



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



2022-1354

Officer Involved Critical Incident – 135 Old National Rd, Lore City  
(L)

**Investigative Activity:** Police Report Review

**Involves:** Ohio Department of Natural Resources (O), Officer Jacob Mills (W),  
Officer Jacob Rettenberger (W)

**Date of Activity:** 07/11/2022

**Author:** SA James H Gore, #168

**Narrative:**

On July 11, 2022, in response to a previous records request, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) James Gore received a copy of an incident report related to this matter from the Ohio Department of Natural Resources (ODNR). The report number was 22NR0003776, and it included narratives written by ODNR Parks and Watercraft Officers Jacob Rettenberger and Jacob Mills.

Both Officers Mills and Rettenberger were witnesses to a vehicle pursuit and critical incident involving JOY GRAHAM, and law enforcement officers from several agencies. Officers Rettenberger and Mills were both interviewed at the site of the critical incident on the morning of June 25, 2022, by SA Russell and SA Gore, respectively. The details in the report narratives authored by Officers Mills and Rettenberger were consistent with what they each provided during their witness interviews.

A copy of the ODNR report was uploaded to the case files and attached to this report for reference.

**Attachments:**

Attachment # 01: 22NR0003776



# Investigatory Case Report

## Administrative

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Case Number	22NR0003776	<b><u>Division</u></b>	Parks and Watercraft
Case Report Number	22NR0003776-001	Report Type	Non Criminal
<b><u>County</u></b>	30 - Guernsey	Occurred On (Date and Time)	Friday 6/24/2022 9:46:53 PM
<b><u>Township</u></b>		Or Between (Date and Time)	
<b><u>Time Dispatched</u></b>	6/24/2022 9:46:53 PM	Location	Oh-285 / Old National Rd
<b><u>Time Arrived</u></b>	6/24/2022 9:55:09 PM	CSZ	Old Washington, OH 43768
<b><u>Time Cleared</u></b>	6/25/2022 3:58:35 AM	Location Name	US22M9GUER
<b><u>Property Type</u></b>	Public	<b><u>Body of Water</u></b>	
<b><u>ODNR Property</u></b>		<b><u>Images</u></b>	
Subject	Assist Other Agency	Verification	
Disposition	Active	Verification Level	
Entered On	6/25/2022 12:43:07 AM	Latitude	40.03943N
Entered By	Mills, Jacob	Longitude	81.44658W
Reported On	6/24/2022	Related Cases	
Reporting Officer	Mills, Jacob	Means	
<b><u>Approving Officer</u></b>	Plumly, Greg J	Other Means	
<b><u>Approved On</u></b>	7/3/2022 9:28:05 PM	Motives	
Assisted By	Rettenberger, Jacob		
Reporting Agency	OHIO DEPARTMENT OF NATURAL RESOURCES		

## For Exceptional Clearances

Clearance Basis  
Exceptional Clearance Date

## Narrative

Assisted Barnesville PD, OSHP Post-30, and Guernsey County SO on a felony traffic stop.

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## Offenders

Victims \_\_\_\_\_

Witnesses \_\_\_\_\_

Other Entities \_\_\_\_\_

**Entity Number:** 1

**Total Number of Entities:** 3

**Name:** Barnesville PD

Entity Type                      Other Entity (Business, Institution, Etc.)

Aliases

Alias

Alerts

Addresses

Address Type	Address	CSZ	County	Country
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Phones

Phone Type	Phone Number
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Statements

Statement Obtained	Type
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Email

Email Address

- |             |                  |
|-------------|------------------|
| Sex         | Resident         |
| Race        | POB              |
| Ethnicity   | DLN              |
| DOB         | DL State         |
| Age         | DL Country       |
| Eye Color   | SSN              |
| Hair Color  | Attire           |
| Facial Hair | Employer/School  |
| Complexion  | Employer Address |
| Height      | Employer CSZ     |
| Weight      | Occupation/Grade |

Notes

**Entity Number:** 2

**Total Number of Entities:** 3

**Name:** Guernsey County Sheriff's Office

Entity Type                      Other Entity (Business, Institution, Etc.)

