



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



2022-1726
 Officer Involved Critical Incident – 15266 Gilchrist Rd., Mt.
 Vernon (L)

Investigative Activity: Interview with Officer
Involves: Deputy DCSO [REDACTED] (S)
Date of Activity: 08/31/2022
Activity Location: Ohio Patrolmen's Benevolent Association – 92 Northwoods
 Boulevard, Columbus, OH 43235, Franklin County
Author: SA John P. Tingley, #154

Narrative:

On Wednesday, August 31, 2022, at approximately 0958 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) John Tingley (Tingley) and SA Andy Russell (Russell) interviewed Delaware County Sheriff's Office (DCSO) Deputy (Dep.) [REDACTED] ([REDACTED]), who was accompanied by Joe Hegedus, attorney from the Ohio Patrolmen's Benevolent Association (OPBA). The interview took place at the OPBA office, which is located at 92 Northwoods Boulevard, Columbus, Ohio. The interview was audio recorded.

Dep. [REDACTED] was presented with the BCI Criminal Investigation Notification form; which he read, understood and signed.

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, nor is it a word-for-word translation of either the questions or answers. It is suggested that the full recording be reviewed to clarify any content or contextual questions regarding the information from the interview.

Preliminary and Demographic Information:

Name: [REDACTED]	Rank: Deputy
Badge Number: [REDACTED]	Cruiser/Vehicle Number: N/A

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Radio Call Sign: N/A	Immediate Supervisor: Sgt. Diaz
Radio Channel Utilized: SO21	Mobile Data Terminal: N/A
Cruiser Description: MRAP – Armored	Occupants of Cruiser and Seating Positions: N/A
Assignment: Patrol & SWAT	Normal Shift: 0600 – 1400
In-Car Camera: N/A	Spotlight: N/A
Emergency Lights: N/A	Siren: N/A
Shift Day of Incident: 0600 – 1400	Duty Status: SWAT
Days Off: Tuesday & Wednesday	Prior Overtime or Extra Details within Preceding 48 Hours: No
Hours of Sleep Prior to Incident: Unsure	Consider Self Well Rested: Yes
Total Length as Officer: 6 years	Length at Current Agency: 6 years
Physical Disabilities (to include hearing aid): None	Corrective Lenses: No
Uniform Worn: Tactical	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: Rifle magazines, Radio
Ballistic Vest: Outer Carrier/Tactical	Body Worn Camera: Yes (not working)
Other Recording Devices: No	Partner: Tactical Team
Injuries: None	Equipment Damage: None
Training or Areas of Specialty: SWAT, CIT	OPOTC Certification: Yes
Military Experience/Training: No	Use-of-Force Training: Yes

Prior Shooting Incidents: Yes	Prior Discipline or Use-of-Force Complaints: No
Medications, Prescriptions or Drugs that might Impair Your Duties at Time of Incident: No	Medications, Prescriptions or Drugs that might Impair You Now for Interview: No

Officer's Firearm(s):

Weapon #1

Make: Daniel Defense	Model: MK 18
Caliber/Gauge: .223/5.56	Serial: [REDACTED]
Type: Semi Auto Rifle	Method of Carry: Sling
Magazine Capacity: 30/Loaded to 29	Total Rounds as Carried (including chamber): 29
Extra Magazines: 4	Number of Rounds in Extra Magazines: 112
Discharged During Incident? Yes	Primary or Backup Weapon: Primary
Rounds Remaining After Incident: Unknown	Number of Rounds Fired: Unknown
Right/Left-Handed Carry: Right	Ownership: DCSO

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Dep. ██████ read a written statement that he had prepared prior to his interview. After Dep. ██████ read his statement, agents asked several additional questions related to the incident. A summary of that information from the written statement is detailed below.

Dep. ██████ stated that he received a Delaware Tactical Unit (DTU) call out on August 20, 2022, at approximately 0100 hours. He responded directly to the Knox County Sheriff's Office, located at 11540 Upper Gilchrist Road, Mt. Vernon, Knox County, Ohio. Upon his arrival there, he was advised that Randy and Bradley Wilhelm had both shot at a civilian, as well as both also having shot at an Ohio State Highway Patrol helicopter.

