

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



2024-1584 Officer Involved Critical Incident, 27695 Tracy Road, Walbridge, OH 43465, (L)

Investigative Activity:	Search Warrant
Involves:	Beau D Purtee (V)
Date of Activity:	06/14/2024
Author:	SA Tiffany Najmulski, #49

#### Narrative:

On 06/14/2024, Special Agent (SA) Tiffany Najmulski (Najmulski) obtained a search warrant for the Verizon Wireless account associated with the cellular phone number: 419–764–9739, Beau Purtee (Beau) used to call 911 on the incident night. SA Najmulski submitted the search warrant to Verizon later that day.

On 07/22/2024, SA Najmulski received the phone records and found that the subscriber on the account was Tracy Jurski, Beau's mother.

The time period requested for the records was from 05/23/24 to 05/24/24. No records provided by Verizon Wireless were found to be helpful to the case investigation.

The Verizon documents can be located on a disc in the physical file for this case and listed as exhibit 2.

#### Attachments:

- Attachment # 01: Exhibit 2 verizon records Purtee
- Attachment # 02: Verizon SW
- Attachment # 03: Verizon affid
- Attachment # 04: SW inventory Verizon
- Attachment # 05: RETURN OF SEARCH WARRANT
- Attachment # 06: SW phone records Beau Purtee

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File No.: 24-1584
Submitted By: SA Tiffany Najmulski
Date: 07/25/2024
From:
To be returned
Not to be returned
Description: <u>1 disc containing Beau Purtee's Verizon records</u>

Exhibit # 2

## WARRANT 2024 JUL 22 PM 1:53 TO SEARCH AND SEIZE DOUGLAS F. CULTERLEY

VILLO WIDD GEUNTY CLERK

## Records for Verizon Wireless Cellular telephone # 419-764-9739

STATE OF OHIO	} } ss
WOOD COUNTY	}

## TO: Attorney General Dave Yost and Agents of the Ohio Bureau of Criminal Investigation.

Before me, Judge Joel Kuhlman of the Wood County Common Pleas Court in Wood County, Ohio, Special Agent Tiffany Najmulski of the Ohio Bureau of Criminal Investigation, being duly sworn, deposed and said that she has probable cause to believe, and does believe, that evidence of the crimes listed below, which are being investigated in Wood County, Ohio and that occurred on May 23, 2024 will be found stored within records held by Verizon for the assigned telephone number 419-764-9739 from May 23, 2024, at 0000 hours (EST) until May 24, 2024, at 0000 hours (EST).

The affiant has probable cause to believe that the following electronic data and records are located and stored with Verizon Wireless, the property and records, namely:

- Subscriber Information: Basic subscriber information for the above-identified accounts consisting of account creation date(s), activation information, any and all email address(es), telephone numbers, or other contact information associated with the account(s);
- **Content**: Any and all content data, including but not limited to voicemail messages, text communications, historical cell-site location information; and
- Non-content: Any and all non-content data, including but not limited to:
  - All connection logs and records of user's activity for each such account including;
    - Outbound and inbound call detail;
    - Connection date and times;
    - Disconnect dates and times;
    - Data usage records, including transfer volume;

- Telephone caller identification records;
- Any other connection information such as Internet protocol address and ports or other uniquely identifying information assigned for data connections;
- Call origination/termination dates, times, and locations;
- Text-based messaging dates, times, and locations;
- Physical address(es) of cellular sites used by the account;
- All stored communications including text messages, voicemails, e-mails, and any other files associated with user accounts originating between the relevant timeframes listed above;
- Any other records or account related or associated to the above referenced telephone number;
- All available historic ping data, GPS, RTT, and precision location information;
- cellular telephone device information (including device-specific information such as IMEIs, IMSIs, etc. that could identify any specific devices used in connection with the target account(s)); and
- o Account comments;
- Billing records;

(hereinafter, collectively, the "Property")

