



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



2023-2059

Officer Involved Critical Incident - 205 US 250, Polk, Ohio 44866

**Investigative Activity:** Interview of Involved Deputy  
**Involves:** Deputy Jacob Hemenway (S)  
**Activity Date:** August 14, 2023  
**Activity Location:** Ashland County Sheriff's Office, 1205 East Main Street, Ashland, Ohio  
**Authoring Agent:** Special Agent Nick Valente #139

**Narrative:**

On August 14, 2023, at approximately 1101 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Nick Valente (Valente) and SA John Tingley (Tingley) conducted an interview with Ashland County Deputy Sheriff Jacob Hemenway (Deputy Hemenway). Deputy Hemenway was one of the deputies presumed to have shot Larry Dunham (Dunham). The interview took place at the Ashland County Sheriff's Office, 1205 East Main Street, Ashland, Ohio. Deputy Hemenway was accompanied by Ohio Patrolman's Benevolent Association attorney Joseph Hegedus. The interview was audio and video recorded. The audio recording was attached to this report and the video recording was saved as Reference Item A.

Prior to beginning the interview, Deputy Hemenway read, indicated he understood, and signed the BCI Criminal Investigation Notification Form. That form has been attached to this report.

**Preliminary and Demographic Information:**

<b>Name:</b> Jacob Hemenway	<b>Rank:</b> Deputy (Dep.)
<b>Badge Number:</b> 328	<b>Cruiser/Vehicle Number:</b> 328
<b>Radio Call Sign:</b> 328	<b>Immediate Supervisor:</b> Sergeant Dan Saylor
<b>Radio Channel Utilized:</b> A.C.S.O. Main	<b>Mobile Data Terminal:</b> Present & Utilized
<b>Cruiser Description:</b> 2023 Ford Explorer with a cage for prisoner transport. Marked with Sheriff's Department markings on both sides.	<b>Occupants of Cruiser and Seating Positions:</b> Solo
<b>Assignment:</b> Patrol	<b>Normal Shift:</b> 1600 hours - 0000 hours
<b>In-Car Camera:</b> Not Present	<b>Spotlight:</b> Present; Not utilized
<b>Emergency Lights:</b> Present & Utilized	<b>Siren:</b> Present; Not Used
<b>Shift Day of Incident:</b> 1600 hours – 0000 hours	<b>Duty Status:</b> On-Duty
<b>Days Off:</b> Sunday and Mondays (repeating)	<b>Prior Overtime or Extra Details within Preceding 48 Hours:</b> None
<b>Hours of Sleep Prior to Incident:</b> 6-8 hours	<b>Consider Self Well Rested?:</b> Yes
<b>Total Length as Officer:</b> Patrol since March	<b>Length at Current Agency:</b> Approximately 4

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of 2022. Prior experience working in the jail	years
<b>Physical Disabilities (to include hearing aid):</b> None	<b>Corrective Lenses:</b> No Corrective Lenses
<b>Uniform Worn:</b> Standard grey uniform pants with black stripe on side, duty belt, outer vest carrier with large patch on back reading SHERIFF, uniform shirt with sheriff patches on shoulders.	<b>Equipment and Less-Lethal Options Carried on Person/Belt/Vest:</b> Duty belt with handcuffs, pistol, baton, and a key holder. Vest carrier with a taser, handcuffs, tourniquet, 2 pistol magazines, and a knife.
<b>Ballistic Vest:</b> External Armor	<b>Body Worn Camera:</b> Present & Used
<b>Other Recording Devices:</b> None	<b>Partner:</b> None
<b>Injuries:</b> None	<b>Equipment Damage:</b> None
<b>Training or Areas of Specialty:</b> SWAT Team member. -Trains and additional 16 hours a month as part of this assignment.	<b>OPOTC Certification:</b> 2019, Sandusky Police Academy
<b>Military Experience/Training:</b> None	<b>Use-of-Force Training:</b> Received during the police academy and yearly internal departmental training.
<b>Prior Shooting Incidents:</b> None	<b>Prior Discipline or Use-of-Force Complaints:</b> No
<b>Medications, Prescriptions, or Drugs that might Impair Your Duties at Time of Incident:</b> None	<b>Medications, Prescriptions, or Drugs that might Impair You Now for Interview:</b> None
<b>Consumed alcohol in the past 24 hours?</b> None	<b>Last Consumed Alcohol Prior to Incident:</b> Possibly the night prior but unsure.

