



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



2022-0310
Officer Involved Critical Incident – 913 Lebanon Street, Monroe,
Ohio (L)

Investigative Activity: Search Warrant
Involves: Dustin Booth (S)
Date of Activity: 02/15/2022
Activity Location: Ohio Bureau of Criminal Investigation – 1560 State Route 56 ,
London, OH 43140, Madison County
Author: SA Douglas Eveslage, #66

Narrative:

On February 12, 2022, Ohio Bureau of Criminal Investigation (BCI) was contacted by the City of Monroe Police Department to investigate an Officer Involved Critical Incident (OICI) that occurred on February 11, 2022, at 2245 hours, in the area of New Garver Road at Lebanon Street, in Butler County, involving Monroe police officers and Dustin Booth. BCI agents processed the crime scene and located Dustin Booth's cell phone on the center console of the vehicle he was the passenger in (See attachments #01 and #02).

On February 15, 2022, Special Agent Douglas Eveslage (SA Eveslage) authored a warrant for Dustin Booth's cell phone located at BCI 1560 State Route 56, London, Madison County, Ohio 43140. Madison County Municipal Court Judge Eric M. Schooley signed the warrant authorizing the search and download of Dustin Booth's Samsung Galaxy Z Flip 3 cell phone with a black VRS case.

BCI Cyber Crimes Unit Computer Forensic Specialist (CFS) Ryan Pacala extracted the data from Booth's cell phone on March 3, 2022. BCI will maintain and store all data and information extracted from this device. A copy of the returned and filed search warrant for Dustin Booth's cell phone through Madison County Court is attached.

Attachments:

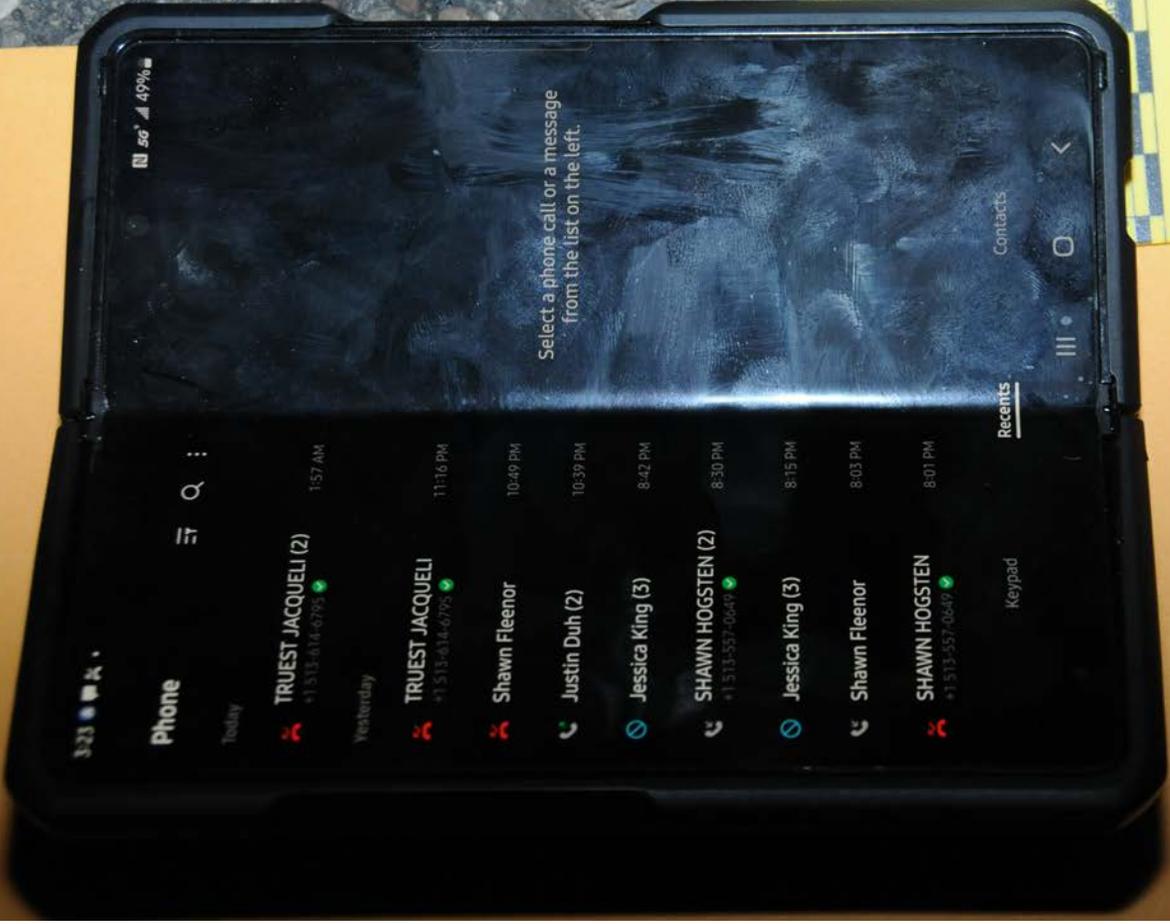
- Attachment # 01: Samsung Galaxy Flip phone – closed view
- Attachment # 02: Samsung Galaxy Flip phone – open view
- Attachment # 03: 2022-03-09 Returned SW Booth's cell phone

