



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



2023-2598

Officer Involved Critical Incident – 415 Gregg Street, Washington
Courthouse, OH – Fayette County (L)

Investigative Activity: Interview with Officer
Involves: Officer Trevor Phillips (S)
Date of Activity: 10/10/2023
Activity Location: Washington Court House Police Dept. – Business – 130 North
Fayette Street, Washington Court House, OH 43160
Author: SA Steven Seitzman

Narrative:

On Sunday, October 1, 2023 at approximately 1847 hours, the Washington Court House Police Department requested the Ohio Bureau of Criminal Investigation (BCI) investigate the facts and circumstances surrounding an Officer-Involved Critical Incident (OICI) that occurred after the involved subject, Timothy D. West (West), fled on foot from a traffic stop and was subdued by the pursuing officer, Officer Trevor Phillips (Officer Phillips), with a Taser energy weapon. After the Taser deployment, West became unresponsive and was later pronounced deceased.

On Tuesday, October 10, 2023 at 1021 hours, BCI Special Agents Steven Seitzman and Richard Ward interviewed Officer Phillips at the Washington Court House Police Department. The interview took place in an administrative conference room. Officer Phillips was represented by Fraternal Order of Police general counsel, Keith Washburn. The interview was audio-recorded.

The information provided below summarizes key points from the recorded interview and is not a verbatim account. 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. It is suggested that the full audio recording be reviewed.

The interview began with SA Seitzman reading the BCI Criminal Investigation Notification form to Officer Phillips. Officer Phillips advised that he understood the content of the form and wished to make a voluntary statement to the BCI agents.

Officer Phillips advised that he had reviewed his body-worn camera footage prior to the interview. He viewed the footage with permission from Washington Court House Police command staff and in the presence of Mr. Washburn.

SA Seitzman collected preliminary information from Officer Phillips, which is detailed in the tables below.

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Preliminary Information:

Name: Officer Trevor Dean Phillips	Rank: Patrolman
Badge Number: 22	Cruiser/Vehicle Number: 192
Radio Call Sign: 22PD50	Immediate Supervisor: Sergeant Jeffery Heinz
Radio Channel Utilized: Washington C.H. PD Primary	Mobile Data Terminal: Yes
Cruiser Description: Marked Dodge Charger	Occupants of Cruiser and Seating Positions: n/a
Assignment: Patrol	Normal Shift: Saturday: 2300–0700 hours Sunday– Wednesday: 1500–2300 hours
Emergency Lights: Present, utilized	Spotlight: Present, not utilized
Shift Day of Incident: 1500–2300 hours	Siren: Present, not utilized
Days Off: Thursday, Friday	Duty Status: On-duty
Total Length as Officer:	Prior Overtime or Extra Details within Preceding 48 Hours: Yes, Saturday from 1900–2300 hours.
Physical Disabilities (to include hearing aid): n/a	Consider Self Well Rested?: Yes
Ballistic Vest: Exterior	Length at Current Agency: December 28, 2020
Other Recording Devices: n/a	Corrective Lenses: n/a
Injuries: n/a	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: Taser (Baton and OC left in cruiser)
Training or Areas of Specialty: n/a	Body Worn Camera: Present, utilized
Military Experience/Training: n/a	Partner: n/a
Prior Shooting Incidents: None	Equipment Damage: None
Medications, Prescriptions, or Drugs that might Impair Your Duties at Time of Incident: No	OPOTC Certification: 2020
Alcohol in Past 24 Hours? No	Use-of-Force Training: None outside of the police academy
Medications, Prescriptions, or Drugs that might Impair You Now for Interview: No	Prior Discipline or Use-of-Force Complaints: no
Last Consumed Alcohol Prior to Incident: None within 24 hours	

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Officer's Firearm & Less-Lethal Weapon:

Weapon #1

Make: Glock	Model: 21 Gen 4
Caliber/Gauge: .45	Method of Carry: Duty belt
Type: Semi-automatic	Primary or Backup Weapon: Primary
Discharged During Incident? No	Number of Rounds Fired: 0

Less-Lethal Weapon #1

Make: Taser	Model: X26P
Type: Energy Weapon	Serial: [REDACTED]
Magazine Capacity: Single discharge cartridge	Method of Carry: Holster attached to exterior ballistic vest
Extra Cartridge: Yes, Extended performance power magazine (extra cartridge attached to the battery unit)	Ownership: Departmental, Taser unit assigned to Officer Phillips
Discharged During Incident? Yes, one five-second discharge	Insulated Conductive Wire Length: 25-foot
Right/Left-Handed Carry: Right	Last Qualification Date: Around the date of initial hire.
Auto-shut Down Performance? No, Taser will continue to cycle if the trigger is squeezed	Drive-Stun Feature Utilized? No

SA Seitzman then asked Officer Phillips about the OICI incident. Officer Phillips advised the following:

On October 1, 2023 at approximately 1800 hours, Officer Phillips observed a vehicle commit several traffic violations, including speeding, failure to use a turn signal, loud exhaust, and failure to stop behind a stop bar. He initiated a traffic stop on North Street at Gregg Street. The vehicle continued on Gregg Street, and he described it as "slow rolling" as it came to a stop. Based on his experience, he said a vehicle that is slow to stop indicates to him that the occupants "might be trying to hide narcotics or some type of paraphernalia, or they're trying to think about what they're going to do next to try to, you know, plan against me."