**Officer's Firearm(s):**

**Weapon #1 – Duty Pistol**

<b>Make:</b> Glock	<b>Model:</b> 17
<b>Caliber/Gauge:</b> 9 mm	<b>Serial:</b> Unknown to Deputy Wilcox
<b>Type:</b> Semi-Auto Handgun	<b>Method of Carry:</b> 1 round in chamber
<b>Magazine Capacity:</b> 17 cartridges	<b>Total Rounds as Carried (including chamber):</b> 52 (1 cartridge in the chamber of the gun, 17 cartridges in the inserted magazine and 2 additional magazines containing 17 cartridges each).

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<b>Extra Magazines:</b> 2	<b>Number of Rounds in Extra Magazines:</b> 17 per magazine
<b>Discharged During Incident?</b> Yes	<b>Primary or Backup Weapon:</b> Primary
<b>Rounds Remaining After Incident:</b> Unknown to Deputy Hemenway	<b>Number of Rounds Fired:</b> Unknown to Deputy Hemenway who declined to provide an estimate.
<b>Right/Left-Handed Carry:</b> Right-Handed	<b>Ownership:</b> Department Owned
<b>Last Qualification Date:</b> Unknown date, but qualifies with the Sheriff's Office on a yearly basis.	<b>Type of Holster, if any:</b> Level 3 retention holster.

**Narrative:**

Deputy Hemenway brought to the interview a prepared written statement detailing his actions during the incident. SA Valente asked Deputy Hemenway to read his written statement aloud and Deputy Hemenway did so. Deputy Hemenway signed his written statement and provided it to SA Valente after having read it. That statement was attached to this report.

Deputy Hemenway told agents he responded to the subject's home after "dispatch advised of male with suicidal ideations." The dispatcher further advised Deputy Hemenway the subject "may be armed with multiple firearms and that he may attempt suicide by cop." Deputy Hemenway arrived at the subject's home at the same time as Deputy Wilcox and Deputy Pennywitt.

The deputies walked around the side of the home and located the subject sitting in a lawn chair behind the house facing away from them. Deputy Hemenway approached the male with his service weapon drawn and concealed behind his leg. Deputy Hemenway asked the subject twice if his name was Larry. The subject replied "yeah." As Deputy Hemenway and the other deputies moved closer to the subject, Deputy Hemenway noticed the male drop a cell phone. Deputy Hemenway also noticed a handgun resting on the subject's left leg at that time. Deputy Hemenway asked the subject not to touch the weapon. The subject then dropped his phone and grabbed the handgun with his left hand. Deputy Hemenway began to give the subject an order beginning with "Do not" and stopped himself as Deputy Wilcox ordered the subject to drop the gun at that same moment. Deputy Pennywitt then fired her taser at the subject which did not appear to have any effect on the subject.

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The subject ignored the deputies' commands and continued not to look in their direction. Deputy Hemenway noted the subject had "an additional firearm which he was holding in his right hand that I had not initially seen." Deputy Wilcox and Deputy Pennywitt both fired their tasers at the subject and again they did appear to have any effect on the subject. Deputy Hemenway then "instructed the male not to point the firearm. Shortly thereafter the male turned his body toward me and pointed the firearm in his left hand toward me. At this time, I feared for my life and the lives of my fellow deputies. I engaged the male with my service weapon until I felt the male was no longer a threat to our lives."

