



**Ohio Attorney General’s Office
Bureau of Criminal Investigation
Prosecutor Summary**



2023-2639

Officer Involved Critical Incident - 7498 Van Ness Avenue,
Hubbard, Ohio 44425, Trumbull County

Investigative Activity: Prosecutor Summary
To: Trumbull County Prosecutor Dennis Watkins
CC: N/A
From: Special Agent Supervisor Charles Moran #67
Date: 03/30/2024
Case Title: Officer-Involved Critical Incident -
7498 Van Ness Avenue, Hubbard, Ohio 44425,
Trumbull County
Case Numbers: BCI 2023-2639, BCI Lab 23-39093

Narrative:

This prosecutor summary report will serve as an overview of the Ohio Bureau of Criminal Investigation’s (BCI) case file and investigation of an officer-involved critical incident that occurred on October 3, 2023, in Hubbard Township, Trumbull County, Ohio. It is recommended that the reviewer of this report review the other reports, documents, and evidence for this case for more detailed information.

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Investigative Request

On Tuesday, October 3, 2023, at about 2300 hours, the Hubbard Township Police Department (HTPD) requested assistance from the BCI Special Investigations Unit (SIU) and Crime Scene Unit (CSU) with investigating the facts and circumstances surrounding an incident and subsequent officer-involved shooting incident.

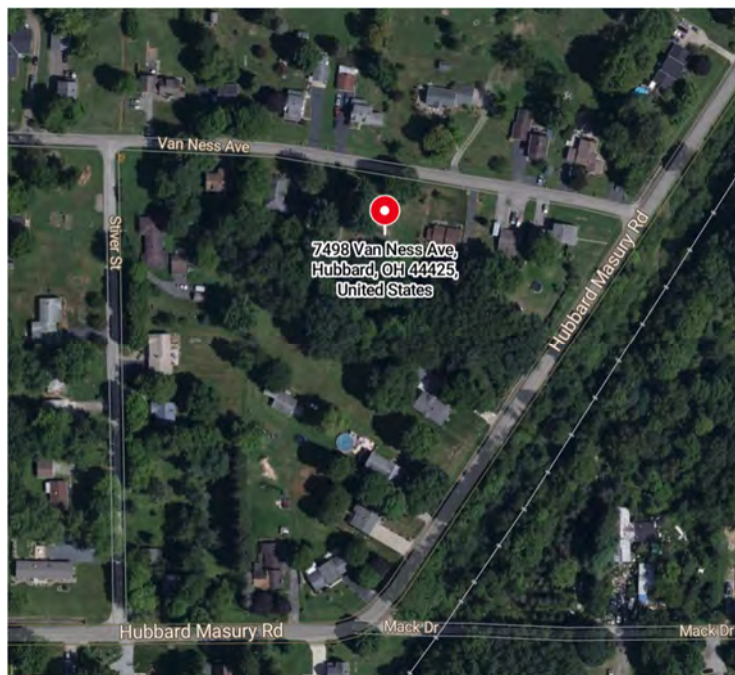
The incident occurred at about 2229 hours in the yard at a residential property located at 7498 Van Ness Avenue, Hubbard Township, Ohio 44425, in Trumbull County. The incident involved one male subject identified as:

1. Shawn Thomas

The incident also involved two law enforcement officers identified as:

1. Ohio State Highway Patrol Trooper [REDACTED]
2. Vienna Township Police Department Officer [REDACTED]

Below is an overhead map of the area:



Source: BCI investigative report: "2024-03-28: Review of Vienna Twp PD BWC Video"

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Preface

This report serves as a synopsis of the investigation into the October 3, 2023, incident and officer-involved shooting that occurred in Hubbard Township, Trumbull County, Ohio. This report only summarizes the information the investigative team determined to be the most useful in achieving an overall understanding of what occurred during the incident. Every fact and detail are not presented in this summary report. Therefore, it is recommended that each individual report from which this document is derived be read in order to obtain a complete understanding of this investigation. Further, audio and/or video recordings exist for the majority of the interviews conducted, revealing further details of statements given regarding the incident. This investigation was conducted with the purpose of determining, to the extent possible, the facts and circumstances surrounding this incident.

Investigative Team

BCI Special Agent (SA) Chuck Moran (Moran) from the Special Investigations Unit (SIU) was assigned as the lead agent on October 3, 2023. Assistance was provided by BCI SA Nick Valente, BCI SA Charlie Snyder, BCI SA Joe Goudy, and BCI SA Cory Momchilov. The investigation was supervised by Special Agent Supervisor (SAS) Jon Lieber and later SAS Moran.

BCI SAS Ed Lulla of the CSU processed the scene. BCI Computer Forensic Specialist (CFS) Natasha Branam of the Cyber Crimes Unit (CCU) performed an analysis of a cell phone.

Various personnel from the BCI crime laboratory performed scientific analyses on submitted items of potential physical evidence.

Summary of Process

The following is a partial list of investigative activities or methods which were employed during the course of this investigation by the investigative team in an effort to thoroughly and accurately locate and document all pertinent facts and circumstances regarding this incident:

- Recorded interviews of two law enforcement officers that discharged their weapons.

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- Recorded interviews of two law enforcement officers who were involved in the incident, at the scene, or otherwise deemed to potentially have relevant information.
- Conducted a neighborhood canvass.
- Interviewed one family member of the subject.
- Special Agent attendance to post-mortem examination (autopsy) of the deceased.
- Obtained and reviewed post-mortem examination (autopsy) and toxicology reports.
- Obtained and reviewed police reports of prior law enforcement contacts with the subject.
- Obtained and reviewed open and closed-source biographical information on the involved subjects, to include criminal history reports, OHLEG, driving records, etc.
- Reviewed all available body-worn cameras involved in the incident.
- Reviewed all available surveillance video which captured any portion of the incident.
- Processed the scene for potential evidence (photographing, searching, documenting, and collecting).
- Reviewed audio communications on the radio frequencies utilized during the incident.
- Reviewed 911/phone communications related to the incident.
- Reviewed dispatch/CAD records pertaining to the incident.
- Obtained an authorization letter from the prosecutor's office to examine and analyze the subject's cell phone.
- Reviewed data obtained from aforementioned items of electronic evidence.
- Conducted forensic laboratory examinations to include:
 - Firearm identification and testing of involved firearms, casings, and bullets.
 - Firearm operability testing.
- Collected and reviewed the departmental personnel files of the officers involved in the shooting, to include training and disciplinary records (if any).
- Reviewed firearm qualification and training records for involved officers.
- Verified the Ohio Peace Officer Training Commission (OPOTC) certification status of the officer(s) who discharged their weapons.
- Reviewed available audio/video recordings using Amped Five software.

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Incident Summary

On October 3, 2023, at about 2119 hours, the Trumbull County 911 Center received a call from [REDACTED] about an "unknown problem" that evolved into a domestic violence incident call. HTPD officers were dispatched to the residence located at 2180 Hubbard Masury Road SE, Hubbard Township, Ohio.

[REDACTED] provided dispatchers with information about the domestic violence incident and that her husband, Shawn Thomas, was intoxicated and was in their bedroom with her and was holding guns in his hands. Officers arrived and used their public address system to make announcements to Shawn Thomas to exit the residence with his hands in the air.

During the incident, Shawn Thomas fled out of the back of the house and into a dark, wooded area between multiple houses in the neighborhood. Shawn Thomas also called 911 and spoke with dispatchers throughout the incident. Officers from multiple law enforcement agencies responded to assist and set up a perimeter. Dispatchers requested Shawn Thomas to put his guns down and surrender. Officers at the scene made announcements requesting Shawn Thomas to put his guns down and surrender. Shawn Thomas made comments to the dispatchers about how he would shoot the police lights and how he might shoot the officers if they did not stay away.

The perimeter, search, and conversations with Shawn Thomas continued until about 2229 hours. At that time, Shawn Thomas emerged from a wooded area near 7498 Van Ness Avenue and was encountered by Ohio State Highway Patrol (OSHP) Trooper [REDACTED] [REDACTED] and Vienna Township Police Department (VTPD) Officer [REDACTED] [REDACTED]. Both law enforcement officers provided verbal commands to Shawn Thomas to put his guns down. A short time later, both law enforcement officers fired one gunshot each. One round struck Shawn Thomas and he went to the ground in a small ravine. A short time later, multiple officers approached Shawn Thomas and paramedics arrived and began to render medical aid. Shawn Thomas was transported to an area hospital for further medical treatment. He was later pronounced deceased by hospital medical staff.

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Crime Scene Processing

BCI CSU SAS Ed Lulla processed the scene with assistance from OSHP Sergeant Cannon.

7498/7524 Van Ness Avenue - Exterior Scene

Prior to any of the items of evidence being collected, the crime scene was documented by the OSHP using a Total Station. The following items were collected as evidence:

1. Rifle, Windham Armory, (used by VTPD Officer [REDACTED])
2. Shotgun, Mossburg, (possessed by Shawn Thomas)
3. Tactical gloves
4. DNA swab of stain on police shield
5. Shotgun, Maverick Arms, (possessed by Shawn Thomas)
6. Mobile phone, (used by Shawn Thomas)
7. Fired cartridge casing
8. Rifle, Aero Precision, (used by OSHP Trooper [REDACTED])

Below are images that were included in SAS Lulla's investigative report, "2023-10-4 (Initial Crime Scene Processing):



Windham Weaponry .223/5.56mm. SER# [REDACTED] (Vienna Police Department / Officer [REDACTED])

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An examination of the weapon revealed a cartridge in the chamber and 28 cartridges in the magazine.



Mossberg 20-gauge shotgun, SER# K476378, contained no ammunition

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Maverick Arms 12-gauge shotgun, SER#MV15911A, contained no ammunition



Mobile phone

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Location of Photo ID Items #2 - #6 in reference to each other

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Photo ID #1 in reference to #2, #3 & #4

SAS Lulla and multiple OSHP troopers conducted a systematic search of the area was made in an attempt to locate any cartridge casings. As a result of the search, one cartridge casing, a Hornady .223 REM was located, marked as Photo ID#7, collected, and secured.

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Photo ID #7 Cartridge Casing, located in the front yard of 7524 Van Ness Avenue



Photo ID #7 Cartridge Casing, located in the front yard of 7524 Van Ness Avenue

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Photo ID #7 Cartridge Casing, located in the front yard of 7524 Van Ness Avenue



Photo ID #8, Aero Precision M4E1, SER# [REDACTED]

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Photo ID #8, 1 cartridge in chamber, 26 cartridges in weapons magazine

Items Collected at Hospital

SA Snyder responded to Mercy Health – St. Elizabeth’s Hospital in Youngstown, Ohio. SA Snyder learned Shawn Thomas had suffered a fatal upper right ballistic chest wound. Shawn Thomas' death was declared at 0055 hours by Doctor Gruber. Snyder was allowed to access operating room #1, where Shawn Thomas was at that time located. Snyder then secured six iPhone images of the Shawn Thomas body.

SA Snyder also met with HTPD Officer Reed, who provided items removed from Shawn Thomas at the hospital. Those items included a large plastic bag purported to contain clothing from Shawn Thomas; a brown paper bag containing a pair of dark color athletic style shoes, a surgical type glove containing a pair of handcuffs reportedly removed from Shawn Thomas after his arrival at the hospital. Hospital personnel also provided SA Snyder with a watch that had also been removed from Shawn Thomas.

For more details, please refer to SA Snyder’s investigative report, “2023-10-04: Incident Scene Response – Actions Taken.”

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BCI Laboratory Analysis

Various items of evidence were submitted to the BCI Laboratory for analysis. The actual reports should be consulted, as the following synopsis does not include many of the details from the full reports.

On October 20, 2023, SAS Moran submitted five evidence items to the BCI Laboratory in Richfield, Ohio.

On November 8, 2023, SAS Moran received an email notification from the BCI Laboratory that a lab report was ready to be downloaded for BCI Lab case number 23-339093. The BCI Lab report originated from the Firearms section and was authored by Forensic Scientist Jonathan Gardner. The lab items and results were:

Location at Scene	BCI CSU #	Matrix #	BCI Lab #	Item Description	BCI Lab Results
Used by VTPD Ofc. [REDACTED]	1	001	1	One (1) Windham Weaponry 223 Remington / 5.56x45mm semi- automatic rifle, model WW-15, serial number [REDACTED] one (1) magazine and twenty- nine (29) 223 Remington cartridges.	Operable. Source identification to lab item 4.
Grass near ditch and subject,	2	002	2	One (1) Mossberg 20 Gauge pump-action	Operable.

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Shawn Thomas				shotgun, model 500C, serial number K476378.	
Grass near ditch and subject, Shawn Thomas	5	005	3	One (1) Maverick Arms 12 Gauge pump-action shotgun, model 88, serial number MV15911A.	Operable
Grass near corner of residence	7	007	4	One (1) fired 223 Remington cartridge case.	Source identification to lab item 1.
Used by OSHP Trooper [REDACTED]	8	008	5	One (1) Aero Precision 223 Remington / 5.56x45mm semi-automatic rifle, M4E1, serial number [REDACTED] one (1) magazine and twenty-seven (27) 223 Remington cartridges.	Operable.

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Neighborhood Canvass

SAS Moran conducted multiple interviews of residents in the neighborhood.

Dean Evans – 7523 Van Ness Avenue

On October 4, 2023, SAS Moran spoke with Dean Evans (Evans) by phone. He resides at 7523 Van Ness Avenue. Evans said no one was at his home at the time of the incident.

Frank Cwynar – 7498 Van Ness Avenue

On October 4, 2023, SAS Moran spoke with Frank Cwynar (Cwynar) by phone. He resides at 7498 Van Ness Avenue. Cwynar said he was awakened at 0030 hours that morning after he saw “blue flashing lights” on the wall inside his residence. Cwynar said he was “anxious” and watched the activity from his window. Cwynar said the shooting occurred on his property in an area he calls the “little ravine.”

SAS Moran asked Cwynar if anyone at his residence saw or heard the shooting. Cwynar responded, “No. We were sleeping. We got up at 12:30. And from what I understand at 12:30 it was virtually over other than the investigation part.” SAS Moran said he was just checking to determine if anyone at Cwynar’s residence saw or heard anything related to the incident and shooting. Cwynar stated, “No. No. Not at all.” He also said his air conditioner was running at the time and there were no open windows to hear anything.

Delaine Koelliker – 7524 Van Ness Avenue

On October 9, 2023, SAS Moran spoke with Delaine Koelliker (Koelliker) at her residence. Koelliker said the subject was in the “ravine” and was hiding. She said she “had no idea” if the subject was trying to enter her house. Koelliker said she always keeps her doors locked and confirmed that she heard the subject trying to open the doors. She said she lives alone.

