



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



2023-1626
Officer Involved Critical Incident – 439 E Mulberry Street,
Lebanon, Ohio 45036 (L)

Investigative Activity: Interview with Witness
Involves: Jane Ruffner (V)
Date of Activity: 06/18/2023
Activity Location: Ruffner, Jane – Home – 439 E. Mulberry, Lebanon, OH 45036,
Warren County
Author: SA Kenneth J. Smith, #53

Narrative:

On June 18, 2023, the Ohio Bureau of Criminal Investigation (BCI) was requested by the Lebanon Police Department and the Warren County Sheriff's Office to investigate an Officer-Involved Critical Incident (OICI) that occurred at 439 E. Mulberry, Lebanon, Ohio (Warren County), between Lebanon Police Department and the Warren County Sheriff's Office and Dione Kellum.

On June 18, 2023 at approximately 0258 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent Ken Smith interviewed Brandon Ruffner (Brandon) in regard to an Officer-Involved Critical Incident that occurred in Lebanon, Ohio.

The interview was recorded on a handheld digital recording device. This report is a summary only. The entire interview can be reviewed on the recording.

(Agent's Note: Special Agent Dave Hornyak joined the interview approximately halfway through.)

Brandon Ruffner provided the following information:

Mr. Ruffner lives at 437 E. Mulberry, Lebanon, Ohio, along with his mother, Jane Ruffner, his fiancé, Shalya Simmons, and their young child. Dione Kellum is Jane Ruffner's ex-boyfriend whom she had a protection order against, which was put into place after Kellum threatened to kill her.

A few weeks ago Dione Kellum was hired to do some work at the residence. He began to move property into the garage/shed at the back of the property. Dione Kellum was arrested approximately a week ago and came right back. According to Brandon, Dione had been sending messages to Brandon talking about wanting to kill himself and threatening Brandon and his

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family.

Earlier in the evening at approximately 11p.m., Dione texted a picture of the front porch to Brandon. Brandon stated that he called 911 after that. Brandon spoke to Dione earlier in the evening, several hours before calling the police. Brandon stated that he told Dione that he needed to get his stuff and get out. Dione told Brandon that he had nothing left. Brandon explained that Dione had threatened to harm/kill himself many times over the long time period that they've known each other, and that the restraining order stemmed from Dione threatening to kill Brandon's mother, Jane and himself. Brandon explained that Dione was always on some kind of drug since he's known him.

Brandon stated that during the earlier conversation on the phone, Dione told him that "Your mom better not call the law because he had two guns and was ready to have a shootout with the police". Dione kept calling Brandon all afternoon.

After the police came this evening, Brandon, Shayla, and Jane went to the bathroom at the rear of the house. Brandon stated that he heard the police tell Dione to put the gun down "a hundred thousand times". Brandon stated that he went to the back window and saw Dione fire off a round from his gun and tell the police that he wasn't playing around and that he'd do it again. Brandon then went back to the bathroom and heard two louder shots and knew the shots were not from Dione's gun because they were louder. Brandon went back to the window a few minutes later and saw the ambulance pulling away.

The interview was concluded at 0313 hours.

Attachments:

Attachment # 01: 2023-06-18 / Interview of Brandon Ruffner

Attachment # 02: Combined text messages and screenshots – Brandon Ruffner phone

Exhibit 1

Included as a separate file.

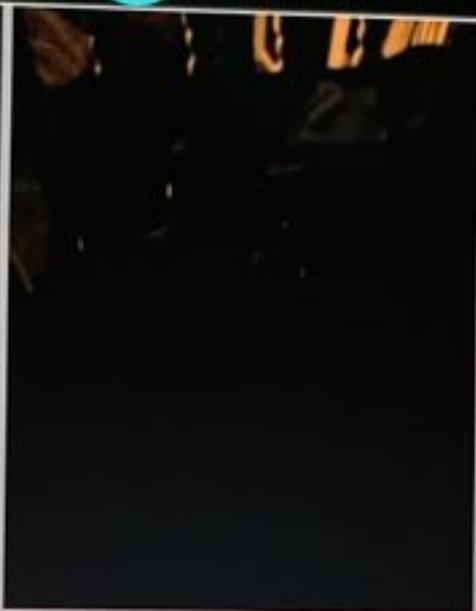
Exhibit 2

2:55    



PD

Pappy D
Mobile



I'm telling you and yeah I said I'm telling you you call the fucking police I start shooting everything now push me to the fucking limit and see what happens

I asked Brandon to bring my jewelry and knives out he did not do that I want to talk to him now and I'm telling you you call the police and his will turn into a fucking hostage shit I'm ready to die don't push it Shayla

Tell Brandon to answer the phone now



Type a message...





Pappy D
Mobile



go to the church and wait on you so talk to me for real

Come on Brandon God damn I'm not at the fucking house

If I was I'd have done beat on the door by now cuz you're pissing me off

Yesterday 7:12 PM

You are fucking making me madder than fuck boy

There's no reason you can't fucking answer the phone or call me back or text me

Yesterday 9:26 PM

Okay look this is Shayla. Your starting to get ridiculous. There's no reason to talk to him like that. Don't text this phone anymore. & DO NOT come here unless your getting everything u own here and u need to bring the police with you when u do so. If u text Janes phone or this phone or show up at the house the cops are getting called. Your out of line.