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.

Exhibit 1



Exhibit 2



41

5G 49%

Phone

Today

TRUEST JACQUELI (2)
+1 513-814-0795

1:57 AM

Yesterday

TRUEST JACQUELI
+1 513-814-0795

11:16 PM

Shawn Fleenor

10:49 PM

Justin Duh (2)

10:39 PM

Jessica King (3)

8:42 PM

SHAWN HOGSTEN (2)
+1 513-557-0649

8:30 PM

Jessica King (3)

8:15 PM

Shawn Fleenor

8:03 PM

SHAWN HOGSTEN
+1 513-557-0649

8:01 PM

Keypad

Recents

Contacts

Select a phone call or a message from the list on the left.

Exhibit 3

Madison County Municipal Court
Eric M. Schooley, Judge
London, OH 43140

FILED

MAR 09 2022

Madison Co. Municipal Court
London, Ohio

STATE of OHIO

-vs-

Dustin Booth

RETURN

MADISON COUNTY, OHIO

ON, 2 / 15 / 2022 I RECEIVED THIS WARRANT, AND ON 3 / 3 / 2022 AT 9:43 AM PM
I EXECUTED THIS WARRANT AT THE PLACE OR UPON THE PERSON NAMED THEREIN.

PERSON PRESENT. I GAVE A COPY OF THIS WARRANT
TO, _____ THE PERSON / AT WHOSE PLACE, THE SEARCH WAS
MADE.

PERSON ABSENT. I LEFT A COPY OF THIS SEARCH WARRANT _____ AT
THE PLACE NAMED IN THE SEARCH WARRANT AND WHERE THE SEARCH WAS MADE.

FURTHER: NO PROPERTY WAS TAKEN.

PROPERTY WAS TAKEN, AS SHOWN BY THE ATTACHED INVENTORY.

I AM RETURNING THIS SEARCH WARRANT UNEXECUTED FOR THE FOLLOWING REASON:

1 / 1 _____
OFFICER

INVENTORY / RECEIPT

S/A DUSTY EVELAGE, THE OFFICER TAKING PROPERTY, BEING DULY SWORN,
SAYS THAT THE INFORMATION ON THIS INVENTORY / RECEIPT IS TRUE.

D. A. S. S.
OFFICER TAKING PROPERTY

SWORN TO AND SUBSCRIBED IN
MY PRESENCE ON 3 / 9 / 2022

Trula Allen
CLERK / DEPUTY CLERK

Madison County Municipal Court
Eric M. Schooley, Judge
London, OH 43140

FILED

FEB 15 2022

Madison Co. Municipal Court
London, Ohio

SEARCH WARRANT

STATE of OHIO

- vs -

Dustin Booth

MADISON COUNTY, OHIO.

