



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



2025-3709
Officer Involved Critical Incident - 4175 Brush Creek Rd.,
Manchester, OH 45144 (L)

Investigative Activity: Personnel File Review
Involves: ██████████
Activity Date: 11/25/2025
Authoring Agent: SA Joshua Welty #173

Narrative:

On Tuesday, November 25, 2025, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Joshua Welty (SA Welty) received the personnel file for OSP ██████████ ██████████ from Ohio State Highway Patrol (OSP) Sgt. Rachel Simmons. SA Welty reviewed the personnel file and noted the following:

Nothing pertinent found.

The personnel file is attached to this report. Please refer to the attachment for further details.

References:

No references.

Attachments:

Attachment #1: OSP - ██████████ Prior Discipline

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.

DEPARTMENT RECORD



Employee Name	[REDACTED]	Unit Number	[REDACTED]	Hire Date	[REDACTED]
Job Description	Trooper	Division	OSP	Department	[REDACTED] Wilmington

No Department Record Found

INTER-OFFICE COMMUNICATION



Date September 28, 2023 File 2-ADM

To Major Anne R. Ralston Attention S/Lieutenant Chad A. Miller

From Sergeant Chad E. Smith, Administrative Investigation Unit

Subject Administrative Investigation # [REDACTED] Wilmington District, Wilmington Post

Background

On August 22, 2023, I was notified by Captain Heber Fellure, Wilmington DHQ, regarding [REDACTED] Wilmington Post, failing to seize drug paraphernalia from a traffic stop. This traffic stop was reviewed after a complaint was filed by the driver's mother (Complaint [REDACTED]). The complainant, Kristen Gregory, alleged her juvenile son's vehicle was illegally searched due to his race. The video was reviewed by post supervision and Fellure and was determined to be unfounded; however, a procedural issue was observed when [REDACTED] neglected to seize drug paraphernalia.

On August [REDACTED] conducted a traffic stop with a 2022 Honda Accord for 93 MPH in a 70 MPH zone while working an air speed zone on Interstate 71 near milepost 48 in Clinton County, Ohio. While speaking with the driver, Kingston Johnson, [REDACTED] explained the reason for the traffic stop while also detecting the odor of marijuana. Johnson and the two occupants were removed from the vehicle, and a consensual pat-down was conducted. [REDACTED] questioned Johnson further regarding the odor of marijuana and explained he would be searching the vehicle. Trooper Elizabeth Justice, Wilmington Post, assisted [REDACTED] with searching the vehicle, and placed one of the occupants in her patrol car. During the search, [REDACTED] did locate a purple marijuana grinder near the center console and returned it to its location. No other contraband was located during the search. [REDACTED] explained to Johnson he located drug paraphernalia but was not going to seize it nor issue Johnson a citation for possession of marijuana paraphernalia. Ultimately, the passengers and Johnson were released, and Johnson was issued a speeding citation. [REDACTED] was polite and professional throughout the traffic stop.

I notified Staff Lieutenant Chad Miller, A.I.U., of this incident. Miller informed me to initiate an administrative investigation (A.I.) into this matter.

Investigative Action

I reviewed the traffic citation (**Artifact A**) and all the video footage associated with the incident from [REDACTED] including [REDACTED] body-worn camera (BWC) footage, front dash camera footage, and rear-seat camera footage (**Artifacts B1, B2, and B3**). The following is the relevant information observed from the video footage:

3:18:07 p.m. – [REDACTED] activates the overhead emergency lights to initiate a traffic stop (**Artifact B1**), exits his patrol car, and makes his initial approach (**Artifact B2**).

*The Ohio State Highway Patrol provides unbiased, professional public safety services through inclusion, collaboration, and innovation.
An Equal Opportunity Employer*

3:19:42 p.m. – [REDACTED] has Johnson exit the vehicle, conducts a consensual pat-down, and begins questioning Johnson regarding the odor of marijuana in the vehicle.

3:21:04 p.m. – Johnson is placed in the rear of [REDACTED] patrol car. (**Artifact B3**)

3:21:44 p.m. – [REDACTED] returns to the Honda, has the front seat passenger exit, and conducts a consensual pat-down. The passenger is asked about the odor of marijuana in the vehicle before being placed in [REDACTED] patrol car.