Once the vehicle came to a stop, Officer Phillips observed the passenger turn and look back at him twice. He made it near the rear of the driver's side of the stopped vehicle, at which point the passenger, later identified as West, exited the vehicle and ran. He did not know the subject was West at the time of the chase. He described West as a "heavier-set male...240... 5'10... White male." Officer Phillips unholstered his Taser and gave chase.

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West threw a bag in the air at the beginning of the chase. He initially ran through several front yards. West attempted to go through the backyard of a residence, at which point Officer Phillips lost sight of him. Officer Phillips confirmed that the scene was a concrete porch. He learned that the porch was not a cut-through, as it had only one entrance or exit from the outside. Officer Phillips said, "As I turned around a corner, all I see is him charging at me. I feared for my safety, and I deployed my Taser."

SA Seitzman provided Officer Phillips with a diagram of the scene. Officer Phillips noted on the diagram where he was when he lost sight of West. He then noted where he was when West reappeared. At the conclusion of the interview, Officer Phillips signed the annotated diagram, which is attached below. SA Seitzman asked him what West was doing when he reappeared. He said, "He's coming towards me with closed fist, like charging at me." SA Seitzman asked what was going through his head at that point. He said, "Well, I feared for my safety. I think this is a dude that is way bigger than me. I thought he was going to take me to the ground, so I deployed my Taser."

Officer Phillips discharged his Taser as West charged toward him. He estimated that he was five or six feet away from West when he squeezed the trigger. SA Seitzman asked him what West's position was at the point he decided to utilize his Taser. He replied, "He was charging at me, and I believe he saw that I had my Taser in my hand, and once I deployed it, he started ducking his head." SA Seitzman asked him if West ducked after he decided to discharge his taser. He replied, "I believe so." He said he was aiming at West's center mass, specifically the chest area. Officer Phillips said that he believed his Taser probes struck West's head. He clarified that he was not aiming at West's head when he discharged his Taser. During questioning with SA Ward, Officer Phillips agreed that as he squeezed the Taser trigger, West simultaneously ducked down in a "bear hug-type" maneuver. He said that he did not have time to give West verbal commands, as he was charging at him. He did not feel that he had any other less-lethal use of force options, such as joint manipulation or strikes, because he felt that he would have been knocked over if he had not taken the action that he did.

As Officer Phillips discharged the Taser, West locked up and fell to the ground. He delivered one five-second cycle to West. After the five-second cycle, he handcuffed West, at which point he realized he was unconscious. He called for an ambulance and attempted several times to put him in the "recovery position," rolling him on his left side. He was unable to keep West in that position. He recalled collecting money, a hat, and phones next to West. He also removed two knives from West. He estimated that approximately one minute later, Officer Gavin Moore arrived. Officer Moore noticed that West was not breathing, and they attempted life-saving measures by administering several rounds of chest compressions. Officer Phillips radioed for the ambulance to "step it up."

The interview was paused at 1054 hours for a restroom break. The interview resumed at 1103 hours. SA Seitzman showed body-worn camera footage to Officer Phillips. He identified the footage as his. Officer Phillips advised that he did not know West had stopped breathing after the deployment of the Taser. SA Seitzman paused the interview at 1111 hours, due to Officer Phillips' emotional state.

The interview was restarted at 1114 hours. SA Seitzman played a portion of Officer Phillips' cruiser camera footage. Officer Phillips pointed out some of the traffic violations that were the

basis for his traffic stop. SA Seitzman paused the video as West began running to point out an apparent knife sheath on his right side. Officer Phillips said that he did not see the knife sheath during the incident.

Officer Phillips advised that he was familiar with West. He said that approximately one year ago, he stopped a vehicle in which West was an occupant. During the traffic stop, a canine gave a positive alert to narcotics in the vehicle, and narcotics were subsequently found. More recently, he had received complaints from citizens that West was dealing narcotics. He said that West had been stopped on other occasions when he was found to be in possession of drugs. He said that he did not know West to be combative or violent.

SA Seitzman asked Officer Phillips what the desired effect of the Taser was when he used it. He said he wanted to arrest West without any further incident. He said, "I never wanted it to lead to anything that occurred."

The interview was concluded at 1117 hours. The audio recording, signed BCI Criminal Investigation Notification form, and annotated diagram are attached below.

Attachments:

- Attachment # 01: 2023-10-10/ Interview with Washington Court House Police Officer Trevor Phillips
- Attachment # 02: Criminal Investigation Notification (signed by Officer Trevor Phillips & BCI SA Seitzman)
- Attachment # 03: Diagram (annotated by Officer Trevor Phillips)

Exhibit 1

Included as a separate file.

Exhibit 2



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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).

Trevor Phillips
Printed Name of Interviewee

10/10/23 - 10:23
Date / Time

[Signature]
Signature of Interviewee

STEVE SEITZMAN
BCI Agent (Printed)

[Signature]
BCI Agent (Signature)

Exhibit 3

Legend
Asphalt
Concrete
Grass and AFD
Brick
Wood
Metal
Glass

998
House PD OICI

area



Tom Ripke
10/10/23 - 11:19