



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



2023-2008

Officer Involved Critical Incident – Terminal Road By Dayton
Airport, OH (L)

Investigative Activity: Interview with Officer
Involves: Trooper ██████████ (S)
Date of Activity: 08/22/2023
Activity Location: Law Offices of Harshman, Wannemacher, Tipton and Lipperman –
Business – 4683 Winterset , Columbus, OH 43220, Franklin County
Author: SA Perry K. Roeser, #114

Narrative:

On August 2, 2023, the Ohio Bureau of Criminal Investigation (BCI) was requested by the Ohio State Highway Patrol (OSP) to investigate an Officer-Involved Critical Incident (OICI), which occurred on the morning of August 2, 2023. The incident between law enforcement and the involved subjects, Rodney and Elaine Helman, started in Madison County, Ohio. It ended on Airport Access Road in Montgomery County, Ohio, with the OSP's Special Response Team (SRT) shooting the involved individuals while rescuing a hostage.

On August 22, 2023, Special Agents Richard Ward and Perry Roeser interviewed OSP Trooper ██████████ (██████████) at 4683 Winterset Drive, Columbus, Ohio. ██████████ was assigned to the Ohio State Highway Patrol Special Response Team (SRT) that ended the hostage situation on Airport Access Road, Vandalia, Ohio. ██████████ played an active role and discharged his firearm toward the involved subjects.

The details below summarized the pertinent portions of the recorded interview with ██████████ and were not taken verbatim unless noted by quotations.

The interview with ██████████ began at 1427 hours, and was audio recorded. Also in attendance was ██████████'s attorney, Cathrine Harshman. Before any questions, ██████████ was read the BCI Criminal Investigation Notification (CIN) form, which he understood and signed. See attachment #1.

██████████ stated he was 40 years old, with no physical or health limitations, his badge number was ██████████ and his unit/radio call sign was #██████████. ██████████ explained he was assigned as the sniper for the SRT team. ██████████ stated he was current and up to date with all firearm qualifications. On August 2, 2023, ██████████ said he responded to the scene from his home county of Marion.

██████████ and his attorney had a typed 10–page statement, which he read aloud as his official statement of facts to the incident on August 2, 2023. After ██████████ read the statement, he signed

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it and turned it over to BCI. The prepared statement was detailed from start to end, and the author of this report will not summarize the document that was turned over. For a complete detailed account, see attachment #2.

After [REDACTED] turned over the 10–page typed statement, follow–up questions ensued. [REDACTED] said he discharged his rifle twice, about a minute separated the shots. [REDACTED] saw the suspect's firearm pointing in the direction of fellow troopers when he fired. In the first shot, [REDACTED] stated he was just behind and parallel to the truck's passenger side door in the grassy area. [REDACTED] explained he cut the wire fence line and positioned himself in the grassy area. [REDACTED] knew where he fired based on the position of the firearm and the subject. The shots were into the cab/sleeper area behind the doorjamb from east to west. [REDACTED] stated he moved up for the second shot and was now parallel to the passenger's side door. [REDACTED] said he saw the subject's firearm push past the passenger's side seat when he fired his rifle both times. [REDACTED] described the firearm as silver in color. [REDACTED] later saw his rounds passed through the truck and impacted into the SRT Bear. [REDACTED] explained his aim point was not the gun, but where he believed the center mass of the suspect was.

[REDACTED] was asked if he had cleared his rifle before he turned it over to BCI. He said yes, he did it to make the weapon safe. [REDACTED] was asked if he picked up any of the cartridge cases after he discharged his firearm. He said no. [REDACTED] was asked if he complied with the Ohio State Patrol's Use of Force Policy. He said absolutely. [REDACTED] stated he discharged his firearm for fear of his life and the lives of his fellow troopers.

The interview between BCI agents and [REDACTED] concluded at 1500 hours, and was audio recorded. See attachment #3 for a copy of the audio recording.

Attachments:

- Attachment # 01: CIN Trooper [REDACTED]
- Attachment # 02: Statement of Trooper [REDACTED] OSHP
- Attachment # 03: 2023–08–22 / Trp. [REDACTED] OSHP Interview

Exhibit 1



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



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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).