3:22:30 p.m. – Justice arrived on scene, and [REDACTED] explained he detected the odor of marijuana. Justice removes the last passenger, performs a consensual pat-down, and places the individual in the rear seat of her patrol car.

3:23:16 p.m. – [REDACTED] and Justice begin searching the vehicle.

3:26:26 p.m. – [REDACTED] locates a small metal marijuana grinder in a compartment directly under the front console, examines the drug paraphernalia, and returns it to its original location.

3:27:16 p.m. – [REDACTED] and Justice complete the vehicle search and locate no further contraband.

3:27:43 p.m. – [REDACTED] explains to Johnson that he located drug paraphernalia but would not seize it or charge Johnson.

3:28:32 p.m. – Both passengers were allowed to return the Honda.

3:33:39 p.m. – [REDACTED] issued a speeding citation to Johnson, explained the court information, and released Johnson.

Additionally, one record of informal training (OHP-[REDACTED] for [REDACTED] was on file at the time of the investigation (**Artifact C**). The OHP-[REDACTED] from January [REDACTED] pertained to [REDACTED] failing to adhere to the service interval window and having his patrol car serviced too early.

Subject of Investigation:

On August 24, 2023, I interviewed [REDACTED] as the subject of this investigation (**Artifact D**). [REDACTED] declined to have a labor representative present for the interview. [REDACTED] was read the Internal Investigation Pre-Interview form (**Artifact E**). His date of hire was [REDACTED] works the [REDACTED]. The recorded interview began at 10:56 a.m. The following is a summary of the recorded interview:

[REDACTED] declined to review the associated videos from the traffic stop and believed he could recall most of the traffic stop since it happened recently. [REDACTED] described working an air speed zone on Interstate 71 in Clinton County, Ohio. Trooper Mark Nelson, Aviation Unit, radioed there was a gray vehicle traveling to [REDACTED] at 93 MPH in a 70 MPH zone. Nelson ensured [REDACTED] was behind the correct vehicle and [REDACTED] initiated a traffic stop.

[REDACTED] walked up to the car and spoke with Johnson, who said he was a minor and did not have his driver's license with him. While they talked, [REDACTED] detected the odor of raw marijuana. He asked Johnson to step out of the car and inquired if he had a medical marijuana card or any hemp products in the car, and Johnson said no to both. [REDACTED] told Johnson he smelled marijuana in the car and would be conducting a search. Johnson was placed in the rear seat of [REDACTED] patrol car. The remaining occupants were removed from the vehicle, and a consensual pat-down was conducted.

During the probable cause search, [REDACTED] located a black metal grinder underneath the dash. Upon further investigation, [REDACTED] identified marijuana residue in the grinder. [REDACTED] described Johnson as a 17-year-old aspiring collegiate athlete. With this in mind and knowing what policy states, [REDACTED] elected to place the grinder back in its original location and decided not to charge Johnson for the drug paraphernalia. [REDACTED] mindset was not to seize the evidence as it could negatively affect Johnson's future college career.

Although [REDACTED] knew not seizing the evidence went against policy and procedure, he had no harmful intentions. In hindsight, he admitted he should have seized the evidence and sent it to the Crime Lab for destruction. If he could do it over, this is what he would have done. [REDACTED] aimed to alter Johnson's behavior, and he believes he accomplished this based on the panic he witnessed. [REDACTED] described how he could put himself in Johnson's shoes as a former college athlete, and did not want this to negatively affect Johnson as he went through the college application process. [REDACTED] agreed he could have still shown compassion and complied with policy by seizing the evidence and sending it to the lab for destruction. [REDACTED] admitted he made a mistake and will not make the same decision moving forward.

[REDACTED] stated everything he reported is true and accurate. The interview concluded.