All of the above records may be seized, accessed, listened to, read, reviewed, copied, and converted to human-reviewable form as necessary by the Ohio Bureau of Criminal Investigation. Authorization is granted for the evidence specified herein to be transferred to the Ohio Bureau of Criminal Investigation for data duplication, data acquisition, data parsing and review, and/or to otherwise make human-readable copies or recordings of this data in order to preserve and protect the information and to thereafter seize, read, listen to, copy, and maintain the described property and/or evidence.

which constitutes evidence that is relevant to one or more suspected violations of the following sections of the Ohio Revised Code:

#### Felonious Assault ORC 2903.11A2.

(hereinafter, collectively, the "Offenses").

**Finding of Probable Cause.** I am satisfied that probable cause exists to believe that the Property and records are stored with Verizon Wireless and that such Property is relevant to determining if one or more of the Offenses have been committed.

<u>Command to Search and Seize</u>, and with any necessary and proper assistance, to serve this warrant and to search the Person/Place/Item(s) identified herein and to search for and seize the

Property described below within three (3) days (excluding the date this warrant is issued, Saturday, Sunday, and any legal holiday), only in the daytime (7:00a.m. to 8:00p.m.), and promptly return this Warrant, together with a written Inventory of any property taken to the undersigned judge. Due to the nature of acquiring and analyzing electronic and/or digital evidence, the execution of this warrant may continue until the data acquisition and analysis is completed and the search warrant return shall reflect any device seizures specifically, and any acquisition of electronic data generally. Any property seized pursuant to this warrant shall be brought before this Court or, alternatively, may be held in the custody of the Ohio Bureau of Criminal Investigation for data acquisition and analysis, which is hereby authorized by this warrant, until and unless otherwise directed or authorized by this Court.

**PROPERTY TO BE SEARCHED FOR AND SEIZED:** <u>It is hereby ordered</u> that Verizon Wireless provide to the Ohio Bureau of Criminal Investigation the content and records associated to the account(s) listed above from May 23, 2024 at 0000 EST (UTC-5) to May 24, 2024 at 0000 EST (UTC-5):

This Search Warrant is issued under Ohio law, Ohio Crim. R. 41, and in conformity with 18

U.S.C. § 2703(a)–(c).

The property to be searched for and seized will be found on/at Person/Place to be searched:

Verizon Wireless ATTN: VSAT 180 Washington Valley Road Bedminster, NJ 07921

**Daytime Execution.** You are authorized to execute this warrant in the Daytime (*i.e.*, 7:00 a.m. to 8:00 p.m.).

<u>Service of Inventory</u>. You shall serve a copy of this warrant, along with a written inventory of the Property taken, to the property owner and subject of this warrant. In that regard, a person's possessory interest (whether actual, constructive, or joint) in the Device(s), not a person's ownership interest in the Device(s), shall be the determinative factor.

<u>**Return of Service.**</u> You shall make prompt return of this warrant to the Clerk of this Court, along with a written inventory of the Property taken, as required by law.

Judge Joel Kuhlman

9:26gm 6/14/24

Date and time signed

## AFFIDAVIT FOR WARRANT TO SEARCH AND SEIZE

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## Records for Verizon Wireless Cellular telephone # 419-764-9739

# STATE OF OHIO}} ssWOOD COUNTY}

Before me, Judge Joel Kuhlman of the Wood County Common Pleas Wood County, Ohio, Special Agent Tiffany Najmulski of the Ohio Bureau of Criminal Investigation, being duly sworn, deposed and said that she has probable cause to believe, and does believe, that evidence of the crimes listed below, which are being investigated in Wood County, Ohio and that occurred on May 23, 2024 will be found stored within records held by Verizon Wireless for the assigned telephone number 419-764- 9739 from May 23, 2024, at 0000 hours (EST) until May 24, 2024, at 0000 hours (EST).

