



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



2022-1545
Officer Involved Critical Incident – 4851 Westchester Drive, Apt
101, Austintown, Ohio 44515

Investigative Activity: Search Warrant
Involves: Imonie Theresa Hackett (S)
Date of Activity: 09/13/2022
Activity Location: Regency Cleveland East Hospital – 4200 Interchange Corporate Center, Cleveland, OH 44125, Cuyahoga County
Author: SA Eric Lehnhart, #84

Narrative:

Search Warrant Obtained

Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Eric Lehnhart (Lehnhart) drafted a search warrant for medical records relative to the officer-involved critical incident which occurred on July 19, 2022.

On Tuesday, September 13, 2022, SA Lehnhart met with Mahoning County Court of Common Pleas Judge Anthony M. D'Apolito (Judge D'Apolito). Judge D'Apolito reviewed the search warrant and search warrant affidavit. On September 13, 2022, at approximately 1200 hours, Judge D'Apolito authorized the search warrant.

Search Warrant Executed

On Tuesday, September 13, 2022, at approximately 1345 hours, SA Lehnhart served the aforementioned search warrant by personal service to Shelly Searles at Regency Cleveland East Hospital.

During the search, the following items of potential evidence were seized:

On Wednesday, September 14, 2022, SA Lehnhart received an electronic mail (email) message that contained a link and password to access the requested medical records of Imonie Theresa Hackett (DOB: 03-28-1991). The dates of the records were for services provided from August 8, 2022, to death on August 28, 2022.

An inventory of the items seized was prepared with a copy provided to Regency

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Cleveland East Hospital.

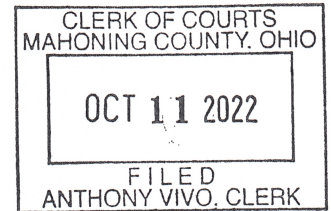
Search Warrant Returned

On Tuesday, October 11, 2022, SA Lehnhart met with Judge D'Apolito. Judge D'Apolito reviewed and signed the search warrant return. On Tuesday, October 11, 2022, SA Lehnhart filed the original search warrant, search warrant affidavit, inventory and search warrant return with the Mahoning County Clerk of Courts.

Attachments:

Attachment # 01: 2022-10-11 Hackett Regency Cleveland Mahoning Search Warrant Clerked

IN THE COURT OF COMMON PLEAS
MAHONING COUNTY, OHIO



STATE OF OHIO:

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MAHONING COUNTY:

CASE NO. _____

AFFIDAVIT FOR SEARCH WARRANT

Before me a Judge of the Court of Common Pleas, personally appeared the undersigned, Special Agent Eric Lehnhart, Badge #084 who is duly sworn, deposes and says that he is a member of the Ohio Attorney General's Office, Bureau of Criminal Identification and Investigation (BCI&I). During Special Agent Eric Lehnhart's career with the Ohio Bureau of Criminal Identification and Investigation, he has participated in specialized training concerning the investigation of officer-involved critical incidents. Special Agent Eric Lehnhart is certified through the Ohio Peace Officers Training Commission and has obtained a Master Degree in Business Administration. Special Agent Eric Lehnhart has conducted and participated in numerous criminal investigations which have resulted in the issuance of court orders, search warrants, indictments, and convictions. Special Agent Eric Lehnhart states that he is a Special Agent in the Major Crimes Division, Special Investigation's Unit of the Ohio Attorney General's Office, Bureau of Criminal Identification and Investigations, acting under a request for assistance from the Austintown Township Police and the Ohio State Highway Patrol (OSHP).

He has reasonable cause to believe and does believe, that medical records being kept at Regency Hospital - Cleveland East, 4200 Interchange Corporate Center, Warrensville Heights, Ohio 44128, belonging to Imonie Theresa Hackett (03-28-1991) for dates of service August 8, 2022 to discharge, to including, but not limited to, Emergency Department (ED) notes, reparatory therapy notes, narrative summary, after care service plan, history and physical, social work assessment, progress notes, lab results, treatment plan, consultation, orders, and other records relevant to the patient's care, be seized, which relate to the investigation being conducted by agents of the Ohio Bureau of Criminal Identification and Investigation involving an officer-involved critical incident shooting, in violation of Ohio Revised Code 2903.11 (Felony Assault).

PRESERVATION OF PROPERTY. This affiant states that the seized records will remain in the care, custody, and control of the Ohio Attorney General's Office, Bureau of Criminal Identification and Investigation (BCI&I) unless and until otherwise authorized by this court.