Lieutenant Jeffrey Madden, Unit #498 – Witness to Investigation:

On August 24, 2023, I interviewed Jeffrey Madden, Wilmington Post Commander, as a witness to this investigation (**Artifact F**). Madden's hire date was September 12, 2012. He works the [REDACTED]. [REDACTED] The recorded interview began at 2:30 p.m. and was conducted over the phone. The following is a summary of the recorded interview:

I gave a brief overview of the traffic stop [REDACTED] was involved in, and Madden said he was familiar with the incident. Additionally, Madden provided he did review the available video footage of the traffic stop from [REDACTED]. Madden explained the traffic stop was reviewed after Sergeant Jeremy Grillot, Wilmington Post, had fielded a complaint from Johnson's mother. The complainant, Kristen Gregory, alleged Johnson's vehicle was illegally searched due to his race. The traffic stop video was reviewed, and Gregory's complaint was deemed unfounded. Madden provided [REDACTED] had probable cause to stop and search Johnson's vehicle. Madden felt [REDACTED] was professional throughout the traffic stop, and there was nothing to substantiate Gregory's claim; however, during the review of the traffic stop, it was found [REDACTED] did not correctly handle evidence after searching Johnson's vehicle.

Madden understood [REDACTED] mindset and how [REDACTED] wanted to show Johnson some compassion. Madden believed [REDACTED] should have seized the evidence, not charged Johnson, but submitted the evidence to the Crime Lab to be disposed of properly. Madden agreed [REDACTED] violated policy and procedure by not seizing the contraband and allowing the contraband to remain in the vehicle.

Madden spoke with [REDACTED] about his expectations when handling similar incidents. Madden felt [REDACTED] was receptive to the discussion and explained the whole incident was a play on [REDACTED] emotions where [REDACTED] felt he was doing the right thing. According to Madden, [REDACTED] knows what policy states regarding handling evidence and understands he should have seized the contraband and submitted it to the lab for proper disposal.

Madden provided there were no other observed operational deficiencies, and to Madden's knowledge, [REDACTED] has no other past issues with search and seizure or proper handling of evidence. Madden felt [REDACTED] understood his mistakes and did not believe this would be a continued problem.

Madden stated everything he reported is true and accurate. The interview concluded.

Artifacts

Artifact A – Traffic citation

Artifact B1 – [REDACTED] front dash recording

Artifact B2 – [REDACTED] BWC recording

Artifact B3 – [REDACTED] rear seat recording

Artifact C – [REDACTED]

Artifact D – Audio recorded interview with [REDACTED]

Artifact E – [REDACTED] signed DPS-0036

Artifact F – Audio recorded interview with Madden

INTER-OFFICE COMMUNICATION



Date October 20, 2023 File 2ADM

To Captain H. M. Fellure Attention _____

From Lieutenant J. D. Madden, Wilmington Post Commander

Subject AI# [REDACTED] - Written Reprimand

On Friday, October 20, 2023, [REDACTED] was issued a written reprimand for violation of the Rules and Regulations of the Ohio State Highway Patrol, 4501:2-6-02(W) Evidence and Recovered Property. To wit: On [REDACTED] performed a probable cause search of a motor vehicle and neglected to seize observed contraband.

[REDACTED]

LT. [Signature] 10-20-23
Issued By Date

REMARKS AND/OR RECOMMENDATIONS

DHQ REVIEW

[Signature] 10/23/23
Signature Date

REMARKS AND/OR RECOMMENDATIONS

GHQ REVIEW

Capt. J.D. Pyles (18) 10/23/23



Employee Name	Unit Number	Hire Date
Job Description	Division	Department
Trooper	OSP	Wilmington

202312165

Case Summary

On August 20, 2023, [REDACTED] performed a probable cause search of a motor vehicle and neglected to seize observed contraband.

Violation Code(s)

- 4501:2-6-02(W) - Evidence and Recovered Property

Discipline Imposed	Discipline Days	Effective Date	Abeyance Days
Written Reprimand	-	10/20/2023	-

TO DEFENDANT: SUMMONS YOU ARE SUMMONED AND ORDERED TO APPEAR

REPORT OF ACTION ON CASE

ON To Be Set AT IN Clinton Co Juvenile Court

DATE OF ARREST _____ am/pm
MONTH/DAY/YEAR TIME

AT 46 S. South Street, WILMINGTON, OH, 45177

CITY VILLAGE TOWNSHIP Liberty, Clinton COUNTY OHIO

COURT ACTION

PERSONAL APPEARANCE REQUIRED: Yes No
If you fail to appear at this time and place you may be arrested or your license may be cancelled.