Koelliker told SAS Moran that she did not see the shooting incident. She said her daughter called her and told her to go to her basement and lock her doors. She believed that the subject was “looking for somewhere to hide.” Koelliker explained that everything happened in the “ravine.” She admitted that she was “scared.” Koelliker said the officers were at her residence during the incident. She did not have any cameras attached to the exterior of her residence. She did not know the subject involved, but believed he was “on drugs.”

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Karen Fisher – Daughter of Delaine Koelliker

On October 20, 2023, SAS Moran spoke with Karen Fisher (Fisher) by phone. Fisher said her mother was Delaine Koelliker and there were some surveillance cameras at Koelliker's house. Fisher said Koelliker has "dementia" and that is why the home surveillance cameras were installed. Fisher told SA Moran that there were two video recordings saved. One video recording showed the officers behind Koelliker's house and the other video recording was from inside the house and it captured the sound of the gunshots that were fired. Neither recording showed the shooting incident.

Fisher explained that the interior camera did not record the shooting incident other than the sound of the gunshots at about 2229 hours. She said the exterior camera faced the backyard and did not record the shooting incident either. Fisher also told SAS Moran that Koelliker does not know that the cameras are at her house.

Linda Schall – Daughter of Delaine Koelliker

On October 20, 2023, SAS Moran spoke with Linda Schall (Schall) by phone. Schall said her daughter-in-law lived in the area where the incident occurred on October 3, 2023. Schall's daughter-in-law alerted her about the incident and Schall began to monitor the home surveillance cameras at her mother's, Delaine Koelliker (Koelliker), residence.

Schall said she was talking with her sister, Karen Fisher (Fisher), by phone during the incident. When Schall "heard" the gunshots, she told Fisher to call Koelliker. Schall called 911. Schall said she could not see the shooting because it occurred outside of the field-of-view of the cameras. Schall said there was one exterior camera and two interior cameras. She said she heard the gunshots at 2229 hours and the gunshots were about one second apart. She reiterated that she did not see the shooting incident. Schall said she monitored the video feed through an application on her phone called "Kami." Schall believed that she saved the recording of the interior camera inside Koelliker's residence, but it removed the timestamp. She could only view one video at a time.

SAS Moran asked Schall if she recalled hearing or seeing anyone pulling on the doors to Koelliker's house. Schall responded, "No. No. There was nobody pulling on the doors whatsoever." SA Moran said Koelliker told him that when he spoke to her after the incident. Schall said Koelliker has "dementia." Schall said the male subject was not in Koelliker's backyard because she did not see him on the camera that covered the area.

Schall said Fisher did not have the exterior camera set to record and Fisher saw the officers in the backyard after the incident. Schall believed the officers were waiting because the subject might have been moving in the "hollow" in Koelliker's side yard. Again, Schall told SA Moran that the cameras did not show the shooting incident. Schall
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heard the gunshots. She said she heard a dog barking and heard the police providing commands. Schall said she did not know the male subject that was involved in the incident.

Schall was not certain if the home surveillance camera account was in Fisher's name or in her brother-in-law's, Robert Patrick (Robert), name. Schall said Patrick's wife was Mary Patrick (Mary). SAS Moran asked Schall to tell Robert or Mary to contact him if they had any additional information.

(Note: SAS Moran was never contacted by Robert or Mary Patrick.)

Michael Bayus -7545 Van Ness Avenue

On October 17, 2023, SAS Moran spoke with Michael Bayus (Bayus) by phone. He resides at 7545 Van Ness Avenue. Bayus said the incident occurred across the street and diagonal from his residence at 7545 Van Ness Avenue. On the night of the incident, Bayus received a phone call from his neighbors, who were not home at the time, and they wanted to know what was "going on." Bayus said another neighbor, Thomas Delfratte (Delfratte), has a police "scanner" and was posting updates to Facebook. Bayus checked Delfratte's Facebook page and learned that there was a person in the neighborhood with "two loaded shotguns" and the neighborhood was on "lockdown." Bayus called other neighbors and warned them.

Bayus saw the police cars outside and turned all of his lights on at his residence. He saw law enforcement officers walk by the front of his house. He was certain that no one was in his back yard because his motion detector lights were not activated. Bayus continued checking Delfratte's Facebook page for updates. Bayus was concerned because his wife had not returned home from work yet. Bayus learned from Delfratte's Facebook page that the subject involved in the incident had tried to "get in somebody's back door."

At about 2230 hours, Bayus heard, "Put the gun down! Put it down!" Bayus said he moved toward the back of his residence. He said the law enforcement officers were in his yard and in the street. Bayus heard two gunshots. Bayus confirmed that he did not see the shooting and only heard the gunshots. Bayus said Delfratte possibly heard both gunshots too. SAS Moran asked Bayus to provide Delfratte with SAS Moran's contact information and requested Delfratte to contact SAS Moran.

(Note: Delfratte never contacted SAS Moran.)

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Dispatch Recordings and Radio Traffic

SAS Moran reviewed dispatch recording and radio traffic recordings received from the Trumbull County 911 Center.

911 Calls

File Name	2023-10-03_21.10.14_Ch9.WAV
Notes	<p>This audio recording was 12 minutes and 34 seconds (12:34) long. [REDACTED] spoke with a dispatcher and said her husband was “trying to kill” her and was “threatening to kill himself.” She identified her husband as Shawn Thomas and said he had “several rifles.” She said he was in another room with the guns. In the background, [REDACTED] was heard saying, “Put the gun away.” multiple times. She also said, “You are out of control.”</p> <p>[REDACTED] confirmed that Shawn Thomas had a gun in his hand, and she was uncertain if it was a rifle or a shotgun. She said she heard him loading it. She said he mentioned that he would be in trouble if the police came, and he had been “drinking all day.” [REDACTED] said Shawn Thomas was “choking” her earlier and he said he could “do whatever he wants.”</p> <p>Shawn Thomas spoke with the dispatcher, and he said he did not want the police to come. He was upset that [REDACTED] was going to Florida for five days and he would be left at home to handle everything. The dispatcher tried to explain that the police had to come to the scene and that he was not in trouble at that time. Shawn Thomas repeated that he was going to go to jail, and he did “not really” do anything wrong. He said, “I choked her.” [REDACTED] said Shawn Thomas went to get a gun. Shawn Thomas yelled that he had “shotguns” all over the house. [REDACTED] said Shawn Thomas was choking her and said he would “take her out” and then “take himself out.” Shawn Thomas yelled about how he was not going back to jail.</p> <p>Shawn Thomas yelled about the police being in front of his house. [REDACTED] told the dispatcher that Shawn Thomas had a gun and went downstairs. [REDACTED] said Shawn Thomas was “crazy, absolutely</p>

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	crazy." She said Shawn Thomas' cell phone number was 724-557-4876. The audio recording ended.
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File Name	2023-10-03_21.22.58_Ch9.WAV
Notes	This audio recording was 5 minutes and 42 seconds (05:42) long. ██████ spoke with the dispatcher. She said she did not need an ambulance. She said Shawn Thomas has done things like this before, but she has never called the police. She believed that Shawn Thomas was going to "shoot himself." She stated, "Seriously, he's out of his mind." She explained that Shawn Thomas had issues with alcohol and left work at 0900 hours and came home drunk. She was not certain if Shawn Thomas used drugs, but she believed that he might use drugs. The dispatcher told ██████ to leave the residence multiple times. The audio recording ended.

File Name	2023-10-03_21.32.10_Ch9.WAV
Notes	This audio recording was 56 seconds (00:56) long. ██████ told the dispatcher that Shawn Thomas left the residence with either a rifle or a shotgun and it was "camo." The audio recording ended.

File Name	2023-10-03_21.33.11_Ch9.WAV
Notes	The audio recording was 14 seconds (00:14) long. ██████ spoke about how Shawn Thomas was worried that she got him in "more trouble" and that he would go back to jail. She said he was in jail last year and two years ago for a "DUI." The audio recording ended.

File Name	2023-10-03_21.33.41_Ch9.WAV
Notes	The audio recording was 1 minute and 14 seconds (01:14) long. ██████ told the dispatcher that Shawn Thomas was an alcoholic and was likely drinking beer that day. The audio recording ended.

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2023-2639

Officer Involved Critical Incident - 7498 Van Ness Avenue,
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Recorded Calls with Shawn Thomas

File Name	2023-10-03_21.26.40_Ch7.WAV
Notes	<p>This audio recording was 4 minutes and 39 seconds (04:39) long. A dispatcher spoke with the male subject, Shawn Thomas (Shawn Thomas) by phone. Shawn Thomas said if “they keep pushing forward I might fucking shoot.” The dispatcher asked Shawn Thomas to put the guns down and he refused until “they push back.” He refused to tell the dispatcher where he was, and he said the officers could not see him. He said the officers wanted to shoot him.</p> <p>The dispatcher said the officers wanted to speak with him and Shawn Thomas responded, “The fuck they don’t.” The dispatcher told Shawn Thomas that if he kept the gun in his hands that he might be shot. Shawn Thomas responded, “Well, I can shoot too.” He added, “And I got a fucking buckshot in here.” He yelled about the “fucking cops” and told the dispatcher they needed to get the “fucking light out of my face.” Shawn Thomas said his wife “should never have done this in the first place.” He said he was going to go to jail for “no reason.” He said they got into a fight, and she called the police and told them that he had guns. He said, “Yeah, I got guns.”</p> <p>Shawn Thomas complained about the lights again and said, “I’m about ready to cap one off at his ass.” The dispatcher told him not to and he added, “I don’t care.” Shawn Thomas told the dispatcher that the officers were in his “sight”, and they did not know where he was at. He said, “If they shoot, I’ll shoot.” He told the dispatchers that the officers should not come up the driveway because he had “a gun on them there too.” The dispatcher asked Shawn Thomas how many guns he had “sighted.” He responded, “I got two sighted.” He added, “I’m a really good shot.” He stated, “If they come up the fucking driveway trying to sneak up on me somebody’s gonna get fucking shot.”</p> <p>Shawn Thomas complained about the lights again. He said the police were “little bitches” and they told him to drop his gun but he “kept walking and they didn’t do shit.” He said, “It’s fucking Hubbard Township. They’re a bunch of goddamn pussies.” He yelled, “Shut the fuck up!” The audio recording ended.</p>

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File Name	2023-10-03_21.31.25_Ch7.WAV
Notes	This audio recording was 3 minutes (03:00) long. Shawn Thomas said the police were talking to each other. He stated, "They won't talk to me. I'll put a few fucking rounds down there, I bet they'll start talking." Shawn Thomas said he got into a fight with his wife, and she was a "cunt." Shawn Thomas yelled about the light and said he would put it out with "buckshot." He said he had an officer "dead fucking in my sight" if he did not turn the light off. He said he had "six-inch mags" in his shotguns. He said he had "five" rounds in one shotgun and "three" rounds in the other shotgun. He said the officers should not get close or they would get "fucking nailed." He said he had to move to a different spot to "get a fucking better shot." The audio recording ended.

File Name	2023-10-03_21.34.29_Ch7.WAV
Notes	This audio recording was 4 minutes and 40 seconds (04:40) long. Shawn Thomas asked he could arrest the "dumb fucks" because they had no idea where he was at. The dispatcher told Shawn Thomas to put the guns down and come out with his hands up. He responded, "Ain't gonna happen." He said the officers did not know that he moved and still had the light on the area where he moved from. Shawn Thomas said, "Can I punch around on them?" He said he wanted to go around the officers and "surprise" them. He complained about the light again. Shawn Thomas said he wanted to speak to his mother. The audio recording ended.

File Name	2023-10-03_21.39.14_Ch7.WAV
Notes	This audio recording was 3 minutes (03:00) long. Shawn Thomas said he was getting ready to "bug out of here" to an area that was "two miles" from there. He told the dispatcher that the officers should not come down the driveway because he had a gun pointed in that direction. He said the officers turned off a security light that was on his house. He asked the dispatcher to call his wife and ask her, "Why did she do this?" Shawn Thomas heard a male dispatcher talking about him putting his guns down and he became agitated. He stated, "Put about five rounds up there, I bet all them boys move." The audio recording ended.

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Officer Involved Critical Incident - 7498 Van Ness Avenue,
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File Name	2023-10-03_21.42.20_Ch7.WAV
Notes	This audio recording was 1 minute and 18 seconds (01:18) long. Shawn Thomas stated, "It's gonna be a bad fucking day for me." He mentioned "going out in a blaze of glory." Shawn Thomas stated, "Well, ask them if they know to hit me in the fucking chest." He said he did not want them to shoot him either but wanted them to go away. He said if the officers moved closer, he was going to "put rounds down." Shawn Thomas heard a male dispatcher talking about him putting his guns down and he became agitated. He refused to come out without the guns. The audio recording ended.

File Name	2023-10-03_21.43.43_Ch7.WAV
Notes	<p>This audio recording was 5 minutes and 8 seconds (05:08) long. Shawn Thomas said, "Well, tell them to fucking pop one off. We'll see how many they get and how many I get. Well, I guarantee I'll get one or two of them. I'm not saying I'm going to kill them. Just going to sting them a little bit. It'll hit them in the chest. They'll be fine." He told the dispatcher to tell the officers to stop moving in from the other side or he would put "rounds" on them. He was agitated and said he had to move again. He said he moved, and the officers could not find him.</p> <p>The dispatcher asked Shawn Thomas how long he was married. He said, "Forever." He added he did not care about his marriage. He said if the police did not arrest him that he would put his guns down and go into his house. He added, "But if they want to go balls to the wall, we'll go balls to the wall. I only got 10 shots so..." He said the officers did not know where he was. The dispatcher mentioned that they were going to try to connect Shawn Thomas' mother to the call. The audio recording ended.</p>

File Name	2023-10-03_21.48.59_Ch7.WAV
Notes	This audio recording was 1 minute and 38 seconds (01:38) long. Shawn Thomas mentioned that "these fucks" (officers) did not know where he was. He was agitated when he heard a male dispatcher in the background talking about putting his guns down. Shawn Thomas said he was moving again. The dispatcher told Shawn Thomas that he did not answer when his mother called. The audio recording ended.

