



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



2023-2234
Officer Involved Critical Incident – 2001 E. Livingston St., Celina,
Oh. 45822

Investigative Activity: Interview with Officer
Involves: Officer Justin Rice (O)
Date of Activity: 09/05/2023
Activity Location: Rice, Officer Justin – Business – 202 North Main Street, Celina, OH
45822, Mercer County
Author: SA Jason A. Snyder, #176

Narrative:

On September 05, 2023, Special Agent (SA) Jason Snyder (Snyder) and Special Agent Tiffany Najmulski (Najmulski), with the Ohio Attorney General's Office Bureau of Criminal Investigation (BCI), conducted a recorded interview of Patrolman (Ptl.) Justin Rice (Rice). The interview was conducted at the Celina Police Department (Celina PD), located at 202 N. Main St. A, Celina, Oh. 45822.

Both SA Snyder and Ptl. Rice agreed to meet this date and location. Ptl. Rice was advised that he did not have to talk to agents and they could leave at any time. Ptl. Rice voluntarily agreed to speak to agents. Before taping began, SA Snyder introduced himself and briefly explained who he was and why he was there.

SA Snyder advised Ptl. Rice that he was conducting a criminal investigation. SA Snyder also advised Ptl. Rice that he was not conducting a "Garrity" investigation. Ptl. Rice was given a Criminal Investigation Notification (CIN) form (see attached). Ptl. Rice signed the CIN acknowledging he understood what the form was notifying him of. Also present during the interview was Ptl. Rice's attorney, Attorney (Atty.) John R. Sauter (Sauter).

Ptl. Rice presented agents with a written statement which stated he has been in law enforcement since 2021. During the incident, Ptl. Rice was well rested, wearing a complete police uniform, and driving an issued law enforcement vehicle. Ptl. Rice's unit number is 18. Ptl. Rice was not under the influence of illegal or prescription drugs. For additional information, see the attached statement of Ptl. Rice.

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SA Snyder asked Ptl. Rice if he was under the influence of illegal or prescription drugs. Ptl. Rice stated that he was not. Due to his injuries (concussion and neck sprain), up until two (2) days ago, Ptl. Rice had a headache, but was feeling good at that time. He had one more follow-up doctor's appointment. He stated that he was "a lot clearer" at that time.

SA Snyder asked Ptl. Rice about an incident concerning a Corey C. Andrew (Andrew) on August 25, 2023. Ptl. Rice heard on the radio that Ptl. Dave Powell (Powell) was at the Eastview Park with a vehicle. Ptl. Rice drove to the area to "back-up" Ptl. Powell.

When Ptl. Rice arrived, he saw Ptl. Powell's cruiser was about 30 yards away from a grey in color Trailblazer, which was near the shelters on the north side of the parking lot. Ptl. Powell was talking to the driver, who was later identified as Andrew. Ptl. Rice parked his cruiser near Ptl. Powell's cruiser near the entrance of the park. He exited and took about five steps in the direction of the Trailblazer.

When Ptl. Rice walked the five steps, Andrew put the Trailblazer into drive and moved forward and to the left, at a high rate of speed, "squealing it's tires". Ptl. Powell yelled "stop" to Andrew. The Trailblazer made a big "loop" turning to the west and not turning out of the entrance of the parking lot, which was open. The Trailblazer then turned to the east and toward Ptl. Powell. Next, the Trailblazer turned to Ptl. Rice's location. Ptl. Rice saw that the Trailblazer was pointed directly at him with no headlights on. Andrew had at least two chances to leave the park, but failed to do so. At this time, Ptl. Rice "feared" for his life.

Ptl. Rice attempted to avoid the Trailblazer by moving backward and turning away from the Trailblazer's path. While doing this, Ptl. Rice stumbled and fell to the ground, nearly being hit by the Trailblazer. When he fell to the ground, Ptl. Rice hit the back part of his head onto the ground. This was with enough force that his head started to bleed. Also, some of the gear which Ptl. Rice was wearing at the time fell off of him and was left at the scene.

Ptl. Rice explained at this time, his memory is not very good, due to the injury he received during the incident. The next thing he remembers is he was "clearing a jam from my gun". He also remembered that he told someone later on that he thought he shot his weapon twice. Ptl. Rice did have a chance to review his car and bodycam recordings before the interview. Ptl. Rice explained that he fired his weapon while the Trailblazer was near him, going away from him. The "dude tried to hit me" Ptl. Rice stated.

After clearing his weapons jam, Ptl. Rice recalled that the Trailblazer drove past him and stopped at the walking path in the park. He went to his cruiser and realized that his head was hurting. Ptl. Anthony Poppe (Poppe) arrived on scene at that time.

