



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



2024-3954

Officer Involved Critical Incident - 3487 Belmont Avenue,
Youngstown, Ohio, 44505

Investigative Activity: Trumbull County Grand Jury Decision

Involves: [REDACTED] (S), Jason Cain (S)

Activity Date: 12/17/2025

Activity Location: Trumbull County Courthouse

Authoring Agent: SA Joseph Goudy

Narrative:

On [REDACTED], the Trumbull County Prosecutor's Office, Chief Assistant Prosecutor Chris Becker and Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Joseph Goudy presented the facts and evidence regarding this investigation to a Trumbull County Grand Jury. The Grand Jury reviewed the information provided and testimony given and determined that the use of force by Liberty Township Police [REDACTED] was justified as evidenced by the returning of a "No Bill."

A letter from the Trumbull County Prosecutors Office reflecting the decision of the Trumbull County Grand Jury is attached to this report.

References:

None

Attachments:

1. Liberty Twp PD OIS - Letter from Prosecutor

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NEWS RELEASE
JANUARY 16, 2026

**RE: OFFICER INVOLVED SHOOTING IN LIBERTY TOWNSHIP,
TRUMBULL COUNTY, OHIO ON DECEMBER 16, 2024.**

On December 16, 2024, at approximately 2:44 p.m. Liberty Township Police [REDACTED] fired his duty weapon striking and killing thirty-one (31) year old Jason Cain.

Because a Liberty Township Police Officer was involved in the shooting and other Liberty Township Police Officers were witnesses, the investigation was turned over to the Ohio Attorney General's Office, Bureau of Criminal Investigation (BCI). The investigation was led by Special Agent Joe Goudy, who has been involved in investigating numerous officer involved shootings throughout the State of Ohio.

In April of 2025, Special Agent Goudy presented the investigative report to First Assistant Prosecutor Chris Becker of the Trumbull County Prosecutors Office.

The BCI investigation consisted of over 1600 pages of reports in addition to dozens of recorded interviews, security video, police body cameras, vehicle recording

devices, medical and autopsy information, Ohio State Highway Patrol Crash Reconstruction reports and other items.

After an extensive review of the case file, Prosecutor Watkins authorized First Assistant Becker to take this matter directly to the Trumbull County Grand Jury to have it independently consider the evidence and witnesses and determine whether criminal charges were justified.

The Trumbull County Grand Jury heard two (2) days of testimony and evidence in this case. They were presented with thirteen (13) witnesses regarding this matter. The Grand Jury was instructed on the applicable law of Murder, Reckless Homicide, Negligent Homicide and the defenses of defense of others and the defense of Necessity as well as applicable law regarding police officers and their use of deadly force in the discharge of their duties.

After hearing all of the available witnesses and being instructed on the relevant law, the Trumbull County Grand Jury has declined to indict any police officer or officers for the death of Jason Cain.

While no one but the Grand Jurors are permitted to be present while they deliberate and vote, it is important for the purpose of this release to review the applicable law and current state of law regarding the use of deadly force under both Ohio and Federal law.

Legal

The Ohio Supreme Court has reiterated the common law privilege to use force in the discharge of a police officer's official duties. In *State v. White*, (2015), 142 Ohio St. 3d 277, 29 N.E.2d 939, the Court quoted the Supreme court of Iowa in *State v. Smith*, (1905), 127 Iowa 534, 103 N.W. 944: "An officer, in the performance of his duty as such, stands on an entirely different footing from an individual. He is a minister of justice, and entitled to the peculiar protection of the law. Without submission to his authority there is no security, and anarchy reigns supreme. He must of necessity, be the aggressor, and the law affords him special protection."

Excessive force claims are evaluated under a Fourth Amendment reasonableness standard. See *Graham v. Connor*, 490 U.S. 386, 395, 109 S.Ct. 1865, 104 L.Ed.2d 443 (1989). Proper application of this standard "requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight." Id at 396 (citing *Tennessee v. Garner*, 471 U.S. 1, 8—9, 105 S.Ct. 1694, 85 L.Ed.2d 1 (1985)).

The United States Supreme Court has stated, "[w]here the officer has probable cause to believe that the suspect poses a threat of serious physical harm to the officer or others, it is not constitutionally unreasonable to prevent escape by using deadly force." *Tennessee v. Garner* 471 U.S. 1 at 11, 105 S.Ct. 1694, 85 L.ed.2d 1 (1985).

Further, the United States Court has stated, "the 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgements-in circumstances that are tense, uncertain, and rapidly evolving-about the amount of force that is necessary in a particular situation." *Graham v. Connor*, (1989), 490 U.S. 386 at 396-397, 109 S.Ct. 1865, 104 L.Ed.2d 443.

It should be further noted that it is well-established in Ohio that a motor vehicle can be a deadly weapon.

The statutory definition of "deadly weapon" is set forth in R. C. 2923.11 (A):

"Deadly weapon" means any instrument, device, or thing capable of inflicting death, and designed or specially adapted for use as a weapon, or possessed, carried, or used as a weapon.

Ohio courts have consistently and over a lengthy period of time recognized that when an automobile is used in a manner likely to produce death or grave bodily harm, it can be classified as a deadly weapon under R.C. 2923.11. *State v. Tortarella*, 1 Dist. No. 2002-L-147, 2004-Ohio-1175, at ¶64; *State v. Allsup*, 3 Dist. Nos. 610-06, 6-10-07, 2011-Ohio-405, at ¶23, "When determining whether an automobile is a deadly weapon, a court should consider the intent of the user, the nature of the weapon, the manner of its use, the actions of the user and the capability of the instrument to inflict death or serious bodily injury." *State v. Evans*, 10th Dist. No. 01-

AP-112, 2002-Ohio-3322, citing state v. Gimenez, (Sept. 4, 1997), 8th Dist. No. 71190, state v. Upham, (May 12, 1997), 12th Dist. No. CA-96-08-157.

With the foregoing law in mind, a review of the case file is in order.

Summary

As previously stated, at approximately 2:30 p.m. on December 16, 2024, Liberty Township Police became aware of a vehicle with a stolen license plate traveling in their jurisdiction.

They had received a FLOCK¹ alert for the license plate on a white Jeep Cherokee that indicated that the Ohio license plate on that vehicle had been stolen from a Walmart Parking lot in Hermitage, Pennsylvania. The license plate was reported stolen on December 14, 2024.

After receiving the FLOCK alert Liberty Township Police Officers were able to locate the vehicle in the parking lot of Harbor Freight located at 3487 Belmont Ave., Liberty Township, Trumbull County, Ohio.

After locating the vehicle, two unmarked LTPD vehicles, driven by Captain Ray Buhala and Detective Robert Altier, arrived in the parking lot to confirm that the vehicle was in the lot. After confirmation was made, Captain Buhala, who was driving an unmarked black 2024 GMC Yukon, made the decision to box in the Jeep

¹ A Flock camera is an automatic license plate recognition (ALPR) camera system developed by the company Flock Safety. The cameras are not speed or traffic cameras but are used to capture license plate information and then compare that information to help deter and solve crimes by comparing the information to local, state and national police databases. Flock cameras store the information in a database for future use and can also provide real-time alerts.

Cherokee to prevent it from fleeing. The second unmarked LTPD vehicle, was a black Dodge Ram which was driven by Detective Robert Altier.

Once the decision was made, additional marked LTPD units arrived in the parking lot. This is a common tactic used by law enforcement to surround a vehicle to prevent it from leaving.

The other LTPD officers that arrived were [REDACTED] Officer Nick Ryan, Officer Christian Thoma, [REDACTED] and Officer Brandon Rice, who was in an LTPD marked unit and in uniform but was working a security detail nearby at Premier Bank.

As the LTPD marked units arrived in the parking lot, they proceeded to box in the Jeep Cherokee. After the LTPD vehicles got into position, officers exited their vehicles and began to give commands for the driver to exit the vehicle. At this point, the white Jeep Cherokee revved its engine and began to drive in reverse striking the front of Captain Buhala's vehicle. After the vehicle was struck, [REDACTED] fired the first of his five gunshots, striking the Jeep in the rear window. At this point, the Jeep drove forward, it struck another LTPD vehicle driven to the location by Officer Nick Ryan. As the Jeep continued forward, dash camera and body camera video showed that [REDACTED] walked behind the Jeep and fired four more rounds from his duty weapon into the back window, which resulted in the driver, Jason A. Cain being struck in the back of his head by a bullet. After the gunshots were fired, the Jeep continued straight and drove through the front of the Harbor Freight store before coming to a stop.