Aliases

Alias

Alerts

Addresses

Address Type	Address	CSZ	County	Country
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Phones

Phone Type	Phone Number
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Statements

<u>Statement Obtained</u>	<u>Type</u>
---------------------------	-------------

Email

Email Address
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- |             |                  |
|-------------|------------------|
| Sex         | Resident         |
| Race        | POB              |
| Ethnicity   | DLN              |
| DOB         | DL State         |
| Age         | DL Country       |
| Eye Color   | SSN              |
| Hair Color  | Attire           |
| Facial Hair | Employer/School  |
| Complexion  | Employer Address |
| Height      | Employer CSZ     |
| Weight      | Occupation/Grade |

Notes

**Entity Number:** 3

**Total Number of Entities:** 3

**Name:** Ohio State Patrol

Entity Type Other Entity (Business, Institution, Etc.)

Aliases

Alias

Alerts

Addresses

Address Type	Address	CSZ	County	Country
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Phones

Phone Type	Phone Number
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Statements

<u>Statement Obtained</u>	<u>Type</u>
---------------------------	-------------

Email

Email Address

- Sex
- Race
- Ethnicity
- DOB
- Age
- Eye Color
- Hair Color
- Facial Hair
- Complexion
- Height
- Weight
- Resident
- POB
- DLN
- DL State
- DL Country
- SSN
- Attire
- Employer/School
- Employer Address
- Employer CSZ
- Occupation/Grade

Notes

Properties \_\_\_\_\_

Images \_\_\_\_\_



# OHIO DEPARTMENT OF NATURAL RESOURCES

## Officer Narrative Attachment to the Investigatory Case Report

**Case Report Number**

22NR0003776

**Subject of Narrative**

Mills 3776

On 6/25/2022 while at post, Dispatch called over the radio stating that Ohio State Highway Patrol (OSHP) and Barnesville Police Department were in a pursuit on U.S. Route 22 heading toward Salt Fork State Park. Dispatch asked if we had spike strips and if we could assist with the pursuit. I informed Dispatch we did not have spike strips and could not pursue (per ODNR policy), but we could assist if the stop occurred in or near our areas of jurisdiction

NRO Rettenberger and I then left the Service Center at Salt Fork State Park in emergency status, headed towards U.S. 22 to keep traffic from exiting the park and interfering with the pursuit. As we approached the intersection of Natural Resources Road 1 and US-22 we observed several units from various agencies pass the park headed West towards Cambridge in emergency status. We then turned West onto US-22, turned off our siren, and left rear emergency lights on trailing the pursuit at a large distance. We continued like this at speeds at or below the speed limit. We pulled off the right side of the roadway to allow for a OSHP trooper to pass and then maintained a large distance between us and the pursuit to keep civilian traffic away. We continued to monitor Cambridge OSHP Post-30 and SO-30 channels on the radio. We observed patrol vehicles turn South on Beeham Run Road. The pursuit slowed to 20 to 35 MPH. Again, we held back from the other units at a slow speed to keep civilian traffic away. Due to the slow speed of the pursuit we were able to keep visuals on the other units. We stopped several times to clear debris from the roadway that would've posed a hazard to other motorists. Several times the pursuit slowed to nearly a stop.

We then approached the intersection of Beeham Run and Old National Roads in Old Washington. We observed the suspects van stopped on Northbound OH-285, just North of the intersection with Old National Road. There were several other marked cars with emergency lights on behind the van with two patrol vehicles set up for a felony stop. At this point we exited our patrol vehicle to assist with the stop.

NRO Rettenberger and I approached the two Barnesville Police cruisers (that were parked side by side) from the rear and took a position behind the passenger door of the cruiser parked on the right. Filling in as two State Troopers moved to the right and took cover behind a blue Ford Ranger that was parked perpendicular to the roadway in a driveway. NRO Rettenberger and I maintained this position covering the passenger side of the suspects (later identified as Joy Graham) vehicle with our sidearms. As we were setting up, one officer was giving commands to Ms. Graham to show her hands, put her hands out of the driver window, and to exit the vehicle; none of the officer's commands were obeyed. From my location I could hear Ms. Graham asking what she had done wrong and the officer advised she had a warrant for her arrest.