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File Name	2023-10-03_21.50.42_Ch7.WAV
Notes	<p>This audio recording was 8 minutes and 43 seconds (08:43) long. The dispatcher told Shawn Thomas that he did not answer when his mother called. He said he was moving. Shawn Thomas said the phone was "lighting me up" and the officers would know where he was at. He said the officer(s) walked past him once and he should "have fucking shot them." Shawn Thomas said he did not want to shoot anyone. The dispatcher said she did not want him to get shot either. Shawn Thomas responded, "I don't really care anymore. Tell them to make sure they hit me in the head, so I don't suffer. Well, it will probably come down to that so..." The dispatcher asked Shawn Thomas how much he had to drink, and he said, "Enough." He said he drank beer.</p> <p>He complained about the lights again. Shawn Thomas said the officers moved through the yard and could not find him. He said, "If I was a killer, they'd (have) both been dead." He added, "I'm serious." He asked if the officers wanted a "shootout." He said he was going to move again and told the dispatcher to tell the officers to go away and he would go home. He said his wife was a "cunt" and he was going to go to jail for the rest of his life. He mentioned an officer that saw him, and the officer moved back. He said he has been a hunter all of his life and "concealment" was one of his specialties.</p> <p>He asked what time it was, and the dispatcher said it was 2157 hours. Shawn Thomas said he wondered if he could keep the officers there until 0600 hours. He said he would "quit" if the police dog was released, and he would not shoot the dog. The audio recording ended.</p>

File Name	2023-10-03_21.59.58_Ch7.WAV
Notes	<p>This audio recording was 6 minutes and 7 seconds (06:07) long. The dispatcher asked Shawn Thomas if he could hear the officers on the "PA" system. He said he could hear them but could not hear what they were saying because he was so far away from them. He said concealment was his specialty. He asked the dispatcher if she was "pinging" his phone. He mentioned shooting his porch light out and how that would "wake up" the officers. He talked about going back to</p>

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	jail and he would “go down guns blazing.” He was concerned that he would just be wounded and did not have it all “clear” in his head. The audio recording ended.
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File Name	2023-10-03_22.10.46_Ch7.WAV
Notes	<p>This audio recording was 9 minutes and 31 seconds (09:31) long. Shawn Thomas said these “fucks” were “ridiculous.” He said he had “300 acres” to “fucking play with these guys.” He said he could go through a pipe and into a field. He mentioned that he was going to jail. He said he was going to have to move again. He mentioned that he was moving through a “hollow.”</p> <p>Shawn Thomas mentioned that he did not have a light and it was “tricky” moving through the hollow. He explained that the pipe went under the road. He mentioned that the officers had a dog. He told the dispatcher that he believed they were tracking his phone. The audio recording ended.</p>

File Name	2023-10-03_22.20.27_Ch7.WAV
Notes	<p>This audio recording was 3 minutes and 14 seconds (03:14) long. Shawn Thomas said the “hollow” was wet and full of mud. He said he did not want to shoot the police dog. He said he was watching the officers and was “10 feet away” from them and they did not see him. The audio recording ended.</p>

File Name	2023-10-03_22.23.46_Ch7.WAV
Notes	<p>This audio recording was 4 minutes and 1 second (04:01) long. Shawn Thomas said, “It was nice talking to you. I’m probably going to have to give up.” A dog was heard barking in the background. Shawn Thomas yelled, “Send the dog! Fucking send the dog then! Fuck you! Send the dog! Final warning! Send that fucking dog!”</p> <p>Shawn Thomas yelled, “Send the fucking dog pussy! Do not send that dog! I’m asking you! I, all you guys shut the fuck up for a minute! All of you! Turn that fucking light off for a second! Get it out of my face! Now! Oh, fuck you (unintelligible) get that light out of my face. Do not send</p>

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	that fucking dog! I do not want to hurt that dog! Alright! I will give up but don't send that fucking dog because if you send that fucking dog, I'm going to send him to heaven and then I'm going to be a sorry motherfucker! Alright! Don't send the dog. Shut your fucking mouth and don't send the dog. Don't tell me what to do asshole! Shut your fucking mouth!" The audio recording ended.
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File Name	2023-10-03_22.27.56_Ch7.WAV
Notes	This audio recording was 1 minute and 33 seconds (01:33) long. Shawn Thomas said the "dumbasses cornered" him in the hollow and he told the officers he would shoot the dog. Shawn Thomas yelled, "Shut the fuck up! Shut up!" He stated, "Alright, we got problems now." He said something that was unintelligible and then yelled. The audio recording ended.

File Name	2023-10-03_22.29.34_Ch7.WAV
Notes	This audio recording was 1 minute and 54 seconds (01:54) long. Shawn Thomas was moaning and groaning. He did not respond to any questions from the dispatcher. (This was likely after he was shot. Radio traffic was heard in the background about shots being fired and the subject was down.) The audio recording ended.

Radio Traffic

File Name	2023-10-03_21.11.54_Ch25.WAV
Notes	A dispatcher radioed to the HTPD and provided information about the incident at 2180 Masury Road. A dispatcher radioed to the officer that Shawn Thomas made threats to "kill her (wife) and himself." A dispatcher indicated that Shawn Thomas was in a room inside the residence with "rifles." The officer requested assistance from the Brookfield Township Police Department (BTPD).

File Name	2023-10-03_21.13.53_Ch25.WAV
Notes	A dispatcher radioed that the caller reported that Shawn Thomas was inside the house and had either a rifle or a shotgun in his hand. An officer asked for assistance from the Hubbard Police Department (HPD).

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File Name	2023-10-03_21.20.27_Ch25.WAV
Notes	A dispatcher radioed, "Units be advised, he's walking down the steps with a shotgun."

File Name	2023-10-03_21.21.26_Ch27.WAV
Notes	A dispatcher radioed, "Unit be advised, he's somewhere on the first floor with a shotgun in his hand." An officer radioed, "2110, he went into the woods with a shotgun in his hand." The officer requested additional assistance.

File Name	2023-10-03_21.21.48_Ch54.WAV
Notes	A dispatcher radioed, "924, he went into the woods with a shotgun in his hand."

File Name	2023-10-03_21.32.41_Ch25.WAV
Notes	A dispatcher radioed, "Units be advised, he's saying he's going to shoot the lights out with a buckshot."

File Name	2023-10-03_21.33.17_Ch27.WAV
Notes	A dispatcher radioed, "Units be advised, he's claiming he has two shotguns now. Two shotguns."

File Name	2023-10-03_21.38.09_Ch27.WAV
Notes	A dispatcher radioed about Shawn Thomas asking to go around and "surprise" the officers and another dispatcher told him "No." A dispatcher radioed that the guns were "camo."

File Name	2023-10-03_21.43.18_Ch27.WAV
Notes	A dispatcher radioed, "Units be advised, he's saying he's going to shoot his gun. Shoot rounds off."

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File Name	2023-10-03_21.53.24_Ch25.WAV
Notes	A dispatcher radioed, "Units be advised, he said that you guys walked past him twice already."

File Name	2023-10-03_22.26.15_Ch54.WAV and 2023-10-03_22.26.28_Ch25.WAV
Notes	An officer radioed, "Behind a tree. He's got a shotgun in his left hand." A dispatcher radioed, "Units be advised. He's behind a tree. Shotgun in left hand. Signal five."

File Name	2023-10-03_22.27.33_Ch54.WAV and 2023-10-03_22.27.48_Ch25.WAV
Notes	An officer radioed, "He has two slung. He's heading up towards the road now. Two shotguns slung. Unit on the road he's up there coming to you." A dispatcher radioed, "Unit on the road he's walking to you. Unit on the road walking to you. Two shotguns."

File Name	2023-10-03_22.27.53_Ch54.WAV
Notes	An officer radioed, "Unit on the road he's walking to you. Unit on the road he's walking to you."

File Name	2023-10-03_22.29.06_Ch54.WAV and 2023-10-03_22.29.20_Ch25.WAV
Notes	An officer radioed, "Hey, we got contact up here on Stiver." A dispatcher radioed, "Units, contact on Stiver now. Contact on Stiver per 1756."

File Name	2023-10-03_22.29.31_Ch54.WAV 2023-10-03_22.29.35_Ch25.WAV 2023-10-03_22.30.01_Ch54.WAV 2023-10-03_22.30.04_Ch25.WAV 2023-10-03_22.30.16_Ch54.WAV
Notes	An officer radioed, "█ shots fired. █ shots fired." A dispatcher radioed, "Copy. Shots fired. Shots fired." An officer radioed, "█ one shot fired." A dispatcher radioed, "Copy █ One shot fired." An officer radioed, "That was two shots. Two shots fired." A dispatcher radioed, "Copy. Two shots fired."

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	An officer radioed, "Radio, two shots fired."
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File Name	2023-10-03_22.30.38_Ch54.WAV 2023-10-03_22.30.40_Ch54.WAV
Notes	An officer radioed, "16, get a squad here." A dispatcher radioed, "Copy. Getting a squad. Male is still on 911 moaning."

There was radio traffic indicating that Shawn Thomas was transported by ambulance to St. Elizabeth's Hospital.

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Subject Information – Shawn Thomas

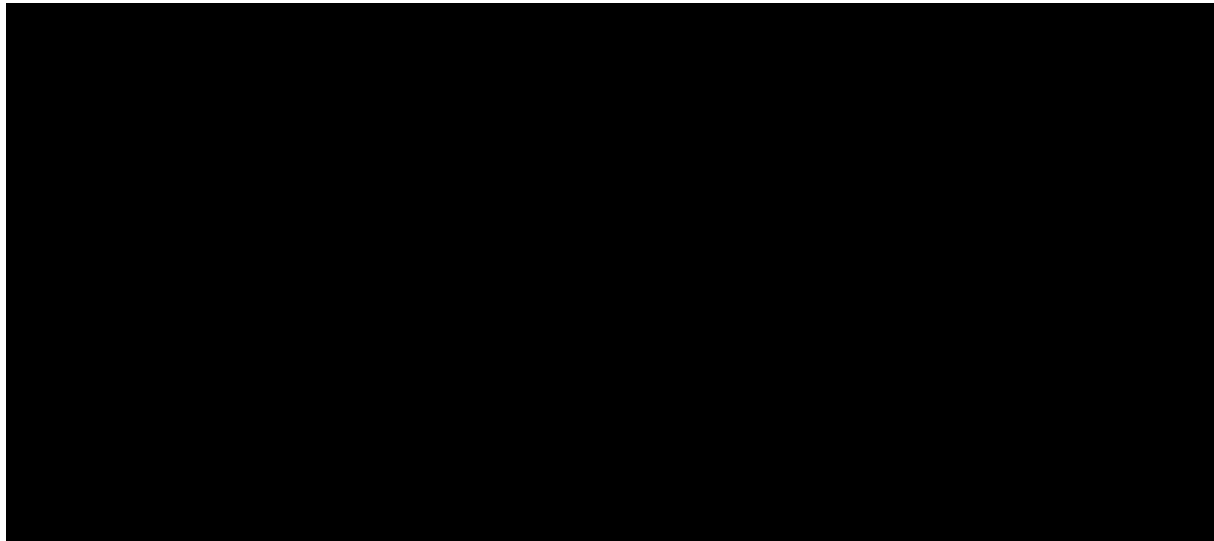
This section contains information about the subject, Shawn Thomas.

Autopsy Results

On February 27, 2024, SAS Moran received Shawn Thomas' autopsy and toxicology report from the Mahoning County Coroner's Office. SAS Moran reviewed the report and noted the following:

Pages 1-4 – This was the "Toxicology Laboratory Final Report" for Thomas.

The toxicology lab testing was conducted by the Cuyahoga County Regional Forensic Science Laboratory. It provided the following information:



Screen capture from page 1.

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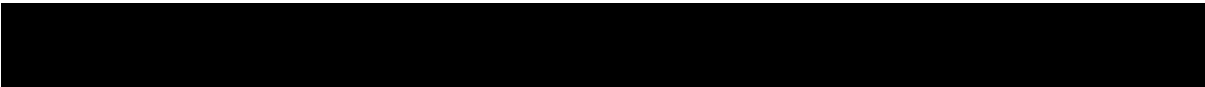
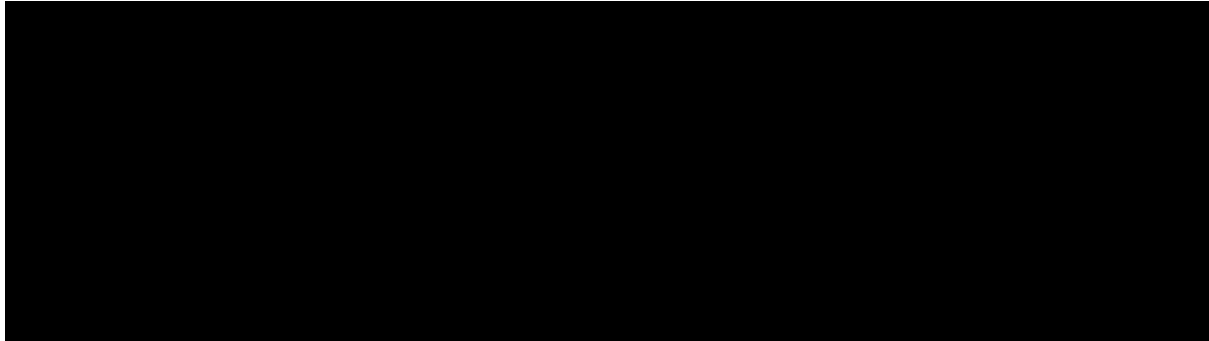


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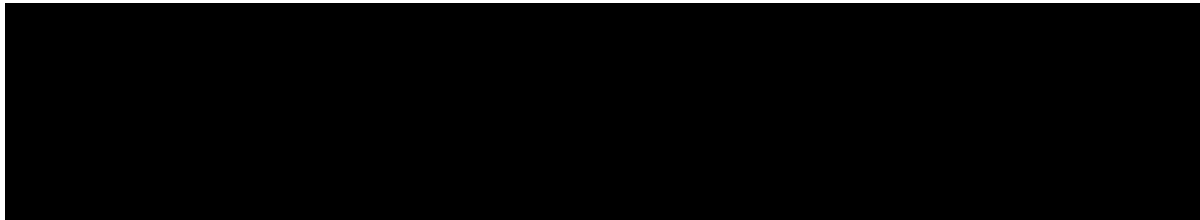


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Screen captures from pages 1-2.



Screen capture from page 2.

Pages 5-9 – This was the “Report of Autopsy” for Thomas.

The autopsy was conducted at the Cuyahoga County Medical Examiner’s Office by Elizabeth Mooney (Mooney). The autopsy report provided the following information:

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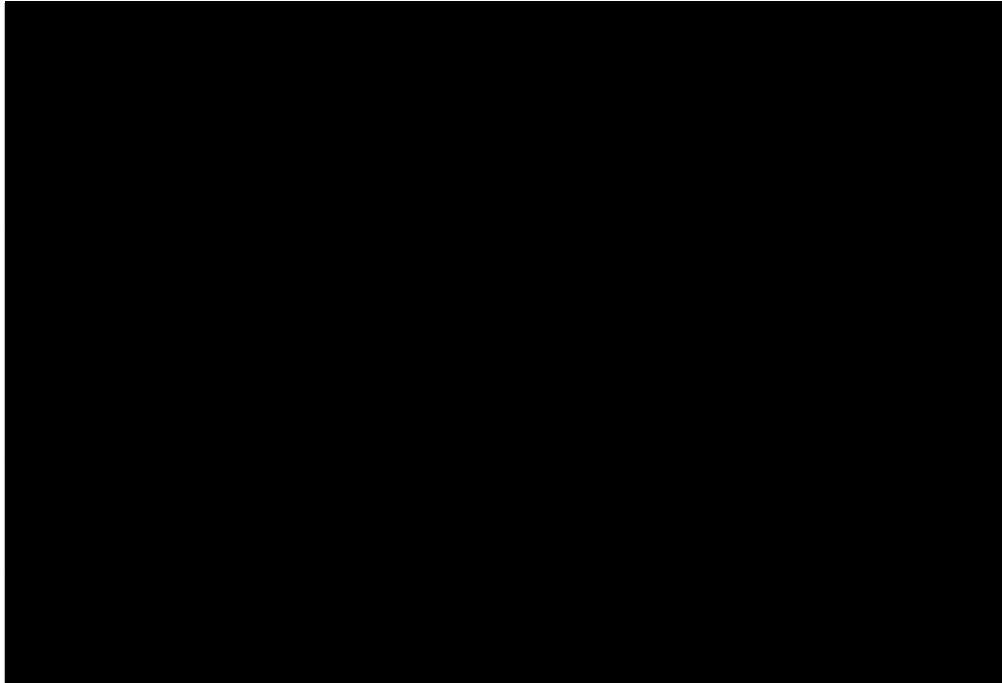


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Screen capture from page 5.