Deputy Hemenway noted after firing his weapon the subject stopped moving and dropped both handguns onto the ground. Deputy Hemenway approached the subject and moved both firearms away from him. Deputy Hemenway "began to assess the subject's condition to see if any medical aid could be rendered to preserve the male's life." While doing so, Deputy Hemenway located a third handgun tucked into the subject's waistband. Deputy Hemenway moved this firearm away from the subject. Deputy Hemenway then asked the nonresponsive subject if he could hear him and checked for a pulse. Deputy Hemenway did not find a pulse on the subject. Deputy Wilcox and Deputy Hemenway then assisted the subject out of the lawn chair and laid him on the ground. Deputy Hemenway stated "It was apparent to Deputy Wilcox and I that the male was struck at least once in the head and that no medical aide would be able to preserve the male's life." Deputy Hemenway again checked the male for a pulse with negative results. Emergency medical services was requested. Deputy Hemenway assisted Deputy Pennywitt in securing the area with crime scene tape and starting a crime scene log. Deputy Hemenway reported "Once medical personnel arrived, they assessed the male's condition and he was declared deceased on scene."

After Deputy Hemenway finished reading aloud his written statement detailing the above account of events, SA Valente asked Deputy Hemenway follow-up questions.

When asked, Deputy Hemenway confirmed that sometime after the shooting he was informed by a member of the Ashland County Sheriff's Office that the subject did fire at him during the incident. Deputy Hemenway stated he was not aware the subject had shot at him or the other deputies during the actual incident.

When asked if he knew who fired first, Deputy Hemenway stated he did not and "it sounded like we fired at the same time."

When asked to describe the weather, Deputy Hemenway reported there were no adverse weather conditions at the time.

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When asked how far away from the subject he estimated himself to be when he fired his duty weapon, Deputy Hemenway stated he believed he was “maybe 15 feet” away from the subject.

When asked, Deputy Hemenway stated at the moment he fired his weapon, the subject was seated and looking forward while beginning to turn in the direction of Deputy Hemenway while pointing his gun towards Deputy Hemenway.

When asked if he had a specific point of aim when he fired at the subject, Deputy Hemenway stated he was not aiming at a specific point on the subject but at his general person.

When asked where he believed his rounds hit, Deputy Hemenway stated “I have no idea honestly.”

When asked what lead to his decision to fire at the specific moment he did so, Deputy Hemenway stated “him pointing the firearm at me.”

When asked if he felt there were any other options available to him at that moment other than the use of deadly force, Deputy Hemenway said “no.”

When asked, Deputy Hemenway stated he feared for his safety and that of the other deputies.

When asked, Deputy Hemenway stated he felt his actions and those of the other deputies were consistent with his training.

When asked, Deputy Hemenway stated he had no knowledge of the subject prior to this incident.

When asked, Deputy Hemenway reported having watched his body-worn camera recording a single time prior to the interview.

When asked, Deputy Hemenway stated he did not recall anything not captured on his body-worn camera that he would like agents to be aware of.

Reference Item:

1. A -Video Recorded Interview of Deputy Jacob Hemenway

Attachments:

1. 2023-08-14: Audio - Interview of Deputy Jacob Hemenway
2. 2023-08-14: Written Statement - Deputy Jacob Hemenway
3. 2023-08-14: Criminal Investigation Form - Deputy Jacob Hemenway

