



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



2022-1726
 Officer Involved Critical Incident – 15266 Gilchrist Rd., Mt.
 Vernon (L)

Investigative Activity: Interview with Officer
Involves: DPD Ofc. [REDACTED] (S)
Date of Activity: 09/08/2022
Activity Location: FOP Copper Lodge Hall – 6800 Schrock Hill Court, Columbus, OH
 43229, Franklin County
Author: SA John P. Tingley, #154

Narrative:

On Thursday, September 8, 2022, at approximately 1403 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) John Tingley (Tingley) and SA Andy Russell (Russell) interviewed Dublin Police Department (DPD) Officer [REDACTED] [REDACTED], who was accompanied by Nicole Wannemacher, attorney from the Fraternal Order of Police (FOP) Ohio Labor Council (OLC). The interview took place at the FOP Copper Lodge Hall, which is located at 6800 Schrock Hill Court, Columbus, Ohio. The interview was audio recorded.

Officer [REDACTED] was presented with the BCI Criminal Investigation Notification form; which he read, understood and signed.

This report only summarizes the information deemed by the author to be of the most relevance to the investigation and does not purport to contain all questions and answers from the interview. Further, this report was placed in a chronology to aid the reader’s overall understanding of the information elicited during the interview and may not be reflective of the actual sequencing of questions, nor is it a word-for-word translation of either the questions or answers. It is suggested that the full recording be reviewed to clarify any content or contextual questions regarding the information from the interview.

Preliminary and Demographic Information:

Name: [REDACTED]	Rank: Officer
Badge Number: [REDACTED]	Cruiser/Vehicle Number: N/A

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Radio Call Sign: N/A	Immediate Supervisor: Sgt. Diaz
Radio Channel Utilized: SO21	Mobile Data Terminal: N/A
Cruiser Description: Bearcat – Armored	Occupants of Cruiser and Seating Positions: N/A
Assignment: Patrol & SWAT	Normal Shift: 1400 – 0000
In-Car Camera: N/A	Spotlight: N/A
Emergency Lights: N/A	Siren: N/A
Shift Day of Incident: 0700 – 1500	Duty Status: SWAT
Days Off: Saturday & Sunday	Prior Overtime or Extra Details within Preceding 48 Hours: No
Hours of Sleep Prior to Incident: Unsure	Consider Self Well Rested?: Yes
Total Length as Officer: 26	Length at Current Agency: 18 Years
Physical Disabilities (to include hearing aid): None	Corrective Lenses: No
Uniform Worn: Tactical	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: Rifle magazines, Radio
Ballistic Vest: Outer Carrier/Tactical	Body Worn Camera: Yes
Other Recording Devices: No	Partner: Tactical Team
Injuries: None	Equipment Damage: None
Training or Areas of Specialty: SWAT, CIT	OPOTC Certification: Yes
Military Experience/Training: No	Use-of-Force Training: Yes

Prior Shooting Incidents: No	Prior Discipline or Use-of-Force Complaints: No
Medications, Prescriptions or Drugs that might Impair Your Duties at Time of Incident: No	Medications, Prescriptions or Drugs that might Impair You Now for Interview: No

Officer's Firearm(s):

Weapon #1

Make: Sig Sauer	Model: MCX
Caliber/Gauge: .223/5.56	Serial: [REDACTED]
Type: Semi Auto Rifle	Method of Carry: Sling
Magazine Capacity: 30/Loaded to 28 or 29	Total Rounds as Carried (including chamber): 29
Discharged During Incident? Yes	Primary or Backup Weapon: Primary
Rounds Remaining After Incident: Unknown	Number of Rounds Fired: 5-7
Right/Left-Handed Carry: Right	Ownership: DCSO
Last Qualification Date: 2022	Type of Holster, if any: N/A

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Ofc. ██████ read a written statement that he had prepared prior to his interview. After Ofc. ██████ read his statement, agents asked several additional questions related to the incident. A summary of that information from the written statement is detailed below.

Ofc. ██████ stated that on August 20, 2022, at approximately 0059 hours, he received a Delaware Tactical Unit (DTU) call-out for an incident in Knox County, Ohio. He was further instructed to proceed to the Knox County Sheriff's (KCSO) Office located at 11540 Upper Gilchrist Road, Mt. Vernon, Ohio.