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Ptl. Poppe ordered Andrew out of the Trailblazer. Hannah Pawelski (Pawelski), who was in the Trailblazer with Andrew, yelled out that Andrew was seizing from the mouth, and unable to leave the Trailblazer. They ordered out Pawelski, to which she complied. When Pawelski was safely with the officers, she advised them that her small child was in the back seat of the Trailblazer. Due to this, it was determined that the child had to be removed from the Trailblazer as soon as possible. Ptl. Rice did not know there was child in the back of the Trailblazer until that time.

Ptl. Rice, with the assistance of Ptl. Powell, moved up to the Trailblazer and took the child out of the back of it. Ptl. Rice stayed with the child at his cruiser until additional officers from other agencies arrived. Ptl. Rice attempted to assist with Andrew's medical care, but was asked to move back and attend to his own injuries.

Ptl. Rice took off his vest near his cruiser and found that he did not have any gun shot wounds. Then, Ptl. Rice was transported to the office and then to the hospital. He was later released.

SA Snyder asked Ptl. Rice about his memory recall. Ptl. Rice stated that when he hit his head, there was a time he does not recall and parts of before and after the injury which are "spotty" to him.

SA Snyder asked Ptl. Rice if he had contact with Andrew in the past. Ptl. Rice has not had contact with Andrew in the past. Both did attend the same high school, but they did not have contact with one another.

SA Snyder asked Ptl. Rice to create a sketch of the incident. Ptl. Rice drew a sketch of the incident showing points of interest on the sketch. He also reviewed a bodycam video of his actions during the incident. He was given this opportunity in an attempt to remember additional information.

After reviewing the video, Ptl. Rice saw that he was holding his flashlight which he does not remember. He does not recall several parts at the beginning of the video recorded by him.

This interview was video recorded, uploaded and stored within the Axon system under this case file number.

This report only summarizes the information deemed by the author to be of the most relevance to the investigation and does not purport to contain all questions and answers from the interview. Further, this report was placed in a chronology to aid the reader's overall understanding of the information elicited during the interview and may not be reflective of the actual sequencing of questions.

Attachments:

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Attachment # 01: CIN for Rice
Attachment # 02: Statement of Justin Rice

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**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).

Justin Rice
Printed Name of Interviewee

09-05-23 14:03 hrs
Date / Time

[Signature]
Signature of Interviewee

SA. JASON Snyder
BCI Agent (Printed)

[Signature]
BCI Agent (Signature)

**STATEMENT OF
CELINA POLICE DEPARTMENT PATROLMAN JUSTIN RICE
REGARDING INCIDENT OF AUGUST 25, 2023**

I began full-time employment with the City of Celina Police Department in August, 2021 as a Patrolman. Prior to that, I completed my basic peace officer training in April, 2021 at Wright State University-Lake Campus Police Academy.

My current supervisor at the PD is Sgt. Pat Crosby. My regularly assigned work hours are from 12:00 AM until 8:00 AM. I work Thursday to Monday; my days off are Tuesday and Wednesday. My current assignment is patrol.

I do not wear contacts or prescription glasses. I do not take prescription medication. I was not under the influence of alcohol or any drug, prescription or otherwise, on the date of the incident. I had not consumed alcohol in the 48 hours prior to the incident.

I have received no discipline or have been the subject of any internal affairs investigation related to any use of force. Prior to this incident, I had never used lethal force during my career as a law enforcement officer.

I am familiar with the PD's use of force policies, having been trained on those policies in December, 2022 by Patrolman David Powell.

I carry a S&W M&P .40 as my primary duty weapon. The pistol is issued to me by the PD. I last qualified for the weapon in June, 2023. I carry two (2) magazines on an outer carrier (vest), with one (1) additional magazine loaded in the pistol. There are fifteen (15) rounds of ammunition in each magazine. I typically load one (1) additional round of ammunition in the chamber of my duty weapon. This was the weapon I used in the incident.

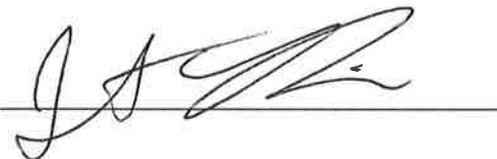
I had access to an AR-15 rifle and shotgun in my patrol vehicle at the time of the incident. I did not use either of those weapons during the incident.

At the time of the incident, I was carrying the following items on my vest carrier or duty belt: duty weapon, flashlight, glove pouch with gloves, Taser, IFAK, tourniquet, radio, body camera, pens, handcuffs, handcuff keys, two (2) magazines, and OC spray.