A front seat passenger, later identified as Hannah Tillery, exited the vehicle and was detained. At this point officers cautiously approached the vehicle in order to secure the vehicle and provide first aid to the driver.

Cain was transported by EMS to St. Elizabeth's Hospital in Youngstown, Ohio. Cain was pronounced deceased at St. Elizabeth's Hospital on Thursday, December 19, 2024, at 5:30 p.m. by Doctor Sippel. Cain's body was immediately transferred to the Cuyahoga County Medical Examiner's Office where an autopsy was performed.

Investigation

As previously noted, the investigation was conducted by the Ohio Attorney General's Office, Bureau of Criminal Investigation (BCI). The BCI Crime Scene Unit responded to the scene and processed the scene, photographed and mapped the area, as well as searched for, documented, and collected all possible pieces evidence.

The BCI Laboratory conducted analysis on items including five cartridge casings recovered at the scene. All five cartridge casings were confirmed to have been fired from [REDACTED] duty weapon.

Consistent with all statements, video and physical evidence, [REDACTED] was the only officer to fire his weapon.

Witnesses

Harbor Freight Employees

Five employees from the Harbor Freight store were interviewed. Four of the employees were in the store during the shooting and the fifth was on break and in her car parked next to the vehicle Cain was driving.

That employee stated she was on her phone talking when she suddenly noticed a bunch of police cars pull up and surrounded the car next to hers. She stated she saw some of the officers get out of their cars with their guns drawn. She then crouched down in her car and heard five to six gunshots. She then waited a few minutes and saw that the vehicle that was beside her had crashed into the front of the store.

The four other employees of Harbor Freight were inside the store when they noticed the police outside of the store. Some of the employees heard the gunshots and some did not hear them. They all stated that when the Jeep struck the first police vehicle they began to run to the back of the store. None of the employees could provide any great detail as to what happened.

Hanna Tillery
Jeep Front Seat Passenger

Hanna Tillery was the front seat passenger of the Jeep at the time of the incident. Hanna was interviewed by BCI Agents on December 16, 2025. The interview was recorded.

Hanna told agents in the days leading up to this incident that she and Jason Cain had walked approximately 30 miles from Hartford to Brookfield and ultimately to the home of Bill Ball (Bill) in Vienna. Once there, Bill gave Hanna and Jason a ride to Sharpsville and dropped Jason off in an alley near the home of Jason's ex-girlfriend Sally (whose last name was unknown to Hanna).

Hanna walked to a nearby church and loitered there while Jason was at Sally's home. Eventually, Jason appeared with the white Jeep which Hanna knew to be Sally's vehicle. Hanna believed Jason had permission from Sally to use the vehicle.

Hanna told investigators that Jason had previously borrowed Sally's vehicle and would obtain the keys to start the car from her rather than having his own set of keys, as far as Hanna was aware.

Hanna stated that earlier on the day of the officer-involved shooting she and Jason had taken apart junk metal pieces at a friend's house and had scraped the metal at U-Pull-It to make some money. After leaving U-Pull-It, the pair stopped at a gas station, purchased gas, cigarettes, and snacks. The pair then pulled into the parking lot of Harbor Freight. Jason was going to buy Hanna some new clothes from the Citi Trends clothing store located in the same plaza as Harbor Freight.

After parking, Jason and Hanna remained seated in the car for approximately ten minutes while they discussed what outfit she would buy and talked about their plans to get a hotel room for the night. Hanna stated that she and Jason had spent the previous couple nights sleeping in the car. Hanna stated, "And then outta nowhere a big truck pulled in, and nose to nose with us, and all the sudden the next thing I remember, they just said 'Put your hands up.' I was confused. I didn't know what was happening. I just kept asking, 'What's going on?' And then they shot him in the head right in front of me. He didn't have no weapons. He didn't have nothing. I don't, I don't know. I think when the bullet hit him [unintelligible/crying] I think he, I don't know, it just flew into the building. I don't know. I don't know."

Hanna later explained that at the moment the black truck pulled up in front of their vehicle, Jason had just put the vehicle in reverse because he was going to move to a parking space closer to the entrance of Citi Trends so they would not have to walk as far to get to that store.

Hanna stated that she knew the vehicle Jason was driving, and that the pair had been living out of the vehicle for the past few days, was owned by Sally because Jason told her that. Hanna believed she and Jason had the car for approximately four days. Hanna told agents that the police told her the car was reportedly stolen. Hanna now believes Sally reported the vehicle stolen after learning she was using/living in the car with Jason. Hanna stated she did not believe Jason was aware the car they were using was reported as a stolen vehicle.

When asked how the car went from the parking space it was parked in to being crashed into the front of the store, Hanna stated, “I think he slammed on the gas when they shot him. It’s the only thing that makes sense to me. I don’t know.”

When asked about whether or not Jason would have had to back up prior to driving forward into the store, Hanna responded, “I think so. Yeah, because it was in reverse when they pulled in.” Hanna explained the vehicle had a rotary dial gear shift and the dial was already moved into position to reverse the car when the police arrived. Hanna described their vehicle backing up as “flying back”, and faster than one would purposefully and normally back out of a parking space. Hanna recalled feeling a rocking sensation between the car backing up and moving forward. Hanna

did not say anything indicative of her being aware Jason struck a vehicle while backing up before accelerating into the storefront.

When asked if Jason said anything as he backed up, Hanna replied, "He just said 'What the hell'. Jason did not say anything else during the incident. Hanna said she did not think Jason understood what was happening at the time. Hanna stated that she believed she heard the officers tell Jason to show them his hands but could not recall the police giving him any other commands. Hanna said Jason's hands were visible on the steering wheel when police gave him the command to show his hands.

Hanna next stated, "And I honestly don't even know. I'm pretty sure they said like, 'Liberty Police' or something like that." I don't know. I wasn't. I really can't remember."

Hanna believed that Jason drove straight back but did not turn the car as you would normally when reversing out of a parking space. Hanna told agents when they arrived in the parking lot Jason pulled into the parking space in the normal fashion and did not back into the space.

Hanna stated she did not know, but believed more than one person was in the truck that pulled up nose to nose with the vehicle she was sitting in. She believed she saw doors on both sides of the truck open up and people getting out pointing guns in her direction. She recalled that one person got out from the driver's seat of the truck that approached them head on. That person then pointed a gun at her. Hanna recalled the black truck that pulled up in front of her was not a marked police vehicle but did have some sort of police-style red and blue light inside the vehicle behind the

windshield that was turned on when the vehicle turned to pull in towards them. Someone from the vehicle then stated “Liberty PD” or something similar to this aloud. When asked if the people who got out of the truck said anything else to her, Hanna said she could not remember.

When asked if the people who got out of the truck were wearing police uniforms, Hanna stated she did not remember. When asked where she believed Jason’s car was at the time she heard the first gunshot, Hanna stated they were still parked in the parking space. Hanna stated Jason had not yet backed out of the spot when she heard the first gunshot. Hanna stated she believed the subject had not yet moved their car when the first shot was fired. Hanna stated the car had begun to move when the second and subsequent shots were fired. Hanna thought Jason hit the accelerator because he was scared. Hanna stated she could hear the bullets flying past her head and believed police continued to fire as the car accelerated towards the storefront.

When asked about hearing gunshots, Hanna stated “Yeah. There were so many. It sounded like three or more guns, and they unloaded at least half of a clip, I think. It was a lot.” Hanna stated she did not know how many people were shooting. When later asked how many shots she heard, Hanna said “At least five. At least.” When asked if she felt the car hitting anything when Jason backed the car up, Hanna stated she could not recall. When asked if she felt a jolt or something similar at that time, Hanna said “Yeah, I think so, but I don’t know.” Hanna stated it was possible they hit something while backing up because her head and neck hurt really bad. When

asked to estimate the speed, she believed the car was traveling when Jason backed up Hanna said, “It was probably only around 15 miles per hour max, I think ...and then forwards, I would say it was more like 25. Like it just seemed like a brick dropped on the gas. I don’t know. It was weird.”