Dep. ██████ advised he was assigned to a DTU team in an MRAP armored vehicle, and they were assigned to securing part of the roadway leading to and from the Wilhelm property, located at 15266 Gilchrist Road, Mt. Vernon, Ohio. After a period of time, while maintaining security on the roadway, the DTU team heard incident command advise that Randy and Bradley Wilhelm had left the Gilchrist Road property and were heading toward Randy Wilhelm's residence, located at 15159 Monroe Mills Road, Mt. Vernon, Ohio.

Once Randy and Bradley Wilhelm had cleared the Gilchrist Road property, it was decided that the DTU team in the MRAP would enter the Gilchrist Road property and secure the detached garage/apartment which was beside (south of) the Wilhelms' mother's house on the property. Dep. ██████ stated that shortly after getting into position at the detached garage/apartment, he heard multiple gunshots coming from across the property. As the gunshots continued, he heard other tactical teams assigned to the Monroe Mills Road property advising of shots fired. As one of the other tactical team's armored vehicles had been damaged during the gunfire, it was determined to send the DTU MRAP team to replace them on the Monroe Mills property.

Dep. ██████ and another DTU member were detached from the DTU MRAP team and remained at the garage/apartment, while the remaining DTU members in their MRAP left the Gilchrist Road property for the Monroe Mills Road property. Dep. ██████ and the other detached DTU member then took up positions at the detached garage/apartment.

Dep. ██████ stated that once he was in position, he continued to hear gunshots in the distance. Dep. ██████ then heard radio traffic advising that two armed "suspects" were leaving from the Monroe Mills Road property in an ATV and traveling back toward Dep. ██████'s location.

Dep. ██████ advised that the ATV then came into his view and he knew that the two suspects had firearms, which were used to fire at other officers prior to them approaching his position. Dep. ██████ stated that as the ATV began to turn toward his position at the garage/apartment, he heard the sound of gunfire.

Dep. ██████ advised, "As the ATV began to turn towards my position, I heard the sound of gunfire. When I heard the gunfire as well as visualized the ATV turning and moving in my direction, I feared for my fellow officers' lives as well as my own life, I engaged the two armed suspects in the ATV with my service rifle."

Dep. ██████ stated that the suspects continued to drive behind the building and out of his view. He moved to a different position at the other side of the building and again engaged the suspects with his service rifle. Once the ATV came to a stop and there was no longer a threat, he ceased firing and reloaded.

Dep. ██████ advised that he was then told that another tactical team was approaching and, due to there being a chance of crossfire, he moved to a position of cover behind the garage/apartment. He and his DTU partner were then ordered to join up with the DTU Bearcat that was nearby at the mother's residence. The DTU team then secured in the Bearcat for cover due to there being a possibility of explosives nearby. Upon leaving the scene, Dep. ██████ was transported back to the command post.

SA Tingley then asked Dep. ██████ why the DTU Bearcat was at the Wilhelms' mother's residence on Gilchrist. Dep. ██████ replied that it was there to secure the house.

SA Tingley asked Dep. ██████ if the occupants of the ATV fired any rounds. Dep. ██████ replied that he did not know for sure. He continued by stating that he knew the occupants of the ATV had shot at other tactical teams earlier; and, when he heard the gunfire again, he believed the occupants of the ATV were shooting at either the DTU team by the Bearcat or at him and his partner at the detached garage/apartment.

SA Tingley asked Dep. ██████ if he believed his actions were consistent with his training; Dep. ██████ replied, yes.

SA Russell asked Dep. ██████ which team leader directed him to secure the garage/apartment. Dep. ██████ replied that his team leader on the MRAP, Derek Keller (Keller), did after Keller was asked by the DTU Bearcat team leader, Lieutenant ██████ to leave two DTU members behind to secure the garage when the MRAP left.

SA Russell then asked Dep. ██████ how he knew the occupants of the ATV had weapons. Dep. ██████ replied that he had observed the two subjects earlier on live drone footage carrying guns and also because he had heard the shooting directed toward the other two tactical teams by the subjects.

