



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



2023-2059

Officer Involved Critical Incident - 205 US 250, Polk, Ohio 44866

Investigative Activity: Interview of Witnesses
Involves: Larry Dunham (S), Ashley Austin (W), Brandon Weiler (W)
Activity Date: August 5, 2023
Activity Location: 203 US 250, Polk, Ohio 44866
Authoring Agent: Special Agent Nick Valente #139

Narrative:

On Saturday, August 5, 2023, at approximately 2112 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Nick Valente (Valente) responded to an officer-involved shooting that occurred at 205 US 250, Polk, Ohio.

SA Valente and SA Bill Conn walked to the neighboring home located at 203 US 250, Polk, Ohio 44866, and spoke with the homeowners, Ashley Austin (Austin) and Brandon Weiler (Weiler). The interview of Austin and Weiler was audio recorded and that recording was attached to this report.

Austin reported the subject, Larry Dunham (Dunham), has been their neighbor for some time. Austin described the subject as a good neighbor who showed a friendly interest in the couple's children. Austin believed Dunham has been suffering from medical issues including a brain bleed which caused him to stop working. Dunham was married but separated from his wife prior to his injury. Since his injury, Dunham had been receiving help with day to day activities from his wife who has been staying in the home again recently. Dunham had grown tired of his wife's help and wanted to go back to work. Dunham recently had a doctor's appointment and was not cleared to return to work. Dunham was disappointed by this news. Dunham had been receiving FMLA and his leave time was running out.

Dunham came to the couple's backyard and sat around their firepit with them the previous night. Dunham mentioned his unhappiness with his inability to return to work during their time together, but was otherwise in good spirits and acted like his normal self during that interaction.

On this night, Austin and Weiler had gone out and returned to their home sometime in the evening. When they returned around 1920 hours, they noticed Dunham was again sitting around their firepit. Austin felt it was odd that Dunham was sitting in their backyard when they weren't home and asked Weiler to check on Dunham.

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Weiler and his uncle, David Weiler, who was with Weiler at the time walked into the backyard to check on Dunham. Weiler reported finding Dunham shirtless with two guns tucked into the waistband of his shorts. Weiler stated Dunham was “drunker than hell.” Weiler, his uncle, and Dunham briefly engaged in a cordial conversation about the value of a nearby walnut tree. Moments later Weiler’s uncle left. Weiler then told Dunham that he was not going to set a fire in his firepit and was going back inside his home. Weiler told Dunham to return to his home and put his guns away and relax for the rest of the night. Weiler recalled when Dunham stood up one of the guns fell out of his pocket. Dunham then walked back to his property and Weiler went back into his home. Weiler shared with Austin that Dunham was intoxicated and in possession of two guns.

Austin called Carol Hess, who is the sister of Dunham and lived only a few doors down the street. Austin told Hess during the call that her brother was intoxicated and just left their backyard with guns in his possession and someone needed to check on him and tell him that was not acceptable. Shortly thereafter, Austin and Weiler heard Hess, who had walked to Dunham’s home to check on him, yelling at Dunham about being irresponsible and having been intoxicated with his guns in their backyard. Weiler observed Hess leave Dunham’s home sometime shortly thereafter. Hess then called Austin and said “You guys should probably not even be in that house. That conversation did not go well. He made me feel threatened. Like he told me that if I called the sheriff then it’s gonna be, that’s gonna be that. Like, nothing flies at my house.”

The couple then reiterated that Dunham’s behavior this night was unusual and not how he normally acted.

Continuing their accounting of events, Weiler reported looking out his window towards Dunham’s home after Hess called Austin. Wheeler saw Dunham sitting in a lawn chair in his backyard. Sometime shortly after that, the couple heard what they originally believed to be someone banging on the glass of their backdoor. The couple now believed the sound they heard were gunshots. Weiler described the knocking sound he heard as “quick” and occurring in “like two seconds.” Austin also stated the knocking sound was “quick” and “rapid.” Weiler thought he heard three distinct knocking type sounds. Austin thought she heard approximately five knocking type sounds. Neither saw the shooting.

After hearing the knocking sounds Weiler walked outside and saw the sheriff’s deputies in Dunham’s backyard. Wheeler observed the deputies check for a pulse on Dunham who was lying on the ground. One of the deputies ordered Weiler back into his home where he remained until a deputy came to his house a moment later and asked if they were okay.

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Austin and Weiler have a security camera on the back of their home, however, a vehicle parked in their driveway blocked the view of Dunham as he sat at their firepit. The couple did not have any additional cameras that captured activity related to this event.

Attachments:

1. 2023-08-05: Audio - Brandon Weiler and Ashley Austin Interview