



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



2022-2876
 Officer Involved Critical Incident – 256 N. Swain, LaRue, Ohio (L)

Investigative Activity: Body Camera Review

Involves: [REDACTED] (S), Travis Hellinger (V), Stacy McCurry (W), [REDACTED] (S), [REDACTED] (S), [REDACTED] (S), [REDACTED] (S), [REDACTED] (S), [REDACTED] (S), Matt Creps (O), Jamie J Ralston (W)

Date of Activity: 01/09/2023

Author: SA Tiffany Vollmer, #49

Narrative:

On 12/20/2022, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Jason Snyder (SA Snyder) received video footage from the Marion County Sheriff's Department. On 01/03/2023, SA Snyder received video footage from the Marion Police Department SA Snyder was informed that the videos contained footage from the helmet and body cameras recorded by Marion County Deputies [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED], [REDACTED], and Marion Police Officers Lt. [REDACTED], [REDACTED] and [REDACTED].

The following are summaries and highlights of the video footage. Deputy [REDACTED]'s video gives an overall summary of the account of the incident. The Special Response Team (SRT) all converged onto the railroad tracks together at one point so the majority of the video footage is relatively the same for each team member. There may be words said that are audibly more clear on one video as opposed to another. The following are highlights from each officer's video.

SA Tiffany Vollmer (SA Vollmer) reviewed the video recordings and noted the following:

Deputy [REDACTED] Deputy [REDACTED]'s helmet camera video footage was approximately 22 minutes and 45 seconds in length. The video began with [REDACTED] riding in the Tactical Response Vehicle (TRV). Someone is heard saying, "running northbound," as the TRV approached the search warrant location at 256 N Swain Road Larue, Ohio. The Special Response Team (SRT) exited the TRV and the team members advanced toward the property. Someone is heard saying, "Police Department. Search warrant." Deputy

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█'s helmet camera was faced toward the garage. The team members held their position. Someone could be heard saying, "He's on the tracks. Right there."

The team advanced toward the garage. Someone in the distance was holding what looked like a flashlight and can be seen at the rear of the property. Someone yelled for the person to put their hands up. Someone said to watch for crossfire. Another team of tactical members were already talking to the person, later identified as Travis Hellinger (Hellinger). Someone from the SRT said they had less than lethal. Verbal commands continued with telling Hellinger to put his hands up.

The SRT team followed Hellinger as he walked backward away from them. One of the team members mentioned using a taser. Hellinger heard them and said, "Come on guys. Don't tase me." Hellinger continued saying that they were stealing his freedom and the team members were all Americans and should stand up for what is right. Hellinger said he does good for the community. The whole time Hellinger talked to the team he shined his flashlight at them while backing away from them. A team member asked permission to use less than lethal force.

While Hellinger was walking on the tracks, he told the team to get off his property. A team member responded by saying he is trespassing. Hellinger walked further away from the SRT and told them they still had not told him why he was under arrest. SRT told him he was under arrest for trespassing. Hellinger replied that they "threw him into the area."

A team member was heard telling the rest of the team if Hellinger crossed from the tracks to take Hellinger with the shotgun. During this time, Hellinger said things like, "he has paid taxes for years and paid their paychecks." He accused the team of stealing his freedom. He told them if he was not being detained, then he was free to go. A team member replied they had a search warrant for the residence. Hellinger asked what they were searching for and kept backing away. The team continued to advance toward Hellinger and ordered him to stop. Hellinger told them he did not want to be there. SRT told him to get on the ground or he would get hit with a bean bag. Hellinger yelled, "No!"

A SRT member was heard saying he could not see Hellinger's hands. Hellinger was told to come talk to officers. Hellinger said he was not ready. A team member told the rest of the team he saw two pistols. One of the members asked the team where the K9 was. Commands were still being given to Hellinger to show his hands and that he was under arrest and to get on the ground. Hellinger asked if the search warrant was for trespassing. A team member told the rest of the team to hold their position to see if Hellinger would stop. Hellinger told them not to shoot him. Hellinger told them he was not trying to shoot them and that he wanted them to go home. A team member was heard saying to take Hellinger with the bean bag, but someone said Hellinger was too far.