TO: THE OHIO BUREAU OF CRIMINAL INVESTIGATION AND IDENTIFICATION



FROM AFFIDAVITS SWORN TO BEFORE A JUDGE OF A COURT OF RECORD, I, AS JUDGE OF THIS COURT OF RECORD, FIND THAT THE AFFIANT AVERS THAT HE/SHE HAS PROBABLE CAUSE TO BELIEVE, AND DOES BELIEVE, THAT CERTAIN ELECTRONIC DEVICES AND/OR DATA STORAGE DEVICES (DESCRIBED BELOW) CONTAIN EVIDENCE RELATED TO VIOLATION(S) OF OHIO REVISED CODE LISTED BELOW.

YOU ARE COMMANDED TO SEARCH THE PERSON/PLACE AND SEIZE THE PROPERTY, DESCRIBED BELOW. YOUR SEARCH SHALL BE WITHIN THE TERRITORIAL JURISDICTION OF THIS COURT, WITHIN THREE DAYS AND, ONLY IN THE DAYTIME, AT ANYTIME OF DAY OR NIGHT. PROMPTLY RETURN THIS WARRANT, TOGETHER WITH A WRITTEN INVENTORY OF ANY PROPERTY TAKEN TO THE UNDERSIGNED JUDGE.

Property to be searched (description):

- Dustin Booth's Samsung Galaxy Z Flip 3 phone with a black VRS case
- _____
- _____
- _____
- _____
- _____
- _____

FOR ANY TEXT-BASED MESSAGES, VOICEMAIL MESSAGES, DOCUMENT FILES (REGARDLESS OF PROPRIETARY FORMAT TYPE), EMAIL MESSAGES, DOWNLOADED OR DELETED APPS, CALL HISTORY LOGS, INTERNET HISTORY, LOCATION HISTORY, SYSTEM FILES EVIDENCING USE OR ACCESS OF ANY RELEVANT FILE(S), SYSTEM FILES OR OTHER FILES EVIDENCING USER OR OWNERSHIP OF ANY OF THE ABOVE-IDENTIFIED DEVICES, RELEVANT PICTURE FILES (E.G., RELATING TO RELEVANT INTERNET USE, SCREEN CAPTURES OF RELEVANT INFORMATION THAT MIGHT OTHERWISE FALL INTO THE CATEGORIES OF FILES PREVIOUSLY IDENTIFIED, OR PICTURES TAKEN OF RELEVANT ITEMS RELATING TO THE ALLEGED OFFENSE(S), OR OTHER DISCOVERED FILES RELATED TO THE CRIMINAL ACTIVITY DESCRIBED

FILED

FEB 15 2022

IN THIS WARRANT. RECOGNIZING THAT DATA CAN BE STORED ANYWHERE ON A PHYSICAL STORAGE MEDIA AND THAT FILE TYPES CAN BE FALSIFIED, AUTHORITY IS GRANTED TO SEARCH THE ENTIRE DIRECTORY STRUCTURE, INCLUDING ALLOCATED AND UNALLOCATED MEDIA SPACE AND SYSTEM FILES FOR THE EVIDENTIARY ITEMS IDENTIFIED ABOVE.

ALL OF THE ABOVE RECORDS MAY BE SEIZED, ACCESSED, LISTENED TO, READ, REVIEWED, COPIED, AND CONVERTED TO HUMAN-REVIEWABLE FORM AS NECESSARY BY THE MADISON COUNTY SHERIFF'S OFFICE OR LONDON POLICE DIVISION. AUTHORIZATION IS GRANTED FOR THE EVIDENCE SPECIFIED HEREIN TO BE SUBJECTED TO DATA DUPLICATION, DATA ACQUISITION, AND/OR THE RENDERING OF HUMAN-READABLE COPIES OR RECORDINGS OF THIS DATA IN ORDER TO PRESERVE AND PROTECT THE INFORMATION AND TO THEREAFTER SEIZE, READ, LISTEN TO, COPY, AND MAINTAIN THE DESCRIBED PROPERTY AND/OR EVIDENCE.