Upon his arrival at the KCSO, he stood by while other DTU and other tactical teams arrived, including several arriving in armored vehicles. During this time, he learned that the Wilhelm's owned approximately 100 acres of property with a fence around the property.

Ofc. ██████ advised that sometime before dawn, the DTU and other tactical teams went to a staging location at 21718 Danville-Amity Road, which was a short distance from the Wilhelm property on Gilchrist Road, Mt. Vernon, Ohio. He was also made aware that the Ohio State Highway Patrol (OSHP) helicopter and a drone were over the property, with the drone providing a live feed. Ofc. ██████ was assigned to a DTU team in a Bearcat, that also included a KCSO SWAT deputy.

Ofc. ██████ stated that around 0600 hours, the DTU team deployed in the Bearcat and went to an area approximately one half mile north of the entrance to the Wilhelm's mother's residence located at 15266 Gilchrist Road. While there, he watched the live drone feed and monitored the OSHP helicopter on a spare radio. Around 0730 hours, he watched as the girlfriend of one of the Wilhelm brothers left the property and walked south until she was contacted by the OSHP tactical team.

Ofc. ██████ continued by advising that shortly before 0800 hours, he was monitoring the drone feed and observed Bradley Wilhelm, who was wearing a dark jacket, outside of his mother's residence. Several minutes later, he observed Randy Wilhelm exit the residence wearing a camouflage shirt and carrying a scoped rifle. Approximately 10 minutes later, he watched as the Wilhelm brothers moved a propane tanker truck into position, blocking the driveway to the mother's residence.

By approximately 0900 hours, Randy and Bradley Wilhelm had left the Gilchrist Road property for Randy Wilhelm's residence, which is located at 15159 Monroe Mills Road, Mt. Vernon, Ohio.

Ofc. ██████ stated that his DTU team was then assigned to travel to the mother's residence on Gilchrist Road and attempt to contact the mother; and, if possible, move her to a place of safety. The DTU Bearcat drove through the locked gate at the driveway and proceeded to the residence, parking on the east side of the residence

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with the Bearcat facing north. While other team members attempted to contact the mother, Ofc. ██████ positioned himself at the rear driver's side of the Bearcat, taking a position between the Bearcat and the residence, where he began monitoring the property to the east.

Ofc. ██████ advised that after a few minutes, he heard gunfire from the southeast. He heard over radio traffic that the "suspects" [Wilhelm brothers] had fired at the DTU BATT armored vehicle and that the BATT was backing away from Randy Wilhelm's residence. He heard more rounds being fired, which he knew to be from the suspects, as the tactical teams all had suppressed weapons. He heard over the radio that the BATT's windshield had been hit multiple times by gunfire and was moving to get out of the line of fire. He then heard that the DTU MRAP vehicle was needed at the Monroe Mills Road location and observed the MRAP leave the Gilchrist Road property.

Ofc. ██████ stated that just a few minutes after the MRAP left, he heard radio traffic advising that the Wilhelm brothers had left the Monroe Mills Road residence in a ATV side by side, and they were heading towards his team's position. He stated that he was in a kneeling position, while DTU team leader Lieutenant ██████ was standing above him. Ofc. ██████ was watching the tree line and heard the ATV approaching. He then observed the ATV approaching the tree line, and he called out, "I got them," to let the team know he had a visual of the ATV.

Ofc. ██████ advised that he then observed the suspects in the ATV come through the tree line at a high rate of speed on the ATV. The ATV then turned sharply to the west and Ofc. ██████ observed the passenger begin to raise up a rifle. He then heard a loud boom, at which point Ofc. ██████ began firing. He also heard Lieutenant ██████ firing his rifle. Ofc. ██████ then saw that the ATV had stopped and he called out that the ATV and occupants were no longer moving.

Ofc. ██████ kept his rifle on the suspects while waiting for the drone to fly over; however, he saw no movement from either of the suspects. A few moments later, the MRAP drove over to the ATV, followed a few moments later by the OSHP Bearcat. Once it was determined that the suspects were no longer an immediate threat, Ofc. ██████ walked to Gilchrist Road to await transport back to the command post.