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The team advanced again and could be heard saying to close the gap. Hellinger said he hoped it would get all over the news. A team member told Hellinger he was making things worse than what it was. Hellinger asked, Why? What had he done?

A team member yelled out that he had a K9 and for Hellinger to stand still or the dog would be sent and would bite him. Hellinger told the SRT to leave him alone. The team member told him it was his final warning or he was sending the dog. Hellinger yelled back that he would shoot the dog. Hellinger continued flashing his flashlight and is seen walking across the tracks. A team member said they had to go before Hellinger got to the neighbors. Hellinger was told if he pulled his gun they would shoot. The SRT continued to give commands for Hellinger to get on the ground or they would send the dog and the dog would bite him. The K9 was released by the handler and the dog ran toward Hellinger. Hellinger was heard yelling, "Stop! Please stop!" As the dog approached, at least two shots can be heard coming from Hellinger's direction, then multiple shots are heard coming from the SRT. Hellinger went down to the ground and the team advanced toward him yelling for him to stay down and put his hands in the air.

As SRT approached Hellinger, air can be seen coming from Hellinger as he breathed because of the cold air. He can be heard saying he is a "good man." SRT rolled Hellinger over and someone said Hellinger had a gun and they were trying to find another one. A SRT member pulled a gun from a shoulder holster Hellinger was wearing. Someone from the team used the radio and said they needed an ambulance and Hellinger had been hit. The SRT began examining Hellinger's body, trying to find where he had been shot. Blood could be seen coming from his leg, stomach and groin area. SRT applied a tourniquet to his leg.

It was determined Hellinger did not have a pulse and a team member started CPR. An ambulance arrived and began to prepare Hellinger to be transported to the hospital. Originally, the team thought the K9 was struck by Hellinger shooting at it, but it was later determined the dog was okay.

A supervisor arrived on scene and began collecting the team members' weapons who had shot at Hellinger. Deputy ██████ was advised he was being taken out of the scene. Deputy ██████ asked if he could turn off his camera and was told yes, at which time he did.

Deputy ██████ Deputy ██████'s helmet camera video footage was approximately 18 minutes and 52 seconds in length. The video began with ██████ riding in the TRV. Someone is heard saying "running northbound" as the TRV approached the search warrant location at 256 N Swain Road Larue, Ohio. The SRT exited the TRV and the team members advanced toward the property. Deputy ██████

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and his team went to the trailer on the property and made entry.

After securing that location, [REDACTED] and his team walked to the rear of the property to meet up with other SRT members who were on the railroad tracks with Hellinger. As [REDACTED] and his team got closer to the tracks, they announced they were coming up on the right side. The team already on the tracks could be heard giving Hellinger commands to put his hands up and to stop. The SRT all converged onto the railroad tracks and continued to give commands to Hellinger.

A team member could be heard saying that Hellinger made no movements toward them. A team member said Hellinger had a gun under his left arm and members were saying they could not see because of the flashlight and could not see Hellinger's hands.

Deputy [REDACTED] Deputy [REDACTED]'s helmet camera video footage was approximately 18 minutes and 58 seconds in length. The video began with [REDACTED] riding in the TRV. Someone is heard saying "running northbound" as the TRV approached the search warrant location. The SRT exited the TRV and the team members advanced toward the property.

The team advanced toward the garage. Someone in the distance was holding what looked like a flashlight and can be seen at the rear of the property. A team member can be heard saying, "He's on the tracks. He's resisting." Someone yelled for the person to put their hands up. Someone said to watch for crossfire. Another team of tactical members were already talking to Hellinger. Someone from the SRT said they had less than lethal.

At one point, Hellinger can be heard saying he was not giving SRT permission to search anything and they had no permission to search anything. A SRT member was heard saying Hellinger has two chest holsters and two pistols.