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On August 5<sup>th</sup> 2023 at approximately 1956 hours, dispatch advised of a male with suicidal ideations at 205 Us Rte 250 East. Dispatch advised that he may be armed with multiple firearms and that he may attempt suicide by cop. Dispatch further advised that a silent approach was requested and that our vehicle's emergency sirens may agitate the male. I acknowledged the call and responded to the address. Deputy Wilcox and Deputy Pennywitt also responded to the address, and we arrived at the same time. The only other information able to be provided by dispatch was that the male's name may be Larry and that he may be in a building they referred to as the clubhouse. Deputy Wilcox, Deputy Pennywitt, and I went around the West side of the residence and saw a male sitting in a foldable lawn chair behind the residence. The male was facing the back yard and away from us as we came around the residence. Unsure if the male was armed, I had taken my service weapon out of my holster and was holding it behind my right leg so that the male would have a harder time seeing it. I attempted to greet the male and asked if he was Larry, but he did not respond or acknowledge me in any way. I again asked the male if he was Larry. He looked over his right shoulder at the deputies and I and responded with, "Yeah." It appeared that the male was on a cell phone, and I continued to approach him as I moved to his right side. I attempted to engage in a conversation with the male, but he did not respond. The other deputies moved around to the rear of the male and were off to my left side. I could immediately identify a revolver-style handgun resting on the male's left leg. I asked the male not to touch the firearm. The male dropped his cell phone in front of him onto the ground and grabbed the handgun with his left hand. I presented my service weapon and stated, "do not" shortly before I heard Deputy Wilcox instruct the male to drop the firearm. Deputy Pennywitt attempted to deploy her taser on the male. The taser appeared to be unsuccessful as the male still had the firearm in his hand and showed no signs of a proper taser deployment. The male continued to face away from the deputies and I and not acknowledge our presence. The male had in his possession an additional firearm which he was holding in his right hand that I had not initially seen. Deputy Pennywitt and Deputy Wilcox attempted to deploy their taser's on the male but both deployments appeared to be unsuccessful. I instructed the male not to point the firearm. Shortly after, the male turned his body toward me and pointed the firearm in his left hand toward me. At this time, I feared for my life and the lives' of my fellow deputies. I engaged the male with my service weapon until I felt the male was no longer a threat to our lives. The male was not moving and had dropped both handguns onto the ground to the right side of the lawn chair he was still seated in. I approached the male and grabbed both firearms to move them further away from him. I began to assess the male's condition to see if any medical aide could be rendered to preserve the male's life. I located an additional handgun in the front of the male's waistband. The handgun was removed from his waistband and moved further away from him near the other handguns. I asked if the male could hear me and checked him for a pulse. He appeared to have no pulse and was non-responsive. Deputy Wilcox and I removed the male from the lawn chair to further assess his medical condition and to have the male in a better position to render medical aide. It was apparent to Deputy Wilcox and I that the male was struck at least once in the head and that no medical aide would be able to preserve the male's life. I again checked the male but was unable to locate a pulse on him. A squad was immediately called to respond to the scene and it was relayed to dispatch the male had no pulse. I assisted Deputy Pennywitt in putting scene tape around the surrounding area and we began to start a log of all personnel in and out of the scene. Once medical personnel arrived, they assessed the male's condition, and he was declared deceased on scene. Once additional law enforcement personnel arrived on scene, Deputy Wilcox, Deputy Pennywitt, and I exited the scene and were instructed to return to station to await further instructions.

 # 328

Deputy Jacob Hemenway #328

*JH* # 328



### Criminal Investigation Notification

1. This investigation is being conducted in order to determine whether any criminal laws have been violated on the part of those involved in this incident. Specifically, to collect facts and information to be provided to the prosecutor and/or grand jury in order for them to determine whether the conduct involved is authorized or prohibited by criminal statutes.
2. Your participation in this interview is voluntary and you may decline to answer or cease the interview at any time. You are entitled to have an attorney present if you wish.
3. The criminal investigation is separate from any internal, administrative investigation which your employer may or may not be independently conducting. You are not being compelled to give any statement or answer any questions. This is **not** a "Garrity" interview (where you could be required to answer).

Jacob Hemenway  
Printed Name of Interviewee

8/14/23 @ 1100  
Date / Time

[Signature]  
Signature of Interviewee

S/A NICK VALENTE  
BCI Agent (Printed)

[Signature]  
BCI Agent (Signature)