



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



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

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

Narrative:

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

BCI was informed BPD [REDACTED], [REDACTED], BPD Auxiliary Officer [REDACTED] (Officer [REDACTED], and GCSO Deputy [REDACTED] Deputy [REDACTED] were the officers that fired weapons during the incident. SA Call was informed Attorney Bob Sauter (Attorney Sauter) would be counsel for the above officers. SA Call and Attorney Sauter spoke on the phone and were able to schedule interviews for the above officers for July 20, 2023. Attorney Sauter also indicated he would sit in and provide counsel if needed or requested by any non-shooting witness officers.

After an initial review of the body worn camera footage available and briefly speaking with officers on scene during the incident, it was determined the following officers would be interviewed due to their involvement in the incident:

- Sgt. Bill Patterson (Hostage Negotiations)
- Detective Brian Carpenter (Lead Hostage Negotiator during the event)
- GCSO Special Deputy Courtney Ryan (Tactical Emergency Medical Services)
- GCSO Deputy Jeff Barton (GCSO SWAT)

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law – a statute, an administrative rule, or any rule of procedure.

GCSO Deputy Jon Simmerman (Perimeter during the incident)

On July 20, 2023, SA Call met with GCSO Deputy Deputy Jon Simmerman (Deputy Simmerman) and Attorney Sauter at the Guernsey County Sheriff's Office in reference to obtaining a witness statement from Deputy Simmerman. Prior to beginning the interview SA Call explained to Deputy Simmerman the investigation was not an internal investigation by the GCSO and BPD, but an independent third-party investigation. SA Call further explained the interview was voluntary and could be stopped by Deputy Simmerman at any time. Deputy Simmerman indicated he understood and agreed to be interviewed by SA Call. SA Call provided Deputy Simmerman with BCI's Criminal Investigation Notification Form which Deputy Simmerman reviewed and signed. Attorney Sauter did remain present for the interview.

The audio interview began at approximately 1347 hours.

Deputy Simmerman began his career at the GCSO as an auxiliary officer in November of 2001, has worked as a full-time deputy since May of 2008, and is currently is the position of school resource officer.

On the date of the incident, Deputy Simmerman described assisting the GCSO transport prisoners to jail for an unrelated incident when he learned the GCSO SWAT team responded to the call for service at 114 North 9th Street in Byesville. Deputy Simmerman said he proceeded to the area to see if they needed assistance with anything.

Deputy Simmerman indicated he initially met with BPD [REDACTED] near the front of the above residence and was informed there was a suicidal male, later identified as Wise, inside the residence refusing to come out. Deputy Simmerman said he was informed BPD was originally called to do a welfare check at the residence by Wise's employer due to Wise being suicidal. After a period of time, Deputy Simmerman said he was asked by [REDACTED] to cover the rear corner of the residence nearest the neighboring residence of 116 North 9th Street. Deputy Simmerman said he could not observe much of the residence from this position due to a large fence obstructing his view. Deputy Simmerman described holding this position for a period of time before hearing radio traffic indicating Wise came out in front of the residence. Deputy Simmerman reported hearing Wise yelling and Deputy Simmerman began to move towards the front of the residence in response. While now positioned at the front corner of the residence nearest 116 North 9th Street, Deputy Simmerman said he initially considered deploying his taser on Wise because he believed he may have been in range to do so, however he heard the front door of the residence slam before he was able to do so. Deputy Simmerman said he peeked around the front corner of the residence to ensure Wise went back inside and once confirmed he returned to his original position. Deputy Simmerman described hearing yelling and loud crashing noises coming from inside the residence during this time period.

Deputy Simmerman described a short period time passing when he heard yelling at the front of the residence again. Deputy Simmerman indicated this yelling appeared to be coming from Wise and the officers positioned in front of the residence. Deputy Simmerman described hearing a volley of gunshots to which he reacted by running to the front corner of the residence in order to observe what happened. Deputy Simmerman described quickly looking at the front porch of the residence and not observing Wise. Deputy Simmerman said he heard the officers

in the front of the residence yelling Wise was down as well as giving commands for Wise to show his hands. Deputy Simmerman indicated he and the officers in front of the residence now took cover behind vehicles directly in front of the residence in a position they could see inside the open front door. Deputy Simmerman reported he could initially see Wise's feet in a position which appeared he would be lying face down on the floor. Deputy Simmerman said the group of officers continued to give Wise commands to show his hands and roll over until members of the GCSO SWAT arrived and took the place of Deputy Simmerman and the other officers. Deputy Simmerman observed the SWAT team make entry into the residence and indicated they began yelling for gloves and medical supplies to render aid to Wise. Deputy Simmerman described providing officers inside with gloves and at that time he indicated he observed Wise lying on his back with an apparent gunshot wound to his lower right-side chest area. Deputy Simmerman said he did not participate with any other activities inside the residence.

Deputy Simmerman reported he and other officers outside the residence began establishing a crime scene at this time by taping the scene off. Deputy Simmerman described using sheets of paper from his notebook to mark three fired casing in the street so they would not be disturbed. After assisting establish a crime scene, Deputy Simmerman said he was asked to hold a perimeter on the rear of the residence and this was the conclusion of his involvement with the incident. Deputy Simmerman estimated he was on scene at the incident was approximately 3-4 hours.