Deputy [REDACTED] Deputy [REDACTED]'s body camera video footage was approximately 15 minutes and 39 seconds in length. The video began with [REDACTED] pulling up to the search warrant location in his marked sheriff's vehicle to join the rest of the SRT on serving the search warrant. [REDACTED] left his K9 in the vehicle.

[REDACTED] took up a shield and moved forward with part of the SRT to make entry and secure the trailer. Once that was done, [REDACTED] was told the SRT was on the tracks with Hellinger and needed a K9. [REDACTED] retrieved his K9 and put body armor with the words "Sheriff K9."

[REDACTED] met up with the SRT and Hellinger on the tracks close to the crossing at Section Street. As [REDACTED] approached, he gave loud verbal commands, using Hellinger's first name, telling him to stop or he would send his dog and the dog may bite him. After repeating himself, and Hellinger not complying and threatening to shoot the dog,

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█████ released his K9. The dog ran toward Hellinger. Hellinger was heard yelling, "Stop! Please stop!" As the dog approached, at least two shots can be heard coming from Hellinger's direction, then multiple shots heard coming from the SRT. Hellinger went down to the ground and the team advanced toward him, yelling for him to stay down and put his hands in the air.

█████ collected his K9 and checked him over to see if he had been shot. Initially, it was thought the K9 was hit because he was limping, but later it was determined the dog was unharmed.

Lt. █████ Lt. █████'s body camera video was approximately 18 minutes and 28 seconds long. The video showed Lt. █████ in the back of the TRV with the SRT. The team was told Hellinger was running northbound. Lt. █████ exited the vehicle and went to the mobile home on the property and made entry. After securing the residence, he asked where they were needed. Lt. █████ and other team members made their way to the back of the property and met up with members who were talking to Hellinger on the railroad tracks. The team can be heard giving loud verbal commands such as, "Hands up. Get on the ground." Hellinger was not complying and continued walking away from the team members and shining a flashlight in their direction. The team can be heard discussing non-lethal options such as bean bag rounds, taser and using the K9.

Someone can be heard warning that Hellinger had his hand in his pocket. It was decided the K9 would be released. As the dog approached Hellinger, gun shots are heard and then a series of more gunshots. After the incident occurred, Lt. █████ told someone that there was probably ten of the members who shot. He also said that he was not sure if Hellinger was shooting at the dog or at them.

Officer █████ Officer █████'s video was approximately 24 minutes and 12 seconds long. The video began with Officer █████ in the back of the TRV. Once arriving at the target location, █████ exited the vehicle and set up on the corner of the mobile home. He held that position with the other team members, facing the garage, located at the rear of the property. █████ and the team moved forward to the railroad tracks where they met up with the rest of the SRT. █████ told the team Hellinger had two guns, two chest holsters and two pistols. █████ was told to take Hellinger with a bean bag round. It was discussed the distance with Hellinger was too far. Someone said they needed to close the gap. The K9 was sent after Hellinger and the shooting ensued. █████ approached the area where █████ went down and the team located three of Hellinger's guns. █████ collected some of the team's equipment and unloaded his less than lethal shotgun with the bean bags. He told someone he shot one round.

Officer █████ - Officer █████'s video was approximately 23 minutes and 06 seconds long. █████ arrived to the target location in the rear of the TRV. He set up with his team at the corner of the mobile home. The team heard radio traffic saying

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Hellinger was resisting. Hellinger was described as wearing a black hooded sweatshirt. The decision was made to assist the team on the tracks who were engaged with Hellinger. As the team got closer, someone said to watch the crossfire. ██████████ and the team walked down the tracks following Hellinger as he backed away and would not listen to commands. The K9 was sent to engage with Hellinger and the shooting occurred. ██████████ and the team approached Hellinger who had went down to the ground. Hellinger was found to have weapons. Medical treatment was given to Hellinger and an ambulance arrived on scene.

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:

A. 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.

B. 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.

C. 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.

The helmet/body camera video footage was submitted to the physical BCI case file.