Hanna stated that during the incident a marked Liberty Police car did pull up and parked on the driver’s side of the vehicle she was in. Hanna later recalled seeing the marked police vehicle pull up to the passenger side of the vehicle she was in rather than the driver’s side. Hanna recalled seeing the marked police car pulling up to her location as Jason was accelerating forward towards the storefront.

Hanna stated she did not recall seeing any police officers or civilians on foot in the parking lot at the time Jason accelerated towards the store. Hanna stated it was daylight out at the time of the incident. When asked if she could see what was going on outside at the time, Hanna replied, “yeah.” Hanna explained that Jason previously lived in the garage of his girlfriend’s home and was keeping his possessions in the garage with her permission.

Hanna further stated that Jason had mental health issues, including being bipolar and suffering from depression. Hanna did recall Jason making statements in the past indicative of potentially using the police as a means of committing suicide. Hannah did not believe Jason intended to cause a situation where the police would shoot him as a means of committing suicide in this event. Hanna believed Jason was sober at the time of the officer-involved shooting.

Numerous attempts were made to serve a Grand Jury Subpoena on Hanna. All attempts were unsuccessful including trying to call the phone number she had provided to investigators.

Witness Officers

Officer Brandon Rice

Officer Rice had been employed by the LTPD for about one and a half years at the time of this incident and he had been a police officer for a total of twenty-one and a half years.

On the date of the incident, Officer Rice was working a security side job at Premier Bank which was located at 3500 Belmont Avenue in Youngstown, Ohio. Premier Bank was located just a short distance down the road from where the shooting incident later occurred. Officer Rice wore his standard police uniform with a metal police badge affixed to it. He also wore an external ballistic vest and duty belt. He drove LTPD unit #10, a Ford Explorer, marked with LTPD emblems and emergency lights.

Officer Rice's vehicle had a camera, and he was wearing a body worn camera as well. Both were on and recorded the incident.

While at the bank, Officer Rice received a notification on his personal phone for a Flock Camera hit on a stolen license plate. The notification indicated the vehicle was northbound on Belmont Avenue travelling towards Officer Rice's location. Officer Rice began looking out the front window of the bank and observed a white Jeep Grand Cherokee that matched the description of the Flock Camera hit. The

vehicle was parked facing south in the parking lot of Harbor Freight and it was unknown if there were any occupants in the vehicle. Officer Rice got into his marked police cruiser and parked his vehicle in the Premier Bank drive through. From there, Officer Rice sat and observed the vehicle until additional officers arrived.

A detective from LTPD was driving an unmarked police vehicle. He drove by the vehicle with the suspected stolen license plate and confirmed it was the vehicle from the Flock Camera hit. He also indicated the vehicle was occupied by two subjects.

Officer Rice drove his police cruiser over to the vehicle location as additional officers arrived on scene. Officers positioned their vehicles surrounding the Jeep Grand Cherokee. This was done in an effort to prevent the subject from fleeing the scene.

Officer Rice positioned his cruiser at the rear of the Jeep. To his left was [REDACTED] in his marked police cruiser. Other officers also began exiting their police vehicles and verbal commands were given to the driver of the Jeep to show his hands and exit the vehicle.

Multiple verbal commands were given, and the driver did not respond or comply. Officer Rice was still unable to observe any of the occupants inside the vehicle.

The driver then accelerated the vehicle in reverse and struck an unmarked police vehicle. The subject then quickly accelerated the vehicle forward. Officer Rice then heard three gunshots that sounded like “pop...pop, pop.”

The vehicle then accelerated forward and struck the front window of Harbor Freight. Officers approached the vehicle, and a female exited the passenger side. Upon her exit, she stated something to the effect that “you guys shot him.” The female was then detained for further investigation.

Officer Rice, [REDACTED], and Detective Altier then used a shield to approach the passenger side of the vehicle to make contact with the driver. The driver was found to be unresponsive. Officer Rice requested medical personnel to respond, and officers began rendering aid to him.

When the vehicle accelerated forward, Officer Rice stated he was concerned that an officer was standing in front of the vehicle. Due to this, he feared for the safety of the other officers on scene. Officer Rice also feared for his own safety due to the nature of the incident.

Officer Rice believed from the moment he received the Flock Camera hit to the time the shooting incident occurred was approximately 3-5 minutes. He then stated from the time officers “boxed in” the Jeep until the time of the shooting incident was approximately 15 seconds.

At the time of the shooting incident, Officer Rice recalled the weather being possibly rainy, but it was still daylight.

Officer Rice did not discharge his firearm during the incident.

Officer Nicholas Ryan

Officer Ryan had been employed by the LTPD for approximately 2 years and 11 months at the time of this incident. He had not worked at another law enforcement agency prior to working at the LTPD.

During the incident, Officer Ryan wore his standard police uniform which included an external ballistic vest carrier and a duty belt. He drove a marked police cruiser, which was a Ford Explorer marked with Liberty Police decals and emergency lights. He was wearing a body camera mounted to the right side of his chest. His body camera and his cruiser dash camera were on during the incident. He did not know Jason Cain and had no previous encounters with him.

Earlier that day, a BOLO (be on the lookout) was issued for a vehicle with a stolen license plate. Prior to the incident, officers received a Flock alert indicating the vehicle from the BOLO had entered the township. Officer Rice believed he had located the vehicle and Detective Altier confirmed the involved vehicle's location.

Officers then set up in the area but out of view of the suspect vehicle. The plan was to converge on the vehicle and box it in, so it had nowhere to go.

Once everyone was in place, Captain Buhala gave the call to "take down" the vehicle. Ryan drove to the vehicle which was located in the parking lot in front of Harbor Freight.

Det. Altier was in front of Officer Ryan in an unmarked vehicle. Det. Altier parked directly in front of the subject vehicle. Officer Ryan drove around Det. Altier with his emergency lights on and parked near the front driver side area of the subject vehicle.

Since this was a high-risk felony stop, his first goal was to get to a position of cover. Officer Ryan exited his cruiser and moved to the rear portion of his cruiser. He could hear another officer giving commands. Once there, he realized he was in a crossfire situation with officers positioned at the rear portion of the subject vehicle. He then ran past the driver's side of the subject vehicle to the driver's side area of Officer Christian Thoma's vehicle. As he did so, he could see the male driver of the subject vehicle was a white male.

The subject then puts the vehicle in reverse. He could hear the engine revving and saw the subject vehicle back up and strike Captain Buhala's vehicle. At that point, he heard a gunshot. There was a brief pause, then the subject vehicle began driving away, and he heard another shot. The subject vehicle took the same path Officer Ryan had just come from. He did not see the subject vehicle strike his cruiser, but after it passed his cruiser, he could see damage on the front of his cruiser. The subject vehicle then crashed into the front of Harbor Freight.

When he heard the gunshots, he did not know who was firing. He feared for his safety throughout the incident and explained that when the subject vehicle reversed into Captain Buhala's vehicle, they were all outside of their vehicles. He believed the subject was trying to flee and he feared for the safety of the other officers because he did not know where they were.

After the vehicle crashed into Harbor Freight, the female passenger was given commands. He saw her exit the passenger's side of the vehicle. However, he was focused on the driver's side and was not involved in securing the female passenger.

He could not see the driver's hands or body but knew the subject was not showing his hands, despite being given commands to do so.

Another officer obtained a shield and officers approached the vehicle. They indicated the subject had a visible injury. At that time, he secured his firearm and assisted with rendering aid to the subject.

Officer Ryan did not know where [REDACTED] was positioned when firing because he could not see [REDACTED] [REDACTED] He did not know if there were other bystanders in the immediate area because he was focused on making sure he was out of the way once the subject vehicle began moving.