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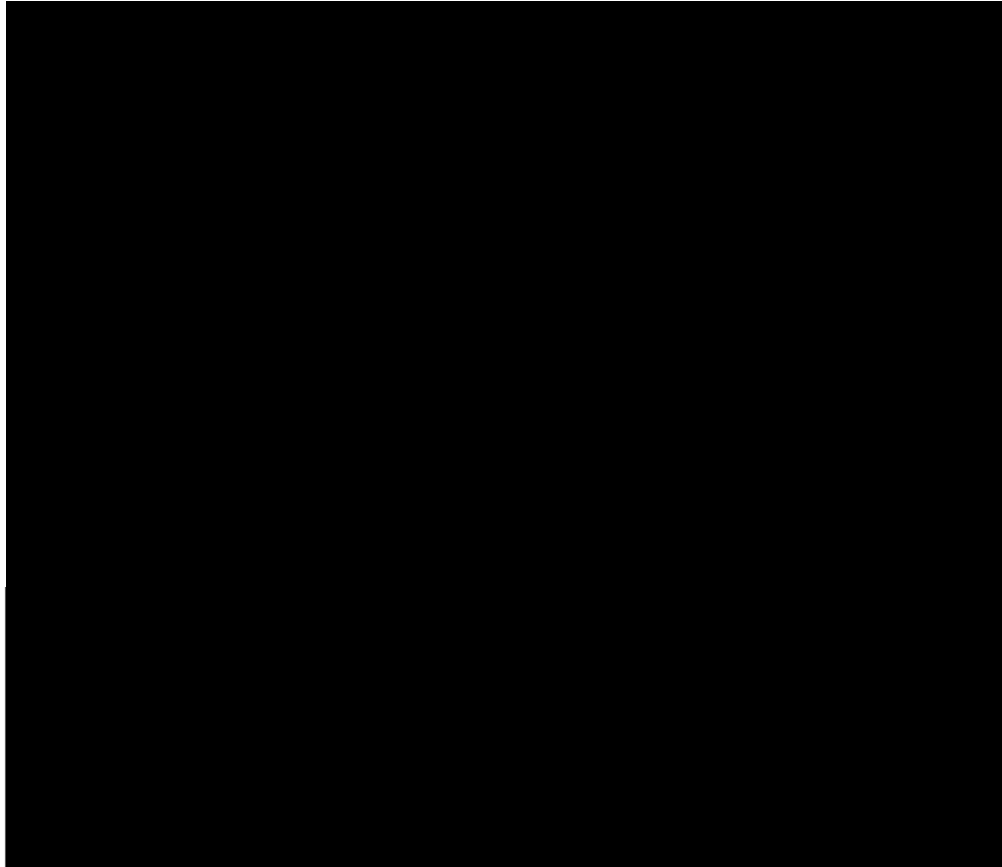


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Screen capture from page 7.

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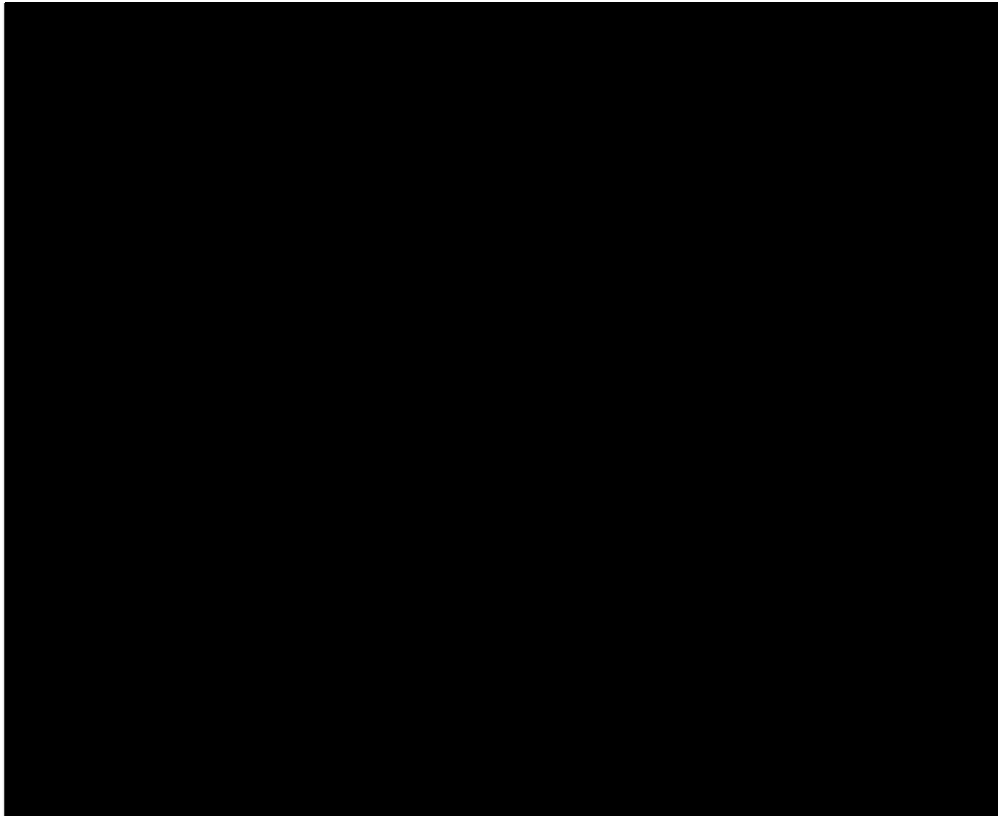


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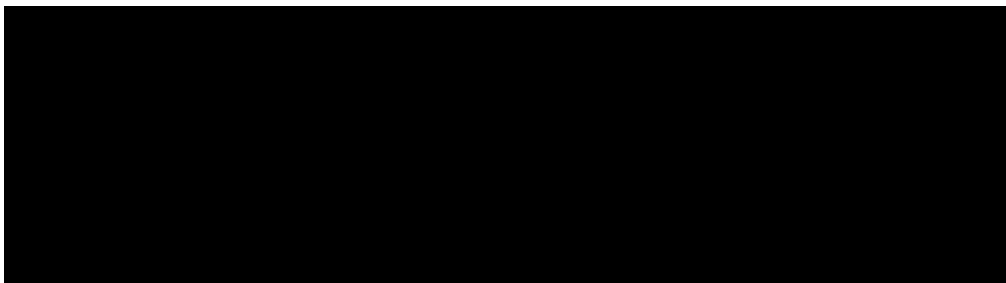


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Screen capture from page 7.



Screen capture from page 9.

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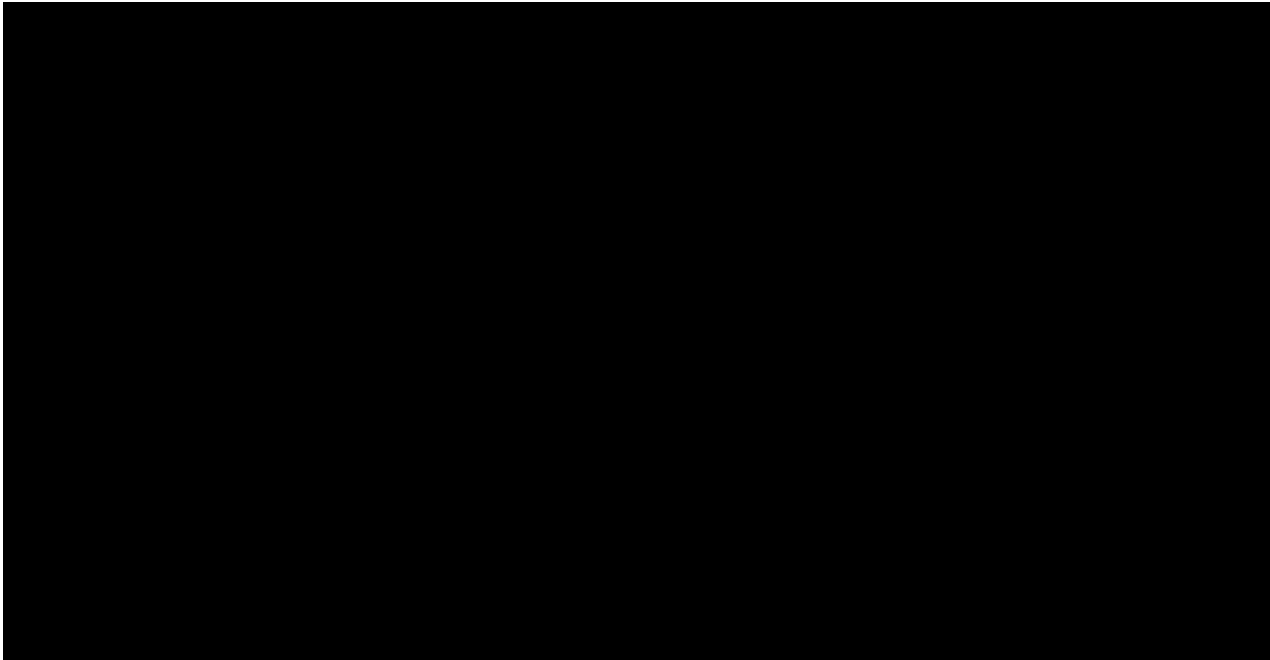


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Hubbard, Ohio 44425, Trumbull County

Computerized Criminal History

- Law Enforcement Automated Data System (LEADS)/National Crime Information Center (NCIC)



Prior Police Encounters

Since Thomas had two potentially similar incidents involving weapons and alcohol, SA Moran obtained police reports and documents related to these past incidents.

- Brookfield Township Police Department - 22-02331

On May 8, 2022, at 1807 hours, BTPD officers responded to a crash involving a vehicle striking a utility pole. Officers spoke with paramedics who indicated that the driver, Thomas, was in the ambulance being checked for injuries. Officers spoke with Thomas, and he admitted to drinking six beers. After performing Field Sobriety Tests, Thomas was arrested. When he was searched, an empty holster was located on his right side. Officers questioned Thomas and he admitted that he had a gun in the glove box of his vehicle. Officers located a loaded Ruger, LCP, .380 caliber ACP, pistol with one round in the chamber. Thomas was charged with OVI, improperly handling firearms in a motor vehicle, and carrying concealed weapons.

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- Ohio State Highway Patrol – 20-042003 0290

On May 11, 2020, at 2252 hours, an OSHP trooper was dispatched to a reckless vehicle heading westbound on Interstate 80/Ohio Turnpike. The trooper observed a truck matching the description of the reckless vehicle and began following it. The truck's speed was 94 miles per hour (MPH) in a 70 MPH zone. The trooper noted that Thomas appeared to be intoxicated and there were several indicators of alcohol use. The trooper performed a traffic stop and encountered the driver, Shawn Thomas. The trooper asked Thomas if there were any weapons in the truck and Shawn Thomas said there was a "gun under the back seat." After performing Field Sobriety Tests and completing a portable breath test (.217 BrAC), Shawn Thomas was arrested. Another breath test showed a result of .230 g/210L of breath.

Shawn Thomas' vehicle was towed, and an administrative inventory was performed. The trooper noted that a gun was located under the left rear seat. The gun was stored in a case with a loaded magazine, but no round in the chamber. A box of ammunition was also inside the case. The gun was a Walthers, PPK, .380 caliber, pistol. Shawn Thomas was charged with reckless operation, OVI, improperly handling firearms in a motor vehicle, and carrying concealed weapons.

Social Media

- Facebook

The BCI CIU checked Shawn Thomas' Facebook page. There was a postdated "June 2" that indicated that Shawn Thomas was a military veteran. There was another postdated "June 20" where Shawn Thomas posted a "Reels" from "Mark Draper." It was a short TikTok video with on-screen text stating, "I avoid conflict because I'm afraid of myself zero to death row."

Cell Phone

Shawn Thomas' cell phone was submitted to the BCI Cyber Crimes Unit (CCU) for analysis. A Cellebrite Reader report was created for review.

SAS Moran used Cellebrite Reader to review the contents of Thomas' cell phone. SA Moran noted the following:

- Call Log (26)

There were 26 "call log" entries on October 3, 2023. There was an outgoing call to 911 at 2126 hours that lasted 1 hour, 8 minutes, and 6 seconds.

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There did not appear to be anything else relevant to the investigation.

Other Person Interview – ██████████ (Shawn Thomas' Wife)

On October 9, 2023, at 1127 hours, SA Moran interviewed ██████████ in the driveway at her residence.

SA Moran asked ██████████ for details about what happened during the evening hours on October 3, 2023. ██████████ said Shawn had been "drinking all day." She said Shawn was "very argumentative and irrational." ██████████ said she went upstairs, and Shawn also went upstairs, and he began "choking" her. She said Shawn also began "hitting and punching" her. Shawn left the bedroom.

SA Moran noted that ██████████ had a yellow/purple colored bruise on her left cheek near her mouth. ██████████ also showed SA Moran a yellow/purple colored bruise on her left collarbone and a purple-colored bruise near the outside of her left elbow. She told SA Moran she had multiple, purple-colored bruises on her left thigh and calf.

██████████ said there have been "situations" with Shawn in the past where she has not called the police. She said she was "very afraid" during the incident on October 3, 2023. She said the incident occurred throughout the morning, afternoon, and evening. She arrived home from work and Shawn was sleeping. He awakened and "started all over again and it wasn't like any other time." ██████████ continued, "Then when he got the gun um, I was on the phone with 911 and the guy talked him and he told him just to call off the cops, 'we don't need any cops.'" ██████████ confirmed that Shawn told the dispatcher not to send the police. ██████████ was in the bedroom and did not see the police arrive. She believed Shawn saw the police arrive and left the bedroom and went downstairs. ██████████ believed that Shawn had a "shotgun" because there was a box of shotgun shells "dumped out" on the dresser. She last saw Shawn going downstairs with the shotgun. ██████████ did not see Shawn leave the house and did not hear him interacting with the police.