Ofc. ██████ stated that he believed that he fired five to seven shots at the suspect in the front passenger seat of the ATV. He heard other rounds being fired while he was firing and heard rounds being fired after he had stopped firing. Ofc. ██████ advised that he did not know if the suspect fired a round at the DTU officers but he did hear a loud boom prior to firing.

Ofc. ██████ then stated, "At the time I fired my weapon at the suspect, I do not believe I had any other reasonable alternative to protect my life and the lives of the other DTU members who were by the Bearcat...They fired multiple rounds during this

incident...They fired at the OSP helicopter and several minutes before this incident they fired multiple high-caliber rounds at the Marysville BATT." He continued, "I believed the suspect had either just fired at us or was about to fire at us and it is at that moment that I fired my weapon at the suspect. I truly believe the suspect intended to kill or seriously injure me or another member of the DTU team. I fired my weapon to protect myself and the other DTU members from the suspect's deadly threat of firing his rifle at us."

SA Tingley then gave Ofc. [REDACTED] a Google map photo of the property around the 15266 Gilchrist Road residence and asked him to mark his position and the position of the ATV. Ofc. [REDACTED] took a pen and marked the photo as requested and then signed the document.

SA Tingley then asked if Ofc. [REDACTED]'s actions were consistent with his training and experience; Ofc. [REDACTED] replied, yes.

The interview was then concluded at approximately 1422 hours.

This interview was audio recorded. The audio recording, written statement, signed BCI Criminal Notification form and signed photo/diagram are all attached to this case file.

Attachments:

- Attachment # 01: 2022-1726 [REDACTED] BCI CRIMINAL NOTIFICATION FORM
- Attachment # 02: 2022-1726 [REDACTED] WRITTEN STATEMENT
- Attachment # 03: 2022-1726 [REDACTED] DIAGRAM
- Attachment # 04: 2022-1726 [REDACTED] STATEMENT - INVOLVED

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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).

[Redacted Name]

Printed Name of Interviewee

9-8-22 1403
Date / Time

[Redacted Signature]

SA JOHN TINGALEY #154
BCI Agent (Printed)

SA [Signature]
BCI Agent (Signature)

STATEMENT OF OFFICER [REDACTED]

This statement is regarding my involvement in an incident that occurred between approximately 1:00 a.m. and 9:30 a.m. on Saturday, August 20, 2022, in the area of 15266 Gilchrist Road, Mount Vernon, in Knox County, Ohio. I am making this statement voluntarily as part of the investigation into this matter being conducted by the Bureau of Criminal Investigation (BCI).

My date of hire with the Dublin Police Department is November 24, 2003. I am currently assigned to patrol but I am also part of the Delaware Tactical Unit (DTU). DTU is comprised of officers from Dublin, Westerville, Powell, Genoa Township, City of Delaware, and Delaware County Sheriff's Office. DTU trains as a unit two days per month. We do not have call numbers/signs in DTU. I have been a member of DTU for the last two (2) years. Because I work both patrol and DTU, I typically work Monday-Friday, 7:00 a.m. to 3:00 p.m., but that schedule may vary depending on the needs of DTU.

I have completed tactical training through OPOTA (Ohio Peace Officers Training Academy) SWAT (Special Weapons and Tactics), and I am a certified OPOTA instructor, a firearms instructor in rifle, handgun and shotgun, as well as a defensive tactics and taser instructor. I do not have any military training. I have 8 years of prior law enforcement experience with Hancock County which consisted of 4 years working in the jail and 4 years in patrol with 2 of those years on a joint tactical team. I also have an associate degree in criminal justice. I do not have any uses of force that have been found outside of policy. I have never had a prior critical incident.

I do not wear glasses or contacts and my uncorrected vision is good. I do not wear a hearing aid and my hearing is good. I did not consume any alcohol in the 24-hour period prior to

this incident. I was not under the influence of any medications, prescription or over the counter, which would have impaired my abilities. I do not suffer from any disabilities. I did not work any special duty or overtime in the 24-hour period prior to this incident but I did work my regular patrol assignment the day before the incident.