On the date of the incident, I was well-rested. I had not worked any overtime or special duty prior to the start of that shift. I was dressed in the standard City of Celina Police Department uniform, which clearly identifies me as a law enforcement officer. My radio call sign is Unit 18. I was wearing a body-worn-camera in accordance with the PD's body-cam policy. I began to record with my body camera as I exited my patrol vehicle upon my arrival at Eastview Park at approximately 2:10 AM. I arrived to the scene in marked cruiser #171, which is a Ford Explorer SUV. The cruiser video system should record automatically when I operate my lights and sirens. It is supposed to also activate when I begin recording on my bodycam, although this frequently fails to happen. I do not believe that the in-car video began to record when I activated my bodycam.

Prior to arriving at Eastview Park I was engaged in routine patrol activities. The weather was warm. The parking lot in which the incident occurred had overhead lighting, but it was not particularly bright.

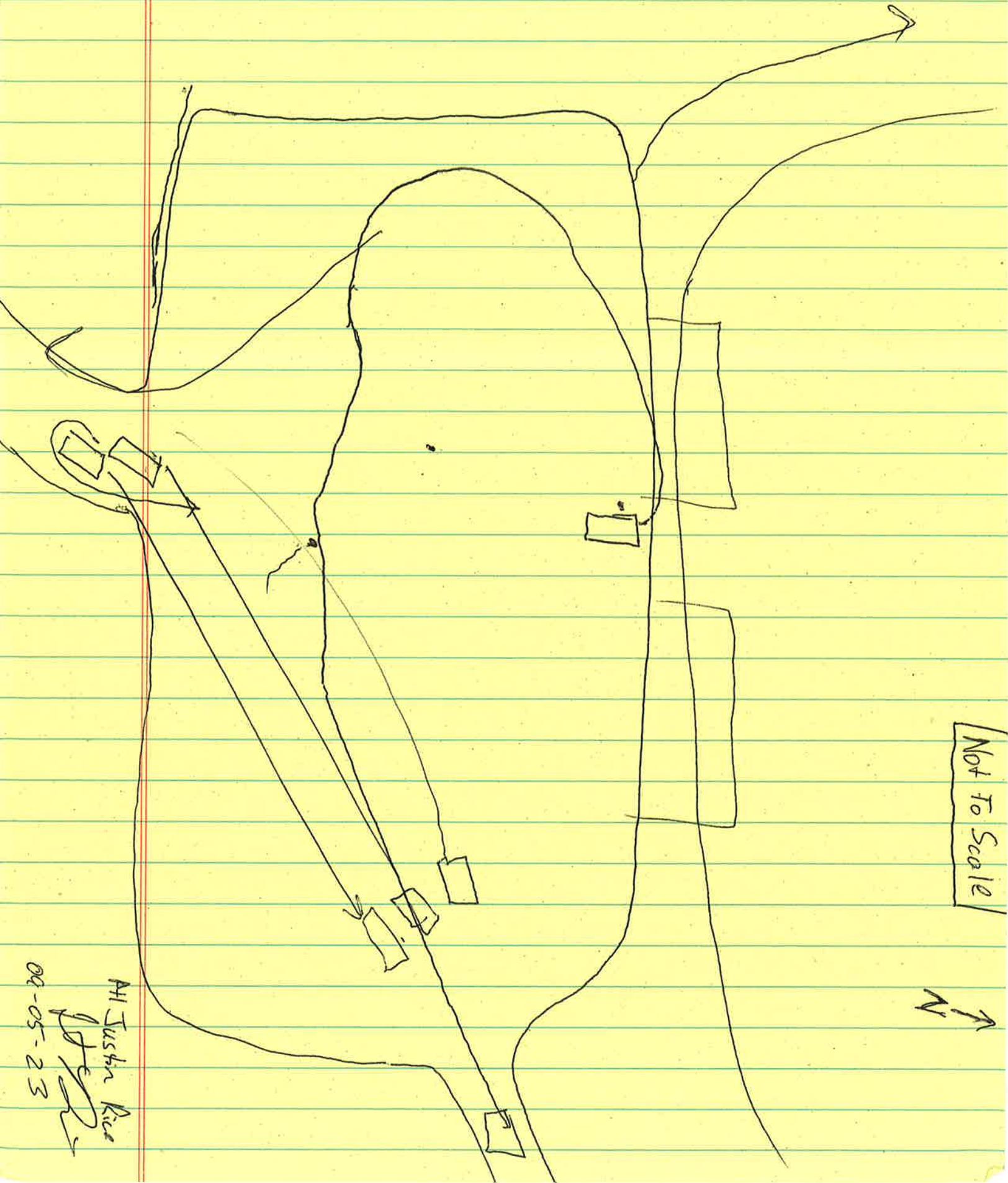
****Narrative of Incident to Follow****



Patrolman Justin Rice

09-05-23

Date



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