



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



2023-2730

Officer Involved Critical Incident – 4312 Helena Avenue,
Youngstown, OH 44512, Mahoning County

Investigative Activity: Interview with Officer
Involves: Officer Robert Giovanni, Jr. (W)
Date of Activity: 01/24/2024
Author: SA John P. Tingley, #154

Narrative:

On Wednesday, January 24, 2024 at approximately 1003 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) John Tingley (Tingley) and SA Jack Shea (Shea) interviewed Youngstown Police Department (YPD) Officer (Ofc.) Robert Giovanni (Giovanni) who was accompanied by Daniel Leffler, attorney from the Ohio Patrolmen's Benevolent Association (OPBA). Also present was Officer Mike Quinn, a union representative from the YPD. The interview took place at the City of Youngstown City Building, in the Law Library, which is located at 26 South Phelps Street, Youngstown, Ohio. The interview was audio recorded.

Ofc. Giovanni was identified as being a law enforcement officer who witnessed and/or had some level of involvement in the October 12, 2023, officer-involved critical Incident which occurred at 4312 Helena Avenue, Youngstown, Ohio. Reportedly, Ofc. Giovanni did not discharge a firearm during the course of the incident. The purpose of the interview was to obtain all relevant information of the incident known or observed by this officer.

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 elicited during the interview and may not be reflective of the actual sequencing of questions nor is it a word-for-word translation of either the questions or answers. It is suggested that the full recording be reviewed to clarify any content or contextual questions regarding the information from the interview.

The interview began with SA Tingley presenting Ofc. Giovanni with the BCI Criminal Investigation Notification form which Ofc. Giovanni read, understood, and signed.

Ofc. Giovanni advised that he was not dispatched to the original call which led up to the officer-involved critical incident as he was in court. However, once he was done with court, he became aware of the call and proceeded to Helena Avenue. By the time he arrived, both

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Sergeant (Sgt.) [REDACTED] and Ofc. Hilliard were at 4312 Helena Avenue. He observed Sgt. [REDACTED] in his cruiser and Ofc. Hilliard with a subject (Ricco Acevedo) near the residence.

Ofc. Giovanni stated that he approached the residence and contacted Ofc. Hilliard and Acevedo. Ofc. Hilliard briefed him on the nature of the call and the information developed up to that point. Ofc. Giovanni then spoke with Acevedo. Acevedo stated that the homeowner had hired him to do some work at the residence.

Ofc. Giovanni advised that a short time later, Sgt. [REDACTED] returned to the residence and contacted Acevedo. Sgt. [REDACTED] told Acevedo that his information he gave to Sgt. [REDACTED] was false. Sgt. [REDACTED] then told Acevedo that he is going to be arrested at which point Acevedo ran into the residence. Sgt. [REDACTED] and Ofc. Giovanni follow Acevedo as Acevedo ran up the stairs to the second floor. Acevedo turned to the left at the top of the stairs and went down the hallway. Sgt. [REDACTED] stopped at the top of the stairs and begins giving commands to Acevedo.

Ofc. Giovanni stated that Acevedo kept saying that he had a gun and that the officers were going to have to shoot him. While Sgt. [REDACTED] was speaking with Acevedo, Ofc. Hilliard entered the residence and moved near the staircase. Sgt. [REDACTED] instructed Ofc. Hilliard to get the rifle from the cruiser and Ofc. Hilliard left. As the conversation between Sgt. [REDACTED] and Acevedo continued, Ofc. Giovanni heard Acevedo say that the police are going to have to kill him.

Ofc. Giovanni advised that he then heard footsteps and heard Sgt. [REDACTED] say "Don't do it". Sgt. [REDACTED] then fired three (3) rounds.

SA Tingley asked Ofc. Giovanni what the weather and lighting conditions were. Ofc. Giovanni stated that it was an overcast day but it was not dark as there were no curtains on the windows in the residence.

SA Tingley asked Ofc. Giovanni if medical treatment was summoned for Acevedo. Ofc. Giovanni advised that he called for medical assistance.

SA Tingley then asked if Ofc. Giovanni had watched body camera footage of the incident. Ofc. Giovanni responded "yes".

SA Tingley continued by asking Ofc. Giovanni if he had any previous contacts with Acevedo. Ofc. Giovanni replied that he did not think so.

The interview was then concluded at approximately 1011 hours.

This interview was audio recorded. The audio recordings and the signed BCI Criminal Investigation Notification Form are attached to this report. Please review the attachment and audio recordings for further details.

Attachments:

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Attachment # 01: 2023-2730 INTERVIEW YPD OFC GIOVANNI

Attachment # 02: 2023-2730 GIOVANNI CRIMINAL NOTIFICATION FORM



DAVE YOST
OHIO ATTORNEY GENERAL



Bureau of Criminal Investigation
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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).

Robert G. Grossman, Jr.

Printed Name of Interviewee

01/24/1000

Date / Time

[Signature]

Signature of Interviewee

Sgt. John Tingley

BCI Agent (Printed)

Sgt. John Tingley

BCI Agent (Signature)