When asked if there was any additional information, he would like to add to his statement Officer Ryan said he wanted to reiterate "The suspect, to my best knowledge looked at me in a fully marked police uniform. I was in a fully marked police vehicle in front of his vehicle. Um, and we were giving loud verbal commands to him that, um, I feel like he would have heard from inside his motor vehicle"

Officer Ryan said the officers were giving the subject commands for approximately 10 seconds prior to the vehicle moving in reverse. After the subject reversed into Captain Buhala's vehicle, there was a 3 – 5 second pause where he thought the subject was going to stop. Then the engine began revving again, and the vehicle took off into the front of Harbor Freight. He said all the cruisers, including the two unmarked cruisers, had emergency lights activated.

Officer Ryan did not discharge his weapon during the incident.

Officer Christian Thoma

Officer Thoma had been employed by the LTPD for approximately 2 years at the time of this incident. He had been a law enforcement officer for a total of 17½ years. During the incident, Officer Thoma wore his standard police uniform. It included an external ballistic vest carrier and a duty belt. He drove marked police cruiser and had the emergency lights activated during the incident.

At the time of the incident, Officer Thoma wore a body camera mounted to the left side of his chest. It along with his cruiser dash camera were recording during the incident.

He did not know Jason Cain and had no previous encounters with him. Earlier that morning, he had received a flyer for a stolen license plate that had been placed on a stolen vehicle. Then, that afternoon, they received an alert from the Flock system for a white Jeep with stolen license plates which was traveling north on Belmont Ave. Upon viewing the photograph from the Flock alert, he realized the alert was related to the information he had received earlier in the day.

Officer Brandon Rice was working a side job in the area and informed the officers that the Jeep was parked in front of Harbor Freight.

Captain Buhala and Detective Altier were in unmarked vehicles. Det. Altier confirmed the plate on the Jeep was correct. Since the vehicle had two occupants, Captain Buhala directed officers to “take down” the vehicle in the parking lot to prevent it from going out on the roadway. He explained the “take down” involved surrounding the stationary vehicle to prevent it and the occupants from escaping.

Captain Buhala approached the vehicle and parked less than 5 feet from its rear

bumper. Det. Altier approached it from the front. Officer Thoma pulled up and parked along the driver's side of Captain Buhala's vehicle and at the rear of the involved vehicle. There he could see the driver's side of the Jeep. Officer Ryan parked on the right side of Det. Altier's vehicle and at the front of the Jeep. [REDACTED]

[REDACTED] parked on the passenger side of Captain Buhala's vehicle and behind the Jeep.

Officer Thoma exited his cruiser and pointed his firearm at the driver's side door of the Jeep. He could see the driver was a white male. He ordered the driver to show his hands several times. The subject looked at him and put his hands up. The subject then reached down, and the Jeep started moving backward until it struck Captain Buhala's vehicle. He ordered the driver to stop again. He then got back into his cruiser to pin the vehicle in, but he heard a gunshot and saw the Jeep starting to move forward. The Jeep then struck another cruiser, and he heard several more gunshots.

Officer Thoma jumped back out of his cruiser thinking the subject was returning fire or firing at him and ran to the rear driver's side portion of his cruiser. The Jeep then made a sharp left turn and drove straight into the front of Harbor Freight. Officer Thoma then ordered the driver to show his hands, but the driver did not comply.

A female passenger exited the Jeep screaming and crying. She was apprehended by another officer. He saw Detective Altier, along with Officer Brandon Rice and [REDACTED] utilizing a shield to approach the vehicle. They indicated the driver had a gunshot wound. Officer Thoma then assisted in rendering medical aid.

When Officer Thoma first heard the gunshots, he did not know who was firing. He reiterated that he thought the subject was firing at him because the subject had his hands up before reaching down.

He estimated 20 seconds elapsed from the time they converged on the vehicle until it began moving in reverse. He did not hear the occupants of the vehicle say anything during that time.

During the incident, other officers also gave commands, but he was not sure which officers. He did not remember if sirens were used during the accident.

Before the incident occurred, other officers mentioned the subject involved with the stolen vehicle might be armed.

Officer Thoma did not discharge his firearm during the incident.

Captain Ray Buhala

Captain Buhala had been employed by LTPD for about 19 years at the time of the incident. He has been a police officer for a total of approximately 21 years. During the incident, Captain Buhala was not wearing a patrol duty uniform. He was, however, wearing a long-sleeved shirt with a small LTPD patch on the left center of the garment that was covered by an exterior police vest with a police patch and badge visibly displayed on the front of the vest. Captain Buhala was also wearing 5.11 branded cargo pants and had his duty pistol in an outside-the waistband holster. Captain Buhala did not exit his vehicle prior to the shooting and only his upper body would have been visible to the subject during the incident.

Captain Buhala drove an unmarked police GMC Yukon that was equipped with lights and a siren. Captain Buhala utilized both the lights and sirens in responding to the incident and while on scene. Captain Buhala did not have a body-worn camera or any other recording devices with him at the time of the incident.

Captain Buhala recalled that in the days preceding the officer-involved shooting he received a BOLO for the subject regarding an allegation that the subject had stolen firearms owned by his father. Captain Buhala also noted that earlier on the day of the officer-involved shooting he received another BOLO pertaining to this subject. This second BOLO put out by Hermitage Police included information about the male subject having stolen license plates from a Walmart to place on the stolen vehicle he was driving.

Leading up to the officer-involved shooting, Captain Buhala was notified of a Flock surveillance camera hit indicating the Flock camera located at Gypsy Road and Belmont Road had picked up the stolen vehicle operated by the subject. The vehicle in question was traveling from south to north into Liberty Township. This Flock camera is located approximately four blocks from the Harbor Freight parking lot. When the Flock hit notification was sent out, a Hermitage Police Officer who disseminated the most recent BOLO relayed over the police radio to [REDACTED] that the Flock hit was for the BOLO sent out earlier that day. Captain Buhala heard this radio traffic as well.

Based on the Flock hit and the related radio traffic that followed, Captain Buhala left the police station to join the patrol officers in attempting to locate the

stolen vehicle. Captain Buhala drove directly from the police station to the scene using his police lights and sirens. Captain Buhala estimated he arrived at the Harbor Freight parking lot at approximately 1431 or 1432 hours.

As Captain Buhala arrived, he observed Detective Robert Altier, who was also driving an unmarked vehicle, driving past the subject vehicle and confirmed it was the vehicle that was the subject of the BOLO and Flock notifications.

Captain Buhala stated the officers present in the area at the time were [REDACTED] [REDACTED] Officer Thoma, Officer Nick Ryan, and Officer Brandon Rice. In total, there were two unmarked police vehicles and four marked police vehicles.

The Jeep was parked in a parking space towards the front of the store and occupied by two people. The Jeep had pulled through a parking space and parked in the space directly past and adjacent to the first space in a manner that would indicate the easiest route to exit the parking space would be for the subject to drive forward and immediately into the lane of traffic in the parking lot.

Captain Buhala used his police radio to tell the other officers in the area that they would try and “take down” the Jeep while it was still in the parking lot to avoid a possible pursuit if the subject did not cooperate. Captain Buhala and the other officers formulated a plan of how to approach the Jeep. The plan was for Captain Buhala to first approach the Jeep and block its ability to back out of the parking space using his unmarked police vehicle. Officer Altier would then quickly approach the Jeep from the front with his unmarked vehicle so that the subject could not escape

driving forward. The other officers in marked police cars would then converge on the Jeep as well.

The group of officers approached Jeep as planned, arriving within moments of each other. Captain Buhala used police-style emergency lights while he approached and parked behind the Jeep. Captain Buhala parked approximately two to three feet behind the Jeep. Captain Buhala's emergency lights included a pull-down visor light, red and blue flashing lights in the grill of the vehicle and flashing of the vehicle's regular lights. Captain Buhala remained inside his vehicle and briefly activated his vehicle's siren as a way of further signaling to the subject that he was law enforcement and was parked behind the subject and blocking his exit path.

After pulling up behind the Jeep and blocking the subject's path to back out of the parking space, Captain Buhala stayed seated in his vehicle. The other officers quickly pulled up and further blocked the Jeep in, limiting its ability to potentially flee the scene.

Captain Buhala was able to see from his position inside his vehicle that Detective Altier also used emergency flashing lights coming from his dashboard when he approached the Jeep.