██████████ told SA Moran that she heard Shawn had the shotgun in his left hand and she thought that was odd because Shawn was right-handed. SA Moran asked ██████████ if Shawn had any mental health issues, suicidal ideations, or substance abuse issues. She said Shawn was not suicidal and did not have mental health issues. She said Shawn had a "build up" and was drinking alcohol "heavily" over the past several months. She said

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there were no major events that she was aware of in Shawn's life that could cause severe stress.

█████ showed SA Moran photographs she took of her bruises on her cell phone, but she did not want to send them to SA Moran and would not allow him to take photographs of her bruises. She described how Shawn "sat" on top of her while she was on her back and he punched and hit her, causing the bruises. █████ told SA Moran that Shawn was "not this way" and even though there were incidents in the past between them that he would not have hurt the police officers. She said she felt bad that the officers had to shoot Shawn.

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Witness Law Enforcement Officer Interviews

This section contains information from interviews of law enforcement officers who were present at the scene and witnessed the incident.

TCSO Deputy Kelsee Osborn

On October 25, 2023, at about 1538 hours, SA Moran interviewed Trumbull County Sheriff's Office (TCSO) Deputy Kelsee Osborn (Osborn).

SA Moran asked Deputy Osborn to provide details about the incident that occurred on October 3, 2023. Deputy Osborn said the Hubbard Township Police Department (HTPD) was dispatched to a domestic violence incident. About an hour later, HTPD requested additional assistance from TCSO. Deputy Osborne, Deputy Clayton, K-9 Deputy Jarrett, and Sergeant (Sgt.) Jones responded to the area to assist. Deputy Osborn was stationed at the intersection of Van Ness Avenue and Hubbard Masury Road. She said the male subject was on the phone with dispatch and she was notified that the male subject was possibly moving toward the area where she was stationed.

Deputy Osborn saw other officers moving behind some of the houses on Van Ness Avenue. Deputy Clayton informed Deputy Osborn that he saw movement to their "right" on Van Ness Avenue. Deputy Clayton began running in that direction and Deputy Osborn followed him.

Deputy Osborn said the OSHP trooper, and the Vienna Township Police Department (VTPD) officer were in front of her, and Deputy Clayton was to her right. Deputy Osborn saw the male subject in the yard of a residence. She stated (05:10), "As I got closer, I saw the suspect pointing the shotgun at, in my direction and due to the other officers being downrange from me, I just took cover. So, I took cover behind a bush and then I heard two gunshots um, and when I got up, I saw you know, that he was already down like, he was no longer standing." Deputy Osborn checked on the OSHP trooper and the VTPD officer and she learned that they were the officers that fired their weapons.

SA Moran asked Deputy Osborn if her approach to the area and the subject pointing the firearm in her direction happened "simultaneously." Deputy Osborn responded (06:05), "From what I saw, the, the suspect, I saw his barrel kind of coming in my direction. Um, I didn't, I didn't see him very much long before that because I was, it was dark out, and I was kind of, I was looking at, you know, I don't know if he was there the entire time or if he just popped up, like, I'm not sure how long that was, but

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from when I noticed it, I saw him standing there, the barrel, and then I took cover and I heard the two shots.”

Deputy Osborn said she had her pistol drawn during the incident. She confirmed that the OSHP trooper, the VTPD officer, and Deputy Clayton were in front of her, and she did not fire her pistol because she did not want to “take the chance” of one of the officers moving into her line of fire.

SA Moran noticed Deputy Osborn simulating holding a shotgun as she described seeing the subject and the barrel of the shotgun. SA Moran asked her about the subject and the movement of the shotgun. Deputy Osborn stated (07:20), “I’m not sure if I saw him holding it with both hands. I just remember seeing the barrel of the shotgun pointed at, like, down, in our direction.” SA Moran asked, “Right. So, it’s not up in the air? Not down at the ground? It’s leveled at you?” Deputy Osborn replied, “No, it was pointed directly, yeah, level. I saw it, and then as soon as I saw it, like, I could see him kind of moving it, and once it moves, like, directly at me, that’s when I dropped down. But it was, like, it was out, pointed, pointed straight out.” SA Moran asked, “Pointed straight out from him?” Deputy Osborn answered, “Yes.”

Deputy Osborn said the subject went to the ground but was in a ditch and the officers could not see him. She confirmed that they waited for more officers to try to see the subject before moving towards him. She remembered another officer having a shield and using that as cover as the subject was detained.

SA Moran asked, “So, when you took cover, what did you think the subject was going to do at that time?” Deputy Osborn answered (10:23), “Oh, I thought he was going to shoot at one of us.” Deputy Osborn explained that she knew the subject was making “threats” over the phone about “seeing the officers” and how he could “kill them” if he wanted to. SA Moran asked, “If those officers had not been in front of you, you know, potential line of fire, is it possible that you might have fired?” Deputy Osborn replied, “Yes.” Deputy Osborn said that she believed her actions during the incident were consistent with her training and experience.

TCSO Deputy Nicholas Clayton

On October 25, 2023, at about 1552 hours, SA Moran interviewed Trumbull County Sheriff’s Office (TCSO) Deputy Nicholas Clayton (Clayton). The interview took place at the TCSO. The interview was audio recorded.

SA Moran asked Deputy Clayton to provide details about the incident that occurred on October 3, 2023. Deputy Clayton said near the end of his shift around 2300 hours, the

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Hubbard Township Police Department (HTPD) requested assistance from the TCSO. Deputy Clayton, two other deputies, and a sergeant responded to assist in the area of Van Ness Avenue and Hubbard Masury Road and set up a perimeter.

Radio traffic indicated that the subject was moving towards Deputy Clayton's location near a "ravine." Deputy Clayton could not see the ravine and he continued looking south from his location. Deputy Clayton said he saw movement to the west, saw flashlights activated, and heard two officers walking. Deputy Clayton moved down the street and stopped near the corner of a residence. He said there were two officers in a "line" with their flashlights illuminating the subject.

Deputy Clayton stated (03:53), "As I was running up, the subject had a cell phone in one hand and what appeared to be two shotguns slung over his shoulder. He threw one shotgun down onto the ground and then grabbed the second shotgun, instead of throwing it on the ground in the same fashion, he grabbed it by the grip of the shotgun and fanned it in our direction." SA Moran asked Deputy Clayton if he was describing the barrel/muzzle of the shotgun being "fanned" in the direction of the officers. Deputy Clayton responded, "The barrel of the shotgun, the muzzle of the shotgun in our direction." Deputy Clayton demonstrated the fanning motion by simulating holding a shotgun level with the ground. SA Moran asked Deputy Clayton about his demonstration showing that it was "level." Deputy Clayton responded, "Yes. Leveled. Leveled with the body. Yeah, I would say torso height." SA Moran asked Deputy Clayton if he heard any verbal commands provided by other officers. Deputy Clayton said the officers told the subject, "Drop the gun."

Deputy Clayton continued (05:00), "So, as I'm running up, he pulls the second shotgun down, points it in our direction um, I believe I have my rifle up at this point with my light on um, and then I heard two shots go off. I advised the trooper that I was on his right just so those guys knew that I was there um, and then we held on that position for a minute or two until we got other officers in the area, and then could walk up and make the scene safe."

SA Moran asked Deputy Clayton where the subject was after the shooting. Deputy Clayton said the subject was in a "ravine" and the officers were unable to see him. Two OSHP troopers moved to the west to see the subject and then the other officers approached. SA Moran asked Deputy Clayton about what he saw as he approached the subject. He recalled seeing the subject on his back with blood on his shot. He did not recall seeing where the shotguns were at that time.

SA Moran asked Deputy Clayton what he thought was going to happen when the subject made the "fanning" motion with the barrel of the shotgun in the direction of

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him and the other officers. Deputy Clayton answered (07:20), "Um, at that point I, I believed he was going to shoot at us. Yes." He recalled that dispatch radioed that the subject said he was "not going back to prison." SA Moran asked Deputy Clayton why he did not fire his weapon during the incident. Deputy Clayton explained that he was about "15 feet" behind the OSHP trooper and the VTPD officer and they were almost "on a line." Deputy Clayton said he did not want to endanger the other officers because the muzzle of his firearm would have been behind them if he fired gunshots. SA Moran asked Deputy Clayton if he would have possibly fired if the other officers were not in his potential firing line. Deputy Clayton stated, "Yes."

SA Moran asked Deputy Clayton if the subject said anything during the incident. Deputy Clayton did not hear the subject say anything. He recalled seeing the cell phone in his left hand near his ear while he used his right hand to maneuver the shotguns. SA Moran asked Deputy Clayton if he noticed anything about the condition of the shotguns. He recalled that they were "camo" and were hunting shotguns. Deputy Clayton recalled hearing information from dispatch indicating the subject stated that both shotguns were "loaded with five rounds each." Deputy Clayton said that he believed his actions during the incident were consistent with his training and experience.

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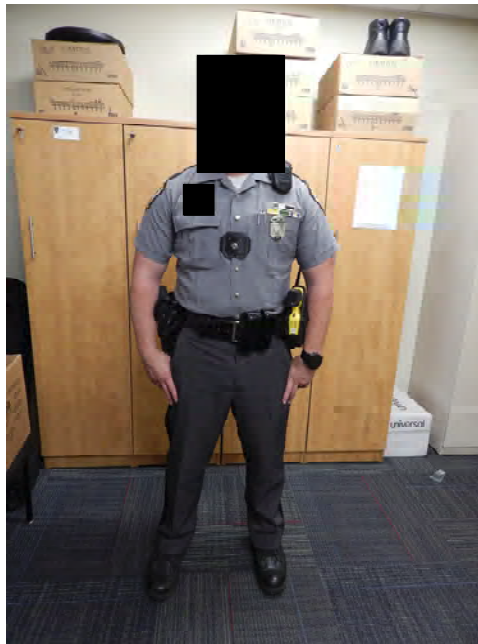
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Involved Law Enforcement Officers

This section contains extremely abbreviated versions of the interviews of the involved officers. More detailed accounts can be found by reading the separate reports written by the interviewers and by reviewing the recordings of each interview. This section also contains information about the involved officers' personnel files and training files.

OSHP Trooper [REDACTED]'s Uniform During Incident

On October 4, 2023, at 0200 hours, SA Moran arrived at the Ohio State Highway Patrol (OSHP) Post located in Southington, Ohio. SA Moran contacted OSHP Trooper [REDACTED] [REDACTED], who was identified as the trooper involved in the incident. SA Moran took photographs of Trooper [REDACTED] and the uniform he was wearing during the incident. See the image below:



Source: Photo labeled, "Photo - OSHP Trooper [REDACTED] - Front - DSCN0001"

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OSHP Trooper [REDACTED] s Interview

On October 24, 2023, at 0801 hours, SA Momchilov interviewed Trooper [REDACTED] at the OSHP Post in Southington, Ohio. SA Momchilov was advised that Trooper [REDACTED] completed a typed statement. It was decided that Trooper [REDACTED] would read aloud the statement and afterword, SA Momchilov would ask follow-up questions if needed.

Below are excerpts from Trooper [REDACTED] s typed statement:

Shortly after I started my shift on the day of this incident, I had just terminated a brief pursuit when a trooper aired that there was a domestic incident occurring in Hubbard. He said that the Hubbard Township Police Department was requesting assistance from all available units. Dispatch aired that the call was a "55" (domestic violence). I recall the run stated the suspect had allegedly assaulted his girlfriend or wife before going into the backyard with two shotguns. The suspect was also believed to be intoxicated. I was given an address on Hubbard-Masury Road. I drove to that location running intermittent lights and sirens. On the way I learned that officers from Hubbard Township and surrounding agencies were trying to establish a perimeter around the residence. I also learned that the suspect had threatened to kill his wife or girlfriend.

I got near the scene around 10:00 p.m. Before I got to the suspect's address, I pulled onto the side of Thomas Hubbard Road. I quickly got out and put on my external vest carrier and grabbed my rifle and chambered a round. I got back in my cruiser and turned onto Hubbard Masury Road. I drove a short distance northeast/east and arrived at the scene.

Source: File labeled, "Trooper [REDACTED] Typed Statement"

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As I continued covering from the back of my cruiser, I saw some cruisers and officers on Hubbard Masury north of my location. There was a Vienna Township officer, (who I later learned was [REDACTED]; I believe a Trumbull County Sheriff's deputy; and I believe a few other officers. I briefly spoke with those officers before most of them continued south on Hubbard Masury, and Officer [REDACTED] and I circulated west on foot to search for the suspect/ create a perimeter.

Officer [REDACTED] and I went to the back of a house on the north side of Van Ness Avenue. We planned to post up in that area, but shortly after we got there, I heard commands being yelled south of Van Ness Avenue at who I believed was the suspect. Officer [REDACTED] and I moved south towards the sound of the commands. We cut south across Van Ness Avenue and moved south along the driveway of a house just off Van Ness Avenue. That house sat just north, and roughly in the middle of, the wooded area the suspect was reportedly moving north through, and near where I heard commands being given.

As we neared the house, Officer [REDACTED] said "Troop, over here!" and indicated to the right (western) side of the house. About thirty-five yards southwest of my location I saw the suspect moving north in our direction. He was a white male and was carrying two long guns, both appeared to be shotguns. He had one of the shotguns hanging from his right shoulder by a strap with the muzzle in the air. The suspect was holding the second shotgun by the chamber with his left hand. Finally, he was also holding a cellphone up to his head with his left shoulder, speaking to someone in slurred speech.

Source: File labeled, "Trooper [REDACTED] Typed Statement"

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I trained my rifle on the suspect and quickly cut several steps southwest as Officer [REDACTED] yelled for the suspect to drop his guns. I also ordered him to drop his weapons. In response, the suspect looked in our direction and yelled "shut the fuck up!" The suspect was

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holding the shotgun in his left hand such that the barrel was aimed in my direction, but at that time neither of his hands was on or by the trigger. Officer [REDACTED] and I continued ordering the suspect to drop his weapons. He initially refused to comply and responded something like, "Now we've got a problem." But a second later, he took a half step forward and put the shotgun in his left hand onto the ground.

With his left hand now free, he quickly swung the second shotgun around his right shoulder such that the barrel was now pointed down. I believe his cell phone may have dropped about that time. I ordered the suspect to drop the weapon, but he grabbed the forearm of the shotgun with his left hand and raised the barrel of the weapon at me while grabbing the grip with his right hand. I believed he intended to shoot me, and at that moment I fired at the suspect. I believe Officer [REDACTED] fired an instant later.