GUILTY RELEASED TO OTHER AUTHORITY
 NOT GUILTY

TICKET # _____ CASE # _____

OFFICER'S NOTES

NAME Kingston Johnson REFERENCE # _____

Radar # _____ Cal. Times _____

Laser # _____ Cal. Times _____

AV Record # _____

STREET, CITY 930 Brockwell Dr, Westerville

If juvenile, parents names: Kristen Gregory

COUNTY, STATE, ZIP OH, 43081

Address: 930 Brockwell Dr Westerville, OH 43081

PHONE # _____ EXT/PHONE NOTIFICATION APPROVED? YES NO

Phone: _____

OPERATOR LICENSE / STATE ID# <input type="checkbox"/> None*	BIRTH DATE	ISSUE DATE	STATE
	<u>03/27/2006</u>	<u>04/01/2022</u>	<u>OH</u>

School: Thomas Worthington HS Grade: 12th

* If no OL/State ID; REQUIRED documentation attached: Yes

CLASS	EXPIRES	ENDORSEMENT(S)/RESTRICTION(S)	SS# (last 4 digits)
<u>D</u>	<u>03/27/2027</u>	<input type="checkbox"/> CDL <input type="checkbox"/> MC <input type="checkbox"/> Other _____	<u>6 6 2 1</u>

SEX	HEIGHT	WEIGHT	EYES	HAIR	RACE	FINANCIAL RESPONSIBILITY PROOF?
<u>M</u>	<u>6'2"</u>	<u>173</u>	<u>BRO</u>	<u>BRO</u>	<u>BNH</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

TO DEFENDANT: COMPLAINT ON _____ AT 1515, YOU

Operated /Passenger /Parked /Walked at Passenger Motorcycle Bicycle Other: _____

Commercial DOT# _____ >=26,001 lbs. <16 Pass. Bus >=16 Pass. Bus Haz. Mat.

VEHICLE: YEAR 2022 MAKE Honda MODEL 4Door

COLOR Gray LICENSE # LUVKING STATE OH

UPON A PUBLIC HIGHWAY, NAMELY I-71 DIRECTION Northbound

AT/NEAR _____ (M.P. 48)

IN THE Township OF Liberty IN Clinton

COUNTY #: 14 STATE OF OHIO AND COMMITTED THE FOLLOWING OFFENSE(S).