[Redacted Name]

Printed Name of Interviewee

8/22/23

1429

Date / Time

[Redacted Signature]

Signature of Interviewee

Perry Roeser

BCI Agent (Printed)

SA Perry Roeser

BCI Agent (Signature)

Exhibit 2

STATEMENT OF TROOPER [REDACTED] UNIT # [REDACTED]

This statement is regarding an incident I was involved with between approximately 2:15 a.m. and 8:00 a.m. on Wednesday, August 2, 2023, in Vandalia, Ohio. I am voluntarily making this statement as part of the investigation being conducted by the Ohio Bureau of Criminal Investigation (BCI).

My date of hire with the Ohio State Highway Patrol (OSP) is June 8, 2005. I obtained my Ohio Peace Officer Training Academy (OPOTA) certificate on January 6, 2006, after I graduated from the OSP Training Academy. I have been a member of the Special Response Team (SRT) since 2013. SRT is a specialty position primarily tasked with executing arrest warrants on dangerous individuals and responding to emergency barricade situations across Ohio. I am also an OPOTA certified sniper. I do not have any prior law enforcement experience. I have never been enlisted in the military.

My regular schedule is 6:00 a.m. until 2:00 p.m., though I frequently work modified hours based on the needs of my assignment. On the day before this incident, I worked from 4:00 a.m. until 4:00 p.m. as part of Governor DeWine's protection detail. My regular days off are Saturday and Sunday. I am assigned to the OSP Alum Creek Facility.

On the day of this incident, I was wearing a tactical uniform consisting of camouflage gloves and an olive green helmet, pants, shirt, and external vest carrier that stated "TROOPER" on the front and back. I was also wearing a body worn camera (BWC) mounted to my vest. My BWC was activated during this incident. I was equipped with my OSP-issued primary service weapon: a Sig Sauer P320 9mm handgun. I did not fire that weapon during this incident. I was also carrying my OSP-issued Aero Precision M4 rifle, loaded with OSP-issued .223 ammunition. The magazine for that rifle holds 30 rounds, but I am trained to only load it with 29. The rifle is

equipped with a suppressor and an Eotech red dot site. My range qualifications were current with that weapon. Finally, for part of this incident I was also equipped with an Area 419 sniper rifle. But I did not fire that weapon. I did not carry or use any other firearms.

I am in good health. I do not suffer from any disabilities. I do not need glasses/contacts or hearing aids as I have good vision and hearing. I was not taking any type of medication that could negatively affect the performance of my duties. I did not drink any alcohol in the 24 hours before this incident.

Around 2:15 a.m. on August 2nd, I got a call from OSP Sergeant Erik Lofland. He told me that officers were pursuing a semi-truck in London, Ohio, and that the semi-truck had struck several patrol cars. The pursuit was currently westbound on interstate 70 near US 42. He asked whether I was available to respond, and I replied yes.

I quickly grabbed my gear and left my house in my marked OSP Tahoe, running lights and sirens. I travelled south on Route 42 then went west on I-70. As I drove, troopers were occasionally airing updates over the radio. I was listening to the SRT channel on one radio and the OSP channel from the West Jefferson OSP Post on another. Shortly after the pursuit began troopers had spiked one or more of the semi's tires; but apparently the semi was still mobile and fleeing. At some point, it was aired that there were two suspects, a male and female white. I believe I was also texted pictures of the suspects. The suspects reportedly had at least one hostage, possibly two. Troopers also believed a dog might be inside the semi.

While I was still westbound on I-70, it was aired that the suspects had stopped on the Dayton International Airport Road, north of I-70. Before I got to the scene, SRT Lieutenant Bryan Mangin had parked the SRT Bear (a large, armored vehicle) next to the driver side of the semi. He was communicating with the suspects via the Public Address (PA) loudspeaker in the

Bear. The suspects would then respond by holding notes up to the window of the semi. I learned the suspects wrote down a phone number, and that the semi had the curtains drawn. I believe deputies with the Montgomery County Sheriff's Office were also on scene.

