



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



2023-1835
 Officer Involved Critical Incident – 114 North Ninth St, Byesville,
 OH (L)

Investigative Activity: Interview with Officer
Involves: Deputy ██████████ (S)
Date of Activity: 07/11/2023
Activity Location: Guernsey County Sheriff's Office – Business – 601 Southgate
 Parkway, Cambridge, OH 43725, Guernsey County
Author: SA Craig Call

Narrative:

On July 11, 2023, the Ohio Bureau of Criminal Investigation (BCI) Special Investigations and Crime Scene Units were requested by the Guernsey County Sheriff's Office (GCSO) to investigate an Officer-Involved Critical Incident (shooting) involving members of the Byesville Police Department (BPD), GCSO, and Jeremiah Wise (Wise). It was reported to BCI the incident occurred at Wise's residence, 114 North 9th Street, Byesville, Ohio, and resulted in Wise being shot by officers and transported to a nearby hospital where he ultimately succumbed to his injuries. BCI Special Agent Craig Call (SA Call) was designated as the lead investigator.

BCI was informed BPD ██████████ ██████████ ██████████, BPD Auxiliary Officer ██████████ ██████████ (Officer ██████████, and GCSO Deputy ██████████ Deputy ██████████ were the officers that fired weapons during the incident. SA Call was informed Attorney Bob Sauter (Attorney Sauter) would be counsel for the above officers. SA Call and Attorney Sauter spoke on the phone and were able to schedule interviews for the above officers for July 20, 2023. Attorney Sauter indicated the officers would be providing SA Call with written statements.

On July 20, 2023, SA Call met with Attorney Sauter and Deputy ██████████ at the GCSO in order for SA Call to obtain Deputy ██████████'s witness statement. Prior to the interview, SA Call provided Deputy ██████████ and Attorney Sauter with BCI's Criminal Investigation Notification (CIN) form in order for there to be no confusion with the purpose of BCI's role in the investigation. Deputy ██████████ signed the CIN and indicated he had no questions or concerns prior to beginning the interview.

The audio recording began at approximately 1258 hours.

Deputy ██████████'s signed written witness statement is approximately six pages in length. Specific quoted text from Deputy ██████████'s will be used during this report in reference to

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certain parts of the incident, however the statement in its entirety will be attached for reference.

Prior to describing his involvement in the incident, Deputy ██████████'s statement contains background information about his law enforcement career, current position, use of force history, weapons carried and used during the incident, and activities prior to the incident. Deputy ██████████'s statement noted he has never received any discipline related to use of force, never before used deadly force, and the instances he has used force have found to be within department policy.

In reference to the events occurring just prior to the shooting and during the shooting, Deputy ██████████ wrote the following:

"It was at this time that Mr. Wise stepped out on the front porch and I observed that he did not have a shirt on but was wearing shorts. Mr. Wise was agitated and began yelling at law enforcement. I walked to the rear of my cruiser and attempted to speak with Mr. Wise by telling him to walk towards the road. I could hear that Sergeant Rogers was also attempting to communicate with Mr. Wise. Mr. Wise would not listen to Sergeant Rogers or me and only became more agitated. Mr. Wise was holding a cell phone in one hand and used his other hand to hit the railing on the front step of the residence. Mr. Wise was cursing at us and telling us to come into his house because he was going to fight. Mr. Wise then returned to his residence and slammed the front door behind him. I moved back to the front of my cruiser.

A short time later I observed that the front door of the residence began to open. I unholstered my pistol while standing by my cruiser. Mr. Wise walked outside and was holding something in his hand but I was not able to immediately identify it. Mr. Wise turned his attention toward Sergeant Rogers and ██████████ and began yelling at them but kept his hand at his waist. Mr. Wise then moved his hand and readjusted his grip on the object he was holding. I was then able to identify the object as a handgun while he raised it up to begin aiming towards Sergeant Rogers and ██████████. I responded to his aiming of his handgun by firing multiple rounds at Mr. Wise. I observed that he began to retreat into his residence. I began approaching the front of the residence and observed that Mr. Wise had stumbled and then fell to the ground while facing away from us."

In reference to the events occurring immediately after the shooting, Deputy ██████████ wrote the following:

"I began giving commands for Mr. Wise to show his hands because he was laying on his stomach and the handgun was not visible. Mr. Wise was still rolling from one side of his body to the other but would not show his hands. I then observed what I believed to be the handgun lying on the floor near Mr. Wise. GCSO Lieutenant Kevin Stoney arrived at the front of the residence with a ballistic shield. SRT members were then able to approach Mr. Wise and secure the handgun. Additional SRT members approached the residence. Some members began to conduct a safety sweep of the residence while other members began to treat Mr. Wise's wounds. Sergeant Rogers advised me to stand on Mr. Wise's handgun to ensure that nobody could access it. I remained inside the front door of the residence until I was ordered to exit the residence. I advised Lieutenant Stoney that the handgun was laying on the floor and exited and residence.