The facts upon which the Affiant such believes are as follows:

1. The Ohio Attorney General's Office, Bureau of Criminal Identification and Investigation is conducting a criminal investigation at the request of the Austintown Township Police and Ohio State Highway Patrol (OSHP) regarding an officer-involved critical incident shooting which occurred in Austintown Township, Mahoning County, Ohio.

2. According to the Ohio Revised Code 109.54, the bureau of criminal identification and investigation may investigate any criminal activity in this state that is of statewide or intercounty concern when requested by local authorities and may aid federal authorities, when requested, in their investigation of any criminal activity in this state.
3. On Tuesday, July 19, 2022, Austintown Township Police Chief Robert Gavalier requested agent(s) assistance with an officer-involved critical incident shooting investigation. On Tuesday, July 19, 2022, your applicant joined the investigation into the officer-involved critical incident shooting.
4. On Monday, July 18, 2022, Imonie T. Hackett (Hackett) purchased a Taurus International Model G3C 9mm semi-automatic handgun, serial number ACJ237115 from Precision Shooting LLC, in Austintown, Ohio.
5. On Monday, July 18, 2022, at 2100 hours, Austintown Township, Ohio police officers were dispatched to 4851 Westchester Drive, Building A, Apartment 1, Austintown, Ohio for a welfare check on Imonie T. Hackett (Hackett). Hackett's neighbor called and advised police dispatch that every time they open their apartment door, Hackett would "rack" (cycle) the slide on her gun.
6. Austintown Township officers located Hackett sitting on the ground outside her apartment replacing the locks on her apartment door. Hackett advised the ATPD that they were not the real police, they were only there to harass her and that she and they (the police) were being watched by people in Austintown Township, who were from the Chicago area.
7. ATPD officers noticed David, Hackett's son sitting near by and asked him if he was okay, which he replied, "yes." They also asked him if it was normal for his mother to be speaking like this, "yes" was his reply.
8. ATPD officers observed two (2) loose "rounds" (cartridges) on the ground next to Hackett and an empty holster attached to her right-side hip. Hackett rose to her feet, entered her apartment, and shut the apartment door. As officers were backing out of the hallway, Hackett reappeared in her opened door with a firearm in her right hand. As officers ordered her to drop the weapon, Hackett began to yell at officers to not mess with her. ATPD officers continued to give commands to Hackett to drop her weapon, but she refused and retreated back inside her apartment, shutting the door behind her.
9. ATPD officers evacuated several residents in building A, as they contacted the critical response team for assistance. Sgt. Delmont called Hackett on the telephone in an attempt to get her to lay down the weapon and come out of the apartment. Sgt. Delmont also spoke briefly to David who advised he was okay. Hackett eventually took back the phone from David, refused to exit her apartment and hung up on police. Officer's stated that Hackett directed David to give her more "clips" and to load more "clips."

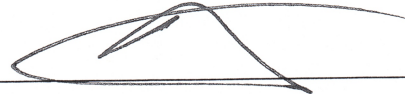
10. Over the following eighteen to nineteen (18-19) hours, members of the Austintown Township Police Critical Response Team, Federal Bureau of Investigation (FBI) Special Weapons and Tactics (SWAT) Team and the Ohio State Highway Patrol Special Response Team (SRT) made attempts to communicate with Hackett via the telephone and tactical robot with no success.
11. Hackett began live streaming on Facebook where she recorded for five (5) minutes and forty-five (45) seconds. Prior to her live stream, Hackett posted a series of posts that questioned her followers on the app as to what was happening and why they were all acting "weird."
12. On Tuesday, July 19, 2022 at approximately 1616 hours, Hackett opened a curtain on her southside window exposing herself to an OSHP Sniper and spotter located in the adjacent building. Hackett raised a weapon pointing it in a southwest direction towards law enforcement officials who were staged at the southwest corner of her apartment. Hackett fired two (2) bullets in the direction of these Troopers.
13. In response to Hackett's actions, the OSHP Sniper fire one (1) bullet, striking both the window meeting rail and Hackett. Hackett's injuries, caused her to fall to the ground and out of sight of the OSHP Sniper and spotter.
14. An OSHP SRT Team positioned in Building A, breached Hackett's apartment door, removed Hackett's son, David from the apartment, and made the apartment safe for responding EMS personnel.
15. Hackett was treated at the scene by members of the Ohio State Highway Patrol Special Response Team and Paramedics from Lane Life Trans Medical Services who transported Hackett to Mercy St. Elizabeth Youngstown Hospital located at 1044 Belmont Avenue, Youngstown, Ohio 44501. Hackett remained at Mercy St. Elizabeth Youngstown Hospital for several weeks before being transferred to Regency Hospital - Cleveland East located at 4200 Interchange Corporate Center, Warrensville Heights, Ohio 44128 until her death on August 25, 2022 at 1239 hours.
16. Over the next several weeks, your applicant, and supporting BCI&I special agents, have interviewed witnesses and collected evidence that pertain to this investigation.
17. Based on this information, applicants training and experience as a law enforcement officer, applicant knows that medical records can be used to verify investigative information. Applicant believes the information sought in the attached application will assist with the above captioned investigations by providing details not otherwise known or available to the investigative team, as well as identifying additional evidence and verify statements of persons involved in the investigation. Through this, it is believed that Regency Hospital - Cleveland East has in their possession medical records that supports the Revised Code Section mentioned above.