I believe I got to the scene around 3:30 a.m. There were numerous OSP members already on scene. I parked on the right (eastern) side of Dayton International Airport Road next to another cruiser about 50 yards south of the semi. I got out, put on my helmet, then went to the back of the Bear. The semi was parked in the right lane, facing north. There was no trailer attached to the back. The Bear was parked next to the driver's side of the semi, in the left lane and facing north. Several other SRT members were gathered near the back of the Bear: Lt. Mangin and Troopers Matt Robinson, [REDACTED] and Hector Burgos.

I learned that troopers were communicating with the suspects over the phone. Before I got there, the suspects had demanded Mountain Dew and cigarettes. Troopers had already given the suspects Mountain Dew and one kind of cigarettes. Apparently the suspects were not happy with the type of cigarettes they got, so troopers were working on getting a different type. No hostages had been released and both suspects were still inside the semi. Occasionally, I would hear Lt. Mangin tell the suspects over the PA to pick up the phone.

No one had been able to see inside the semi, so I told the other troopers that I would head out to the east to see if I could see inside the windshield or passenger window. I went back to my Tahoe and grabbed my sniper rifle, sniper bag, and binoculars. I walked east toward the grassy area that ran parallel to the freeway. I cut through the right of way fence that ran about 20 yards east of the freeway. I made my way north and once I was about parallel to the semi, I used my sniper scope to try to see inside; but the curtains were drawn. I continued north and tried to see inside from different angles, but I still could not see anything. I stopped near a billboard about

120 yards northeast of the semi, but the curtains were drawn from every angle; though I could tell a light was on inside the cab. I aired that the curtains were pulled covering the windshield and passenger door window.

I went back to my Tahoe and exchanged my sniper rifle for my M4 rifle. I returned to the Bear. Sgt. Lofland had arrived. I discussed the situation with other SRT members. I have a Commercial Driver's License and am familiar with the mechanics of semi-trucks. I suggested cutting the semi's airlines so that the vehicle would become immobile. Or alternatively, if the airlines were tethered to the Bear, they would be ripped out if the suspects tried to drive the semi away. When the second kind of cigarettes were delivered to the suspects, I showed a few other troopers where the airlines were. Ultimately, the decision was made not to cut the airlines at that time since an alarm inside the cabin would go off and risk angering the suspects.

Since there was no containment on the east side, I volunteered to cover the semi from the grassy embankment near the fence line. Sgt. Lofland told me to bring another trooper in case either suspect tried to flee on foot. I took a trooper with me (I do not recall his name, but he was not an SRT member) and went back to the fence line. At first, I posted up on the eastern side of the fence northeast of the semi, but I became concerned that I did not have a good angle if I needed to fire. So I moved south and posted up about 30-40 yards from the semi. Specifically, I was roughly parallel to the back passenger side tire of the semi. From there, I had an unobstructed view of the exterior passenger side of the semi. The other trooper and I were the only ones covering the eastern side of the semi.

The grassy area I was posted in sloped up from the highway and formed a ridge such that I was about 6-8 feet elevated from the highway. The fence line ran near the top of the ridge. The grass was also fairly high, and I believed I was likely concealed from the suspects' view. At first,

I covered the semi from a kneeling position, but after some time I laid on my stomach and rested the barrel of my rifle on the wire fence. I was monitoring the SRT radio channel from my earpiece. I had a spare radio with me as well and monitored the OSP radio channel. I covered the semi for several hours as troopers continued negotiations with the suspects. The semi curtains never opened during that time, and I could not see inside. At some point I asked what the suspects were wearing: I recall being told that the male suspect had on a white shirt, but I do not think anyone said what the woman was wearing.

After a few hours (before daylight), I was told that the suspects were surrendering and would be getting out of the passenger door. I continued covering the passenger side, but no one got out. Over the next hour, I was told a few more times that the suspects were giving up, but that never happened.

Around daybreak, someone inside the semi started revving the engine and I saw the brake lights turning on and off such that someone was repeatedly pressing down on the brake. A brief time later, Trooper Burgos cut the airlines with a pocketknife and disabled the semi. A short time later, a trooper radioed that one of the suspects was going to toss their weapon out of the passenger window. That did not happen, however.