At this point, Cambridge Police Department was on scene with a K-9. Ms. Graham was ordered to obey the commands, or she would be bitten by the K-9. There were several verbal exchanges between the K-9 handler, the officer giving orders for her to show her hands, and Ms. Graham. After several failed attempts to have Ms. Graham exit the vehicle with verbal commands the K-9 was released. The K-9 approached the vehicle followed by the K-9 handler and attempted a bite in the driver's window. The K-9 handler then verbalized that Ms. Graham had a gun several times and called his dog off. He then stated that Ms. Graham had pointed the gun at his dog and himself.

After the failed K-9 deployment, I heard Sheriff Paden making verbal conversation with Ms. Graham. Sheriff Paden told Ms. Graham multiple times that she needed to remove the firearm from the vehicle, and he could not help her until the gun had been removed from the vehicle. Ms. Graham claimed several times she had a right to have the gun. During the verbal exchange between Sheriff Paden and Ms. Graham, NRO Rettenberger left our position while I maintained cover to move our patrol vehicle to better control traffic in the area. When he returned, he had the patrol rifle from the truck. We then continued to cover the passenger side of Ms. Graham vehicle from the Barnesville PD cruiser.

Throughout the incident Ms. Graham was combative, uncooperative, and argumentative and refused to leave the vehicle. Guernsey County Sheriff's Office called in the Guernsey County SRT (Special Response Team). Once the SRT was ready, NRO Rettenberger and I were informed that they would be advancing and attempt to use a flashbang and extract Ms. Graham. As the SRT began to advance, we dropped back and took cover at the rear of the vehicle. SRT approached the passenger side of the Ms. Graham's vehicle. Once the SRT was alongside the vehicle they broke the front passenger side window and threw a flashbang into the front passenger seat. I then heard SRT giving commands for Ms. Graham to drop the gun which was followed by an exchange of gun shots. Ms. Graham was then extracted from the driver's seat of her vehicle and was laid on the ground outside of the vehicle. At this point they started to render aid to Ms. Graham and began CPR.

Once Ms. Graham was out of the vehicle NRO Rettenberger and I began scene security as she was loaded onto a gurney and placed in an ambulance. We were then asked to secure OH-285 North of the scene.

NRO Rettenberger and I left the scene at approximately 0115 hours at assist Guernsey County Sheriff's Office on a call requesting back up at 23086 Cadiz Road. We returned at approximately 0230 hours

When we returned, NRO Rettenberger and I were interviewed by the Bureau of Criminal Investigations Agents about the events of the incident. After the interview NRO Rettenberger and I returned to the service center, completed necessary documents, and ended our shift.

**Reporting Officer**

Mills, Jacob

**Date**

6/26/2022 4:04:39 AM

**Approving Officer**

Plumly, Greg J

**Date**

7/3/2022 9:36:24 PM



# OHIO DEPARTMENT OF NATURAL RESOURCES

## Officer Narrative Attachment to the Investigatory Case Report

**Case Report Number**

22NR0003776

**Subject of Narrative**

Rettenberger 3776

On June 24, 2022 at approximately 2146 Hours while field-training Probationary NRO (PNRO) Mills at Salt Fork State Park (SFSP), Dispatch advised that Barnesville Police Department (BPD) was pursuing a vehicle (whose driver possessed a felony assault warrant) on US-22 at milepost 29 and would be closing in on the SFSP area. Troopers from the Ohio State Highway Patrol (OSHP) Post-30 were also en-route and requested our assistance as well as spike-strips. PNRO Mills then informed Dispatch that we were not equipped with spike-strips and could not assist in the pursuit itself but could assist if units effected a felony stop and or the driver fled on foot. We then responded in emergency status to the US-22 entrance while monitoring OSHP Post-30 dispatch channel and upon our arrival, observed the pursuit pass the entrance (Westbound on US-22).