On the date of this incident, I was called in as part of the DTU team. This was not a planned mission for the team. I was dressed in my black DTU tactical uniform consisting of BDU's (Battle Dress Uniform), a long sleeve shirt with DTU patch on one shoulder and a Dublin Police patch on the other shoulder. I was also wearing my ballistic vest and helmet with a mic. I was carrying my agency-issued Sig Sauer MCX 5.56 rifle that has a red dot optic, laser and suppressor. It was loaded with Winchester Power Point .223 ammunition. I was also carrying my personally owned Sig Sauer P320 handgun. I did not fire my handgun at any time during this incident. I was current in my qualifications with both weapons. I had my body worn camera (BWC) mounted to the outside of my tactical vest carrier.

On August 20, 2020, at approximately 12:59 a.m., I received a notification via Everbridge (this sends the message via text, email and phone call) from Sergeant Diaz, who is the Commander of DTU and with the City of Delaware. It stated that the DTU team and negotiators were needed by the Knox County Sheriff's Office (KCSO) and that I was to report to 11540 Upper Gilchrist Road, Mount Vernon, Ohio. There were individuals who were firing shots at vehicles and the Ohio State Patrol helicopter.

After receiving the call out, I grabbed my rifle and I got into my unmarked DTU car (which contains my tactical gear) and I drove from my home in Delaware, Ohio, to the Knox County Sheriff's Office. I believe I arrived there within approximately an hour and I was among the first several DTU members to arrive. Incident Command Staff were there formulating a plan to arrest

the suspects. During this time, additional DTU members and several armored vehicles arrived, including the MaxxPro MRAP (Mine Resistant Ambush Protected), Bearcats and Marysville's BATT (Ballistic Armored Tactical Transport). Allied Special Operations Response Team (ASORT), which is a Richland County Task Force, also responded. During this time, I learned that the Wilhelm family owns approximately 100 acres of land and they have several homes, outbuildings/pole barns, and a propane business on the property. The property is located between Gilchrist and Monroe Mills Road in Mount Vernon, Ohio, and the entire property is surrounded by a fence that is at least 10 feet high. I also learned that Randy Wilhelm is known in the area and is an expert marksman. He was believed to own multiple firearms, including large caliber rifles. I remained at the KCSO for several hours, as it was too dangerous to attempt an encounter or arrest prior to daylight.

Sometime before dawn, the DTU unit along with other jurisdictions went to 20718 Danville Amity Road, which was just down the road from the Wilhelm family compound. The OSP helicopter was in the air and flying over the vast property. I believe there was also at least one drone flying as well and we had a live feed of the drone footage. It was reported that two men had been moving propane tankers around the property. I was assigned to a team comprised of Team Leader Lt. [REDACTED] (Westerville PD), Deputies [REDACTED] and Aaron Siegel (DCSO), Officer Shawn Franks (City of Delaware) and Sergeant Shawn Combs (Genoa Township) and Zack Miller who is a Knox County Deputy and he was familiar with the property and the suspects. We also had two negotiators with us, Scott Nicholson and Phil Falhiv.

Sometime around 6:00 a.m., we loaded into the BearCat with the tactical team in the back and Phil Falhiv was driving and Scott Nicholson was in the passenger's seat. We went to an area north of the Gilchrist Road entrance to the family compound. This was approximately a half a

mile north of the suspect's mother's house which was 15266 Gilchrist Road. There was another house an acre or so north of the mother's home which was believed to be Brad Wilhelm's home (15502 Gilchrist Road). Brad and Randy are brothers. There were also several pole barns/outbuildings, as well as ponds and woods on the property. Randy Wilhelm's house was located at 15159 Monroe Mills Road and it was east of his mother and brother's house and could be directly accessed from Monroe Mills Road. However, all the homes, outbuildings and pole barns were enclosed by the huge fence that had locked gates at each access/entrance point. Once we were in position north of the Gilchrist Road entrance to the compound, negotiators began trying to establish contact. While we were staged on Gilchrist Road, I watched the live drone feed over the property. I also had a spare radio and I heard the OSP helicopter traffic.

