lt. Gherke.

The interview was audio recorded. The audio recording was attached to this report. Please see the attachments for further details.

Attachments:

Attachment # 01: Recorded interview with Lt. Gherke