After pursuing units passed, we trailed them at a distance with our rear emergency lights on (no siren) to keep Westbound civilian traffic from approaching the pursuit; PNRO Mills relayed this to Dispatch. As the pursuit continued Westbound, it turned south onto Beeham Run Rd. (SFSP property on both sides of the roadway) and we continued trailing. Upon approaching the pond on the East side of the road, the pursuit vehicles nearly came to a stop but continued South on Beeham Run Rd.; units had advised speeds were 25-30 mph. PNRO Mills continued to trail at a distance with our rear emergency lights on (still no siren) to keep civilian traffic back. Because Beeham Run Rd. is adjacent to SFSP property we continued trailing. After the pursuit cleared our adjacent jurisdiction, we increased the distance between us and the pursuit (their speeds continued at 25-30 mph).

Upon approaching the intersection with Timber Rock Rd. we stopped multiple times to remove large car parts which were falling off the suspect's vehicle. After doing so, we continued into the village of Old Washington where the suspect vehicle had made two consecutive left turns and parked Northbound on OH-285 (between Old National Rd. and Beymer Rd.). After advising Dispatch that a felony traffic stop had begun, we positioned ourselves behind the BPD cruiser adjacent to the fog line and stood by while other units communicated with the driver in an attempt to get her (later identified as Joy A. Graham) to surrender. After several minutes, a Cambridge Police Department canine unit deployed his canine to apprehend the driver (who remained in the vehicle) but the deployment was ineffective. When the officer approached the driver's door to retrieve his canine, he yelled multiple times that the driver had a gun and pointed it at him. At this time I advised Dispatch to notify Lt. Plumly of the incident.

As negotiations continued with the driver, the OSHP troopers that were at the BPD cruiser's passenger side advised they were moving to a different position in an attempt to see inside the suspect's vehicle and asked us to take their position. When I opened the passenger to allow us more concealment, I found an unarmed civilian ride-along seat-belted in the BPD cruiser and instructed him to leave the area and get somewhere safe. After he did so, PNRO Mills and I kept our department issued handguns aimed at the suspect vehicle while verbal instruction continued. Several minutes later, a Guernsey County Sheriff's Office (GCSO) unit advised me to block Beymer Rd. with our vehicle so as to prevent other motorists driving in front of the stop. After doing so, I returned to my previous position with the department issued patrol rifle and maintained position.

At 2309 Hours, GCSO Sheriff Paden advised that the Strategic Response Team (SRT) was on-scene and was going to insert a flash-bang into the suspect vehicle's passenger-side window while he distracted her from the driver's side. At this time, units (including us) moved to the rear of the BPD cruisers while the SRT moved in. After Sheriff Paden distracted

Ms. Graham on the driver's side, the SRT broke the passenger window and inserted a flash-bang device (which went off) in the vehicle's interior. Seconds after, I could hear a Taser being deployed on the driver side and units ordering Ms. Graham to "drop the gun" multiple times. After this, I heard a single gunshot followed by several consecutive gun shots (approximately five) and I advised Dispatch that shots were fired. Shortly thereafter, additional shots were fired and I advised Dispatch accordingly and requested. Lt. Plumly be updated.

At this time, SRT units removed Ms. Graham from the vehicle and began rendering aid; Old Washington EMS responded from their staging point and began treating her as well. PNRO Mills and I then maintained our position behind the BPD cruiser to maintain scene security while GCSO units put up crime scene tape. After the inner perimeter was taped-off and Old Washington EMS transported Ms. Graham to the hospital, PNRO Mills and I were instructed to secure the OH-285 and Beymer Rd. intersection until the Department of Transportation arrived with barricades. I then spoke with Lt. Plumly via phone and advised him of the incident and our involvement. After OSHP dispatch advised me that OH-285 was closed at East Guernsey Local Schools, we remained on scene to secured Beymer Rd. At 0116 Hours, GCSO dispatch contacted me requesting we back-up Unit 10 on a possible shots fired call in Londonderry. After getting permission from GCSO Detective Patterson to leave our post we responded to this incident. After clearing, we returned to the scene at Old Washington and completed interviews with the Bureau of Criminal Investigation.

At the conclusion of our interviews, we were advised that we could clear from the scene and return to service.

**Reporting Officer**

Rettenberger, Jacob

**Date**

6/25/2022 5:20:40 PM

**Approving Officer**

Plumly, Greg J

**Date**

7/3/2022 9:38:56 PM