SPEED: <u>93</u> MPH in <u>70</u> MPH zone	<input checked="" type="checkbox"/> ORC <input type="checkbox"/> ORD <input type="checkbox"/> T.P.
<input checked="" type="checkbox"/> Over limits <input type="checkbox"/> Unsafe for conditions <input type="checkbox"/> ACDA	<u>4511.21D4</u>
<input type="checkbox"/> Radar <input checked="" type="checkbox"/> Air <input type="checkbox"/> VASCAR <input type="checkbox"/> PACE <input type="checkbox"/> LASER	<input type="checkbox"/> Stationary <input type="checkbox"/> Moving
OVI: <input type="checkbox"/> Under the influence of alcohol/drug of abuse.	<input type="checkbox"/> ORC <input type="checkbox"/> ORD <input type="checkbox"/> T.P.
<input type="checkbox"/> In physical control of vehicle.	
<input type="checkbox"/> Prohibited blood alcohol concentration. _____ BAC	
<input type="checkbox"/> Blood <input type="checkbox"/> Breath <input type="checkbox"/> Urine <input type="checkbox"/> Refused	
Prior OVIs: # of prior OVIs _____ Years of prior OVIs _____	
DRIVER LICENSE: <input type="checkbox"/> None <input type="checkbox"/> Not on person <input type="checkbox"/> Revoked <input type="checkbox"/> Suspended	<input type="checkbox"/> ORC <input type="checkbox"/> ORD <input type="checkbox"/> T.P.
EXPIRED: <input type="checkbox"/> < 6 months <input type="checkbox"/> > 6 months <input type="checkbox"/> Failure to Reinstate	
Suspension Type: _____	
SAFETY BELT: Failure to wear	<input type="checkbox"/> ORC <input type="checkbox"/> ORD <input type="checkbox"/> T.P.
<input type="checkbox"/> Driver <input type="checkbox"/> Passenger <input type="checkbox"/> Child Restraint <input type="checkbox"/> Booster Seat	
OTHER OFFENSE: _____	<input type="checkbox"/> ORC <input type="checkbox"/> ORD <input type="checkbox"/> T.P.
<input type="checkbox"/> DRIVER LICENSE HELD <input type="checkbox"/> VEHICLE SEIZED <input checked="" type="checkbox"/> JUVENILE TRAFFIC OFFENDER	
DISTRACTED DRIVING PENALTY ENHANCEMENT APPLIES (REMARKS REQUIRED)	
PAVEMENT: <input checked="" type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Snow <input type="checkbox"/> Ice # of Lanes <u>2</u>	
VISIBILITY: <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Dusk <input type="checkbox"/> Night <input type="checkbox"/> Dawn	<input type="checkbox"/> AV
WEATHER: <input type="checkbox"/> Rain <input type="checkbox"/> Snow <input type="checkbox"/> Fog <input checked="" type="checkbox"/> No Adverse	<input type="checkbox"/> Construction Zone
TRAFFIC: <input type="checkbox"/> Heavy <input type="checkbox"/> Moderate <input checked="" type="checkbox"/> Light <input type="checkbox"/> None	<input type="checkbox"/> Workers Present
AREA: <input type="checkbox"/> Business <input checked="" type="checkbox"/> Freeway <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> Rural <input type="checkbox"/> School	
CRASH: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Almost Caused <input type="checkbox"/> Non-Injury <input type="checkbox"/> INJURY <input type="checkbox"/> FATAL	
Crash Report #: _____	
REMARKS: <u>Plane 6</u>	
ACCOMPANYING CRIMINAL CHARGE(S): <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No TOTAL # OFFENSES: <u>1</u>	

WITNESSES:

Name	Address	Telephone
Name	Address	Telephone

ARREST NOTIFICATION

VIOLATION: _____ R.C. SECTION: _____

SCALE LOCATION: _____ PLATFORM PORTABLE

AMOUNT OF OVERLOAD: _____

OVERLOADED ON: Single Axle Tandem Inner Bridge

Gross - Length if gross _____ Ft.

DOT # _____

PUCO # _____

Permit Holder or Company Name or Vehicle Owner Name _____

Street Address _____

City _____ State _____ Zip _____

NOTIFICATION OF ARREST ONLY.
NO FURTHER ACTION IS NECESSARY.

This summon served personally on the defendant on Aug 20, 2023

The issuing/charging law enforcement officer states under the penalties of perjury and falsification that he/she has read the above complaint and that it is true.

Tpr. M Nelson

Issuing Law Enforcement Officer SAME AS ABOVE

Court Code	Unit	Post	District
<u>1402</u>	<u>1085</u>		<u>00</u>
<u>1402</u>			<u>08</u>

Issuing Officer: **Verify Defendant's address.** If different from License address, write current address in space provided.



OHIO DEPARTMENT OF PUBLIC SAFETY
OHIO STATE HIGHWAY PATROL

INFORMAL COUNSELING OR TRAINING

NAME (RANK, FIRST, MI, LAST)		
[REDACTED]		
DISTRICT / OIU	POST / SECTION / OIU DISTRICT	
Wilmington	[REDACTED] Wilmington	
DATE	INFORMAL COUNSELING <input type="checkbox"/>	INFORMAL TRAINING <input checked="" type="checkbox"/>
1/28/2021		

Brief summary of the counseling or training session
(include the reason for the counseling or training and the corrective action taken)

On Friday, January 27th, 2021 I was advised that SP-1063 was serviced for its 37,500 LOF at Wilmington Auto Center. I made contact with you and learned that the patrol vehicle that you dropped off for service had 36,818 miles on it which meant it was outside the service window per policy.

The following training issue was discovered with the action of [REDACTED]

- [REDACTED] failed to properly adhere to the service interval window, and the patrol car was serviced too early.