#### STORED COMMUNICATIONS ACT

1. This application seeks a search warrant for records held by Verizon Wireless which has its principal place of business at 1 Verizon Way, Basking Ridge, NJ 07920. Verizon offers various telecommunications services to the public, including voice and text-based communication services. Verizon therefore satisfies the definition of an "electronic communication service" under 18 U.S.C. § 2510(15) because it "provides to users...the ability to send or receive wire or electronic communications."

2. Because of the services Verizon provides, it is bound by the terms of the federal Stored Communications Act (as described below). The federal Stored Communications Act, 18 U.S.C. § 2701 et seq., controls the access of records, content, and other information from electronic communication service providers by governmental entities. 18 U.S.C. § 2703(a) states, in part:

A governmental entity may require the disclosure by a provider of electronic communication service of the contents of a wire or electronic communication, that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant...in the case of a State court, issued using State warrant procedures...by a court of competent jurisdiction.

3. 18 U.S.C. § 2703(c) states, in part:

A governmental entity may require a provider of electronic communication service or remote computing service to disclose a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications) only when the governmental entity...obtains a warrant...issued using State warrant procedures...by a court of competent jurisdiction.

- 4. Ohio Courts of Common Pleas satisfy the federal statutory definition of a "court of competent jurisdiction" under 18 U.S.C. § 2711(3)(B) ("a court of general criminal jurisdiction of a State authorized by the law of that State to issue search warrants").
- Records relating to Beau Purtee's phone number may identify communications and/or witnesses who may have additional knowledge of statements made by Beau Purtee shortly after the incident.

The affiant has probable cause to believe that the following electronic data and records are located and stored with Verizon, the property and records, namely:

- Subscriber Information: Basic subscriber information for the above-identified accounts consisting of account creation date(s), activation information, any and all email address(es), telephone numbers, or other contact information associated with the account(s);
- **Content**: Any and all content data, including but not limited to voicemail messages, text communications, historical cell-site location information; and
- Non-content: Any and all non-content data, including but not limited to:
  - $\circ$  All connection logs and records of user's activity for each such account including;
    - Outbound and inbound call detail;
    - Connection date and times;
    - Disconnect dates and times;
    - Data usage records, including transfer volume;
    - Telephone caller identification records;

- Any other connection information such as Internet protocol address and ports or other uniquely identifying information assigned for data connections;
- Call origination/termination dates, times, and locations;
- Text-based messaging dates, times, and locations;
- Physical address(es) of cellular sites used by the account;
- All stored communications including text messages, voicemails, e-mails, and any other files associated with user accounts originating between the relevant timeframes listed above;
- Any other records or account related or associated to the above referenced telephone number;
- All available historic ping data, GPS, RTT, and precision location information;
- cellular telephone device information (including device-specific information such as IMEIs, IMSIs, etc. that could identify any specific devices used in connection with the target account(s)); and
- Account comments;
- Billing records;

(hereinafter, collectively, the "Property")

which constitutes evidence that is relevant to one or more suspected violations of the following sections of the Ohio Revised Code:

#### Felonious Assault ORC 2903.11A2.

(hereinafter, collectively, the "Offenses").

#### **Probable-Cause Basis**

<u>Affiant Qualifications</u>. I, Special Agent Tiffany Najmulski, being first duly sworn and placed under oath hereby state that I have good and probable cause to believe that the above described property is located in the place I am requesting to search and further state that all of the information set forth in this affidavit is true to the best of my knowledge and belief.

The facts and grounds upon which I believe that a warrant should be issued and that the property sought is located where noted are as follows: affidavit of Special Agent Tiffany Najmulski.