IF FOUND, SAID ITEMS WILL BE SEIZED AND USED AS EVIDENCE IN THE INVESTIGATION OF OHIO REVISED CODE:

SECTION: 2903.11 Felonious Assault

SECTION: 2921.331 Failure to Comply

SECTION: _____

THIS KNOWLEDGE IS BASED ON THE FACTS ARTICULATED IN THE AFFIDAVIT BY THE AFFIANT, WHICH HAS BEEN REVIEWED BY THIS COURT AND FOUND TO ESTABLISH PROBABLE CAUSE FOR THIS WARRANT.

YOU ARE HEREBY COMMANDED IN THE NAME OF THE STATE OF OHIO, WITH THE NECESSARY AND PROPER ASSISTANCE, TO SERVE THIS WARRANT AND SEARCH FORTHWITH THE ABOVE-DESCRIBED ITEM(S). THE EXECUTION OF THIS WARRANT MUST BE INITIATED WITHIN THREE (3) DAYS OF THE DATE HEREOF. DUE TO THE NATURE OF ACQUIRING AND ANALYZING ELECTRONIC AND/OR DIGITAL EVIDENCE, THE EXECUTION OF THIS WARRANT MAY CONTINUE UNTIL THE DATA ACQUISITION AND ANALYSIS IS COMPLETED AND THE SEARCH WARRANT RETURN SHALL REFLECT ANY ACQUISITION OF ELECTRONIC DATA GENERALLY. SAID SEARCH MAY BE MADE IN THE DAY SEASON, AND IF THE PROPERTY, OR ANY PART THEREOF BE FOUND THERE, YOU ARE COMMANDED TO SEIZE IT, LEAVING A COPY OF THIS WARRANT AND A RECEIPT FOR THE PROPERTY TAKEN, PREPARE AN INVENTORY OF THE PROPERTY SEIZED, RETURN THIS WARRANT TO THE UNDERSIGNED OR ANY OTHER JUDGE OF THE MADISON COUNTY MUNICIPAL COURT.

LOCATED IN THE TOWNSHIP OF: Union

MADISON COUNTY, OHIO.

THEREFORE: GIVEN UNDER MY HAND THIS: 15 DAY OF Feb, 2022 AT 11:21 AM



JUDGE

Madison County Municipal Court
Eric M. Schooley, Judge
London, OH 43140

FILED
FEB 15 2022
Madison Co. Municipal Court
London, Ohio

STATE of OHIO
- vs -
Dustin Booth

AFFIDAVIT

MADISON COUNTY, OHIO.

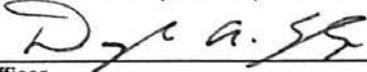
AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

AFFIANT, Special Agent Douglas Eveslage, BEING DULY SWORN ACCORDING TO
LAW STATES AS FOLLOWS:

Affiant is a Special Agent with the Ohio Bureau of Criminal Investigation and has been a State of Ohio Peace Officer for approximately 16 years. The last 10 years have been spent with the Ohio Bureau of Criminal Investigation special operations division focusing on narcotics investigations on the state and federal level. Since May 2021 affiant has been assigned to the special investigation unit investigating officer involved critical incidents, homicides and other investigations. For approximately 3 years, your affiant was a detective at the Springfield Township Police Department in Hamilton County, Ohio with a focus on violent crimes and property crimes to include but not limited to: homicides, robberies, burglaries, and felonious assaults. Affiant has also been involved in numerous homicide and drug related investigations that led to arrest and convictions on the state and federal levels.

On February 11, 2022, at 1411 hours Brandi Booth called 911 and stated that her husband, Dustin Booth, was suffering from mental health issues and was getting into his vehicle at 71 Furlong Lane, Monroe, Ohio. Brandi told 911 that she was following Dustin in his vehicle and that Dustin was throwing money from the vehicle. Brandi stated that Dustin should not be operating a vehicle. The information contained in this warrant was received by Monroe Police Department and provided to your affiant.