FURTHER AFFIANT SAYETH NAUGHT.



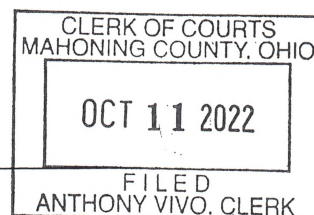
Special Agent Eric Lehnhart #084
Ohio Attorney General's Office / BCI&I

Sworn to and subscribed before me this 13th day of September, 2022.



Judge
Court of Common Pleas
Mahoning County, Ohio

IN THE COURT OF COMMON PLEAS
MAHONING COUNTY, OHIO



IN THE MATTER OF PRODUCTION OF: :
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Records of Regency Hospital Cleveland East :
Pertaining to Imonie Theresa Hackett :

CASE NO.: _____

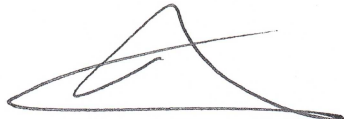
Order
For Production of Records

SEARCH WARRANT

This cause having come to be heard before the undersigned Judge of the Mahoning County Common Pleas Court, and the affidavit of Bureau of Criminal Identification and Investigation Special Agent Eric Lehnhart, which application and affidavit requested that an Order be issued directing that (1) BCI&I Special Agent Eric Lehnhart obtain a copy of completed medical records of **Imonie Theresa Hackett (DOB 03-28-1991)** from Regency Hospital Cleveland East, 4200 Interchange Corporate Center, Warrensville Heights, Ohio 44125 for dates of service August 8, 2022 to discharge, to including, but not limited to, Emergency Department (ED) notes, reparatory therapy notes, narrative summary, after care service plan, history and physical, social work assessment, progress notes, lab results, treatment plan, consultation, orders, and other records relevant to the patient's care.

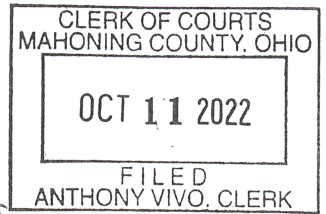
I have determined that the probative value of protected health information contained in the medical records of **Imonie Theresa Hackett (DOB 03-28-1991)** from Regency Hospital Cleveland East, 4200 Interchange Corporate Center, Warrensville Heights, Ohio 44125; outweighs any privileges afforded under Ohio Revised Code Section 2317.02. I further find that Regency Hospital Cleveland East may furnish information giving cause to the event to which this matter relates and may disclose such protected health information either through records or interviews in this matter to the Ohio Bureau of Criminal Identification and Investigation.

IT IS SO ORDERED



Judge
Court of Common Pleas
Mahoning County, Ohio

IN THE COURT OF COMMON PLEAS
MAHONING COUNTY, OHIO



STATE OF OHIO:
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MAHONING COUNTY

CASE NO. 22sw159

SEARCH WARRANT RETURN

On the 13th day of September 2022, at 1415 hours, I executed the Search Warrant attached hereto, and seized the following described persons and property, to-wit: Regency Cleveland East Hospital for medical records of Imonie T. Hackett (DOB 03-28-1991) for dates of service August 8, 2022 to discharge.

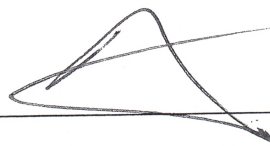
Witnessed the taking of the above persons or property and making of the inventory of said described property that was seized in compliance with this Court Order.



By: Eric T. Lehnhart #084
Title: Special Agent
Ohio Attorney General's Office / BCI&I

Sworn to and subscribed before me this 11th day of October 2022.

It is hereby ordered that the property seized be held in the custody of the Ohio Attorney General's Office, Bureau of Criminal Identification and Investigation (BCI&I) until further Order of the Court.



Judge
Court of Common Pleas
Mahoning County, Ohio