SA Russell asked Dep. ██████ if he had seen any firearms in the ATV; Dep. ██████

replied, no.

SA Russell then requested that Dep. ██████ draw a diagram of the incident location to document where he was at in comparison to the ATV and also to mark the two positions he fired from. Dep. ██████ drew the diagram and signed and dated it (this diagram being attached to this report).

SA Russell asked Dep. ██████ who was the other DTU member with him at the garage. Dep. ██████ replied it was Officer ██████

SA Russell asked Dep. ██████ if it was when the ATV turned toward him and appeared to be traveling directly toward him, that he perceived the threat from the occupants of the ATV; Dep. ██████ replied, yes.

SA Russell asked Dep. ██████ at what distance did he engage the ATV and its occupants; Dep. ██████ advised that he was not sure, as the ATV was moving.

SA Russell then asked Dep. ██████ how he knew that the threat was extinguished. Dep. ██████ advised that there was no further movement from the occupants of the ATV.

The interview was then concluded at approximately 1032 hours.

This interview was audio recorded. The audio recording, signed written statement, signed BCI Criminal Notification form and diagram drawn by Dep. ██████ are all attached to this case file.

Attachments:

- Attachment # 01: 2022-1726 ██████ WRITTEN STATEMENT
- Attachment # 02: 2022-1726 ██████ BCI CRIMINAL NOTIFICATION FORM
- Attachment # 03: 2022-1726 ██████ DIAGRAM
- Attachment # 04: 2022-1726 DCSO DEPUTY ██████ INTERVIEW – INVOLVED

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On August 20th 2022 at approximately 0100 Hours, I received an automated phone call advising me that the Delaware Tactical Unit (DTU) was activated and was requested to respond to the Knox County Sheriff's Office, located at 11540 Upper Gilchrist Rd. Mount Vernon Ohio 43050. Upon my arrival to the Knox County Sheriff's office, I was advised there were two suspects, Randy Wilhelm, and, Brad Wilhelm, who recently both shot at a civilian, as well as shot at The Ohio State Highway Patrol's helicopter while it was flying in the area of the initial shooting. DTU as well as various other tactical teams staged in the parking lot of Knox County Sheriff's Office, as team leaders met and developed a strategy to apprehend the suspects.

Once the team leaders were finished with their meeting, I was assigned to the MRAP team (MRAP is one of DTU's armored vehicles). Once with my team, I was briefed on our team's objective, we were assigned to assist another team (Bearcat team) with securing part of the roadway that led to and from the suspect's house. Once in position on the roadway, our team was advised the two-armed suspects were walking and driving a vehicle around their property. Our team was further updated by command that the suspects were moving propane tanker trucks to the end of two of the driveways on the property. At one point we were notified one of the suspects was observed working on something at the rear of the propane tanker (we were advised the suspect could have possibly placed a detonation device on the truck in order to make it explode).

My team stood by in the same area of the road securing it. While stationary, we were advised one female was leaving the property (she was later secured by OSHP SRT). Command advised; the negotiating team was attempting to make contact with the suspects via phone calls. Our team was advised the X2 armed male suspects continued to move around the property (both males were observed to be carrying long guns). My team was advised, to prepare for the suspects to possibly leave the property and/or the current structure they were occupying. Shortly after, command advised the X2 armed male suspects were getting into a vehicle on the property. Command then advised the suspects left the X2 structures (X1 House, X1 Detached garage / apartment) closest to our position and were driving towards another residential structure (located on the other side of the property).

As the male suspects were driving to the other residential structure, it was determined that my team was to enter onto the property and secure the detached garage/ apartment building. Once we entered the property, we had to cautiously proceed past the parked propane tanker truck up to the detached garage/ apartment building. Shortly after getting in position at the detached garage/ apartment building, I heard multiple gunshots coming from across the property. As the gunshots continued, I heard X2 separate SWAT teams advise they were receiving gunfire, one team was receiving gun fire from the front of the building, while the other team was receiving gunfire from the rear of the building. One team advised they took shots to the front of their armored vehicle, and their vehicle was now compromised and needed to be replaced, due to being damaged by the suspects shooting it. The MRAP vehicle was requested to respond and take their position. My team sprinted back to the MRAP to respond to the officer's taking gunfire and replace their position. I was directed by my team leader to stay and secure the detached garage/ apartment building with another team member. I then sprinted back to the detached garage/ apartment building.