By 7:00 a.m., I had been covering the semi for several hours. Neither suspect had surrendered, and no one had been let go. Sgt. Lofland asked on the radio if I had my cell phone on me and then he called me on the phone. He said that if the suspects continued refusing to surrender or give any signs of compliance, then troopers would need to conduct an assault. I got off the phone and relayed the plan to OSP Sergeant Chris Colbert, who was now with me and had taken the place of the other trooper some time ago. I told Sgt. Colbert that troopers would throw flashbangs and conduct an assault to try to save the hostage(s) and extract or, if necessary,

engage the suspects. Shortly after the call with Sgt. Lofland, I could see SRT members prepping at the back of the Bear. And after about 15-20 minutes, neither suspect had given up, released any hostage(s), or thrown out any weapons.

Just before 7:30 a.m., several SRT members were situated behind the Bear, and Lt. Mangun aired the code to begin the assault. A moment later, flashbangs were thrown near the front of the semi, and several SRT members went up the passenger side of the truck and broke the passenger window with a rake and break tool. I believed there were also SRT members doing the same on the driver's side, but I could not see them from my position. I quickly got into a kneeling position and continued covering the passenger side of the semi.

Trooper Burgos got up on the passenger side step and peered into the cab of the truck right after the passenger window was broken. Two or three SRT members flanked him on either side, one providing cover with a shield. Trooper Burgos was yelling "hands!" repeatedly. Moments later, Trooper Burgos flinched back, then peered inside again and immediately jerked back and jumped off the semi while yelling "gun!" By that time, I was moving north to get a better angle.

Seconds after I started moving north, SRT members [REDACTED] and [REDACTED] started firing into the cab from the passenger side and front of the semi, respectively. I quickly moved north several more yards, knelt, and trained my rifle on the cab. As shots were still being fired, I saw a white arm/hand holding a silver semiautomatic handgun appear in the cabin from between the front driver and passenger seats. An instant later the gun started angling towards the broken passenger window near where Trooper [REDACTED] was standing, and it was then I fired a single round. The gun immediately disappeared back into the cab right after I fired. Troopers [REDACTED] and [REDACTED] had

stopped firing and moved south towards the back of the semi along with the rest of the troopers. To my knowledge no one had gotten out of the semi.

After a few moments, troopers moved up the passenger side with a shield and threw gas into the cabin. Within seconds, I saw a male white wearing an orange shirt quickly get out of the passenger door of the semi with his hands in the air. I knew the male suspect was reportedly wearing a white shirt, so I believed that individual was a hostage. Troopers directed him to run towards the back of the Bear, which he did.

Moments later, suddenly again I saw the arm/hand of one of the suspects holding a silver handgun and leveling the weapon towards the passenger door/window from between the driver and passenger seats, and I fired another round. The suspect yet again immediately pulled back into the cab away from my view. I aired on the radio that the suspect was pointing the gun out the door again, and the troopers at the back of the semi took a few more steps back (south).

Briefly after I fired the second round, a trooper inside the Bear aired that he could see one of the suspects laying between the driver and passenger seats. Troopers advanced along the passenger side of the semi, and around that time the male suspect sat up and I was able to see his head (which appeared bloodied). One of the troopers peered inside the passenger window and aired that the female suspect's legs were on top of the man's shoulders/torso. At that time, I was able to see her calves and soles of her feet on the male suspect. Troopers began extracting the suspects from the semi while I continued providing cover. The male was extracted without incident. At that time, I believed it was safe for me to return to the scene. I headed back towards the scene with Sgt. Colbert while troopers worked to remove the female.

Troopers were securing and beginning to render aid on the man by the time I got to the scene. The female was out of the semi a short time later. Around that time, medics began

rendering aid on both suspects. Troopers recovered a handgun from inside the semi. I waited at the scene for a bit longer, and then I was transported to the Dayton OSP Post. This ended my involvement with this incident. I met with BCI investigators at the OSP Post and had my photo taken and weapon collected as evidence.

