

Ohio Attorney General's Office Bureau of Criminal Investigation



Criminal Investigation Notification

- 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

3-1.2022 @ 9:042m

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BCI Agent (Printed)

BCI Agent (Signature)

On February 11, 2022 I arrived for roll call around 2230 hours and was advised that 2nd shift had been at the residence of Dustin Booth since around 2pm. Officers were attempting to take Booth into their custody in order to transport him to the hospital due to him having a mental break. During roll call I was advised that he had been seen multiple times with a gun on his hip as he appeared from the residence. Booth would then retreat back into the residence as Officers tried to speak with him.

I was then advised over the radio that Booth was going to leave the residence with a friend in an attempt to get Booth away from the residence and his gun. As I left the station I heard over the radio that Booth and his friend had left the residence and was heading east of Bridle Creek toward Gallagher. As the other Officers followed Booth they turned onto Lebanon street and at that time I made my way up to the front at the request of Sgt Myers. The reason for me to move up before the traffic was to use my K9 partner in an attempt to control Booth's behavior with K9 presence. Before the stop I was advised that Booth was in the front passenger seat and that he had possibly went back into his residence before leaving and retrieved his gun and that it might have been in a bag.

Officers conducted a traffic stop on the vehicle that Booth was in at the intersection of Lebanon and New Garver. As the vehicle came to a stop I positioned my cruiser on the passenger side just behind the vehicle. Immediately after the vehicle stopped the driver exited the drivers door with his hands up. Orders where given to him and during the exchange of words I heard I have been stabbed or are you stabbed? At the time it was unclear to me who was saying that. I then turned my focus back to the passenger door and could see Booth still inside moving about inside and reaching into the back seat. I then moved around to the back of my vehicle to the passenger side where I deployed my K9 partner Nelson. By this time Booth was outside of the vehicle and was walking away from the vehicle. I then heard Booth's friend yelling stop him he has a gun over and over. Booth was walking away with his back toward us and his hands up in the air. Booth was given several warning to stop and get on the ground but refused to

comply with Officer's demands. Knowing that Booth now had a gun and was walking toward a heavily populated area and into traffic where vehicles were going to be stopped for the traffic lights, I made the decision to send Nelson to apprehend and stop Booth before he could make his way into traffic or into one of the multiple business that were open at the time. My thought was to stop him because having dealt with Booth a week prior I felt that the surrounding public was in danger knowing Booth was having a mental break and that he had a gun on him.

With Nelson released and running at Booth, Booth turned just as Nelson had left the ground and jumped in order to bite Booth in left tricep. Nelson did make contact with Booth but was unable to secure a bite on him. At that time I ran at Booth and noticed that he had some type cross body strap running diagonal across his back. As I got closer to Booth within arms length Booth still had his back to me and I saw both hands reaching into the center of his body. The only way to describe it was that Booth was digging very hard into the center of his chest and or waist line area. In then remember grabbing the strap across his back and taking him down to my left side hoping to stop Booth from reaching in his waist line or a bag on that would be positioned in the front of his body in order that he would be unbalanced enough for Nelson to reengage and Officers to get control of Booth.

After taking Booth down to the ground I observed him roll on the ground and pop up on one knee or maybe both knees. As Booth came up I remember seeing his right hand reaching toward the center of his chest and seeing a chrome plated cylinder from a revolver. I then remember seeing Booth's hand grab the grip of the gun. It was at that moment that I feared for my life and the lives of the others that Booth was going to shoot me and the other Officers that were standing behind me. I then remember hearing one loud round going off as I fired my firearm. With Booth now laying on his back as I was looking down the slide and over the sights of my firearm. I observed the chrome plated revolver laying on the ground on the right side of Booth. With the revolver still close to Booth and within arms reach. I called Nelson to my side and advised my cover Officers to watch Booth and watch the gun because he could still reach it. I then asked if everybody was ready