Deputy Simmerman later clarified he did not physically see anyone shoot during the incident, but believed the gunfire to be coming from different positions based off of the varying sounds. Deputy Simmerman indicated he was armed throughout the incident, but did not fire his weapon at any time.

SA Call presented Deputy Simmerman with an overhead Google map view of the area and asked for Deputy Simmerman to note his location at the time the shots were fired. Deputy Simmerman marked a position consistent with his description listed above. The overhead Google map view has been added to the case file. Deputy Simmerman reiterated he did not see where the other officers were positioned at the time of the shooting.

Deputy Simmerman did not recall having any previous personal or professional contact with Wise. Deputy Simmerman further stated he did not learn Wise was the subject of the call for service until the incident ended. Deputy Simmerman did not recall ever being involved in a call for service at the 114 North 9th Street.

Deputy Simmerman did not believe he had any additional information to add relevant to the above incident.

The audio recording ended at approximately 1410 hours.

Attachments:

- Attachment # 01: GCSO Deputy Simmerman Interview
- Attachment # 02: Simmerman CIN
- Attachment # 03: Simmerman Overhead View

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law – a statute, an administrative rule, or any rule of procedure.



**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).

Jon C. Simmerman

Printed Name of Interviewee

07/20/23 1345 hrs

Date / Time

JonCSim

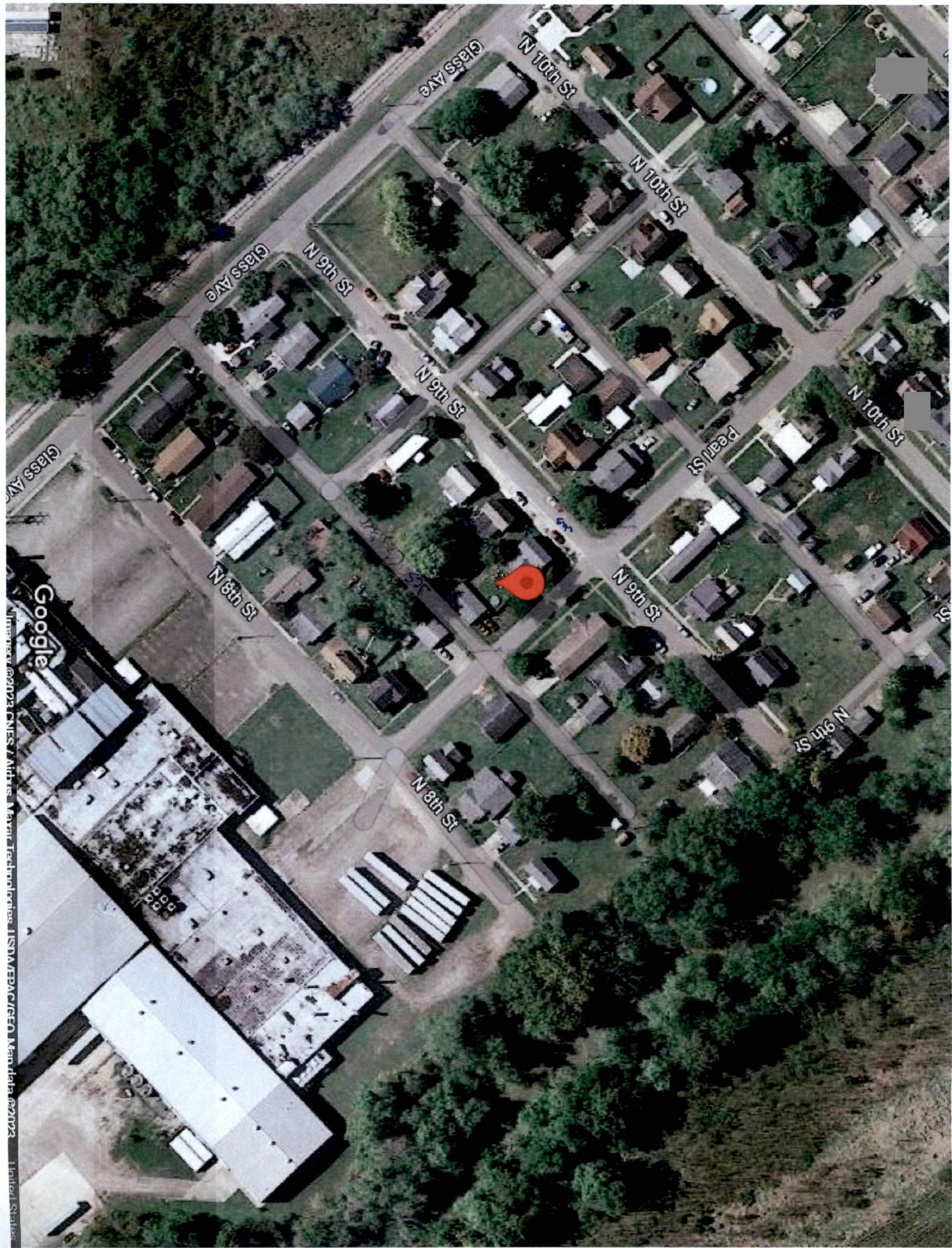
Signature of Interviewee

SA T. Craig Call

BCI Agent (Printed)

SA T. Craig Call

BCI Agent (Signature)



Simmerman