Officer Ryan parked his marked police vehicle to the southeast of the subject in the main driveway in front of the store near the subject vehicle. Officer Thoma parked his marked police vehicle nearby to the left/east of the Jeep. [REDACTED]

parked his marked police vehicle facing the subject vehicle to the right of Captain Buhala. Officer Rice's vehicle was somewhere to the southwest of the subject's vehicle.

These other officers quickly exited their vehicles and began to approach the Jeep on foot.

As the group of officers approached the subject vehicle, Captain Buhala observed the subject put his hands up to comply with their orders. Captain Buhala believed at that moment the subject was compliant, and the incident would end quickly with further compliance from the subject. However, the subject did not continue to listen to the officers' orders. Rather, Captain Buhala next heard the subject's engine begin to rev up, and the subject backed his vehicle into Captain Buhala's vehicle, a GMC Yukon.

The Jeep struck Captain Buhala's vehicle with enough force to move Captain Buhala's vehicle a short distance. It was clear to Captain Buhala that the subject backed into his vehicle with significantly more force than someone normally backing out of a parking space would use.

When asked how much time transpired from the moment officers exited their vehicles, approached the subject, and began giving commands to the time the subject began to back out and struck his vehicle, Captain Buhala estimated 15 to 20 seconds transpired and recalled it being a significant amount of time for the situation.

Captain Buhala stated it was daylight out at the time of this incident. Captain Buhala felt it was readily apparent to the subject that he knew he was interacting with

the police at the time, as there were numerous uniformed police officers and marked police cars present at the time.

Captain Buhala did not hear the subject or the passenger in the vehicle ever make any verbal statements. After the subject had backed in and struck Captain Buhala's vehicle at a high rate of speed, the subject put his vehicle in drive and began to drive towards Officer Ryan's marked police vehicle, which was parked in front of the store.

As the subject began to drive forward, Captain Buhala observed [REDACTED] [REDACTED] out the corner of his eye to his right. Captain Buhala began to hear shots being fired at that time. Captain Buhala believed he heard around four shots fired. All the gunshots were fired in quick succession in one grouping. As the shots were being fired, the subject's vehicle traveled at a high rate of speed directly towards Officer Ryan's vehicle near the front of the store. The subject vehicle struck Officer Ryan's vehicle, continued forward, and then struck the storefront and crashed partially into the store.

After crashing into the store, officers yelled commands at the subject to show his hands and exit the vehicle. The subject did not exit the vehicle. However, the female who was seated in the front passenger seat did exit the vehicle. Captain Buhala escorted the female away from the crashed vehicle and to the marked police vehicles.

Detective Altier then retrieved a shield from his vehicle. A group of officers approached the subject vehicle, while using the shield as cover. Captain Buhala believed, upon approaching the subject's vehicle, these officers found the subject

with a gunshot wound to his head. As the officers approached the subject, Captain Buhala was entering the store. Upon entering the store Captain Buhala confirmed that no one was injured inside the store.

Captain Buhala and the other officers immediately called for EMS to provide additional assistance to the subject after reaching him and learning he had an apparent gunshot injury to his head.

When asked, Captain Buhala stated that he believed [REDACTED] firing his weapon was appropriate for the circumstances at the time [REDACTED] did so. When asked, Captain Buhala stated that he did not believe [REDACTED] would have known the location of the other officers at the time he fired. Captain Buhala added that [REDACTED] yelled out questioning where Officer Ryan was immediately after firing his weapon.

Captain Buhala did not fire his weapon during the incident.

Det. Robert Altier

Detective Altier was employed by the LTPD for 19 years at the time of the incident. He has been a police officer for a total of 25 years. During the incident, Detective Altier was wearing plain clothes due to his position as a task force officer with the Mahoning County Drug Task Force (MCDTF). He also wore an external ballistic vest with law enforcement markings attached. He drove a black Dodge Ram truck, which is his assigned unmarked vehicle for the MCDTF. The vehicle had undercover emergency lights and siren which were used during the incident.

Detective Altier stated that, while he was out conducting an operation with the MCDTF, he received information regarding a FLOCK alert for a stolen vehicle in the area. The FLOCK alert indicated that there was a white Jeep Cherokee with a stolen license plate in the area and to be on the lookout. During that time, Detective Altier responded to the area where the alert came from. Detective Altier stated that Officer Brandon Rice stated over the radio that he had located the vehicle parked in the parking lot of Harbor Freight. At this point, Detective Altier made his way there.

Upon arrival in the parking lot, Detective Altier stated that as he drove by the vehicle, he confirmed the license plate with dispatch and indicated that the vehicle was tinted with two occupants. At this point Detective Altier stated that Captain Buhala asked, “you got a vest on, I said, I’m getting one on now.” Detective Altier stated that after he drove by the Jeep, he drove further down the parking lot to put his ballistic vest on. Detective Altier described his vest as to having law enforcement identifiers, such as the word “police” in large white letters. Detective Altier also stated that he had his badge hanging from around his neck.

After Detective Altier put his vest on, he stated that Captain Buhala was asking where the other marked units were. Detective Altier then stated that Captain Buhala said, “let’s just, let’s just pin him in right here. We do that so we don’t get into a pursuit, um, one of the things we’ve been talking about was to try to amp back down on the pursuits because everybody runs nowadays.”

Detective Altier stated that Captain Buhala said when all of the marked vehicles are in the area, they would all move in to pin the vehicle in and conduct a vehicle

take down. As they began to move in, Detective Altier stated that he positioned his vehicle near the front of the Jeep and bumped into the vehicle to know he was close to the vehicle, while Captain Buhala pulled directly behind with his emergency lights and sirens activated. At this point, Detective Altier stated that he also had his emergency lights activated on his vehicle. Shortly thereafter, additional marked units arrived to assist.

Detective Altier stated, "I bailed out, we do the vehicle CQB training, I bailed out, started to go behind my vehicle, Officer Ryan had pulled in parallel to me, he had already bailed out, he was positioned up behind his vehicle, I yell, coming to you, I ran up, I said behind you. I got behind him on, like, his back right shoulder. We were looking up and I said, well, we're in a real bad spot. I said we're not, we gotta get out of here. Right about that time, I heard the suspect gunning his motor, (made sound of a revving engine), I said Nick, we gotta get the hell out of here, we're in, we're in a fucking bad spot, I said, I said let's go."

At this point, Detective Altier described how he moved from his previous position towards the back of his truck. During this time, he stated that he heard the Jeep striking another one of their vehicles. When Detective Altier was in view, he observed the Jeep crashing into Captain Buhala's vehicle and pushing his vehicle backwards. Detective Altier stated that he did not know where Captain Buhala was at that moment.

Detective Altier continued to describe the smashing and grinding sounds he heard caused by the Jeep crashing into the LTPD vehicles. At this point, Detective

Altier stated that while he was looking for a safer place to be, he looked back to see if Officer Nick Ryan was still behind him. It was at this moment that Detective Altier became concerned about Officer Ryan's safety because he was no longer behind him. Detective Altier was concerned about Officer Ryan because he observed the Jeep crashing into and pushing Officer Ryan's vehicle. Detective Altier stated the last known position of Officer Ryan was behind the right rear side of the LTPD-marked vehicle that was being crashed into and pushed by the Jeep.

At this point, Detective Altier described when he first noticed [REDACTED]

Detective Altier stated, "I saw [REDACTED] I saw him up and I heard pow, and I'm like, oh fuck, whose, where's that coming from. And then I saw [REDACTED]

[REDACTED] I can actually see him shooting. And when he was shooting, the other vehicle, the suspect's vehicle was just plowing into what appeared to me, plowing into uh, another officer, Nick Ryan's vehicle. And then he, after he makes that contact and pushes that vehicle out of the way, the suspect vehicle continues to go forward, uh, smashes into the building, goes into the building."

After the vehicle smashed into the building, Detective Altier stated that the officers on scene took cover and began giving commands to the occupants of the Jeep. During this time, a female exited the front passenger seat and was ordered to walk back towards the officers. As the female approached Detective Altier, he stated that he immediately detained her and patted her down just before handing her over to another officer, so he could continue clearing the subject's vehicle. It was at this time

that Detective Altier, upon the request from other officers, retrieved his task force issued ballistic shield to use as officers decided to advance on the Jeep.