1. I have been employed with the Ohio Bureau of Criminal Investigation since 2012.

- 2. I am currently assigned to the Major Crimes/Special Investigations Unit.
- 3. I have 30 years of law enforcement experience, with nearly 18 of those years from the Lima Police Department and 12 as a special agent with BCI.
- 4. I have participated in hundreds of search warrants.
- 5. I have investigated and been in charge of numerous cases, involving homicides, suspicious deaths, felonious assaults, assaults, sexual assaults, rapes, burglaries, and robberies.
- 6. I have received advanced training in interviewing and interrogation techniques, and have fifteen (15) years of experience in the search and seizure, search warrant applications and arrest procedures.
  - a. I am a "law enforcement officer" as that term is defined in R.C. 2901.01(A) (11) and as used in R.C. 2933.21 to R.C. 2933.33 (search warrants, generally) and Criminal Rule 41(A).
- Sources of Information. I have obtained the information set forth in this affidavit from the following sources:
  - A. Documentation provided by the Perrysburg Township Police Department
  - B. Information provided by the BCI agents working the crime scene.
  - C. Information provided by agents conducting a neighborhood canvass
  - D. Officer body cam
  - E. 911 phone recording
  - 1. On 05/23/2024 at approximately 2300 hours, Perrysburg Township police responded to 27695 Tracey Rd. Walbridge, OH 43465 to a 9-1-1 call reporting an intoxicated male with a gun. Upon arrival officers encountered **Beau Daniel Purtee** who fired multiple gunshots from a Glock 9mm toward the officers. One officer with the Perrysburg Township Police Department returned fire striking **Purtee**. **Purtee** was pronounced deceased.
  - 2. Prior to his encounter with the police, **Purtee** had attended a funeral for his cousin, Arthur Purtee. It was reported by several individuals that **Purtee** was drinking alcohol at the funeral and had placed a bullet in Arthur's casket. After the service **Purtee** and several friends and family members went to a family home at 27695 Tracey Rd, Lot 293, where it was reported that **Purtee** began to act strangely and brandish a firearm from holster in his waistband. Purtee had driven himself to the residence in his registered, to him, 2015 Ford Taurus, Purple color.
  - 3. Purtee was seen removing the magazine of the firearm and it appeared to be fully loaded.
  - 4. Witnesses reported that **Purtee** asked those present several times "who the bad guy was" and was told that there was no bad guy. **Purtee** responded that he was the bad guy.

- 5. It was reported by witnesses that **Purtee** continued to drink alcohol including "Fireball" Whiskey.
- 6. Multiple witnesses in attendance left the location because they did not feel safe. Friends and family members attempted to talk **Purtee** into putting his gun into the trunk of his vehicle and give his keys to a family friend, however, **Purtee** refused. A short time later, **Purtee** began to walk throughout the trailer park complex.
- 7. **Purtee** called 9-1-1 and made comments that he did not want to hurt anyone, however, the call takers heard what sounded like gunshots in the background. When officers arrived on scene the previously described shooting occurred.
- 8. A cellular phone found at the scene is believed to belong to Purtee.
- 9. This cellular phone number of 419-764-9739 (obtained by the 911 call made by Purtee) was ran and the carrier was found to be Verizon Wireless.
- 10. This affiant knows through years of experience that both victim and suspect(s) utilize their cellphones, email, and other social media accounts to communicate with associates and conduct business. This affiant is further aware that cellphone carriers, Google, and other social media accounts will track the user(s) location through GPS, and if the user(s) is moving from one location to another location, that data will be preserved for a period of time.
- 11. Records relating to Beau Purtee's Verizon account may identify communications and or witnesses who may have additional knowledge of statements made by Beau Purtee around the time of the incident.

## **Request for Issuance of a Warrant**

Based upon the foregoing, I respectfully submit that probable cause exists for this Court to issue a search warrant authorizing agents of the State to search records held by Verizon Wireless relating to a cellular telephone possessed by **Beau Purtee on May 24, 2024** and which was using the telephone number **419-764-9739** at that time for evidence of the violations of Ohio law set forth herein, including the following content and records associated to the account(s) listed above **from May 23, 2024 at 0000 EST (UTC-5) to May 24, 2024 at 0000 EST (UTC-5)**:

**<u>Request for Daytime Execution</u>**. I respectfully request permission to execute the requested warrant during the Daytime (*i.e.*, from 7:00 a.m. to 8:00 p.m.).

