



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



2022-1726
Officer Involved Critical Incident – 15266 Gilchrist Rd., Mt.
Vernon, Knox County, Ohio, 43050 (L)

Investigative Activity: Body Camera Review
Involves: ██████████ (S)
Date of Activity: 10/14/2022
Author: SA John P. Tingley, #154

Narrative:

On October 14, 2022, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) John Tingley (Tingley) reviewed body-camera video footage from Westerville Police Department (WPD) Officer (Ofc.) ██████████ (██████████), who is also assigned to the Delaware Tactical Unit (DTU). The video footage is related to the officer-involved critical incident which took place on August 20, 2022, at 15266 Gilchrist Road, Mt. Vernon, Knox County, Ohio, and involved Randy and Bradley Wilhelm and members of the DTU.

The listed narrative is a synopsis of the activities and conversations recorded on Ofc. ██████████'s body camera and only documents those activities which the author deems to be the most relevant. Furthermore, the narrative does not cover all of the activities or conversations of Ofc. ██████████ and the other members of the DTU, which were recorded, nor is it a word-for-word translation of the conversations. It is suggested that the full recordings be reviewed to clarify any content or contextual questions regarding the information documented in the narrative.

It should also be noted that due to the DTU members wearing earpieces, radio traffic cannot be heard, except when inside the Bearcat, when the radio inside of the Bearcat can be heard.

SA Tingley reviewed the video listed as 090000, and noted the following:

This video is 00:24:11 seconds in length and begins on August 20, 2022, at 09:00:44 hours, as Ofc. ██████████ is seated inside of the moving DTU MRAP armored vehicle.

At approximately 09:01:46 hours, Ofc. ██████████ exits the DTU MRAP armored vehicle, just inside of the gate, on the driveway to the mother's house at 15266 Gilchrist Road, Mt. Vernon, Ohio.

At approximately 09:03:51 hours, Ofc. ██████████ moves, along with other DTU members, toward the outbuilding located south of the mother's house.

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At approximately 09:04:22 hours, Ofc. [REDACTED] takes a position on the southwest corner of the outbuilding and begins monitoring toward the east and south of the outbuilding.

At approximately 09:05:35 hours, gunshots are heard.

At approximately 09:06:07 hours, gunshots are heard.

At approximately 09:06:23 hours, gunshots are heard.

At approximately 09:06:33 hours, Ofc. [REDACTED] moves to the southeast corner of the outbuilding with another DTU member.

At approximately 09:06:59 hours, Ofc. [REDACTED] moves toward the north side of the outbuilding.

At approximately 09:10:06 hours, Ofc. [REDACTED] and the other members of the DTU assigned to the MRAP begin moving back toward the MRAP. Upon arriving at the MRAP, Ofc. [REDACTED] enters the MRAP and takes a seat.

At approximately 09:11:05 hours, Ofc. [REDACTED] and another DTU member exit the MRAP and return to the outbuilding and take a position on the northwest side of the building. Both officers then begin moving toward the northeast corner of the outbuilding.

At approximately 09:12:18 hours, Ofc. [REDACTED] announces that the quad/Razor being driven by the suspect/s is coming back toward the mother's house from Randy Wilhelm's house, which is located at 15159 Monroe Mills Road, Mt. Vernon, Ohio.

At approximately 09:12:39 hours, Ofc. [REDACTED] moves back to the southwest corner of the outbuilding.

At 09:12:57 hours, the quad/Razor comes through the tree line. Ofc. [REDACTED] calls out to the other DTU member that the quad/Razor is coming to his side of the outbuilding.

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At approximately 09:13:00 hours, shots are fired from the other DTU member, who is on the northwest corner of the outbuilding.

At approximately 09:13:03 hours, Ofc. [REDACTED] arrives at the northwest corner and fires his rifle.

At approximately 09:13:04 hours, Ofc. [REDACTED] and the other DTU member move back toward the southwest corner of the outbuilding, when the quad/Razor goes southbound behind the outbuilding, and Ofc. [REDACTED] and the other DTU member lose sight of the quad/Razor.

At approximately 09:13:09, the other DTU member arrives at the southwest corner of the outbuilding, followed closely by Ofc. [REDACTED]. Both officers re-engage the quad/Razor with gunfire from their rifles. (Due to the close proximity of the two DTU officers, it was not able to be determined with certainty how many rounds Ofc. [REDACTED] fired.)

At approximately 09:13:15 hours, both Ofc. [REDACTED] and the other DTU member cease firing.

At approximately 09:13:24, Ofc. [REDACTED] puts a fresh magazine into his rifle.

At approximately 09:14:06 hours, Ofc. [REDACTED] makes a radio call that he sees no movement from the occupants of the quad/Razor.

At approximately 09:17:10 hours, Ofc. [REDACTED] and the other DTU member move to cover on the north side of the outbuilding, when the DTU MRAP vehicle arrives at the final resting location of the quad/Razor.

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At approximately 09:17:12 hours, the video is stopped so the remainder of the video can be checked for potential Garrity issues.

BCI SA Charles Moran (Moran) and BCI SA Nick Valente reviewed the remainder of the video footage from Ofc. ██████'s body-worn camera. At the end of their review, SA Moran advised that there was no potential Garrity content on the video. He also stated that there was no more important information directly related to the officer-involved critical incident on the remainder of the video.

This video recording is attached to this case file as Reference Item A.

ADDITIONAL FACTORS FOR EVALUATING THE VIDEO RECORDINGS

There are numerous other factors that need to be considered when reviewing and evaluating the videos and audio recordings of this incident. Those factors are:

- Video recording devices record within the video and sound capabilities available and they record objectively. Video recordings lack the history, perspective and interest of the people involved. The positions, angles, obstacles, lighting and distance from the incident are also factors that need serious consideration.
- Video recording devices also record more information about a particular scene or incident than the person(s) involved in the incident can process during the critical incident. Video recording devices rarely record an event from the same perspective of the officer. It captures the action but not the perception, decision making, focus or intent of the officer. Video recordings often miss tactile cues or other actions of a subject.
- The speed of the incident is remarkable. The speed and complexity of rapidly evolving situation(s) that occur during use of force encounters are difficult concepts to comprehend by only watching the video.

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