Negotiators attempted to contact the brothers' multiple times. Around 7:30 a.m., they successfully contacted a girlfriend of one of the brothers. She said she would come out and leave the property. On the live drone feed, I saw her drive a blue car down the driveway towards Gilchrist Road. I also heard the OSP radio traffic detailing her movements. Once she got to the gate, she exited her car and left it in the driveway. She walked south on Gilchrist Road and made contact with other officers on scene. I believe negotiators tried to use her cell phone to contact the suspects but I do not believe they were successful.

A little before 8:00 a.m., I saw Brad Wilhelm via live drone footage, outside his mother's house. It was daylight now and visibility was good. He was wearing a dark jacket. Several minutes later, Randy came outside and he was in a camouflage shirt and hat and he was carrying a scoped rifle. Approximately 10 minutes later, they got into an SUV and drove towards the pole barn by the mother's house. Next, they drove a propane tanker truck and positioned it in the driveway leading up to the pole barn. Per officers who were familiar with the family, I learned

that Randy had previously threatened to use a propane truck as a weapon/explosive device. By approximately 9:00 a.m., both Brad and Randy had returned to Randy's house on Monroe Mills Road. The DTU team was then instructed to move to our assigned buildings.

My team was assigned to the mother's house. Our mission was to make contact with her and get her out of the property and to safety. We got into the BearCat and left the staging location and drove to the mother's home. There was a locked metal fence that blocked the entrance to his mother's house and the Bearcat drove through it. I believe the MaxxPro followed us into the driveway. There was a propane truck blocking the driveway. The BearCat cut across the yard and parked on the east side of the mother's house. The Bearcat was facing northwest. The MaxxPro remained in the driveway, directly in front of (west of) the propane truck. I believe the Marysville BATT was at the end of the driveway which led to Randy Wilhelm's house.

Our team exited the BearCat and several members went to the door of the mother's house and tried to make contact with her. While they were knocking on the door, I positioned myself at the rear driver's side corner of the Bearcat, between the mother's house and the Bearcat. I watched tree line to the south/southeast, as well as the building to the southeast. I also saw members of DTU (who had previously been in the MaxxPro) surround the building/garage southeast of the mother's house. We were only there a couple of minutes, when I heard rounds being fired from the southeast. I heard over the radio traffic that the suspects had fired at the BATT and the BATT was now backing down the driveway from Randy's house. I heard several more rounds being fired and I knew they were coming from the suspects as all of DTU's guns have suppressors. During this time, I believe announcements were being made over the BearCat's speaker to try and get the suspect's mother to come out of the house. However, there was no response.

From the radio traffic, it was my understanding that the BATT's windshield had been hit multiple times by a large caliber round. It had sustained significant damage and it was trying to get out of the line of fire. During this time, several DTU members who had previously been surrounding the building/garage southeast of the mother's house returned to the MaxxPro. I believe only Officer [REDACTED] and Deputy [REDACTED] remained at that location. I heard over the radio that the other team (at Randy Wilhelm's house) needed the MaxxPro and it left our area to go take the position the BATT had previously held.

Not long after the MaxxPro left our area, it was aired over the radio that the suspects left Randy's house on an ATV/side-by-side and that they were heading towards our location. I was still positioned on the back corner of the driver's side of the BearCat facing south/southeast. I was in a kneeling position and Lt. [REDACTED] was above me. I kept my eyes focused on the field/tree line and I heard the engine of the ATV coming before I had a visual. I saw the suspects approaching the tree line and I yelled "I got them" or something to that effect to let the team know that I had a visual on them.

The suspects broke through the tree line to my southeast at a high rate of speed on an ATV/side-by-side. The ATV/side-by-side turned quickly and sharply to the west. Suddenly, I saw the passenger (who I believe based on his camouflage shirt is Randy) begin to raise up a rifle and I heard a loud boom. It is at that moment that I started firing my weapon. I heard Lt. [REDACTED] firing above me. The ATV/side-by-side stopped and I no longer saw the rifle or any movement from the suspects. I believe I yelled that they weren't moving or words to that effect.