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I walked with Sergeant Darin Carpenter to his cruiser on North 9th Street. Sergeant Carpenter transported me to the area of North 8th Street and Glass Avenue. A short time later Sergeant Rogers approached me and advised that he would be collecting evidence from me. I provided Sergeant Rogers with my duty weapon and the magazine that was in my duty weapon during the incident. I also provided Sergeant Rogers with the two duty weapon magazines that I had on my outer vest during the incident.”

Deputy [REDACTED]’s written witness statement further detailed the following:

“I shot for center mass. Mr. Wise posed a direct threat and immediate threat to the lives of [REDACTED] and Sergeant Rogers. I also was in immediate fear for the lives of myself and other law enforcement officers in the area, as well as for any civilians in nearby residences. When I fired my weapon, there was no less than lethal force that I could have used which could have been as effective in stopping the immediate and direct threat posed to [REDACTED] and Sgt. Rogers from the action of Mr. Wise in aiming his weapon at them.

My action in firing my weapon, as described above, was consistent with my training and experience as a law enforcement officer.”

In reference to any previous personal or professional contacts with Wise, Deputy [REDACTED] wrote the following:

“I would note I had no prior contact with Mr. Wise, either personal or law enforcement contact, prior to the incident.”

Deputy [REDACTED]’s statement does indicate he viewed his body worn camera and cruiser camera after preparing the statement, however he notes there were no substantive changes to his statement after viewing the footage.

SA Call provided Deputy [REDACTED] with an overhead map view of the area of the incident with a red arrow indicating the 114 North 9th Street residence. SA Call asked Deputy [REDACTED] to mark with a pen his location and the location of other officers present during the time of the shooting. Deputy [REDACTED] noted he was located at the intersection of North 9th Street and Pearl Street. Deputy [REDACTED] noted [REDACTED] and Sgt. Rogers were located in a position to the southwest of the above residence on North 9th Street. Deputy [REDACTED] noted Officer [REDACTED] was located at a position slightly to the northeast of his own on North 9th Street. Deputy [REDACTED] noted Deputy Castor and Officer Stewart were on the rear corner of the above address positioned on Pearl Street. The map has been added to the case file.

Deputy [REDACTED] said he did hear one shot go off before he fired his weapon, however he could not tell if the shot was fired by Wise or another officer(s). Deputy [REDACTED] said at the time he fired shots at Wise he was not aware if any of the other officers fired. Deputy [REDACTED] said he could not tell where the rounds he fired impacted or if they impacted Wise.

Deputy [REDACTED] confirmed he was in no way pressured or threatened into giving a statement or altered statement to BCI.

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The audio recording ended at approximately 1308 hours.

Attachments:

- Attachment # 01: [REDACTED] Signed Witness Statement
- Attachment # 02: [REDACTED] CIN
- Attachment # 03: [REDACTED] Overhead Photograph
- Attachment # 04: GCSO Deputy [REDACTED] Interview

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Statement of [REDACTED], Guernsey County Sheriff's Office Deputy,
Regarding Incident of July 11, 2023

I. Background.

I began my employment with the Guernsey County Sheriff's Office ("GCSO"), as a Deputy Sheriff, on July 21, 2018. I have been a Road Deputy since beginning my employment with the GCSO.

I have prior law enforcement experience as a Park Ranger at MWCD (Seneca Lake) where I worked on a seasonal basis from 2016 through 2018.

I received my Basic Police Officer Training at Zane State Community College, Zanesville, Ohio, graduating in April of 2016. I graduated from Buckeye Trail High School, Lore City, Ohio in 2013. I attended Hocking College, Nelsonville, Ohio, where I received an Associate's degree (Wildlife Management) in 2015. I also completed the NRC Program at Mid-East CTC (Zanesville, Ohio Campus). I have no prior military experience.

My current assignment is that of a Road Deputy. My current supervisor is Sergeant Darin Carpenter. My regularly assigned work hours are from Friday through Tuesday, 7:00 A.M. to 3:00 P.M. As a supplemental assignment, I am a pilot with the GCSO Drone Team.

I wear prescription glasses and contacts. I do not wear a hearing aid. I take no prescription medication. I had no consumption of alcohol within eight (8) hours prior to the beginning of my shift on July 11, 2023. At the time of the incident I was not under the influence of any intoxicant, whether alcohol, prescription drug, or nonprescription drug.