Detective Altier stated that once a plan was made to advance on the Jeep, he maintained the shield as they made their approach. Detective Altier stated that when they approached the passenger side of the Jeep, he observed the subject, Cain, sitting in the driver's seat with a "large black object on his leg." Detective Altier stated that he thought it might have been a gun. He described it as to being black with tubes coming out of the front of it. After seeing the object Detective Altier believed it to be a gun, he reached in to grab the object. After retrieving the object, he moved it over to the passenger side floor area. In addition, he removed a folding knife that was clipped to Cain's belt or pocket area and moved that to the side away from him. (

Detective Altier stated that they then moved over to the driver's side where they eventually began administering emergency aid to Cain. Detective Altier stated that due to the damage to the vehicle, they were not able to open the door and remove him from the vehicle. During this time, Detective Altier stated that he noticed a wound to Cain's head, at which time they began treating the wound until EMS arrived.

Det. Altier did not fire his weapon during the incident.

Involved Officer

On the day of the incident, [REDACTED] stated that while he was at the

LTPD station at the start of his shift, he conducted roll call for the shift officers. It was during that time that they received the Flock alert to the stolen Jeep Cherokee at

Belmont Avenue and Gypsy. [REDACTED] stated he was originally planning on staying at the LTPD to conduct administrative duties until the Flock alert came across. At that time, [REDACTED] stated that everyone ran out of the LTPD station to respond to the area of the Flock alert.

[REDACTED] stated that Officer Brandon Rice noticed the stolen Jeep, while working a side job at Premier bank, parked in the lot of the Harbor Freight. When they got into the area, he heard Captain Buhala mention boxing the vehicle in to avoid a pursuit.

After [REDACTED] arrived in the area, additional units arrived in the area and got position waiting for the go ahead to move in. Shortly thereafter, [REDACTED] stated he heard Captain Buhala say to move in and box in the vehicle.

At this point, [REDACTED] described the locations of where the responding units were in relation to the stolen Jeep. [REDACTED] stated that Officer Nick Ryan and Detective Robert Altier were directly in front, facing the stolen Jeep, while Captain Buhala was directly behind it. [REDACTED] stated that he positioned his LTPD vehicle next to Captain Buhala's on the passenger side and Officer Christian Thoma's LTPD vehicle was on Captain Buhala's driver's side. He further stated that he eventually noticed Officer Rice's LTPD vehicle on his passenger side.

[REDACTED] stated that after he got into position, he immediately exited his vehicle to get back and behind the pillars of his vehicle, "in case any bullets start

flying". [REDACTED] stated that he learned that tactic from CQB training. After [REDACTED] exited his vehicle, he stated he was giving the driver of the stolen Jeep commands. [REDACTED] also stated that at this point, he did not know where Captain Buhala was. [REDACTED] then stated that the driver, "put the car in reverse and just rammed into Buhala's SUV, it's a GMC Yukon".

At this point, [REDACTED] stated:

"At this point, I knew Altier was in front over here by his truck and Nick Ryan was behind, he got out, behind his pillar of his, his vehicle. And at which point, he was ramming back towards us, and I was like {sigh} he's like, oh shit, this is not. Apparently, there was a gap enough for him to get enough motion to start ramming cars. And at that point, it was coming, the car was coming back towards us, it hit Buhala's SUV, severely, really hard. Cause I mean it shook everything, it was loud as hell. At which point, I didn't, I was thinking he was trying to come back towards us, to get through us, UNINTELLIGIBLE shit, this guy's gonna run me over, I fired once. In which point, the car started going forward and hit, I thought initially he hit both the cars in front. Apparently, from watching the video, he only hit Nick Ryan's car. I don't know how he missed Altier's car. But I seen Nick Ryan's car getting launched. Well, I had no clue where Nick Ryan was. Last I knew him to be was behind his vehicle. So, I'm thinking, shit, he's gonna kill this kid. I didn't know where Ray was, Captain Buhala was. Here, I hear he was still inside his vehicle, but I didn't know that because his tinted windows."

[REDACTED] continued by saying how all the officers were giving verbal commands to the driver of the stolen Jeep. [REDACTED] further stated that he believed they did not hear each other giving the commands. This was his understanding after reviewing the BWC video prior to the interview. [REDACTED] stated that he observed the stolen Jeep angled towards Officer Ryan's vehicle. At that

point, [REDACTED] stated he moved forward because the stolen Jeep continued to ram the other LTPD vehicles around it. [REDACTED] stated, "I was like, I don't know where my fellow cops are, he's going to kill these guys."

[REDACTED] further described the scene as the parking lot being filled with people and it being 3:00 in the afternoon. [REDACTED] stated, "And then I step forward, and I fired again."

[REDACTED] described how the stolen Jeep was angled facing southeast.

[REDACTED] then described hearing the engine revving by saying, "All of a sudden you hear the gas rev, I mean, somebody, someone stomped the gas pedal, loud as hell and the car shot, like shot forward straightened out and went right into the building".

[REDACTED] then described the actions they took after the vehicle drove into the building. He stated that a ballistic shield was obtained, and the female was removed from the stolen Jeep and secured in an LTPD vehicle. Furthermore, [REDACTED]

[REDACTED] stated that emergency medical treatment was provided for the driver.

[REDACTED] stated that when Detective Sergeant Schuster arrived on scene, Captain Buhala told him to get [REDACTED] away from the scene.

Just before leaving the scene, [REDACTED] stated that he was having trouble holstering his duty weapon due to the light falling off and into the holster. This prevented the gun from initially being secured inside the holster.

SA Goudy asked [REDACTED] to describe how the Flock alerts were typically received. He stated that they would receive an alert on their phones via an

application which would indicate license plates coming back with active warrants or as stolen. He further stated that this particular alert came from the area of Belmont Avenue and Gypsy Avenue in Liberty Township.

When [REDACTED] was asked to describe the LTPD's agency approach to Flock alerts involving stolen vehicles, he stated it depended on the situation. [REDACTED]

[REDACTED] stated that they would initially try to locate the vehicle first and establish the appropriate plan to safely conduct a felony stop. [REDACTED] was asked if the approach taken on the day of the incident aligned with the agency training regarding this matter. He stated that it did and briefly described the method again. [REDACTED]

[REDACTED] stated that due to how the LTPD vehicles were positioned, he was surprised that the stolen Jeep was able to maneuver around the way it did.

SA Goudy asked [REDACTED] when he fired his first gunshot. [REDACTED]

[REDACTED] replied:

“It wasn't until he started ramming the cars and he had hit Buhala's vehicle really hard and knocked it. I, and I, I, I honestly at that point, even when he was ramming, I'm like, shit, he's gonna come back, run us over, push us outta the way. And then, then I fired and then he decided to go forward and started ramming forward after I'd fired”.

[REDACTED] stated he was near the rear quarter panel of his LTPD vehicle when he fired the first gunshot. [REDACTED] continued to describe his actions after firing his first gunshot. He stated:

“And then the vehicle started ramming forward and I seen it hit the marked cruiser, which would been Officer Nick Ryan's cruiser and launched that. And I had, last I knew Nick Ryan to be, was behind his vehicle, like, we're trained, this

is how we do the vehicle stuff. I'm like, shit. Did he get out of the way? Is he, you know, I knew Altier was behind his truck, but I, I, at which point I seen Altier, I don't even know where Altier went. I seen people like running just to for cover".

[REDACTED] stated that his sight picture during the first gunshot was the rear window of the stolen Jeep. Furthermore, he added that it was consistent with the CQB training he has had. [REDACTED] described more of the training, which consisted of shooting into vehicles and the effect it would have on the bullet trajectory.

[REDACTED] was asked when he fired the next four gunshots into the Jeep. He stated that it was after the stolen Jeep rammed into Officer Ryan's LTPD vehicle. At this point, [REDACTED] stated he began to move forward towards the stolen Jeep. [REDACTED] stated:

"I was looking right at the vehicle, and I was trying to put my rounds right where the driver would be. The driver's seat area would be, trying to eliminate the threat before he ran one of the cops over or ran anybody over and killed anybody".