OSP 300.22-01 ENFORCEMENT VEHICLE MAINTENANCE advises/directs you to do the following:

B: 1) OPERATION, MAINTENANCE, AND SERVICING

3. Routine Service (Oil, Change, Tire Rotation, etc.

Perform routine service in accordance with the schedule attached to this policy (oil and filter changes are every every 7,500 miles or 12 months, whichever comes first) within +/- 500 miles of the servicing interval (or +/- one month of the previous year for vehicles serviced annually due to low annual mileage).

I have reviewed the above listed policy(s) with [REDACTED]. In addition, I have assigned [REDACTED] the policy(s) for electronic signature via the DPS Portal.

A copy of this informal training was provided to [REDACTED] on February 5th, 2021.

I acknowledge that I have been counseled or trained on the issue noted above. I understand the performance expectations of my supervisor and do not need further clarification. I understand that this counseling or training session is not discipline but this session may be used to justify additional corrective action in the future, including an administrative investigation and discipline.

EMPLOYEE (PRINT NAME)	[REDACTED]	DATE
[REDACTED]	[REDACTED]	2/5/2021
SUPERVISOR (PRINT NAME)	SUPERVISOR SIGNATURE	DATE
Sgt. Michael J. Ross	X <i>Sgt. M. Ross</i>	2/5/2021



INTERNAL INVESTIGATION PRE-INTERVIEW (OSP ONLY)

EMPLOYEE NAME [REDACTED]		UNIT # [REDACTED]	OAKS EMPLOYEE ID # [REDACTED]	SHIFT
COMPONENT / POST Wilmington Post		DIVISION / DISTRICT Wilmington District		
DATE 8/24/2023	TIME 1056 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.	LOCATION Wilmington Post		
INTERVIEWER NAME Chad E. Smith	TITLE Sergeant	ASSIGNMENT AND SHIFT Administrative Investigation Unit		

You are the subject of an administrative investigation. The known allegations are:
 On August 20, 2023, while on a traffic stop, you performed a probable cause search of the motor vehicle. During the search, you neglected to seize drug paraphernalia and allowed it to remain in the vehicle.

Ask employee if he / she wants a labor representative? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Bargaining Unit – OSTA - 1	
IF YES, REPRESENTATIVE NAME Declined	UNIT #	OAKS EMPLOYEE ID #	
COMPONENT / POST	DIVISION / DISTRICT		

If a request for a labor representative is made, do not interview until a representative is available.

CONCLUDED AT	RESCHEDULED FOR
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If the employee declines a labor representative or if the representative is present, proceed with the interview by reading the following warning:

You are being interviewed as part of an official administrative investigation by the Department of Public Safety. You will be asked questions relating to the performance of your official duties or fitness for office. If you refuse to answer questions completely and / or accurately, you may be subject to disciplinary action, up to and including dismissal. Statements provided under threat of disciplinary action may not be used against you in any subsequent criminal proceedings.

[REDACTED]	DATE 8/24/2023
X	DATE 8/24/2023

INTERVIEW BREAKS

STOP 1109	START	STOP	START
INTERVIEW COMPLETED AT Wilmington Post	TAPE RECORDING MADE OF THE INTERVIEW? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		TAPE RECORDING MADE BY AIU -

SIGNATURE OF INTERVIEWER X Sgt C [Signature] / 456	DATE 8/24/2023
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Employee to receive a copy of completed form.

INTER-OFFICE COMMUNICATION



Date August 28, 2020

File 2-ADM

To Major Charles J. Linek III Attention S/Lieutenant Chad A. Miller

From Sergeant Anthony T. Percy, Administrative Investigation Unit
Administrative Investigation # [REDACTED]

Subject Wilmington District, Wilmington Post

Background

[REDACTED] misread his employee schedule and failed to report to the Wilmington Post for the start of his [REDACTED]. Consequently, he entered a non-paid leave status for one hour and thirty-five minutes (1:35).

In the course of the investigation, [REDACTED] was interviewed and acknowledged he misread his employee schedule, failed to report to the Wilmington Post for his [REDACTED] and entered a non-paid leave status for 1:35. He accepted responsibility for incident.