Source: File labeled, "Trooper [REDACTED] Typed Statement"

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I fired only one round. I fired in a slightly downward and southwesterly direction. I would estimate that I was about 20-25 yards from the suspect when I fired. I was in a standing position with my rifle in my right shoulder. My target was the suspect's center mass. I used my red dot sights. I did not see any civilians or law enforcement in my backdrop, which was an open wooded area. I was not sure where Officer [REDACTED] was, but I believed he was within several yards to my right. It was dark out when this incident occurred, but the light on my rifle was on, and I recall Officer [REDACTED]'s weapon had a light as well. There may have also been a spotlight on the exterior of the house I was standing by. In any case, there was enough light that I could see the suspect. I did not have any cover or concealment at the time I fired.

The suspect dropped his weapon and stumbled, falling to the ground an instant after I fired. I believe he fell partially onto his back and right side. I fired shots fired and to stage medical. The suspect had fallen into a ravine in a wooded area, and I could not see the second

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[REDACTED]

shotgun. Moments later an officer approached and asked where the suspect was. Because I did not know where the second shotgun was and the suspect was in a difficult area to traverse, I told the officers to wait for backup so we could approach with cover.

Source: File labeled, "Trooper [REDACTED] Typed Statement"

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A brief time later OSP Trooper Kevin Brown approached. I told him I thought the best way to approach was to start at the high side of the ravine and work our way down. Trooper Brown and I moved towards the top of ravine. By that time, there was a group of about five or six officers moving in towards the suspect. From the top of the ravine, I could see the two shotguns on the ground near the suspect. The suspect appeared wounded. He was moving slightly while on the ground, though he was not reaching for either weapon.

Trooper Brown and I covered the suspect while other officers approached. I told them to check the suspect for other weapons. The officers secured the suspect and placed him in handcuffs. He appeared to have a chest wound, but medics arrived a brief time later and the suspect was loaded onto a gurney and transported from the scene. This ended my involvement with this incident. I remained at the scene for about two more hours. My rifle was collected by an OSP supervisor, and I was transported to the Warren OSP Post by another Trooper. Photos were then taken as part of the investigation.

Source: File labeled, "Trooper [REDACTED] Typed Statement"

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After the suspect was secured and in custody, I was able to look down and at that time I realized my BWC was not recording. Before that, I was not cognizant that it was not recording. Our BWCs are programmed to automatically begin recording whenever our cruiser's lights are activated and our driver's door is opened. Most of my enforcement actions result from traffic stops where my lights are in fact activated at the time my driver's door is opened. In other words, in most instances my BWC begins recording automatically and I do not need to manually create the recording. Here, though, once I got to the scene, an officer confirmed that the suspect was

still loose, and a perimeter was being formed. When I moved my cruiser north onto Van Ness Avenue, I turned off all my lights so that I would not be a target for the suspect. So when I exited my cruiser, my BWC did not automatically begin recording. At that time, my focus was on my surroundings since the suspect was reportedly armed with several weapons and moving in my direction and I was not familiar with the area. I was also focused on monitoring the radio traffic since information was being aired over multiple channels by multiple agencies. Once the suspect was in custody and it was safe to take my focus from him, I became aware my BWC was not recording. I immediately manually activated it once this came to my attention.

Source: File labeled, "Trooper [REDACTED] Typed Statement"

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At the time I fired my weapon, I was in fear for my life and Officer [REDACTED]'s life as the suspect had just raised the barrel of his shotgun in my direction after announcing that "we've got a problem." Before I encountered the suspect, I knew that he reportedly had assaulted his wife or girlfriend and threatened to kill her. I also knew that the suspect was believed to be intoxicated and had fled north into the woods behind his house carrying two shotguns.

In the moments before I fired, Officer [REDACTED] and I repeatedly ordered the suspect to drop his weapons. The suspect initially refused to comply and acknowledged our commands by yelling back shut the fuck up before adding moments later "now we've got a problem." I interpreted that statement as a threat and that he was communicating his intent not to comply. He also had the barrel of the shotgun in his left hand aimed in my direction; but I did not fire at that time since neither of his hands was on the trigger so he could not fire the weapon.

Source: File labeled, "Trooper [REDACTED] Typed Statement"

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A second or so after he said we had a problem, the suspect took a half step forward and slowly put the shotgun in his left hand on the ground. With his left hand free, he could have grabbed the shotgun strapped on his right shoulder and tossed the weapon without putting his hand anywhere near the grip/trigger. But instead of doing that, he swung around the shotgun

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strapped on his right shoulder such that the barrel was facing down. I repeated my command for the suspect to drop the weapon; but he refused to comply and instead grabbed the forearm with his left hand and raised and leveled the barrel of the weapon at me while grabbing the grip with his right hand. I believed he intended to shoot me and that I would be seriously injured or killed. I was also concerned for the life of Officer [REDACTED] since I believed he was standing within several yards of me. It was at that time I fired at the suspect. I did not believe I had any other reasonable alternative to protect my life or the life of Officer [REDACTED] from the deadly threat presented by the suspect's actions.

Source: File labeled, "Trooper [REDACTED] Typed Statement"

SA Momchilov asked Trooper [REDACTED] if he knew the condition of the shotguns (open slide, in battery) when he observed the individual holding them. Trooper [REDACTED] stated, "No, I wouldn't be able to see, I mean, no." Trooper [REDACTED] advised that one shotgun seemed to have a camouflage pattern on it and fluorescent sights.

SA Momchilov asked Trooper [REDACTED] if he immediately recognized the weapons the subject was carrying as shotguns. Trooper [REDACTED] responded, "Yes."

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SA Momchilov asked Trooper [REDACTED] if he had any experience with shotguns. Trooper [REDACTED] responded, "Yes." SA Momchilov then asked Trooper [REDACTED] if he could explain how a shotgun differs from a rifle.

Trooper [REDACTED] explained that a rifle shoots one projectile and a shotgun shoots multiple BBs. Also, dependent on the type of choke the shotgun has dictates the type of pattern the BBs, when fired, will have. SA Momchilov asked Trooper [REDACTED] if someone has to be "more precise" when firing one over the other (rifle vs. shotgun). Trooper [REDACTED] advised that someone has to be more precise when firing a rifle because a shotgun, "is going to have a bigger pattern."

SA Momchilov stated, "You mentioned the subject, at one point, said 'we've got a problem' and you took that to be a threat." SA Momchilov then asked, "In your experience, if someone is going to be compliant, would they say something along those lines." Trooper [REDACTED] replied, "No, I mean, the whole situation, like, I know I talked about how, I mean, I should, stop me if I am saying too much (refereeing to Attorney Lipperman) but the best way I can explain the way he threw the first shotgun down, it was like in a taunting manner, um I knew that he didn't have his hand on the trigger but I could definitely tell you that it was a very uncomfortable feeling having a shotgun pointed at me. Um, and then it was like he didn't get, he didn't get what he wanted from that one, so that is when he dropped it and when he slung that shotgun off, like it was a deliberate action for him to grab the grip, by the trigger. I mean it's just something he simply didn't have to do if he was going to put it on the ground. So, I mean, it was kind of in slow motion and I was thinking is he going to do this and sure enough he started bringing it up. In a sense it kind of looked like, his arms were heavy because he was bringing it up kind of slow and soon as he pointed it at me, I pulled the trigger."

SA Momchilov asked Trooper [REDACTED] "Could you tell if you hit him." Trooper [REDACTED] replied, "Yeah, I know I hit him."

SA Momchilov asked, "You mentioned, you said, he didn't get what he wanted from that, referring to the first shotgun, what do you mean by that?" Trooper [REDACTED] responded, "I think he was trying to get me to shoot him."

[OSHP Trooper \[REDACTED\] s Personnel File and Training File](#)

On January 4, 2024, SAS Moran received a copy of Trooper [REDACTED] s personnel file and training file. SAS Moran noted the following:

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PAGE	NOTE
1	Redaction page for request # W012232-123023.
2-3	Report of Investigation by OSHP for ██████'s background.
3-43	OSHP Main Background Report for ██████
11-12	Documentation of ██████'s military service with the U.S. Air Force from 2009-2015. Received numerous medals in the U.S. Air Force; Achievement, Good Conduct, National Defense, Global War on Terrorism, Humanitarian, Deterrence Operations Service, Longevity, and Training.
44-63	Ohio Department of Administrative Services and Department of Public Safety (DPS) records and documents for ██████
64-66	OSHP memos about ██████'s performance during field training.
67	OSHP Oath of Office for ██████
68	OSHP Academy completion certificate for ██████ March 2017.
69	OSHP Commission for ██████ March 2017.
70-122	OSHP probationary review documents and annual review documents for ██████
123-136	Ohio DPS Comprehensive Training Record for ██████ He has received training in a variety of law enforcement-related topics.
137-315	OSHP records related to internal reviews of ██████ He did not have any discipline related to use of force.
316-329	Appeared to be same records included in pages 123-136.
330-335	Ohio DPS Weapons Training Record for ██████ with a pistol, shotgun, and rifle on November 7, 2023.
336-350	Photos of ██████ in uniform, his pistol, and ammunition in magazines.

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VTPD Officer ██████████'s Uniform During Incident

On October 4, 2023, at 0140 hours, SA Valente arrived at the Vienna Township Police Department (VTPD). SA Valente contacted VTPD Officer ██████████ ██████████, who was identified as an officer involved in the incident. SA Valente took photographs of Officer ██████████ and the uniform he was wearing during the incident. See the image below:



Source: Photo labeled, "2023-10-04 Officer ██████████ Front"

VTPD Officer ██████████'s Interview

On October 18, 2023, at 1409 hours, SA Moran and SA Momchilov interviewed Officer ██████████ at the VTPD. He has been a law enforcement officer for about five years.

SA Moran asked Officer ██████████ to provide details about the incident. Officer ██████████ said the initial call for service was dispatched to the Hubbard Township Police Department (HTPD) as a "disturbance". Officer ██████████ said the call sounded like it was a domestic violence incident. Officer ██████████ was on patrol in Vienna Township. A

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few minutes passed and the HTPD requested assistance from other law enforcement agencies in the area.

Officer [REDACTED] continued to monitor the radioed traffic and CAD system. He recalled the "cat and mouse" game that the subject was performing and how the subject said he was going to "shoot" the officer's spotlights. He remembered dispatch radioing information that the subject said he saw two officers walk by him.

At about 2200 hours, Officer Harvey notified Officer [REDACTED] that he was at the VTPD. Officer [REDACTED] responded to the scene in Hubbard Township using lights and sirens. Officer [REDACTED] called dispatch by phone and notified them that he was responding to the scene. Prior to arriving in the area, he turned off his lights and sirens. He parked his cruiser at the corner of Hubbard Masury Road and Van Ness Avenue. He debated whether or not he should use the patrol rifle or his pistol. He said the rifle did not have an optic nor a light attached to it, but his pistol did have a light attached to it. He decided to use the rifle because he believed there would be some distance involved and the rifle was a better distance option than a pistol.

Officer [REDACTED] realized that the subject was in a "wooded area" between the houses. An OSHP trooper approached him, and they spoke about the manpower and decided to move together. Officer [REDACTED] "racked a round" into the chamber of the rifle. He used his flashlight in his left hand and "cupped" it around the barrel of the rifle. Officer [REDACTED] and the OSHP trooper moved into the backyard of a residence on Van Ness Avenue.

Officer [REDACTED] activated his BWC at that time and put it in "ghost mode" so that no lights emitted from the BWC. The OSHP trooper moved to an area nearby and there was radio traffic from other officers indicating they saw the subject. Officer [REDACTED] moved near the OSHP trooper and notified him that the officers saw the subject.

Officer [REDACTED] saw "movement" near the left side of a nearby residence and alerted the OSHP trooper. The OSHP trooper moved across Van Ness Avenue to the front yard of a residence. Officer [REDACTED] began moving across the street and saw the subject emerge from the wooded area on the right side of the house. Officer [REDACTED] said (44:00), "contact right" and the OSHP trooper saw the subject too. Officer [REDACTED] moved into the front yard of a residence and began to "scream" verbal commands at the subject. He told him, "Drop the weapons! Do it now!" The subject possibly responded, "Shut the fuck up."

The OSHP trooper moved forward, and Officer [REDACTED] moved with him and was offset to the right and a few feet behind the OSHP trooper. Officer [REDACTED] said the OSHP trooper had his rifle raised and pointed at the subject with the weapon-light activated. This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



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Officer [REDACTED] had his rifle raised with his flashlight on. Officer [REDACTED] said the subject was possibly up on a small hill and was estimated to be about "10-20 feet" away. The officers provided more verbal commands.

Officer [REDACTED] stated (46:00), "That's when the suspect, I believe he had both shotguns slung on both shoulders. Um, so we're giving him the commands, 'Drop them. Drop, drop, drop them.' Um, he threw the shotgun on his left shoulder onto the ground. So, at this moment, I'm thinking he's giving up. Um, I said something to the effect of, 'Good. Now the other one.' And I know from prior CAD notes and listening to radio traffic he was most likely inebriated um, he did look like he was heavily intoxicated um, so at this moment, the first shotgun is on the ground um, he goes to unsling the other shotgun, but I couldn't tell whether or not he was stumbling or not, and it was at this time that he more likely looked like he was taking up a firing position. Um, and because I was offset, behind, and to the left of the trooper, it looked like he had the barrel pointed towards him and it was like a split-second like, it, he went from having the barrel pointed after a split-second and that's when the first shot was fired by the trooper. Um, it had to have been maybe a half a second later that I fired. I don't believe that I hit the suspect with my shot and the only reason I am saying that is when the first shot by the trooper was fired um, he was uh, he stumbled off to his left and because of that um, I lost sight picture. My sight picture got a little screwed up. But, by the time I could tell what was going on my finger was already pulling the trigger. Um, so, I'm not going to say he dodged it, but in all retrospect, I believe I missed him."

Officer [REDACTED] said the subject fell to the ground and was no longer in sight. Officer [REDACTED] explained that while the subject was standing, his shins to his feet were not visible. The OSHP trooper told Officer [REDACTED] that they needed to wait for other officers before approaching the subject because they could not see him. Officer [REDACTED] heard the subject "gurgling", and he believed the subject had been shot. Other officers arrived and they moved to another area to see into the ditch where the subject was located. More officers arrived from different directions, and they converged on the area where the subject was located.

Officer [REDACTED] saw a Liberty Township Police Department (LTPD) officer use a ballistic shield to "pin" the subject to the ground to make sure he did not reach for one of the firearms. Officer [REDACTED] said one of the shotguns was on his right side and the other shotgun was on the ground in front of the subject. The subject was handcuffed, and an ambulance arrived at the scene and began providing medical treatment as they transported the subject away from the scene.