Monroe Police conducted a criminal history check on Dustin Booth and were notified that Dustin has a license to carry a concealed weapon. Monroe Dispatch was on the phone with Brandi Booth and asked her if Dustin had a firearm on his person. Brandi advised the dispatcher, "I believe so."



Officer

On this 15 day of Feb, 2022



Judge

FILED

FEB 15 2022

Madison Co. Municipal Court
London, Ohio

AFFIDAVIT CONTINUED

On February 11, 2022, at approximately 1414 hours City of Monroe Police Officer Drew Aspacher initiated a traffic stop on a dark colored GMC pick-up truck with Ohio registration FWQ6630 at Bridle Creek at Steeple Chase. Officer Aspacher approached the vehicle and Dustin told Officer Aspacher "No, I'm not stopping. Follow me home!" Dustin parked his vehicle in the driveway of his house at 120 Bluegrass Lane, Monroe, Ohio as Officer Aspacher followed the vehicle with his overhead police lights on.

When Ofc. Aspacher approached the GMC truck, he commanded Dustin to stop. Dustin stated "talk to him in the office," and then entered his residence of 120 Bluegrass Lane. Ofc. Aspacher made contact with Dustin's wife, Brandi, and she advised that she and her children were parked very close to their residence of 120 Bluegrass Lane. Brandi stated that Dustin "thinks he is God," "has delusions of grandeur," and "was just released from the mental hospital." Monroe Police Officers began calling out Dustin via the public address (PA) system and established a perimeter.

Dustin Booth exited the residence while under observation by officers, and Dustin was seen wearing a holster and firearm and then Dustin was observed re-entering the residence. While Dustin was in the residence, Butler County crisis center made contact with Dustin in an attempt to have him turn himself into the police. A friend of Dustin Booth, Justin Duh, was able to talk Dustin into leaving the residence with him. Justin was driving the vehicle and Dustin was the only other occupant and the friend notified the police that Dustin did have a firearm with him in the vehicle.

On February 11, 2022, at approximately 2248 hours, marked units with the Monroe Police Department attempted to stop the vehicle on Lebanon Street at New Garver Road and that the occupants in the vehicle were physically fighting. Dustin Booth exited the vehicle, did not comply with officers' commands, pulled a firearm from his person, and officers fired shots hitting Dustin. Dustin Booth was transported to Atrium Medical Center where he was pronounced deceased.



Officer

On this 15 day of Feb, 2022



Judge

FILED

FEB 15 2022

Madison Co. Municipal Court
London, Ohio

AFFIDAVIT CONTINUED

Monroe Police Department requested the Ohio Bureau of Criminal Investigation to assist with investigating this Officer Involved Critical Incident (OICI). Ohio BCI authored a search warrant for 120 Bluegrass Lane, Monroe, Ohio and Butler County Common Pleas Judge Keith M. Spaeth signed and authorized the execution of the residential search warrant. Ohio BCI also processed the OICI scene, conducted a consent search of Justin Duh's vehicle and located the above described cell phone.

On February 12th, 2022, Special Agent Chad Holcomb transferred the cell phone into evidence at the Ohio Bureau of Criminal Investigation (BCI) 1560 State Route 56, London, Ohio.

Based on the investigation, affiant believes the identified device(s) will contain additional cellular and land based phone numbers for additional evidence. It is also highly likely that the device will contain text messages, photos, and information sent and received by Dustin Booth. Information obtained within the content of the device(s) will likely assist in identifying evidence to assist in this criminal investigation.



Officer

On this 15 day of Feb, 2022



Judge

AFFIDAVIT CONTINUED

FILED

FEB 15 2022

Madison Co. Municipal Court
London, Ohio

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INCORPORATED INTO THIS AFFIDAVIT ARE THE FOLLOWING:

THE TESTIMONY OF: Special Agent Douglas Eveslage APPEARING PERSONALLY
BEFORE THE UNDERSIGNED JUDGE AND BEING EXAMINED UNDER OATH.

THE APPLICANT FOR THE WARRANT: Special Agent Douglas Eveslage WHO IS A
LAW ENFORCEMENT OFFICER.



Officer

On this 15 day of Feb, 2022



Judge