Investigative Action

[REDACTED] Subject of Investigation:

On August 27, 2020, I interviewed [REDACTED] as the subject of this investigation. He was read the Internal Investigation Pre-Interview form (DPS-0036) (*Artifact A*), and he declined to have a labor representative present for the interview. The following is a summary of the recorded interview (*Artifact B*):

[REDACTED] advised he has been employed by the Division since [REDACTED]. He is assigned to the [REDACTED] at the Wilmington Post.

[REDACTED] acknowledged he was scheduled to report to the Wilmington Post at [REDACTED] p.m. on July 28, 2020. He stated he did review his upcoming schedule on his last working day; however, he believes he misread it, which was the reason he failed to report for his [REDACTED]. He had not requested leave for July 29th. He advised he became aware he failed to report for his scheduled shift when he was contacted by a Post dispatcher a few minutes after [REDACTED]. He acknowledged he entered a non-paid leave status for 1:35, and accepted responsibility for his error.

I presented [REDACTED] with his Employee Schedule in the Time Management System (TMS) (*Artifact C*), his TMS Pay Period Summary (*Artifact D*), and his TMS Payroll Entry Summary (*Artifact E*). He stated the aforementioned documents were accurate and available for his review prior to misreading his schedule.

Administrative Investigation # [REDACTED]

[REDACTED] said everything he told me was true and accurate. The interview concluded.

Artifacts

Artifact A – Internal Investigation Pre-Interview Form (DPS 0036)

Artifact B – Recorded Interview

Artifact C – TMS Employee Schedule

Artifact D – TMS Pay Period Summary

Artifact E – TMS Payroll Entry Summary

Artifact F – Department Record



INTERNAL INVESTIGATION PRE-INTERVIEW (OSP ONLY)

EMPLOYEE NAME [REDACTED]		UNIT # [REDACTED]	OAKS EMPLOYEE ID # [REDACTED]	SHIFT [REDACTED]
COMPONENT / POST Wilmington Post		DIVISION / DISTRICT Wilmington District		
DATE 8/27/2020	TIME 2:37 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	LOCATION Wilmington AIU Office		
INTERVIEWER NAME Anthony T. Percy	TITLE Sergeant	ASSIGNMENT AND SHIFT Administrative Investigation Unit		

You are the subject of an administrative investigation. The known allegations are:
 Due to misreading your employee schedule, you failed to report to the Wilmington Post at, or, before [REDACTED] on July 28, 2020, for your assigned July 29, 2020, shift; consequently, you entered a non-paid leave status for one-hour and thirty-five minutes (1:35).

Ask employee if he / she wants a labor representative? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Bargaining Unit – OSTA-1	
IF YES, REPRESENTATIVE NAME	UNIT #	OAKS EMPLOYEE ID #	
COMPONENT / POST	DIVISION / DISTRICT		

If a request for a labor representative is made, do not interview until a representative is available.

CONCLUDED AT	RESCHEDULED FOR
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If the employee declines a labor representative or if the representative is present, proceed with the interview by reading the following warning:

You are being interviewed as part of an official administrative investigation by the Department of Public Safety. You will be asked questions relating to the performance of your official duties or fitness for office. If you refuse to answer questions completely and / or accurately, you may be subject to disciplinary action, up to and including dismissal. Statements provided under threat of disciplinary action may not be used against you in any subsequent criminal proceedings.

[REDACTED]	DATE 8/27/20
[REDACTED]	DATE

X			
INTERVIEW BREAKS			
STOP	START	STOP	START
INTERVIEW COMPLETED AT 2:44	TAPE RECORDING MADE OF THE INTERVIEW? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		TAPE RECORDING MADE BY Sgt. A.T. Percy

SIGNATURE OF INTERVIEWER X <i>Anthony T. Percy</i>	DATE 8/27/2020
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Employee to receive a copy of completed form.
(2020-10848)



