



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



2023-2307

Officer Involved Critical Incident – I-75 Southbound at Mile
Marker 110, Danny E Berry (S)

Date of Activity: 09/03/2023
Author: SA Joshua S. Rammel, #175

Narrative:

On September 3, 2023, Special Agent (SA) Josh Rammel (Rammel) conducted an interview with Trooper Tyler Kline (Kline) of the Ohio State Highway Patrol (OSP). The interview was conducted at the Auglaize County OSP Post located at 15472 Wapak-Fisher Road, Route 5, Wapakoneta, Ohio.

The interview was recorded using a digital audio recorder. A copy of the recording was attached to this investigation. Also present during the course of the interview was OSP Staff Representative Bruce Elling (Elling).

Kline began the interview by providing a few basic identifiers such as his date of birth (April 8, 1970), phone number [REDACTED], and that he had been employed by OSP for 19 years. Kline indicated that he is assigned to the Findlay Post. Kline also mentioned that he was wearing a body camera, and it is specifically assigned to him.

SA Rammel informed Kline that the interview was purely voluntary, Kline was not obligated to speak with SA Rammel, and the interview could be ended at any time. Kline stated that he understood and agreed to proceed with the interview.

Kline advised he was in the middle of investigating an accident when the information regarding the subject potentially being in the area initially came out. Kline advised he was around the mile marker 156 crossover on Interstate 75 (I-75) when information came out that the subject was southbound on I-75 near mile marker 161.

Kline was told to wait at mile marker 156 where a Trooper following the subject would then activate his lights for a traffic stop, and Kline could assist. The suspect did not stop and led Troopers on a pursuit as he weaved in and out of other vehicles. Kline mentioned that the subject was "pitted" near the 105 mile marker (actually near the 110), and the vehicle continued to catch fire. Kline stated that the suspect exited his vehicle with a gun in his hand and would alternate between pointing it at his own head, and dangling it at his side with his finger in the trigger guard.

Kline said as the subject continued down I-75 heading toward traffic, a command was given for Troopers to take a shot. Kline indicated that a rifle round went off and hit the subject at

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that time. Kline mentioned that the subject was hit by the rifle round in the shoulder and once he hit the ground, the subject was handcuffed and first aid was performed. Kline did not know for sure who gave the command to take the shot. Kline described it as "a voice on the radio". Kline did not initially know who had taken the shot, but found out shortly after. Kline stated there was only one shot taken.

Kline stated he was possibly the third car in the pursuit of the subject, and was near the front when Troopers gave several commands for the suspect to exit his vehicle and drop the gun. Kline clarified that the suspect never pointed the gun at him, and as far as he could tell, no other Troopers. Kline stated that he did not personally perform first aid, but was near enough that you could see aid was being performed on Kline's body camera.

Kline indicated he did not have any additional information to provide, nor did he have any questions at this time.

SA Rammel thanked Kline for speaking with him and the interview was concluded.

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 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 and 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 from the interview.

Attachments:

Attachment # 01: trooper tyler kline 2023-09-03