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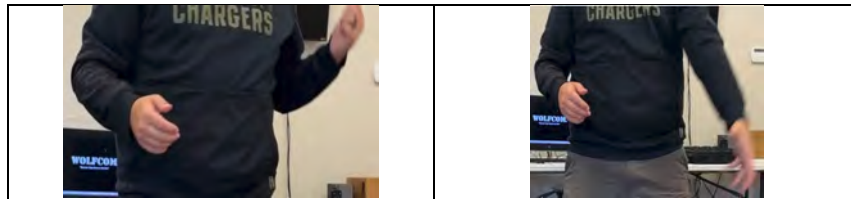


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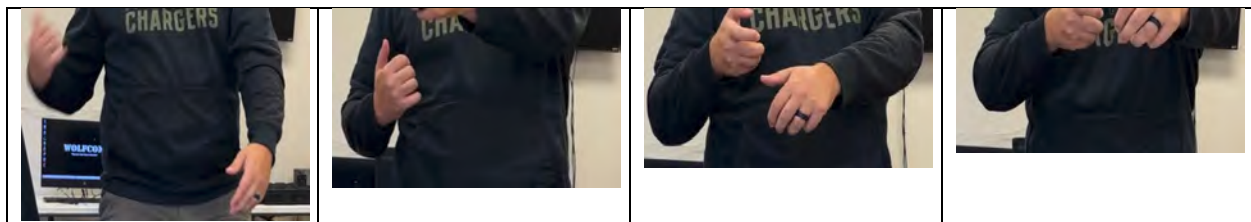
SA Moran asked Officer [REDACTED] about the initial movement he saw near the house. Officer [REDACTED] said he could clearly tell it was the subject moving and saw both shotguns slung on the subject's shoulders.

SA Moran asked Officer [REDACTED] if it was "clear" that the subject was discarding the first shotgun from his left shoulder. Officer [REDACTED] stated (57:10), "Yeah, that was clear." SA Moran followed, "The right one, is that movement significantly different..." Officer [REDACTED] interrupted, "Oh yeah. He looked like he was getting into a firing position." Officer [REDACTED] stated, "He dropped the first one to his feet." Officer [REDACTED] demonstrated the subject dropping the first shotgun from his left shoulder (57:37):



Images: Officer [REDACTED] IR - Picture1, Officer [REDACTED] IR - Picture2

Officer [REDACTED] stated (57:43), "He grabbed this one, grabbed it by here, kind of leaned back, and I want to say he let go, but then he brought, he had his hand on the um, where you normally would have in a firing position (right hand on shotgun grip), pointed it, and it looked like he was coming back here, but that's when the first shot was fired." Officer [REDACTED] demonstrated the subject's movement with the second shotgun:



Images: Officer [REDACTED] IR - Picture3, Officer [REDACTED] IR - Picture4, Officer [REDACTED] IR - Picture5, and Officer [REDACTED] IR - Picture6

SA Moran asked Officer [REDACTED] what he believed was going to happen when the subject made those movements. Officer [REDACTED] said he believed the OSHP trooper was "getting shot" and he thought, "Oh shit." Officer [REDACTED] said he fired based upon This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



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what he observed and what he thought was going to happen and not based upon “sympathetic” gunfire because the OSHP trooper fired. Officer ██████ said the incident happened quick and referred to it as “bang-bang.”

VTPD Officer ██████'s Personnel File and Training File

On January 18, 2024, SAS Moran received a copy of Officer ██████'s personnel file and training file. SAS Moran noted the following:

PAGE	NOTE
1	Notice of Peace Officer Appointment with the VTPD on 8/29/2021
8	Completion certificate from Youngstown State University Police Academy for the Basic Peace Officer Training Academy
18	Completion certificate from Youngstown State University Police Academy for OPOTC Standard Police Rifle/Carbine Qualification Course - 16 hours - October 2017
21	VTPD Range Proficiency Record (Qualification) for Patrol Rifle Carbine - October 2019
61 and 101	Alcohol Testing Form - Result .000 - October 4, 2023
104	Certificate of Release or Discharge from Active Duty from the U.S. Army, Military Police, “Honorable” discharge, completed required service - 2014
108	Memo from VTPD Lieutenant Darbey indicating ██████ was hired on 9/3/2019
111	OPOTC Field Sheet with “P” (passing qualification) score for ██████ with his pistol, VTPD shotgun, and VTPD rifle on 8/26/2023
	There was no discipline in ██████'s file related to any use of force.

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Video Recordings

This section contains information about all of the video recordings that were obtained and reviewed during the investigation.

Hubbard Township Police Department Body-Worn Camera Videos

SAS Moran reviewed the Hubbard Township Police Department (HTPD) body-worn camera (BWC) videos and noted the following:

- **2023-10-03_21-21-40**

This video file was about 34 minutes long (00:34:00:00). There were 60915 frames. The video timestamp started at “2023/10/03 21:21:40 GMT - 4.” It was a body-worn camera (BWC) video.

Video Timestamp	2023/10/03 21:25:01
Frames (Amped Five)	5988
Notes	Sergeant Gifford raised his rifle and said, “Drop the gun now!” In the previous frames, Sergeant Gifford raised his rifle and yelled, “Drop the gun!” Another person/officer was heard yelling, but it was unclear what was said. The BWC viewing angle did not show Shawn Thomas.

Video Timestamp	2023/10/03 21:25:09
Frames (Amped Five)	6238
Notes	Sergeant Gifford used the PA system and announced, “Drop the gun!” In the previous frames, another officer was heard yelling at Shawn Thomas to “drop the shotguns.” The BWC viewing angle did not show Shawn Thomas.

Video Timestamp	2023/10/03 21:25:21
Frames (Amped Five)	6597
Notes	Sergeant Gifford yelled, “Shawn! Drop the gun!” The BWC viewing angle did not show Shawn Thomas.

Video Timestamp	2023/10/03 21:25:34
Frames (Amped Five)	6987

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Notes	Sergeant Gifford radioed, "2110, he went into the woods." Other officers were heard yelling that they lost "visual" of Shawn Thomas. The BWC viewing angle did not show Shawn Thomas.
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Video Timestamp	2023/10/03 21:25:42
Frames (Amped Five)	7220
Notes	Sergeant Gifford radioed, "2110, he went into the woods with the shotgun in his hand." The BWC viewing angle did not show Shawn Thomas.

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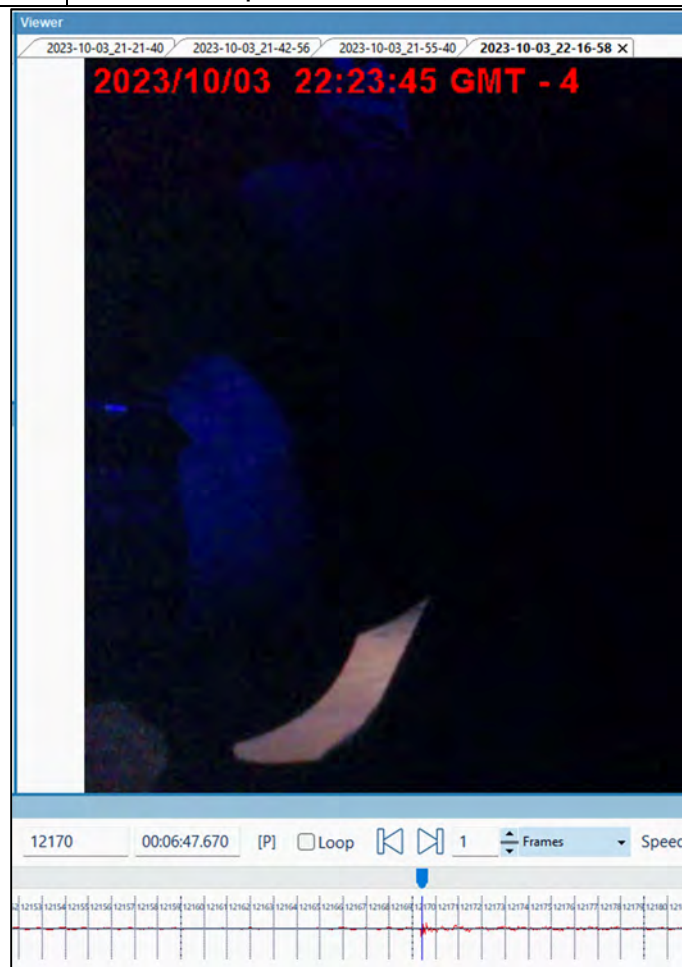


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- **2023-10-03_22-16-58**

This video file was about 21 minutes long (00:21:16:253). There were 38106 frames. The video timestamp started at "2023/10/03 22:16:57 GMT - 4." It was a body-worn camera (BWC) video.

Video Timestamp	2023/10/03 22:23:45
Frames (Amped Five)	12170
Notes	Officer Rendziniak was standing by his cruiser when the first gunshot was fired. The gunshot/activity was not near/visually recorded by his BWC, only the audio was captured (audio waveform spike observed).



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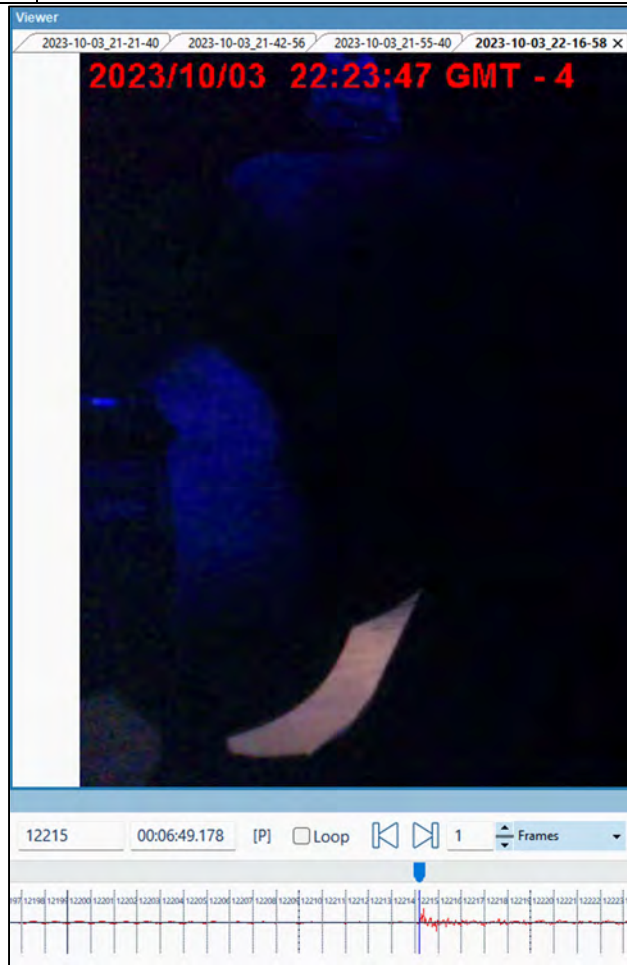


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Video Timestamp	2023/10/03 22:23:47
Frames (Amped Five)	12215
Notes	Officer Rendziniak was standing by his cruiser when the second gunshot was fired. The gunshot/activity was not near/visually recorded by his BWC, only the audio was captured (audio waveform spike observed).



Throughout the video there were radio transmissions about Shawn Thomas being behind a tree with the shotguns. There was radio traffic about Shawn Thomas walking toward officers that had a flashlight. After the shots were fired, Officer Rendziniak drove his cruiser to the incident scene. He began to place crime scene tape around the area. Multiple other law enforcement officers were observed near the scene. OSHP

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Trooper Brown asked Officer Rendziniak about Shawn Thomas' family at the end of the street. Officer Rendziniak drove his cruiser away from the scene.

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- **2023-10-03_22-29-40**

This video file was about 35 minutes long (00:34:59:994). There were 60900 frames. The video timestamp started at "2023/10/03 22:29:41 GMT - 4." It was a body-worn camera (BWC) video.

Video Timestamp	2023/10/03 22:33:33
Frames (Amped Five)	6946
Notes	Sergeant Gifford was near a garage when the first gunshot was fired. The gunshot/activity was not near/visually recorded by his BWC, only the audio was captured (audio waveform spike observed).



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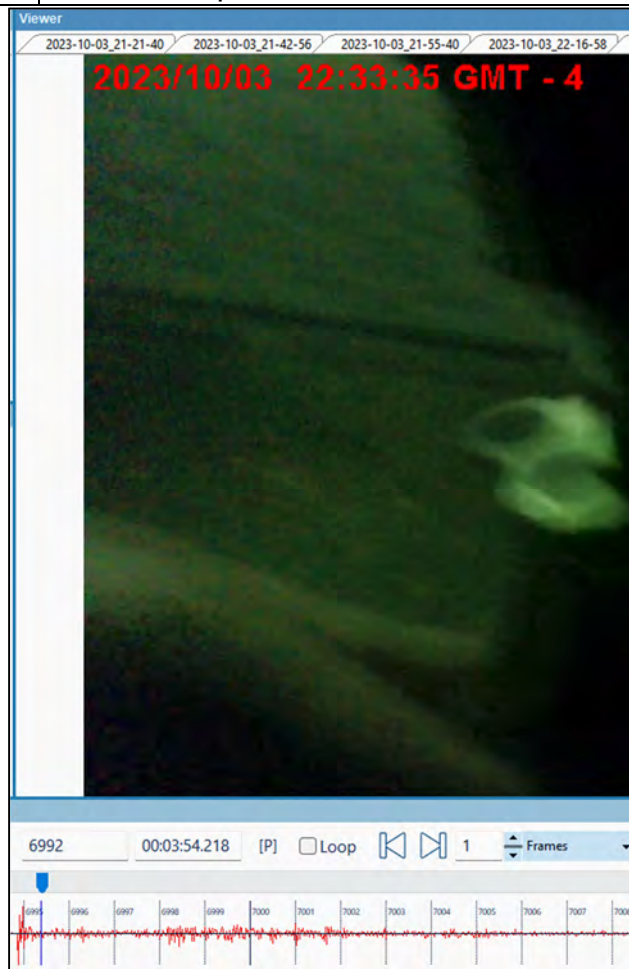
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Video Timestamp	2023/10/03 22:33:35
Frames (Amped Five)	6992
Notes	Sergeant Gifford was near a garage when the second gunshot was fired. The gunshot/activity was not near/visually recorded by his BWC, only the audio was captured (audio waveform spike observed).



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Vienna Township Police Department Body-Worn Camera Video

SAS Moran reviewed the Vienna Township Police Department (VTPD) body-worn camera (BWC) video and noted the following:

- **File Name: BodyCam_H106927_2023**

This video file was a body-worn camera (BWC) video. The BWC was worn by VTPD Officer [REDACTED]. It was about 30 minutes long (00:29:59:966). There were 54000 frames in the video file. Amped Five identified the frames-per-second (fps) as 30.00 fps and the audio sampling rate as 32.0 kHz. The timestamp on the first frame of the video was, "H106921/000000 N41/11/10 W80/32/47 20KM/H 2023/10/03 22:23:51."