Employee Schedule

Balances 53:43 23:21 136:19 62:01

Pay Periods

08/01/2020

Previous Next

Start Date	Start Time	End Time	Lunch (minutes)	Actual Start Date	Total Hrs
Sunday 07/19/20				07/18/2020	8:00
Monday 07/20/20				07/19/2020	8:00
Tuesday 07/21/20					
Wednesday 07/22/20					
Thursday 07/23/20				07/22/2020	8:00
Friday 07/24/20				07/23/2020	8:00
Saturday 07/25/20				07/24/2020	8:00
Sunday 07/26/20				07/25/2020	8:00
Monday 07/27/20					
Tuesday 07/28/20					
Wednesday 07/29/20				07/28/2020	8:00
Thursday 07/30/20				07/29/2020	8:00
Friday 07/31/20				07/30/2020	8:00
Saturday 08/01/20				07/31/2020	8:00
					80:00



Pay Period Summary

Balances	53:43	23:21	136:19	62:01
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Select Pay Period

08/01/2020

Previous	Next
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Daily Summary

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
07/19/20	07/20/20	07/21/20	07/22/20	07/23/20	07/24/20	07/25/20



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
07/26/20	07/27/20	07/28/20	07/29/20	07/30/20	07/31/20	08/01/20



Summary for Current Pay Period

Leave/Adj/Pay Code	Approved Hours	Pending Hours	Total Hours [HH:MM]	Total Hours [Decimal]
WORK HOURS			62:25	62.42
SHFT - Shift	62:25		62:25	62.42
PRSLV - Personal Leave	16:00		16:00	16.00
NPDLV - Non-Paid Leave	1:35		1:35	1.58



Payroll Entry Summary

Balances

53:43

23:21

136:19

62:01

Start Date

07/19/2020

End Date

08/01/2020

Advanced Search

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records per page

Search:

Start Date	Start Time	End Time	Code	Total Hrs	Status	Charge To Date	Edit
07/19/2020			SHFT - 8:00		Approved	07/20/2020	/TimeManagement/5017/Schedule/
07/22/2020			OVTHR - 2:25		Canceled	07/23/2020	/TimeManagement/5017/Schedule/
07/22/2020			SHFT - 8:00		Approved	07/23/2020	/TimeManagement/5017/Schedule/
07/23/2020			SHFT - 8:00		Approved	07/24/2020	/TimeManagement/5017/Schedule/
07/24/2020			OVTHR - 0:56		Canceled	07/24/2020	/TimeManagement/5017/Schedule/

DEPARTMENT RECORD



Employee Name [REDACTED]	Unit Number [REDACTED]	Hire Date [REDACTED]
Job Description Trooper	Division OSP	Department [REDACTED] Wilmington

No Department Record Found

INTER-OFFICE COMMUNICATION



Date September 30, 2020

File 2ADM

To Staff Lieutenant W. V. Price

Attention _____

From Lieutenant S. A. Jordan, Wilmington Post Commander

Subject AI# [REDACTED] Written Reprimand

On Tuesday, September 30, 2020, [REDACTED] was issued a written reprimand for violation of the Rules and Regulations of the Ohio State Highway Patrol, to wit: Rule 4501:2-6-02(B)(1) Performance of Duty. It is charged on July 29, 2020, [REDACTED] failed to report for his scheduled shift due to misreading the schedule and subsequently entered a non-paid leave status.



[Signature] 9/30/20
Issued By Date

REMARKS AND/OR RECOMMENDATIONS

DHQ REVIEW

[Signature] 9/30/20
Signature Date

REMARKS AND/OR RECOMMENDATIONS

GHQ REVIEW

Capt. C. Brewster 9/30/2020

DEPARTMENT RECORD



Employee Name	[REDACTED]		Unit Number	[REDACTED]		Hire Date	[REDACTED]	
Job Description	Trooper	Division		OSP	Department	[REDACTED]	Wilmington	

202010848

Case Summary

Employee failed to report for his scheduled shift due to misreading his schedule, consequently entering a non-paid leave status.

Violation Code(s)

- 4501:2-6-02(B)(1) - Performance of Duty

Discipline Imposed	Discipline Days	Effective Date	Abeyance Days
Written Reprimand	-	09/30/2020	-

DEPARTMENT RECORD



Employee Name	[REDACTED]	Unit Number	[REDACTED]	Hire Date	[REDACTED]
Job Description	[REDACTED]	Division	OSP	Department	[REDACTED] Georgetown

No Department Record Found