As a law enforcement officer, I have never received any discipline relative to the use of force. I have never been the subject of an Internal Affairs investigation relative to the use of force. I have had no previous use of lethal force. I have had two taser incidents of less than lethal force, both of which were found to be within GCSO Departmental policy.

During this incident, I used my duty weapon, a Glock 17 handgun, which weapon is issued to me by the GCSO. My last qualification on this weapon occurred this year.

I carried a total of three (3) magazines for this weapon, of which one (1) magazine is in the weapon and two (2) magazines are on my outer vest. I normally carry eighteen (18) rounds in my weapon; however, I am not sure as to how many rounds were in my magazine at the time of the incident. I believe I fired five (5) rounds.

On my duty belt (clockwise) I carry my duty weapon, my glove pouch, my handcuffs, and pepper spray. On my outer vest, I carry (left to right) portable radio, taser, body camera, two (2) magazines, second pair of handcuffs.

I had no backup weapon on my person on the date of the incident. I used no other weapon in the incident, other than my duty weapon, my Glock 17.

As to the forty-eight (48) hours prior to the incident, on Sunday, July 9, I worked overtime from 3:00 A.M. to 7:00 A.M. and then my regular shift from 7:00 A.M. to 3:00 P.M. On Monday, July 10, I worked overtime from 3:00 A.M. to 7:00 A.M. and my regular shift from 7:00 A.M. to 3:00 P.M. On Tuesday, July 11, I worked my regular shift, 7:00 A.M. to 3:00 P.M. I was on overtime at the time of the incident.

I was well rested at the start of my shift on July 11, 2023. I had slept eight (8) hours between my shifts on Monday and Tuesday.

I was dressed in my prescribed GCSO Deputy uniform on the date of the incident.

I was wearing a body camera in accordance with the GCSO policy. My body camera, both audio and video, was working during the incident. I carried no personal recording device.

I drove to the incident in my GCSO marked vehicle, a Ford Interceptor, Unit [REDACTED]. I am identified on Radio as [REDACTED]. My marked vehicle has in-car video. This in-car video was working during the incident.

II. Incident Narrative.

I was assisting the Strategic Response Team (“SRT”) from the GCSO with an incident in Cambridge on Tuesday, July 11, 2023. My regular shift work was routine. I had just finished assisting with the Cambridge incident at approximately 4:45 P.M. when Dispatchers advised that the Byesville Police Department requested assistance in response to a suicidal male. The Dispatch advised that Byesville Police Officers were currently at 114 North 9th Street and that the suicidal male does have access to firearms inside the residence.

I arrived at the residence at approximately 5:00 P.M. and observed that Byesville Police [REDACTED] was standing by his cruiser on North 9th Street. [REDACTED] had his patrol rifle with him when I approached his cruiser. [REDACTED] advised that the male inside was Jeremiah Wise and that he yelled at Officers to stay off his property. [REDACTED] advised that it appeared as if all of the windows in the house were blocked, except for one on the second floor on the west side of the residence. [REDACTED] requested that I assist him in setting up a perimeter around the house. [REDACTED] advised that Byesville Officer Stewart was currently positioned at the back of the residence. [REDACTED] requested that I watch the east side of the residence.

I returned to my cruiser and parked it at the intersection of North 9th Street and Pearl Avenue. I stood by at the intersection for some time and could not see any movement inside the residence. [REDACTED] was attempting to utilize the PA speaker on his cruiser to tell Mr. Wise to come out of the house. I could not hear or see Mr. Wise respond to [REDACTED] in any way.

Additional units from the GCSO arrived at the scene and I was informed that a negotiator was going to attempt to speak with Mr. Wise. Some of Mr. Wise’s friends and family members arrived in the area but were directed to meet units from the GCSO near the intersection of North 8th Street and Glass Avenue. I was still watching the residence when Byesville Officer [REDACTED] arrived and approached my cruiser. I advised Officer [REDACTED] of the information that I knew at the

time. At this time I had not been able to see any movement inside the residence. Some time later it was decided that Deputies from the GCSO would relieve Byesville Police officers on the perimeter. GCSO Sergeant Keith Rogers responded to [REDACTED]'s position on North 9th Street and Officer [REDACTED] began to move back to his cruiser on North 9th Street, east of Pearl Avenue.