We held our positions and I kept my rifle trained on the suspects while we waited for the drone to fly overhead and get a visual on them. The suspects did not appear to be moving. The MaxxPro drove over to the suspects and a few minutes later the OSP Bearcat also approached the

suspects. Once it was determined that the suspects were no longer an immediate threat, I walked back to Gilchrist Road and waited for transport back to the command post at the Danville Amity Road location. After several hours, I was told to return to the KCSO where I met with BCI Agents. This ended my involvement in this incident.

I believe I fired 5-7 rounds at the suspect (passenger of the ATV/side-by-side). I believe I had 28 or 29 rounds in my magazine and one in the chamber when this incident started. I believe I fired all of my rounds in a second or two. I fired from kneeling position at the rear driver's side corner of the BearCat, while trying to utilize the Bearcat for cover. I heard other rounds being fired when I was firing and I heard rounds being fired after I stopped firing. I believe all the rounds were fired in a matter of seconds. I do not know if suspect fired a round at us but immediately before I fired, but I heard a loud boom. However, I am unsure if it was the suspect's or another officer who was firing.

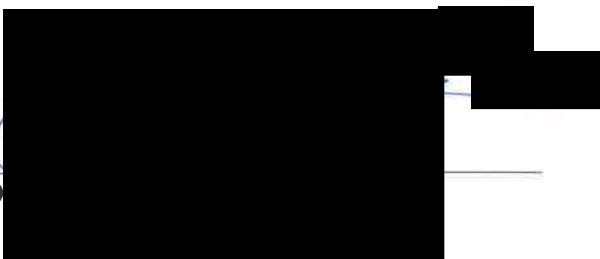
I believe I was approximately 50-60 yards from the suspect. I utilized my rifle's red dot sight. The direction of my shots was southeast. The backdrop of my shots was the trees/tree line behind the suspect. My target was the right side of the suspect's torso, as he was seated in the passenger's side of an ATV/side-by-side and it was turning west. The passenger was my only intended target. I stopped firing because the suspect's ATV/side-by-side stopped and I no longer saw the rifle in his hand.

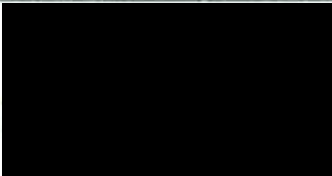
At the time I fired my weapon at the suspect, I do not believe I had any other reasonable alternative to protect my life and the lives of the other DTU members who were by the Bearcat. During the hours long standoff, the suspects had been given multiple opportunities to surrender and refused. They fired multiple rounds during this incident and positioned propane trucks to be used as weapons/explosives throughout the property. They fired at the OSP helicopter and

several minutes before this incident they fired multiple high caliber rounds at the Marysville BATT. Immediately before I fired my weapon, the suspects were coming towards us at a high rate of speed on an ATV/side-by-side and I saw the passenger raise up a rifle and I heard a loud boom. I believed the suspect had either just fired at us or was about to fire at us and it is at that moment that I fired my weapon at the suspect. I truly believe the suspect intended to kill or seriously injure me or another member of the DTU team. I fired my weapon to protect myself and the other DTU members from the suspect's deadly threat of firing his rifle at us. It was clear from their actions that the suspects had no intention of surrendering and I do not believe I had any other choice to protect my life or the lives of the other DTU members at the time I fired my weapon.

I know the suspects names are Randy and Brad Wilhelm. I do not believe that I ever had any prior encounters, personal or professional, with either of these individuals. However, I believe that previously DTU had been requested to serve a warrant on them (I believe it was for Randy) but due to the fact they were believed to have a large arsenal of firearms and ammunition, it was determined that it would be safer to make the apprehension away from their home. I believe this occurred a couple months prior to this incident.

I have now had an opportunity to review the BWC and drone footage from this incident. Upon reviewing the footage, I realize that the suspect drops the rifle to ground once myself and the other officers started firing at him. I did not see him drop the rifle during the incident. This concludes my statement, and I am now prepared to answer any additional questions you may have at this time.

A large black rectangular redaction box covers the signature area. To the left of the box, the letter 'O' is partially visible, likely from the word 'Officer'.



9-8-22