[REDACTED] was asked if he was able to see into the vehicle, in which he stated that he was not able to due to the tint on the back window. He was then asked if he heard anyone yelling from inside the stolen Jeep, he stated that he did not hear anything coming from within the stolen Jeep. [REDACTED] was asked what he was able to hear during the incident, he replied:

"Cars getting rammed, smashed, loud and then after I fired, moved up and fired again, I heard the gas, somebody, I see

somebody 'cause I mean him or I heard the gas pedal be, somebody stomped it to the ground and then the motor revved like super high and then the car just shot, but his wheels were cut so it, it was facing at an angle south, the wheel, so it, it shot, it turned to the left, straightened out, went right into the building".

SA Goudy asked [REDACTED] if he was near any sort of cover while he was moving forward towards the stolen Jeep. He replied:

"I think I was moving. I moved up trying to just stop the threat before anybody got hurt by him. Which I probably shouldn't have stepped outta cover, but I was trying to, like, think if my coworkers were about to be killed by this guy".

[REDACTED] was asked if he knew where the other officers were at the time when he fired the last four gunshots. He replied:

"No. As last I knew, they were behind their vehicles from cover like we trained to do. And it wasn't until, you know, watching the video I seen that some people had done some stuff that not really what we trained to do".

[REDACTED] was asked if his actions were consistent with his training, he replied that they were. Furthermore, [REDACTED] added:

"...I was unaware that Nick Ryan came around his passenger side and ran, I guess out into the open right where the car could have either shot, UNINTELLIGIBLE shot, he ran all the way to Thoma's cruiser. I thought he was still there. We don't do that. If you run to cover, you stay behind cover. I mean, he put himself, I mean, I'm not trying to bash him, but he exposed himself and I never saw that. I, I, last I knew he was behind his vehicle. And when his vehicle got hit, I didn't know where the hell he was, if he got knocked, if he jumped out of the way or what he did".

At this point, [REDACTED] stated that Officer Rice told him while on scene that if he [REDACTED] did not move forward, he (Officer Rice) would have fired also.

[REDACTED] stated that at the time of the incident, he was not aware of Officer Rice's location. [REDACTED] stated that he did not know the locations of Captain Buhala, Officer Ryan, and Detective Altier. [REDACTED] mentioned again how he did not know Captain Buhala's location, as to whether or not he was still inside his vehicle. He stated he wasn't sure if Captain Buhala moved out of the way, got knocked down, or got hit.

[REDACTED] was asked if, based on his training, he thought that Officer Ryan and Detective Altier were in danger, he replied:

“Yes, based on my training. I thought these two are like, shit, he's gonna kill these two. And I don't know what happened. You know, when he backed up and ran into Buhala, I didn't know where the hell Buhala went to”.

[REDACTED] was asked if there was any other option available other than the use of deadly force. He stated, “At the point he was ramming cars, and I didn't know where my officers were, I felt no”.

[REDACTED] was the only officer who fired his weapon.

Jason Cain

Cain was thirty-one (31) years old at the time of the incident. Cain had a criminal record in Trumbull County for Theft from Elderly Persons, a felony of the fourth degree in Trumbull County Common Pleas Court Case No. 12-CR-441 and Possession of Heroin, a fifth degree felony in Case No. 16-CR-390.

As previously noted, the Jeep he was driving when he was shot was reported stolen by his previous girlfriend on December 13, 2024.

South Pymatuning Township Police had active police reports on Cain. In July of 2024, Cain was identified as a suspect in the theft of coin machines at Car Wash Kingdom. During the alleged theft, Cain was driving a white Jeep.

On December 12, 2024, South Pymatuning Township Police received a call from Hanna Tillery's grandmother that Hanna was missing and suicidal. Police then checked for Hanna at the home of Cain's mother, Terry Brydon. Terry told police she had seen Hanna and Cain on Thanksgiving but because Cain was on Meth her husband would not let them stay at their house.

On December 13, 2024, Thomas Brydon, step-father of Terry Brydon, called and reported his red Toyota was missing. Brydon stated the Toyota did not run and he suspected that his step-son Jason Cain had drug the Toyota from the property using the Jeep he had stolen from Sally Rowan, Cain's ex-girlfriend.

The red Toyota had been in a pursuit on December 12, 2024, and was recovered by Brookfield, Ohio Police.

On December 14, 2024, Thomas Brydon contacted South Pymatuning Township Police that he was missing a .22 Savage Bolt action rifle with a scope and ten (10) round magazine and several boxes of ammunition. This information was relayed to Mercer County, Pennsylvania and Trumbull County 911 centers. This is the information that Captain Buhala stated when he indicated he had seen a report that Cain may have had a stolen firearm.

Forensic Evidence

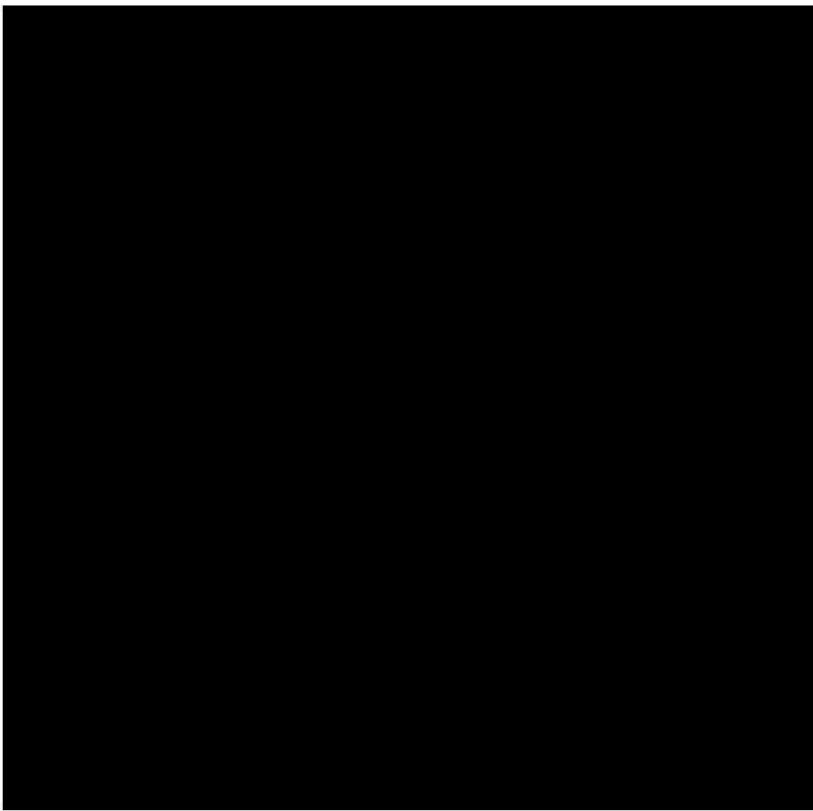
Autopsy

Because Jason Cain was transported to St. Elizabeth's in Youngstown in Mahoning County the autopsy was performed by the Cuyahoga County Medical Examiner's Office.

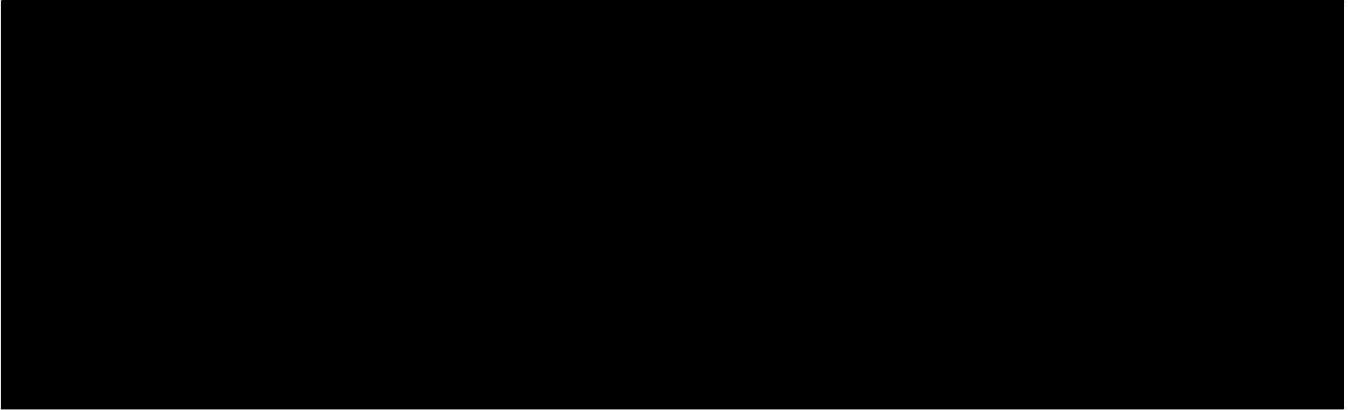
The examination was performed by Dr. Cynthia Lawson, D.O. The Cause of death was [REDACTED] of Jason Cain.

