

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



2022-2876 Officer Involved Critical Incident - 256 N. Swain, LaRue, Ohio (L)

| Investigative Activity: | Body Camera Review                                     |
|-------------------------|--|
| Involves:               | Stacy McCurry (W), Matt Creps (O), Jamie J Ralston (W) |
| Date of Activity:       | 01/18/2023   |
| Author:                 | SA Tiffany Vollmer, #49                                |

## Narrative:

On 12/20/2022, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Jason Snyder (SA Snyder) received video footage from the Marion County Sheriff's Department. On 1/03/23, SA Snyder received video footage from the Marion Police Department. SA Snyder was informed that the videos contained footage from the body cameras recorded by Marion County Deputy, Stacy McCurry (McCurry), and Marion Police Officers, Jamie Ralston (Ralston) and Matthew Creps (Creps).

The following are summaries and highlights of the video footage. All three officers are holding the perimeter at Section Street at the railroad crossing. The following are highlights from each officer's video.

Officer Ralston-Video 1: First video is 8 minutes and 16 seconds. Radio traffic heard through the video before the shooting included: Officers were coming down the train tracks. The K9 officer was told to release the K9. Beware: he has guns on him. He has a handgun and holster on his shoulder. Looks like he is wearing body armor.

Officers can be heard giving commands and the subject, Travis Hellinger (Hellinger), can be heard yelling back at them. Hellinger is warned about the K9 being released and Hellinger threatened to shoot the dog. The dog was released and as the dog got closer, at least two shots are heard and then multiple shots fired after that.

Ralston called for an ambulance. It is discussed that the K9 was hit by gunfire. Ralston approached the area of where Hellinger was laying. Officers can be heard talking about trying to locate Hellinger's weapons he had on him. Someone yelled for a tourniquet. An officer is heard talking about Hellinger's injuries being two in his side, crotch area and leg. Someone is heard saying there were ten officers that shot and none of them were hit. Someone is heard saying the squad was on standby and not sure why they were not there yet. Shortly after that, the ambulance arrived. Ralston's

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video was turned off.

Officer Ralston –Video 2: Second video is 12 minutes 46 seconds. Video back on. Ralston talked to Lt. **Example (Example)** said he shot at least two times. He then handed his weapon over to someone at the scene. Someone else can be heard saying no one was hit and they they had no idea if Hellinger was shooting at them or the dog.

Hellinger is seen being loaded into the ambulance. A K9 is seen being walked by it's handler. An officer takes off his equipment and puts it in the car. There was a discussion about traffic control and waiting on a car to pick up officers involved in the shooting.

Officer Creps- Video is 6 minutes and 39 seconds. Someone can be heard over radio traffic saying, "Someone got the 44mm, take it." Someone is heard talking about watching crossfire into the neighborhood. Someone is heard saying to release the K9 when the opportunity arises. Creps is heard warning to watch Hellinger's hand. The K9 was released and someone is heard yelling that Hellinger was going for the gun. At least two shots can be heard, which look to be coming from Hellinger's direction, then multiple shots are heard after that. Creps walked toward where Hellinger went down. Creps called the K9 over to him. There is a discussion if the K9 was hit. The video ended.

**Deputy McCurry**- Video is 11 minutes and 52 seconds. Someone can be heard on radio traffic saying, "He's going for a gun" and "Shots fired."

After the shooting, McCurry located the K9 and examined him for injuries. It was originally thought the dog was shot because he appeared to be limping.

Someone asked, "Did he shoot?" and someone answered "Yes, he shot." Someone said Hellinger had a gun with a 30 round magazine. Someone asked Officer **Methods** if he had to shoot and he said yes. He advised he had to go get his rifle. McCurry told him she would assist him. The video ended.

ADDITIONAL FACTORS FOR EVALUATING THE VIDEO RECORDINGS There are numerous other factors that need to be considered when reviewing and evaluating the videos and audio recordings of this incident.

Those factors are:

A. Video recording devices record within the video and sound capabilities available and they record objectively. Video recordings lack the history, perspective and interest of the people involved. The positions, angles, obstacles, lighting and distance from the incident are also factors that need serious consideration.

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B. Video recording devices also record more information about a particular scene or incident than the person(s) involved in the incident can process during the critical incident. Video recording devices rarely record an event from the same perspective of the officer. It captures the action, but not the perception, decision making, focus, or intent of the officer. Video recordings often miss tactile cues or other actions of a subject.

C. The speed of the incident is remarkable. The speed and complexity of rapidly evolving situation(s) that occur during use of force encounters are difficult concepts to comprehend by only watching the video.

The helmet/body camera video footage was submitted to the physical BCI case file.

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