Timestamp	H106921/000000 N41/11/10 W80/32/48 0KM/H 2023/10/03 22:26:17
Frames (Amped Five)	4387
Notes	An officer radioed, "Behind the tree, he's got a shotgun in his left hand."

Timestamp	H106921/000000 N41/11/10 W80/32/48 0KM/H 2023/10/03 22:26:26
Frames (Amped Five)	4669
Notes	Officer [REDACTED] said, "I think I see movement coming our way." The video was very dark.

Timestamp	H106921/000000 N41/11/09 W80/32/47 0KM/H 2023/10/03 22:27:37
Frames (Amped Five)	6807
Notes	An officer radioed, "He has two slung. He's headed up towards the road now. Two shotguns slung. Unit on the road, he's up there coming to you." In the previous frames, Officer [REDACTED] said he was going to move to a tree, and he completed the movement. A K-9 was also heard barking some distance away.

Timestamp	H106921/000000 N41/11/08 W80/32/46 4KM/H 2023/10/03 22:28:55
Frames (Amped Five)	9130

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Notes	Officer [REDACTED] said, "Right side. Right side. Right side. Right side. Drop the gun!" He activated his flashlight and Shawn Thomas was observed in this frame. He was standing in the grass on the west side of the residence located at 7524 Van Ness Avenue. He was some distance away.
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Timestamp	H106921/000000 N41/11/08 W80/32/46 4KM/H 2023/10/03 22:29:05
Frames (Amped Five)	9441
Notes	Trooper [REDACTED] said, "Drop the gun." Officer [REDACTED] radioed, "Hey, we got contact up here on Stiver." It was possible that Shawn Thomas upper body was observed above the ravine ridge. There was a straight-line object (likely a shotgun) observed on the right side (as BWC was facing him). SAS Moran used Amped Five to select this frame, crop it, and resize it. The frame was rendered as a Bitmap image with file name: BodyCam_H106921_2023-240330103629



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Timestamp	H106921/000000 N41/11/08 W80/32/47 2KM/H 2023/10/03 22:29:09
Frames (Amped Five)	9562
Notes	Officer [REDACTED] yelled, "Drop the firearm!" Trooper [REDACTED] was in front of him and to his right. He possibly said, "Drop the gun." Shawn Thomas' upper body was observed above the ravine ridge. He appeared to be facing the officers. There was a line on his chest (possibly shotgun sling) and his left arm/elbow appeared to be bent near the left side of his head/shoulder (possibly on phone or moving shotgun sling). SAS Moran used Amped Five to select this frame, crop it, and resize it. The frame was rendered as a Bitmap image with file name: BodyCam_H106921_2023-240330104735



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Timestamp	H106921/000/000 N41/11/08 W80/32/47 0KM/H 2023/10/03 22:29:18
Frames (Amped Five)	9835
Notes	Officer [REDACTED] yelled, "Drop the...there you go. Drop the other one!" In previous frames, Shawn Thomas said, "Hey." Shawn Thomas was not in view of the BWC.

Timestamp	H106921/000000 N41/11/08 W80/32/47 1KM/H 2023/10/03 22:29:24
Frames (Amped Five)	10012
Notes	Trooper [REDACTED] said, "Drop the gun." Shawn Thomas possibly said, "No. Fuck you [unintelligible]." Shawn Thomas was not in view of the BWC.

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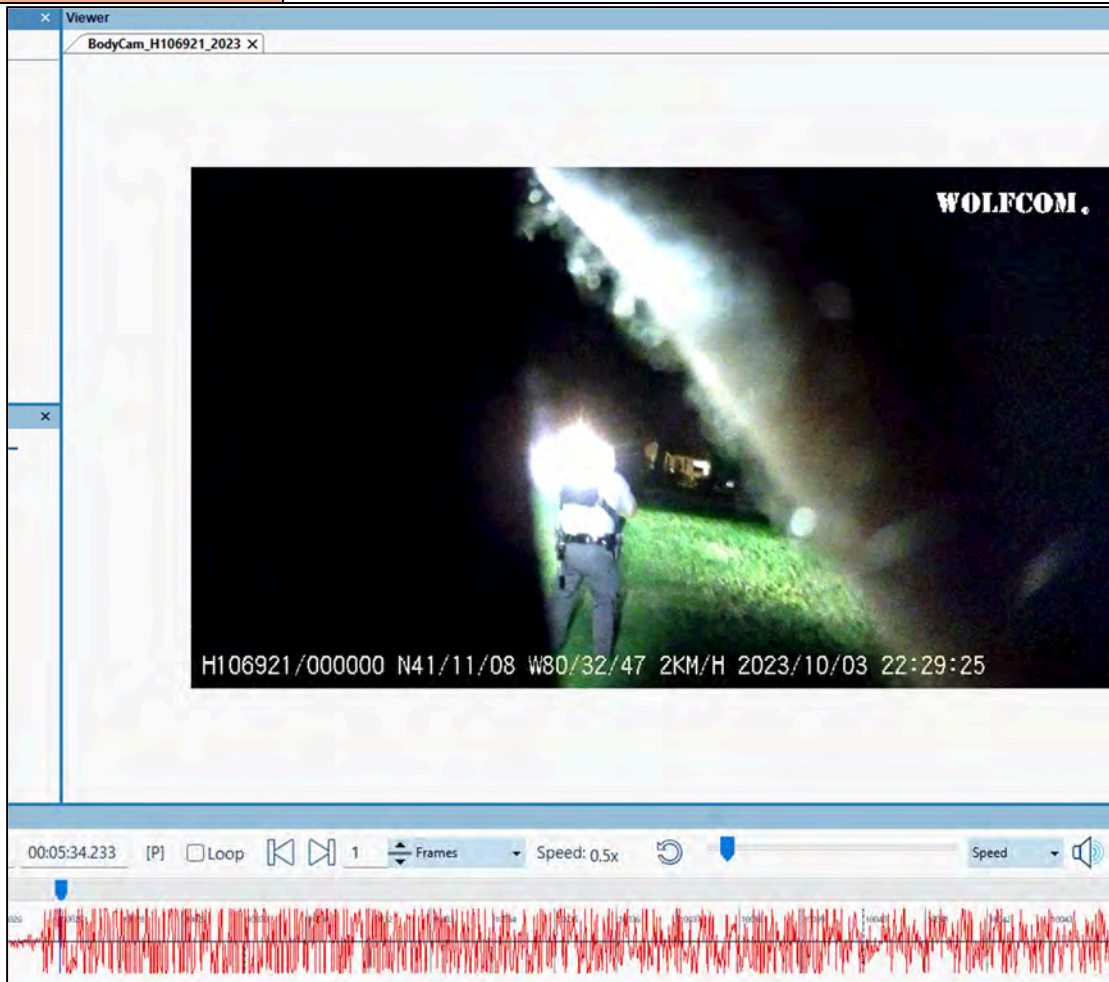
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Timestamp	H106921/000000 N41/11/08 W80/32/47 2KM/H 2023/10/03 22:29:25
Frames (Amped Five)	10027
Notes	This was the approximate frame when the first gunshot was fired, likely by Trooper ██████ Shawn Thomas was not in view of the BWC. An audio waveform spike was observed and the echo/reverberation of the sounds of the gunshot by a rifle.



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2023-2639

Officer Involved Critical Incident - 7498 Van Ness Avenue,
Hubbard, Ohio 44425, Trumbull County

Timestamp	H106921/000000 N41/11/08 W80/32/47 3KM/H 2023/10/03 22:29:26
Frames (Amped Five)	10070 and 10071
Notes	These were the approximate frames when the second gunshot was fired, likely by Officer ██████ Shawn Thomas was not in view of the BWC. 10070 - possible opaque cloud (gunpowder) observed from end of rifle. 10071 - audio waveform spike observed on this frame. An audio waveform spike was observed and the echo/reverberation of the sounds of the gunshot by a rifle.

The screenshot shows a video player window titled 'Viewer' with a tab for 'BodyCam_H106921_2023'. The video content shows a night scene with a bright light source, possibly a flashlight or a flare, illuminating a person in the distance. The text 'WOLFCOM.' is visible in the top right corner of the video frame. At the bottom of the video frame, the following metadata is displayed: 'H106921/000000 N41/11/08 W80/32/46 3KM/H 2023/10/03 22:29:26'. The player interface includes a timeline with a red audio waveform, a speed control set to 0.5x, and various playback controls. The bottom status bar indicates the video file is 'BodyCam_H106921_2023.mp4 (1280 x 720, 54000 frames, 30.0000)'. The frame number '10071' is shown in the bottom left corner of the player interface.

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Officer Involved Critical Incident - 7498 Van Ness Avenue,
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Timestamp	H016921/000000 N41/11/08
Frames (Amped Five)	10237
Notes	Officer ██████ radioed, "████ shots fired. █████, shots fired." Shawn Thomas was not in view of the BWC.

The following was noted, but there were no relevant images to include:

The officers communicated about where Shawn Thomas was, and they were not immediately certain that he was on the ground.

They radioed the location and requested EMS to stage nearby.

They formulated a plan to approach Shawn Thomas.

Officers began to approach Shawn Thomas in the ravine.

An officer placed a shield on Shawn Thomas and another officer moved his arm.

An officer was heard telling Shawn Thomas to pull his other hand out.

Trooper Brown said, "If he doesn't have another gun on him, do first aid on him.

An ambulance arrived at the scene and paramedics approached and began to render medical aid. Shawn Thomas was heard moaning. An officer announced to watch his [Shawn Thomas'] weapons.

An officer approached Officer ██████ and he said he fired, and a trooper fired.

Officer ██████ provided his rifle to another officer.

Another officer told Officer ██████ not to say anything to anyone else and to report the incident to his chief.

Another officer asked Officer ██████ who his supervisor was. Officer ██████ said his supervisor was Lee Padula and the chief was notified. Officer ██████ said he did not believe his round struck Shawn Thomas.

Trooper ██████ approached Officer ██████ and asked about his BWC. Officer ██████ said, "Yeah."

Another officer asked about Officer ██████ and that another officer needed to be with him. Officer ██████ said he fired a rifle one time and that he already gave his rifle to his supervisor.

Sergeant Padula obtained Officer ██████'s BWC and placed it in a cruiser.

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There was nothing else relevant on the recording.

SAS Moran used Amped Five to generate an Amped Five report documenting all of the bookmarked images and workflow processes applied (single frame selector, crop, and resize). The interactive Amped Five report and derivatives were copied to a USB flash drive and the USB flash drive was submitted to the BCI physical case file as part of Reference Item G.

Based upon SA Moran's training and experience, the following factors should be considered when evaluating the available video evidence:

- The speed of this 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.
- Video and audio recording devices record more information about a particular scene or incident than the person(s) involved in the event can process during the critical incident.
- Video and audio recording devices rarely record an event from the same perspective of the officer(s) or subject(s) involved.
- It captures the action but not the perception, decision-making, focus nor intent of the officer(s).
- Video recordings often miss tactile cues or other actions of a subject.
- Video and audio recording devices record within the video and sound capabilities available, and they record objectively.
- Video and audio recordings lack the history, perspective and interest of the people involved.
- The movements, positions, angles, obstacles, lighting, and distance from the incident are also factors that need serious consideration.
- Video recordings are for storage and review.
- Video recordings capture light and create a digital representation of reality (two-dimensional video compared to three-dimensional reality).
- Video and audio recordings are only components of an investigation and should not be the only evidence relied upon.
- All available evidence, statements and other information must be evaluated alongside the video recordings available.

For further details and images, please refer to Reference Item G, the Amped Five report, and to a BCI report labeled, "2024-03-28: Review of Vienna Twp PD BWC Video."

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Investigative Summary

On October 3, 2023, at 2112 hours, HTPD officers were dispatched to 2180 Masury Road SE, Hubbard Township, Ohio 44425, for an "unknown problem." The caller, [REDACTED] informed dispatchers that her husband, Shawn Thomas, had a shotgun. Officers arrived in the area and Shawn Thomas fled from the rear of the residence on foot and was armed with two shotguns.

Shawn Thomas spoke with dispatchers during the time that he was hiding from officers in a wooded area behind his residence. This lasted until about 2129 hours (about 1 hour and 17 minutes after officers were dispatched). During this time, Shawn Thomas made numerous threats about shooting at officers, shooting the lights on the cruisers, and other general statements and threats. Multiple law enforcement officers from multiple law enforcement agencies responded to the area to assist.

At about 2129 hours, Shawn Thomas emerged from the wooded area between two houses located at 7498 and 7524 Van Ness Avenue. OSHP Trooper [REDACTED] and VTPD Officer [REDACTED] were holding a perimeter in the area and encountered Shawn Thomas near a small ravine. The law enforcement officers provided verbal commands for Shawn Thomas to drop the firearms.

Trooper [REDACTED] and Officer [REDACTED] described how Shawn Thomas had two shotguns slung on each shoulder. There was a BWC image that showed a shotgun slung on Shawn Thomas' right shoulder. Witness law enforcement officers reported similar details. The officers also described how Shawn Thomas dropped one of the shotguns but then pointed one of the shotguns in their direction and they were fearful of being shot and killed/injured. Trooper [REDACTED] fired one round from his rifle and a few moments later Officer [REDACTED] fired one round from his rifle. Shawn Thomas was struck once and fell to the ground in the ravine. A short time later, multiple officers approached Shawn Thomas and paramedics arrived and transported Shawn Thomas to the hospital where he was pronounced deceased.

BCI agents processed the scene and collected two shotguns near the area where Shawn Thomas was shot. The shotguns were later discovered to be unloaded. The breaches were closed and there was no easily identifiable way to determine they were unloaded. BCI agents treated the shotguns as if they were loaded until they were found to be unloaded.

BCI agents collected and reviewed 911 calls, radio transmission, and available videos. Shawn Thomas made numerous threats about shooting at officers and their equipment during recorded calls with a dispatcher. The videos showed that there were verbal commands provided by the officers to Shawn Thomas and there was an image of him. This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



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with a shotgun slung over his right shoulder. There were no available angles or videos that showed Shawn Thomas' when the shots were fired.

BCI agents conducted a neighborhood canvass after the incident. BCI agents interviewed [REDACTED] about the incident. She indicated that she saw Shawn Thomas with a shotgun as he walked down the stairs and shotgun ammunition "dumped out" on the dresser.

BCI agents interviewed the law enforcement officers that directly witnessed the incident. BCI agents also interviewed the involved law enforcement officers. The officers reported that Shawn Thomas pointed one of the shotguns in their direction and that they were fearful of being shot and killed/injured.

Contact Information

The preceding information comprises only a portion of facts and circumstances collected during the investigation of the officer-involved shooting incident. For further review of specific information or documentation collected during the investigation, please refer to the individual reports and documents from which this summary was derived. Any questions regarding the content or context of the information contained in this document can be directed to the attention of Special Agent Supervisor Chuck Moran. SA Moran can be reached via email at charles.moran@OhioAGO.gov or by telephone at 234-400-3618.

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