The report described [REDACTED] with the following information:

The Toxicology report was based on femoral blood analysis and [REDACTED]



Based on medical records received from St. Elizabeth's Hospital, [REDACTED]



[REDACTED]

Firearms Laboratory Analysis

BCI Forensic Scientist Regan Lambert performed forensic testing on [REDACTED]

[REDACTED] duty weapon, five (5) 9mm Luger cartridge casings and lead core fragments, copper and lead fragments and fired projectiles recovered from the Jeep and the autopsy of Jason Cain.

[REDACTED] Glock 9mm, model 45, serial number [REDACTED] was found to be operable. [REDACTED] duty weapon was conclusively linked to five cartridge casings found at the scene along with one fired bullet jacket and three fired bullets.

The one copper fragment and five lead fragments that were originally [REDACTED]

[REDACTED] of Jason Cain during the autopsy was found to be unsuitable for testing.

Further analysis of the Liberty Township Fire Department EMS Report and records from Mercy Health - St. Elizabeth Youngstown Hospital [REDACTED]

[REDACTED]

[REDACTED]

Ohio State Highway Patrol

Vehicle Event Data Report

BCI Special Agent Supervisor Chuck Moran and Special Agent Joseph Goudy requested assistance of the Ohio State Highway Patrol (OSHP) regarding a vehicle event data analysis. The purpose of this request was to obtain the vehicle event data regarding the reported stolen 2021 Jeep Cherokee that was used during this incident.

An analysis was completed on December 23, 2024, by OSHP Sergeant Brian Cannon.

Sgt. Cannon attempted a DLC (Diagnostic Link Connector) recovery via the OBDII port, however the connection was unsuccessful. He then returned to Liberty

Police Department on December 24, 2024, to physically remove the Airbag Control Module (ACM) and attempted recovering data via D2M (Direct To Module).

He accessed the ACM, which was located along the center tunnel aft of the shifter as determined via the Bosch Help Tool. The module was found to be undamaged and was removed from the vehicle for imaging. The ACM was clamped to a benchtop to prevent spoilage, and the data was recovered from it. The recovered data was saved in its original CDRX format as well as a duplicate copy in a PDF format.

There were 4 ignition cycles between the “Crash” and “Download.” The ignition cycles can be accounted for as loading/unloaded the vehicle onto a tow truck, and Sgt. Cannon’s initial attempt to recover data via DLC. Therefore, it can be concluded that the reported data is from the incident under investigation.

The seatbelt status for the driver and front passenger both shows “buckled” although this does not indicate the belts were properly worn at the time of the crash. Both belts were buckled behind the seatback and across the seating surfaces during the ACM recovery. This indicated the occupants had buckled the belts to defeat the chime without being restrained by them, thus giving them free movement about the vehicle.

Five (5) seconds of pre-crash data were recorded. The timestamps count down to the deployment event beginning at -5.0 seconds and decrease at 0.1 second intervals. Although the data is referred to as “pre-crash” data, it is not intended to imply that no other collisions had occurred prior to the event which triggered airbag

deployment. A vehicle can strike (or be struck by) objects which may be discernable to the ACM but insufficient to trigger an airbag deployment. Thus, a “crash” or “crashes” can occur prior to the deployment event.

When interpreting this data along with video evidence, the time of “zero” should coincide with deployment of the Jeep’s airbag rather than any prior collisions.

Throughout the recording, the Service Brake (aka brake pedal) remains off. At no point does the driver attempt to stop or reduce speed by braking.

The accelerator pedal moves to 100% at the 3.9 second interval. It remains there for all but 0.2 seconds of the recording, with a brief drop to 94% at the 2.4 second interval.

Sgt. Cannon noted that the Engine Throttle percentage is no greater than 86% for the duration of the recording, indicating the driver is demanding more power than the vehicle’s traction and stability control features are permitting.

The Stability Control engages at 2.8 seconds through 1.9 seconds. This intervention by the vehicle’s safety features is consistent with the drop in engine throttle percentage in that same time span.

Therefore, observations of a video may imply the driver attempted to reduce power when the sound of the engine is heard. However, it is apparent from the vehicle’s data that the reduction in power is a product of the vehicle’s inputs rather than that of the driver.

Among the data recovered were that wheel speeds for the left side tires. When a vehicle is traveling in a straight line all four tires will rotate at a common speed. As

a vehicle turns, the outer wheels will travel at a faster speed than the inside tires.

However, the front and rear tires are typically similar to each other on a given side.

Factors that may cause a front or rear tire to change speed differently than its counterpart include but are not limited to, damage, slippage, stability control and/or impacts. In this case the data indicated that the left front wheel drops from 18 MPH to 4 MPH and then promptly resumes speed. At this same time interval, the peak brake pressure is observed.

Therefore, one could conclude the tire either responded to stability control, or seized briefly due to an impact. The contributing factor to the brief speed reduction cannot be determined from data alone but may be discernable when compared to the videos.

This drop in speed is noted at the same time as the vehicle is ramming Officer Ryan's cruiser.

From this data three major factors are evident. First, neither Cain nor his passenger Hanah Tillery had their seatbelts on. Rather, they had buckled the seat belts across the seats in order to bypass the cars chime. Second, after backing into and striking Captain Buhala's vehicle, Cain had the accelerator completely floored. Finally, the only slowing down of the vehicle was due to the vehicle striking and pushing Officer Ryan's cruiser.

Conclusion

Lastly, this office, in its own review, agrees with the Grand Jury's decision finding any prosecution unwarranted in this case. There is substantial evidence

showing that Jason Cain intentionally and repeatedly ignored the officer's commands to show his hands and surrender.

[REDACTED] believed (although mistakenly) that Officer Nick Ryan was behind his (Ryan's) cruiser when Cain, after ignoring the officer's commands, backed into Captain Buhala's vehicle and then, at full throttle accelerated into Officer Ryan's cruiser in an attempt to escape.

All of this was done while Cain was under the influence of drugs, in a stolen vehicle with stolen license plates.

The reasonableness of [REDACTED] particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The calculus of reasonableness must embody allowance for the fact that [REDACTED] was forced to make split-second judgement-in circumstances that were tense, uncertain, and rapidly evolving.

As previously noted, when an automobile is used in a manner likely to produce death or grave bodily harm, it can be classified as a deadly weapon.

Given the video evidence, the eyewitness accounts, the striking of two different police vehicles and the forensic evidence recovered from the Jeep it is clear Jason Cain intended to use the Jeep as a deadly weapon in order to evade and escape arrest.

[REDACTED] use of force was reasonable given that Cain was using the vehicle in a threatening or deadly manner and [REDACTED] reasonably believed that he was required to use deadly force to defend his fellow officers from being seriously injured or killed.

This office gives special thanks to Dave Yost's Ohio Attorney General's Office and Special Agents Joseph Goudy, Matt Armstrong, Allison Fletcher, Nick Valente, Jack Shea, Larry Hootman, Chad Doran, Forensic Scientist Regan Lambert and Sergeant Brian Cannon of the Ohio State Highway Patrol for their thorough investigation and work in this matter.

A copy of this report was sent by mail/e-mail this date to Attorney General Dave Yost's BCI Office, Liberty Police Chief Ray Buhala and U.S. Attorney for the Northern District of Ohio Dave Toepfer. The Trumbull County Prosecuting Attorney's Office deems the BCI report a public record including the majority of various exhibits and documents not subject to public record exemption.

This office will have no further comment on this matter pursuant to policy since this matter has been presented to a grand jury and may be subject to future litigation.

DENNIS WATKINS
Trumbull County Prosecuting Attorney