



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



2022-1673
Officer Involved Critical Incident – Smith Road Near Van Tress
Road, Clinton County, OH (L)

Investigative Activity: Interview with Officer
Involves: K9 Dep. [REDACTED] [REDACTED] (S)
Date of Activity: 10/05/2022
Activity Location: [REDACTED], K9 Dep. [REDACTED] – Business – 822 Memorial Drive, Lebanon,
OH 45036, Warren County
Author: SA Kenneth J. Smith, #53

Narrative:

On October 5, 2022, Ohio Bureau of Criminal Investigation (BCI) Special Agents (SA) Richard Ward and Kenneth Smith interviewed Deputy [REDACTED] [REDACTED] of the Warren County Sheriff's Office about his involvement with the Officer-Involved Critical Incident (OICI) resulting in the death of Ricky Shiffer on August 11, 2022, in Clinton County, Ohio.

The details below summarize the pertinent portions of the recorded interview. Please refer to the audio recording for additional information.

The interview with [REDACTED] began at 1212 hours at the Warren County Sheriff's Office. Attorney Steve Lazarus was present for the interview. Before the interview started, [REDACTED] was read the BCI Criminal Investigation Notification form (see attachment #1), which he acknowledged and signed.

[REDACTED] stated that he has been with the Warren County Sheriff's Office for approximately 7 years and was currently assigned as a K9 unit at the Deerfield Post. [REDACTED] has served approximately 2 years as a K9. Deputy [REDACTED] was wearing a clearly marked Warren County Deputy K9 uniform on the date of the incident and was in a marked K9 patrol vehicle (Ford Explorer). [REDACTED] was working 0800 to 1600 hours on August 11, 2022, due to a schedule change. [REDACTED] body worn microphone either malfunctioned or was not turned on.

[REDACTED] stated that he was on regular patrol and was headed back to Deerfield Twp. from the main office in Lebanon. He heard on the state channel (OSHP) on the radio that the FBI was looking for an individual with a vest and a rifle in the area of I-71 North near King's Mill. [REDACTED] called his dispatch and was transferred to OSHP dispatch and advised that he had a dog and would be in the area.

He headed to the area and heard that troopers had located the vehicle and he fell in behind

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the troopers northbound on I-71 following the suspect vehicle. Information was updated that the subject had tried to break in to the FBI Building and was armed. [REDACTED] heard about the shot fired over the radio at the civilian van and was behind the troopers when the pursuit ended on Smith Road.

[REDACTED] initially believed there was a felony stop being executed on the vehicle, so he grabbed his K9 partner Mako and ran forward. [REDACTED] realized that gunfire was being exchanged when he ran forward and saw the windshield shot out and heard rounds "buzz by him" so he ran back to his vehicle, put the dog away and retrieved his rifle. [REDACTED] ran back to the left side of an OSHP patrol vehicle (Illanz) and could see the subject on the far side of the Crown Victoria, but was unable to see what he was doing. [REDACTED] stated the subject was near the rear wheel of the vehicle and could see the rifle in the subject's hands. [REDACTED] then engaged the subject with several rounds and stopped firing when he saw the trooper (Illanz) in front of him drop down. [REDACTED] believed that the trooper (Illanz) had been hit. [REDACTED] later learned the trooper had been injured from the muzzle blast of [REDACTED] rifle. After checking on the trooper (Illanz), [REDACTED] then no longer had a shot at the subject and stopped firing.

[REDACTED] and the troopers were later relieved and [REDACTED] responded back to the Warren County Sheriff's Office where he was met by a BCI Agent for photographs and to collect his SW M&P .223 rifle.

The interview was concluded at 1318 hours.

Attachments:

Attachment # 01: Deputy [REDACTED] [REDACTED] Crim. Notification

Attachment # 02: 2022-10-05 / Deputy [REDACTED] [REDACTED] Interview

Exhibit 1



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



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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).

Printed Name of Interviewee

10/5/22 1309
Date / Time

Signature of Interviewee

KEN SMITH
BCI Agent (Printed)

[Signature]
BCI Agent (Signature)

Exhibit 2

Included as a separate file.