



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



2022-1354

Officer Involved Critical Incident – 135 Old National Rd, Lore City
(L)

Investigative Activity: Interview with Witness
Involves: Officer K9 Zach Smith (W)
Date of Activity: 06/30/2022
Activity Location: Smith, Officer K9 Zach – Business – 814 Wheeling Ave ,
Cambridge, OH 43725, Guernsey County
Author: SA James A. Mulford, #39

Narrative:

On June 30, 2022, at approximately 0953 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agents James Poole (SA Poole) and Jim Mulford (SA Mulford) interviewed Cambridge Police Department (CPD) K9 Officer Zach Smith (Officer Smith) in response to an Officer-Involved Critical Incident (OICI) that occurred on June 24, 2022, between the Guernsey County Sheriff's Office (GCSO) and Joy Graham (Graham). Graham's vehicle was stopped with stop sticks after a pursuit. A canine was deployed in response to Graham refusing to exit the vehicle. Graham brandished a pistol and two involved deputies fired their weapons into the vehicle. Graham died as a result of the OICI. The purpose of the interview was to obtain all relevant information of the incident known or observed by this individual.

This interview was audio recorded, and a copy of the recording was saved electronically within the case file. Please refer to the recording for specific quotes. The following is a summation of the interview.

Officer Smith advised he is a canine officer with CPD and has been employed there since 2015. He was working his normal shift the night of the incident wearing a standard issued uniform in a marked cruiser.

Officer Smith stated he heard radio traffic concerning a pursuit initiated by Barnesville Police Department (BPD) entering Guernsey county via State Route 22. He was advised that the fleeing suspect had an active felony warrant for assault of a police officer. The vehicle was ultimately stopped in Old Washington where Officer Smith arrived on scene.

Officer Smith described the female driver as non-compliant to verbal commands and refused to exit the vehicle as instructed by law enforcement. After approximately 15 minutes, the decision was made to utilize the canine to assist with the arrest. Graham continued being

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non-compliant by refusing to exit the vehicle as commanded by Officer Smith.

Officer Smith released K9 Drago towards Graham's vehicle. As they are approaching the driver's side of the car, Graham rolled up the windows. Officer Smith retrieved his ASP baton in an effort to break the window so that K9 Drago could enter the vehicle. As Officer Smith approached the vehicle, he looked through a window and noticed that Graham had a firearm in her hand. Officer Smith told agents, "As I get right up to the vehicle, She has a, um, a sub-compact, um, black semi-automatic handgun pointed at me and Drago." Officer Smith said he immediately verbalized that Graham had a firearm and he retreated back to cover. K9 Drago was recalled and placed back in the patrol vehicle.

At that point, GCSO Sheriff Jeff Paden (Sheriff Paden) arrived on scene and took command. Officer Smith stated the SO (sheriff's office) continued for approximately 45 minutes further attempting to negotiate with Graham who continued to be non-compliant.

SA Poole asked Officer Smith if Graham had said anything to him while he was initially talking with her. He reported Graham stated she was afraid of Barnesville police officers. She claimed to have had a bad previous experience with the officers who initiated the current pursuit. Officer Smith attempted to negotiate with Graham telling her that he was from a different department and not affiliated with Barnesville. Furthermore, Graham informed Officer Smith that she had a concealed carry permit to carry a firearm. Also, Graham acted very unusual during the entire event. Officer Smith recalled seeing Graham talking on her phone and applying makeup as if nothing was wrong.

Officer Smith reported he was on the passenger side of the vehicle when GCSO SRT ultimately approached Graham's vehicle and deployed a distraction device, flash bang, into the vehicle. Immediately thereafter, a Taser was deployed by law enforcement and shots were fired. Officer Smith remembered seeing at least two deputies fire their weapons. He heard them yelling, "Drop the weapon. Get your finger off the trigger." Officer Smith did not know the identity of the deputies who fired their weapons. He did advise that at least one rifle was fired into the vehicle. Officer Smith stated he heard one initial "muffled" shot, then several other gunshots.

Ultimately, Graham was removed from the vehicle and immediately given medical care and transported to the hospital.

Officer Smith had his issued Glock 17 out during the incident, but did not fire his weapon. Officer Smith reported he did have a body worn camera that was on and functional during the incident.

Officer Smith was in fear for his life, K9 Drago's, and all other officers on scene. He believed that Graham was going to shoot the firearm at them when he initially approached the vehicle.

Officer Smith had no further information. The interview concluded at approximately 1014 hours.

Attachments:

Attachment # 01: K9 Officer Zach Smith 6-30-22

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