



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



2023-2306

Officer Involved Critical Incident - [REDACTED]
[REDACTED] Ave., Alliance, OH 44601, Stark County

Investigative Activity: Witness Officer Interview
Involves: Officer Lee Rose (W)
Activity Date: September 22, 2023
Activity Location: Alliance Police Department, 470 E. Market Street, Alliance, Ohio
Authoring Agent: SA Nicholas Valente #139

Narrative:

On September 22, 2023, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Matthew Armstrong (Armstrong) and SA Cory Momchilov (Momchilov) interviewed Alliance Police Department (APD) Officer Lee Rose (Officer Rose). The interview took place in a training room at the APD and was video recorded. The video recording has been stored in the BCI SIU case file as Reference Item C. Prior to beginning the interview Officer Rose, in the presence of his attorney, read and signed a criminal investigation notification form indicating he understood this interview was voluntary and not part of or related to any departmental review of the matter. The criminal investigation notification form signed by Officer Rose was attached to this report.

Officer Rose was identified as an APD officer who witnessed and/or had some level of involvement in the September 3, 2023, officer-involved shooting which occurred at [REDACTED], Alliance, Ohio. Officer Rose did not discharge a firearm during the course of the incident. The purpose of the interview was to obtain all relevant information of the incident known or observed by Officer Rose (excluding any potential Garrity derived information).

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 of the 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. It may not be reflective of the actual sequencing of questions. It is suggested that the full recording be reviewed to clarify any content or contextual questions regarding the information obtained during the interview.

Throughout the interview, Officer Rose provided the following information:

After the officer-involved shooting occurred Officer Rose returned to the police station and did watch his body-worn camera recording of the incident. Officer Rose also watched Detective

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Toussant's body-worn camera video recording of the incident at that time. Officer Rose watched both of these videos a single time. Officer Rose also saw a news story on the officer-involved shooting that included a small portion of these same two body-worn video camera recordings.

Officer Rose was not under the influence of any substances that could impair his memory at the time of his interview with BCI agents or at the time of the officer-involved shooting.

Officer Rose reported he wore a full police uniform and considered himself to have been well represented as a police officer at the time of the incident.

Officer Rose believed he likely interacted with the subject on a single prior occasion approximately two years ago when he responded to the same residence in relation to a welfare check of another individual. Officer Rose's prior interaction with the subject did not involve any investigative action on his part concerning the subject.

Officer Rose was stationary in his patrol car working traffic enforcement when he heard a 911 call come in regarding this incident. Officer Rose believed the female caller "said something to the effect of he has a knife to her and he had cut her." Officer Rose responded to the address of this incident. Upon arriving, Officer Rose encountered an unknown woman standing outside the home. The woman directed Officer Rose to the back of the multi-unit home. Once Officer Rose reached the back of the home he encountered three additional people standing outside. These three people directed Officer Rose up the stairs to the unit where the subject was located. These people also "said something to the effect of 'He's cut her. He's got a knife. You're going to have to kill him.' "

Officer Rose went up the stairs to the front door of the unit. Officer Rose was able to see inside the residence through a large glass window in the center of the front door. When Officer Rose looked inside he saw the subject "standing behind a female, uh, elderly female subject, he had a, I believe it was his right arm wrapped around her neck and upper chest area and he was holding a large knife. He was screaming something but I couldn't tell what he was screaming or yelling. Um, but he was essentially using her as a human shield, keeping her in between us. I announced who I was. Told him to drop the knife, or uh, drop it or something along that lines. I, uh, he then slowly started backing up, keeping her in front of him, back into that L hallway."

Officer Rose radioed to his fellow officers that the subject was "retreating in the house with the female at knife point." Officer Rose radioed that he was going to try to make entry. Officer Rose

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then kicked the front door but was unable to make entry. One of the men who was standing outside gave Officer Rose a brick. Officer Rose used the brick to bash out the window of the door to the house. Officer Rose reached inside and unlocked the deadbolt and door lock. Once inside, Officer Rose yelled out asking where the subject was. No one responded to his question. Officer Rose quietly walked through the residence attempting to locate the subject. Officer Rose heard the subject speaking to the hostage from behind the bedroom door but could not make out what he was saying. Sergeant Minnick arrived around this time. Officer Rose thought he tried the bedroom door handle and found it to be locked.

Around this point in time the subject yelled something at the officers similar to "If you go away I'll, you know, I'll come out or something." Sergeant Minnick attempted to kick the bedroom door open. Officer Rose pointed out the door opened in their direction and kicking it would not work. Officer Rose radioed for someone to bring a halogen tool so they could try and pry the door open. During this time Detective Toussant and Officer Tallman arrived on scene. Once these two additional officers arrived with the halogen tool the subject began to yell at them again. The officers continued to give the subject commands to come out and the subject continued to tell them to go away.

Officer Tallman began attempting to pry the bedroom door open with the halogen tool. Officer Lee noticed that Detective Toussant had his rifle with him at this moment. Officer Lee then had Detective Toussant switch places with him so that Detective Toussant would be in the "number one position" when the door opened. Officer Rose and Detective Toussant serve on the SWAT team together and based on their training Officer Rose switched places so that the person with the rifle would be the first to enter to the room.

Sergeant Minnick took over for Officer Tallman in attempting to pry the door open. Sergeant Minnick was eventually able to get the door opened. Once Sergeant Minnick opened the door, Detective Toussant stepped into the threshold. Officer Lee was able to see over Detective Toussant's shoulder as the door opened. Officer Lee saw the subject was still holding the female as "a human shield." Officer Lee stated "He (the subject) still had his hand wrapped around her upper chest neck area with the large steak knife in his hand." Officer Lee believed someone gave the subject an order to drop the knife or something similar thereto. The subject did not comply with the order and Officer Lee heard Detective Toussant fire his rifle two times. Detective Toussant then stepped into the room.

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Officer Lee was then able to enter the bedroom himself. Once inside the bedroom, Officer Lee noted the subject "had a very severe head wound." Officer Lee noted due to the subject's injuries he did not believe he was a continued threat. Officer Lee picked up the female who had fallen to the ground and helped her move aside. Officer Lee escorted the female out of the residence. While escorting the female out of the residence Officer Lee saw "probably a two-inch gash" on the female's neck. Members of the fire department entered the room to render aid to the subject. Once Officer Lee escorted the female to an EMS worker or member of the fire department, he was advised to return to a cruiser and await BCI's arrival.

Officer Lee stated that he did fear for his safety when the bedroom door was opened because he did not know what potential other weapons the subject may have had time to possess while he was locked in the bedroom. Officer Lee stated he also feared for the other officers and was especially fearful of what could have happened to the female hostage. Officer Lee believed the subject "was probably going to kill her."

Officer Lee believed retreating was not a viable option due to the necessity to rescue the female and the potential risks to her life at the time.

Officer Lee gave permission for BCI agents to watch his body-worn camera recording in its entirety.

Officer Lee stated that his recollection of events was likely based on a combination of his memories of the event and his recollection of what he saw on the video recordings of the event.

Officer Lee had spoken with other officers about the incident but those conversations did not include any mention of what to say or not to say to BCI agents.

Attachments:

1. 2023-09-22 Signed Criminal Investigation Notification - Lee Rose

Reference Items:

- C – Video Recorded Interview of Officer Rose.

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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).

Lee A. Rose
Printed Name of Interviewee

9/22/23 10:05am
Date / Time

[Signature]
Signature of Interviewee

Cory Momchilov
BCI Agent (Printed)

[Signature] #64
BCI Agent (Signature)