



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: Meeting with Prosecutor
Date of Activity: 06/18/2023
Author: SA David Hornyak, #112

To: David Fornshell, Warren County Prosecutor

CC: Special Agent Supervisor William Jones, Ohio Bureau of Criminal Investigation

From: Senior Special Agent Dave Hornyak, Ohio Bureau of Criminal Investigation

Date: August 3, 2023

Case Title: Officer-Involved Critical Incident – 439 E. Mulberry, Lebanon, Ohio

Case Number: 2023-1626

This report serves as a brief synopsis of the criminal investigation into the Officer-Involved Critical Incident that occurred in Lebanon, Ohio, on June 17, 2023. The investigation was conducted by agents of the Ohio Bureau of Criminal Investigation (BCI) at the request of the Lebanon Police Department.

Preface:

This report only briefly summarizes the investigative activity and information gathered by the Ohio Bureau of Criminal Investigation. Every fact and detail is not presented in this summary; therefore, it is necessary that each individual report from which this document is derived be reviewed in order to obtain a complete understanding of the investigation. Audio and/or video recordings, where applicable, should also be reviewed for further details.

Case Request:

On June 18, 2023, the Lebanon Police Department contacted the Ohio Bureau of Criminal Investigation (BCI) to request an investigation into an Officer-Involved Critical Incident.

Case Overview:

On the evening of June 17, 2023, the Lebanon Police Department (LPD) and the Warren County Sheriff's Office (WCSO) responded to a 911 call reporting that Dione Kellum was threatening a

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family with a gun. Responding law enforcement officers encountered Kellum who held a pistol to his own head while officers attempted to de-escalate the situation. In addition to the pistol, Kellum was also armed with a shotgun.

At one point during the extended encounter, Kellum fired a single pistol round in the ground. As officers continued to give orders for Kellum to put down his weapons, Kellum also fired a round from his shotgun in the relative direction of officers. LPD Sgt. [REDACTED] and WCSO Deputy [REDACTED] each fired one round back at Kellum. Kellum then fell to the ground, raised the pistol and fired one round into his own head. Kellum was treated at the scene and then ultimately transported to the Miami Valley Hospital where he remained in critical condition until being pronounced deceased on June 19, 2023.

Investigative Activities:

BCI agents conducted interviews with all persons believed to have direct information about the incident including the reporting victims, involved officers, witnessing officers, and neighbors. Audio recordings collected and reviewed included 911 calls and available police radio traffic. The responding Lebanon police officers were each outfitted with body worn cameras, which were activated and recording during the incident. The Warren County Sheriff's Office reported that they are only outfitted with cruiser cameras. Videos from both agencies were collected and reviewed. Ring doorbell video was also collected from a neighbor and reviewed. Text messages sent to the complainant victims were also reviewed and copies of all were placed into the case file.

Additionally collected were departmental policies, and involved-officer employment and training records. All firearms involved in the incident were collected into evidence by the BCI Crime Scene Unit, who also processed the scene. One search warrant was obtained to search the property and another was executed to obtain Kellum's medical records related to the incident. An autopsy conducted by the Montgomery County Coroner's Office was attended by BCI.

Summary Findings:

Statements taken and evidence collected show that on June 17, 2023, Dione Kellum did knowingly violate an active protection order by going to the home of Jane Ruffner. When Kellum further disregarded requests made via text messages by the family to leave, the family called 911 seeking police assistance. During the call the family also advised that Kellum was armed. An abundance of audio and video evidence confirmed that during an extended encounter with officers, Kellum did openly brandish two firearms, continually failed to comply with repeated orders to put down his weapons, and eventually fired one pistol round and one shotgun during the incident. When Kellum fired the shotgun, LPD Sgt. [REDACTED] and WCSO Deputy [REDACTED] immediately returned fire striking Kellum with one round each. After Kellum fell to the ground, multiple video angles clearly show that Kellum raised his pistol and shot himself in the head. An autopsy report, issued July 18, 2023, listed the cause of death as, "Gunshot wound of the head," and the manner of death as "Suicide."

Both the Lebanon Police Department and the Warren County Sheriff's Office were fully cooperative with the BCI investigation.

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