Once in position I continued to hear gunshots in the distance. Shortly after, Command advised the two armed suspects were leaving the other structure on an ATV (All-Terrain Vehicle), and we're headed back to our position. The ATV was traveling at a high rate of speed and came into my view near the rear of the detached garage/ apartment building. (The two suspects traveling in the ATV were known to have firearms that were just utilized to fire on/at other officers prior to them approaching my position). As the ATV began to turn towards my position, I heard the sound of gunfire. When I heard the gunfire as well as visualized the ATV turning and

moving in my direction, I feared for my fellow officer's lives as well as my own life, I engaged the two-armed suspects in the ATV with my service rifle. While shooting at the suspects they continued to drive behind the building out of my view, I repositioned to the other side of the building and continued to engage the suspects with my service rifle. Once the ATV came to a stop and the threat was extinguished, I ceased firing at the suspects and reloaded my rifle. I continued to hold lethal cover on the two suspects, I did not see any movement coming from the suspects located inside of the ATV. I was advised there was another team approaching from the other side of the ATV, to attempt to render life- saving aid to the suspects. Due to there being a possible chance of crossfire, I took cover behind the detached garage/ apartment building, while I was taking cover, I assessed my partner as well as myself for injuries, none were sustained. I was then advised to reposition with another Swat team nearby (Bearcat Team). Once I was with the Bearcat team, we secured as a team inside of the bearcat for ballistic cover due to there still being a possibility of explosives set nearby. I was advised by the team leader of the Bearcat Team, we were going to leave the scene. Once off of the property I was transported back to incident command. This concludes my involvement in this incident. ZS20

Continued
ZS20

[REDACTED] DEP [REDACTED]
[REDACTED]

8/31/22



Criminal Investigation Notification

1. This investigation is being conducted in order to determine whether any criminal laws have been violated on the part of those involved in this incident. Specifically, to collect facts and information to be provided to the prosecutor and/or grand jury in order for them to determine whether the conduct involved is authorized or prohibited by criminal statutes.
2. Your participation in this interview is voluntary and you may decline to answer or cease the interview at any time. You are entitled to have an attorney present if you wish.
3. The criminal investigation is separate from any internal, administrative investigation which your employer may or may not be independently conducting. You are not being compelled to give any statement or answer any questions. This is not a "Garrity" interview (where you could be required to answer).

[Redacted]

Printed Name of Interviewee

8/31/22 0958 HRS.

Date / Time

[Redacted]

