



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: Video Review
Date of Activity: 06/19/2023
Author: SA David Hornyak, #112

Narrative:

On June 19, 2023, in regard to an Officer-Involved Critical Incident that occurred in Lebanon, Ohio, on June 17, 2023, Ohio Bureau of Criminal Investigation Special Agent Dave Hornyak reviewed videos from the body worn cameras (BWC) of Lebanon Police officers. *Agent's note: On June 18, 2023, agents reviewed smaller portions of BWC videos at the Lebanon Police Department during the initial stages of the investigation.*

Videos reviewed were those of Lebanon Police Department (LPD) Sgt. [REDACTED] Officer Greg Stallard, and Officer Brandon Magee. Information captured on the videos included the following:

Sgt. [REDACTED]'s camera:

23:33:00 Arrival on scene
23:33:17 Encounters Kellum; officers yelling to Kellum to put the gun down
23:36:17 Officer requests more units; advises that subject has a gun to his head
23:44:06 "Dione, drop the shotgun, dude."
23:44:20 Kellum puts down the shotgun (audio confirmation only) and officer thanks him
23:45:45 Kellum is now seen on video holding a pistol to his head at the side of the house
23:47:02 Kellum drinks from a tallboy beer while still holding the pistol to his head
23:47:51 Kellum begins to move toward the back of the yard; officers relocate to new positions
23:56:03 Kellum yells, "Do you think I'm playing?" and then fires at least one pistol shot into the ground
23:57:21 Officer tells Kellum to drop the shotgun

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23:57:53 Kellum fires a shotgun round that hits the ground several feet in front of him; Sgt. [REDACTED] fires one shot in immediate return fire

23:58:03 Lying on the ground Kellum raises his right arm, fires one shot into his head, and then goes limp

Throughout the first part of the incident at the side of the house, Sgt. [REDACTED]'s camera was framed on a child's bike and toddler riding toy sitting next to each other not far from where Kellum was standing.

Officer Brandon Magee's camera:

23:56:03 One shot fired; officer reports "Shots fired" into radio and clarifies it was a single shot fired by Kellum into the ground

23:56:32 Officer calls out: "He's got that rifle again! He's got the rifle." Another officer replies, "Fuck."

23:57:52 Officer says, "Watch out. That rifle's coming up a little bit."

23:57:53 Shots fired (sounds like three in almost immediate succession)

23:58:03 Lying on the ground Kellum raises his right arm to his head and goes limp after appearing to fire one shot into his own head

23:58:05 Officer radios: "35. Male shot himself."

Officer Stallard's camera:

23:32:40 Arrival on scene

23:33:14 Officer first encounters Kellum on the side of the house and yells for him to drop the gun

23:56:03 One shot fired; a nearby officer reports "Shots fired" into radio and clarifies it was a single shot fired by Kellum into the ground

23:57:53 While an officer is still speaking to Kellum, multiple gunshots are heard

23:58:03 After officer changes position, Kellum is observed lying on the ground where he raises his right arm to his head, fires one shot, and goes limp

23:58:05 An officer is heard on the radio reporting: "35. Male shot himself."

On each of the above videos, after the final shot is fired, officers are seen approaching Kellum, securing his firearms, and searching him for additional weapons before EMS initiates medical care.

Throughout the entire incident, officers continually attempted to de-escalate the situation repeatedly telling Kellum by name to put down his weapons, stating they are not there to hurt him, and attempting to talk with him. Repeatedly stated are variations of, "Dione, drop the gun."

Copies of the videos in-full are contained within the BCI case file for review.

References:

Copy of Lebanon PD Records – USB Thumbdrive – Black/Silver