### Further, the Affiant Sayeth Naught:

SA Tiffung Manulu Affiant's Signature, Special Agent Tiffany Najmulski

The Ohio Bureau of Criminal Investigation

Sworn to before me, and subscribed in my presence this  $\underline{14^{h}}$  day of June , 2024.

Judge Joel Kuhlman

6/14/24 9:26m

Date and Time Signed



#### **RETURN OF SEARCH WARRANT**

2024 JUL 22 PM 1:53 DOUGLAS F. COBUERLEY

#### JUDGE KUHLMAN WOOD COUNTY COURT

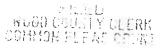
I received the attached search warrant on June 14, 2024, at approx. 09:26 AM and have executed it as follows: On June 14, 2024, at approximately 14:25 PM, BCI Special Agent Tiffany Najmulski, executed the search warrant submitted to Verizon Wireless requesting cellular phone records. On July 22, 2024, Special Agent Tiffany Najmulski received those records.

Today's date: July 22, 2024

SA Tiffany Najmulski

Ohio Bureau of Criminal Investigation





2024 JUL 22 PM 1: 53 Inventory/Receipt Attachment

I received the below lister (person/location): VUNZON WULLES

Item	Description	Location Found	Found by Whom
	Description digital phone records	Venzon Servers	Venicon
	0		
a			

Signed SATIFICU Noppublic		Date	
Items	Released By	Received By	Date/Time

Page \_\_\_\_\_ of \_\_\_\_\_

Rev. 03/15

Ohio Bureau of Criminal Investigation



CASE#\_ 24- 1584

Inventory/Receipt Attachment

I received the below listed property from (person/location):\_

Verizon Wireless

Item	Description	Location Found	Found by Whom
	digital phone records	Verizon Servers	Vericon
	200-	· · · · · · · · · · · · · · · · · · ·	
			-

Signed <u>EA Tuffan</u> <u>Napubli</u> Inventory Agent

Date\_\_\_\_\_\_\_\_\_\_

Page \_\_\_\_\_ of \_\_\_\_\_

Rev. 03/15

#### **RETURN OF SEARCH WARRANT**

#### JUDGE KUHLMAN WOOD COUNTY COURT

I received the attached search warrant on June 14, 2024, at approx. 09:26 AM and have executed it as follows: On June 14, 2024, at approximately 14:25 PM, BCI Special Agent Tiffany Najmulski, executed the search warrant submitted to Verizon Wireless requesting cellular phone records. On July 22, 2024, Special Agent Tiffany Najmulski received those records.

Today's date: July 22, 2024

SA Tiffany Najmulski

From: Tiffany Najmulski To: Tiffany Najmulski [Tiffany.Najmulski@OhioAGO.gov] Subject: FW: VSAT Court Order Compliance case 24334060 Sent: Mon 6/24/2024 9:04 AM GMT-04:00 Importance: Normal

From: Tiffany Najmulski
Sent: Friday, June 14, 2024 2:43 PM
To: 'vsat.cct@verizon.com' <vsat.cct@verizon.com>
Subject: FW: VSAT Court Order Compliance case 24334060

From: Tiffany Najmulski
Sent: Friday, June 14, 2024 2:25 PM
To: '8666670026@ag.fax' <<u>8666670026@ag.fax</u>>
Subject: VSAT Court Order Compliance case 24334060

Please send correspondence to Special Agent Tiffany Najmulski at fax: 866-293-1008 or email <u>tiffany.najmulski@ohioago.gov</u>. I can be reached by cell at 419-455-5824.

\*\*\*\*\*I will be out of town from June 16<sup>th</sup> until June 24<sup>th</sup>. Please allow me to be able to access the records for longer than a week.

Thank you, SA Tiffany Najmulski



Tiffany A. Najmulski Special Agent – BCI Bowling Green Special Investigations Unit-Major Crimes Office of Ohio Attorney General Dave Yost Cell number: (419) 455-5824 Fax number: (866) 293-1008 tiffany.najmulski@ohioago.gov