



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



2023-1626
Officer Involved Critical Incident – 439 E Mulberry Street,
Lebanon, Ohio 45036 (L)

Investigative Activity: Document Review
Date of Activity: 07/24/2023
Author: SA David Hornyak, #112

Narrative:

On July 24, 2023, Ohio Bureau of Criminal Investigation (BCI) Special Agent Dave Hornyak received and reviewed a firearms analysis report from the BCI Firearms Lab (attached).

Attachments:

Attachment # 01: Lab Results – BCI Firearms Lab

Exhibit 1



DAVE YOST

OHIO ATTORNEY GENERAL

Bureau of Criminal Investigation

**Laboratory Report
Firearms**

To: BCI / Madison
S/A David Hornyak
1560 S.R. 56 SW
London, OH 43140

BCI Laboratory Number: 23-16037

Analysis Date:
June 28, 2023

Issue Date:
July 13, 2023

Agency Case Number:

2023-1626

BCI Agent:

Chad Holcomb

Offense: Shooting Involving an Officer
Subject(s): N/A
Victim(s): N/A

Submitted on June 26, 2023 by S/A Chad Holcomb:

1. One manila envelope containing fired cartridge casing (item #1 scene #1)
 - *One (1) fired 223 REM cartridge case.*
2. One manila envelope containing fired cartridge casing (item #2 scene #1)
 - *One (1) fired 9mm Luger +P cartridge case.*
3. One manila envelope containing fired cartridge casing (item #3 scene #1)
 - *One (1) fired 380 Auto cartridge case.*
4. One manila envelope containing fired cartridge casings (item #4 scene #1)
 - *One (1) magazine and three (3) unfired 380 Auto cartridges.*
5. White box containing firearm(S#95075) item#5, scene #1
 - *One (1) Winchester model 1912, 16-gauge slide (pump) action shotgun, serial number 95075, with six (6) unfired 16-gauge shotshells, and one (1) fired 16-gauge shotshell.*
6. White box containing firearm (s#379009015) item#6 scene #1
 - *One (1) Ruger model LCP, 380 Auto semi-automatic pistol, serial number 379009015, with one (1) unfired 380 Auto cartridge.*
7. One cardboard box containing firearm (S# [REDACTED] item #1, scene #2)
 - *One (1) Smith & Wesson model M&P-15, 5.56mm NATO semi-automatic rifle, serial number [REDACTED] with one (1) magazine and twenty-six (26) unfired 223 REM cartridges.*

Please address inquiries to the office indicated, using the BCI case number.

BCI -Bowling Green Office
750 North College Drive
Bowling Green, OH 43402
Phone:(419)353-5603

BCI -London Office
1560 St Rt 56 SW P.O. Box 365
London, OH 43140
Phone:(740)845-2000

BCI -Richfield Office
4055 Highlander Pkwy. Suite A
Richfield, OH 44286
Phone:(330)659-4600

8. White box containing firearm (S# [REDACTED] item#2, scene #2
 - One (1) Glock model 17 Gen5, 9mm Luger semi-automatic pistol, serial number [REDACTED] with one (1) magazine and seventeen (17) unfired 9mm Luger +P cartridges.
9. One manila envelope containing projectiles (item#1, scene#4)
 - Two (2) fired jacketed bullet fragments
 - One (1) fired jacketed bullet
 - One (1) lead fragment

Findings

Item Description	Comparison	Conclusion
Item 5: Winchester shotgun	N/A	Operable

Item Description	Comparison	Conclusion
Item 6: Ruger pistol	N/A	Operable (see remarks)
	Item 3: One (1) fired 380 Auto cartridge case	Source Identification

Item Description	Comparison	Conclusion
Item 7: Smith & Wesson rifle	N/A	Operable
	Item 1: One (1) fired 223 REM cartridge case	Source Identification
	Item 9: Two (2) fired jacketed bullet fragments	Source Identification

Item Description	Comparison	Conclusion
Item 8: Glock pistol	N/A	Operable
	Item 2: One (1) fired 9mm Luger +P cartridge case	Source Identification
	Item 9: One (1) fired jacketed bullet	Source Identification

Item Description	Comparison	Conclusion
Item 9: One (1) lead fragment	N/A	Unsuitable^

^Insufficient class and/or individual characteristics present.

Remarks

The Ruger pistol, item 6, was test fired using the magazine submitted in item 4.

A test fired cartridge case from item 6 was previously entered and searched in the NIBIN database at the London laboratory. If investigative information becomes available, your agency will be notified.

Six (6) of the seventeen (17) submitted cartridges from item 8 were used for test firing.

The remaining submitted items from items 5 – 8 were not examined/compared at this time.

All evidence will be returned to the submitting agency.

Analytical Detail

Analytical findings offered above were determined using visual and microscopic examinations / comparisons.



Andrew McClelland
Forensic Scientist
(740) 845-2089
andrew.mcclelland@OhioAGO.gov



Based on scientific analyses performed, this report contains opinions and interpretations by the analyst whose signature appears above. Examination documentation and any demonstrative data supporting laboratory conclusions are maintained by BCI and will be made available for review upon request.

Your feedback is important to us! Please complete our Laboratory Satisfaction Survey at: <https://www.surveymonkey.com/r/O7V2N6H>

Comparison Conclusion Scale

The following lists the conclusions a Forensic Scientist may reach when performing comparisons. In reaching a conclusion, a Forensic Scientist considers the similarities and dissimilarities and assesses the relative support of the observations under the following two propositions: the evidence originated from the same source or from a different source.

A Forensic Scientist may utilize their knowledge, training, and experience to evaluate how much support the observed similarities or dissimilarities provide for one conclusion over another. A conclusion shall not be communicated with absolute certainty. It is an interpretation of observations made by the Forensic Scientists and shall be expressed as an expert opinion.

1	Source Identification	The observations provide extremely strong support for the proposition that the evidence originated from the same source and the likelihood for the proposition that the evidence arose from a different source is so remote as to be considered a practical impossibility.
2	Support for Same Source	The observations provide more support for the proposition that the evidence originated from the same source rather than different sources; however, there is insufficient support for a Source Identification. The degree of support may range from limited to strong or similar descriptors of the degree of support. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion.
3	Inconclusive	The observations do not provide a sufficient degree of support for one proposition over the other. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion.
4	Support for Different Source	The observations provide more support for the proposition that the evidence originated from different sources rather than the same source; however, there is insufficient support for a Source Exclusion. The degree of support may range from limited to strong or similar descriptors of the degree of support. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion.
5	Source Exclusion	The observations provide extremely strong support for the proposition that the evidence originated from a different source and the likelihood for the proposition that the evidence arose from the same source is so remote as to be considered a practical impossibility; or the evidence exhibits fundamentally different characteristics

We invite you to direct your questions to:
Abby Schwaderer, Quality Assurance Manager
(740) 845-2517
abby.schwaderer@ohioattorneygeneral.gov