Monday, 11:08 PM



Type a message...



2:55 *NN*  



Pappy D
Mobile



go to the church and wait on you so talk to me for real

Come on Brandon God damn I'm not at the fucking house

If I was I'd have done beat on the door by now cuz you're pissing me off

Yesterday 7:12 PM

You are fucking making me madder than fuck boy

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Okay look this is Shayla. Your starting to get ridiculous. There's no reason to talk to him like that . Don't text this phone anymore. & DO NOT come here unless your getting everything u own here and u need to bring the police with you when u do. If u text Janes phone or this phone or show up at the house the cops are getting called. Your out of line.



Read

Yesterday 11:05 PM



Type a message...



2:55    



Pappy D
Mobile



I don't have any money right now but Shayla is cooking

Yesterday 5:57 PM

I need to talk to you

I hate it when you do this shit you know I need to talk to you so just talk to me for a minute God damn

Yesterday 6:07 PM

What the fuck bro you can't talk to me neither or you got to get fucking permission I mean just tell me straight up

You can't get on the fucking phone and talk to me

The restraining order ain't with you I'm allowed to see you

Yesterday 6:51 PM

I'm just going to keep calling or I'm going to go to the church and wait on you so talk to me for real



Type a message...



2:55 **MM**  



Pappy D
Mobile



I don't get this dude from you not when I opened up give you tools look man keep the carpet tools give me the jewelry and stuff back okay you couldn't talk to me I've always treated you like a son and you're just going to ignore me when I'm in this fucking shape. I don't understand it because you've been in this shape you know what I'm going through well you've never been thrown out on the street which is where I am. Brandon please just talk to me.

Yesterday 5:00 PM

Are you home yet

We will be in a second. But Jane wants u to just get your stuff and go she doesn't want u to come mess around with the shed and stuff.

I got nowhere to put it all bring me a sandwich just a cheeseburger from McDonald's double cheeseburger we'll talk about this TV

Yesterday 5:36 PM

I don't have any money right now but Shaunda is cooking 



Pappy D
Mobile



Wednesday 5:04 PM

So what's up is Shayla going to get that TV

Wednesday 6:49 PM

Thanks for getting back with me you know you could let a mother fucker know what's going on cuz this is bullshit you won't even fucking talk to me after I told you I'd give you all that shit

Wednesday 7:28 PM

Now you can't even answer me cuz you need to

Thursday 6:18 AM

I don't get this dude from you not when I opened up give you tools look man keep the carpet tools give me the jewelry and stuff back okay you couldn't talk to me I've always treated you like a son and you're just going to ignore me when I'm in this fucking shape. I don't understand it because you've been in this shape you know what I'm going through well you've never been thrown out on the street which is where I am. Brandon please just talk to me.



Type a message...



3:09    



Pappy D

Mobile • (937) 765-7842



Missed call 

Sat 6:49 PM



Missed call 

Sat 6:50 PM



Missed call 

Sat 6:52 PM



Missed call 

Sat 7:11 PM



Incoming call 

Sat 8:48 PM

7m 21s



Outgoing call 

Sat 9:24 PM



Missed call

Sat 11:29 PM



Missed call

Sat 11:29 PM

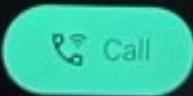


Outgoing call 

Sat 11:56 PM



Video call



Call



Message

CITY OF
LEBANON
OHIO
"Service in Public Service"

www.lebanonohio.org

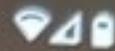
Day SEN SPE BCI



David M. Hornyak II
LEBANON SPECIAL AGENT

D

3:10 **MM**  



Pappy D

Mobile • (937) 765-7842



 **Missed call**
Sat 12:44 PM

 **Outgoing call**  Sat 1:19 PM 10m 0s

 **Missed call**  Sat 5:32 PM

 **Missed call**  Sat 6:13 PM

 **Missed call**  Sat 6:49 PM

 **Missed call**  Sat 6:50 PM

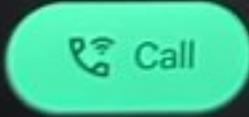
 **Missed call**  Sat 6:52 PM

 **Missed call**  Sat 7:11 PM

 **Incoming call**  Sat 8:48 PM 7m 21s



Video call



Call



Message

3:10 **NN**  



Pappy D

Mobile • (937) 765-7842



Incoming call 

Jun 4, 7:34 PM

26s



Missed call

Jun 5, 8:37 AM



Missed call

Jun 5, 8:40 AM



Missed call

Wed 4:39 PM



Missed call

Wed 4:43 PM



Incoming call 

Wed 4:44 PM

2m 26s



Missed call

Sat 12:44 PM



Outgoing call 

Sat 1:19 PM

10m 0s

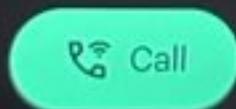


Missed call 

Sat 5:32 PM



Video call



Call



Message



Y OF
ANON

Public Service*

w.lebanon

Day
SEN
SPE
BO



David M. Hornyak II
SENIOR SPECIAL AGENT
SPECIAL INVESTIGATION