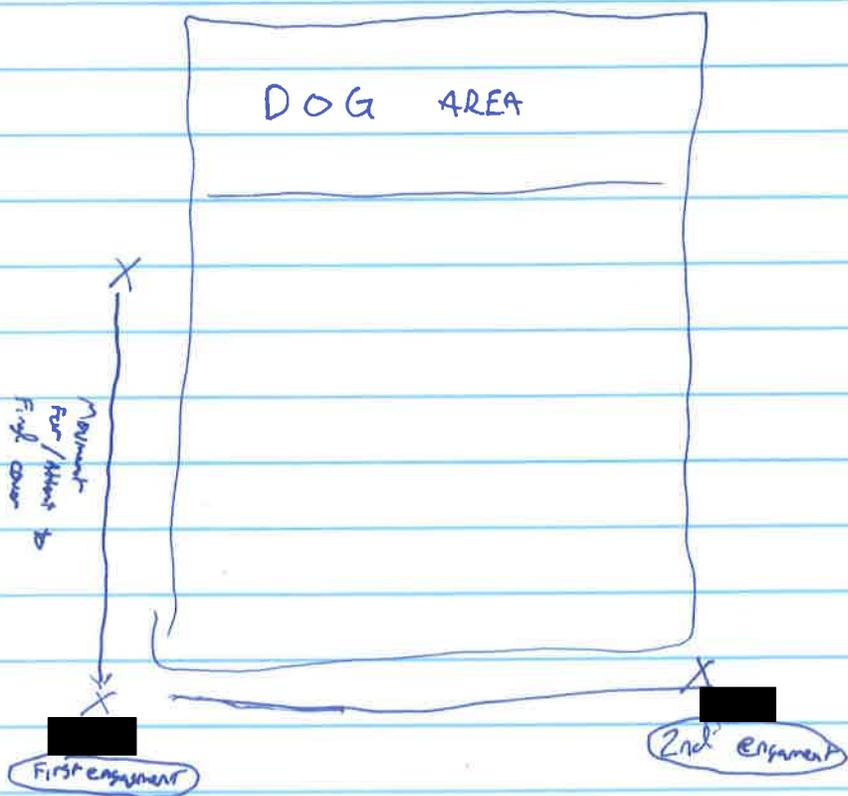
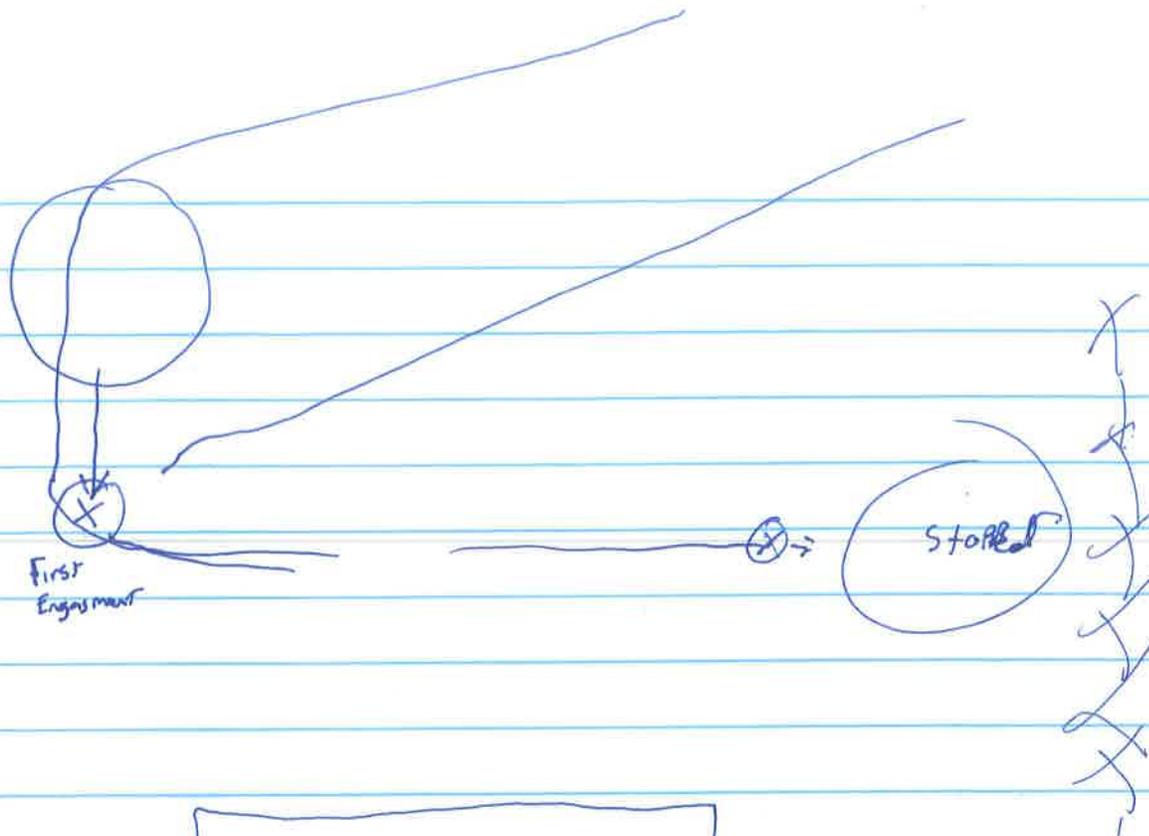
Signature of Interviewee

SA - JON TINGLEY #154

BCI Agent (Printed)

SA - Jon Tingley #154

BCI Agent (Signature)



[Redacted]
8/31/22