It was at this time that Mr. Wise stepped out on the front porch and I observed that he did not have a shirt on but was wearing shorts. Mr. Wise was agitated and began yelling at law enforcement. I walked to the rear of my cruiser and attempted to speak with Mr. Wise by telling him to walk towards the road. I could hear that Sergeant Rogers was also attempting to communicate with Mr. Wise. Mr. Wise would not listen to Sergeant Rogers or me and only became more agitated. Mr. Wise was holding a cell phone in one hand and used his other hand to hit the railing on the front step of the residence. Mr. Wise was cursing at us and telling us to come into his house because he was going to fight. Mr. Wise then returned to his residence and slammed the front door behind him. I moved back to the front of my cruiser.

A short time later I observed that the front door of the residence began to open. I unholstered my pistol while standing by my cruiser. Mr. Wise walked outside and was holding something in his hand but I was not able to immediately identify it. Mr. Wise turned his attention toward Sergeant Rogers and [REDACTED] and began yelling at them but kept his hand at his waist. Mr. Wise then moved his hand and readjusted his grip on the object he was holding. I was then able to identify the object as a handgun while he raised it up to begin aiming towards Sergeant Rogers and [REDACTED]. I responded to his aiming of his handgun by firing multiple rounds at Mr. Wise. I observed that he began to retreat into his residence. I began approaching the front of the residence and observed that Mr. Wise had stumbled and then fell to the ground while facing away from us.

I began giving commands for Mr. Wise to show his hands because he was laying on his stomach and the handgun was not visible. Mr. Wise was still rolling from one side of his body to the other but would not show his hands. I then observed what I believed to be the handgun lying on the floor near Mr. Wise. GCSO Lieutenant Kevin Stoney arrived at the front of the residence with a ballistic shield. SRT members were then able to approach Mr. Wise and secure the handgun.

Additional SRT members approached the residence. Some members began to conduct a safety sweep of the residence while other members began to treat Mr. Wise's wounds. Sergeant Rogers advised me to stand on Mr. Wise's handgun to ensure that nobody could access it. I remained inside the front door of the residence until I was ordered to exit the residence. I advised Lieutenant Stoney that the handgun was laying on the floor and exited and residence.

I walked with Sergeant Darin Carpenter to his cruiser on North 9th Street. Sergeant Carpenter transported me to the area of North 8th Street and Glass Avenue. A short time later Sergeant Rogers approached me and advised that he would be collecting evidence from me. I provided Sergeant Rogers with my duty weapon and the magazine that was in my duty weapon during the incident. I also provided Sergeant Rogers with the two duty weapon magazines that I had on my outer vest during the incident.

Lieutenant Stoney requested that Sergeant Carpenter transport me to the intersection of Glass Avenue and North 9th Street. I remained in the cruiser. Sergeant Carpenter then transported me to the OhioHealth Southeastern Medical Center where staff administered post-incident drug and alcohol tests. Sergeant Carpenter then transported me from the hospital to the Sheriff's Office. Lieutenant Stoney met with me and issued me with a replacement handgun. I then went to the conference room where I waited until a BCI Agent arrived to speak with me. A BCI Agent arrived and took pictures to document the uniform that I was wearing during the incident. I finished speaking with the BCI Agent and then made contact with Lieutenant Stoney. Sergeant Ben Coblentz transported me to my residence at approximately 11:30 P.M.

The weather during the incident was good (daylight, hot, and sunny).

The backdrop from my shots was the residence of Mr. Wise.

I shot for center mass. Mr. Wise posed a direct threat and immediate threat to the lives of [REDACTED] and Sergeant Rogers. I also was in immediate fear for the lives of myself and other law enforcement officers in the area, as well as for any civilians in nearby residences. When I fired my weapon, there was no less than lethal force that I could have used which could have been as

effective in stopping the immediate and direct threat posed to [REDACTED] and Sgt. Rogers from the action of Mr. Wise in aiming his weapon at them.

My action in firing my weapon, as described above, was consistent with my training and experience as a law enforcement officer.

I would note I had no prior contact with Mr. Wise, either personal or law enforcement contact, prior to the incident.

As to the testing at OhioHealth Medical Center, I give permission to BCI to obtain my test results.

My statement is made from the best of my recollection as to the incident on July 11, 2023. Prior to preparing my statement, I had not viewed either my body cam or my cruiser cam, both of which contain video of the incident. On July 14, 2023 I viewed my cruiser cam. This viewing did not substantially change this statement which I have provided herein.

I wish to cooperate with this investigation and am prepared to answer any questions which you might have.

Respectfully submitted,

D.P.
Deputy [REDACTED]

7/22/2023
Date



Ohio Attorney General's Office Bureau of Criminal Investigation



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).

Printed Name of Interviewee

7/20/2023/12:50 P.M.
Date / Time

S

SA T Craig Call
BCI Agent (Printed)

SA T. B. Call
BCI Agent (Signature)



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