I fired two rounds during this event. I would estimate that there was about a minute between each round. I fired both rounds in a westerly direction. I believe I was about 30-40 yards from the suspects when I fired each round. I believe I was kneeling when I fired. I used my rifle's red dot sights and fired with a two handed grip. By the time the assault occurred, the sun was up and there was plenty of natural lighting. The ridgeline, brush and fence provided some concealment, but I had no cover during this incident. One or two troopers on the assault had a shield, but I believe Troopers [REDACTED] [REDACTED] Burgos and possibly others were exposed with no cover or concealment for much of the assault.

My target was what I believed was the suspect's center mass based on the position of the suspect's hand/arm. I fired through the passenger side of the semi, a few inches left of the passenger window. Because the ridgeline was elevated, I would estimate that I was almost equal in height to the semi's passenger window such that I was shooting almost straight into the semi. My backdrop was the interior of the cab and the exterior of the Bear parked immediately next to the semi. I did not believe there were any troopers in my backdrop at the times I fired; but I also knew from my elevated position my shots were aimed about 8-10 feet above ground. And after this incident, I saw that both of my shots did in fact penetrate the semi and strike the exterior of the Bear, near the roofline about 8-10 feet high. The exterior of the Bear is reinforced and rated to stop up to a .50 caliber round, a much more powerful round than what I was firing.

There were no troopers in my line of sight at the times I fired. When I fired my first shot, Lt. Mangin and Trooper Burgos were near the back passenger side of the semi. Trooper [REDACTED] was south of the passenger door and moving towards the back. And Trooper [REDACTED] was near the front of the semi moving towards the passenger side. I believe Troopers [REDACTED] and [REDACTED] were each firing when I fired my first shot. All the troopers were positioned near the back of the semi when I fired my second shot.

I was in fear for the lives of Lt. Mangin and Troopers Burgos, [REDACTED] and [REDACTED] at the times I fired my weapon. The assault occurred over six hours after the suspects took the truck driver hostage and fled from law enforcement for quite some time. Once the pursuit ended, law enforcement tried for several hours to negotiate with the suspects and secure their surrender and the release of the hostage. To my knowledge, neither suspect ever gave any sign of surrender or an indication that they would release the hostage. Troopers met the suspects' demands for Mountain Dew and cigarettes—even working to get the suspects their preferred type of cigarette—but the suspects still refused to surrender or release the hostage. Even after assuring law enforcement multiple times that the suspects would toss their weapon or surrender, they refused to do so.

Once negotiations failed and it was clear the suspects were not going to peacefully give up or release the hostage, Lt. Mangin, as the scene commander, made the decision to conduct an assault to try to rescue the hostage. After the flashbangs went off and the windows were broken, one of the suspects pointed a weapon at Trooper Burgos from point blank range. Moments later Troopers [REDACTED] and [REDACTED] opened fire. I believed a suspect had aimed a weapon and/or shot at Troopers [REDACTED] and/or [REDACTED] which caused them to fire, but initially I could not see either suspect or a weapon. But then suddenly I saw the hand/arm of one of the suspects level the barrel

of a silver pistol towards the open passenger window from between the driver and passenger seats. At that time, Trooper [REDACTED] was just south of the passenger window and Trooper [REDACTED] was near the front of the semi making his way towards the passenger side. I believed the suspect intended to shoot Troopers [REDACTED] and [REDACTED] and that one or both would be seriously injured or killed, and it was then I fired. Troopers [REDACTED] and [REDACTED] stopped firing a second or so later.

After the other troopers and I stopped firing, there was a lull of about a minute or so where no shots were fired. Once troopers put tear gas into the semi and the hostage escaped, I thought the suspects would get flushed out and possibly surrender. Instead, though, seconds after the hostage escaped, I again saw the suspect's arm/hand level the barrel of the handgun towards the open passenger door/window from between the driver and passenger seats. I believed the suspect again intended to shoot one or more troopers positioned south of the door. I was also concerned for my life and the life of Sgt. Colbert since we were positioned almost parallel to the passenger window/door and directly east without cover. I fired at the suspect just as the barrel of the gun came toward the open passenger door/window. Each time I fired my weapon, I did not believe I had any other reasonable alternative to protect my life or the lives of the other troopers from the deadly threat presented by the suspect's actions.

I may have been sent the suspects' names before I got to the scene; but in any case, I now know their names are Rodney Helmen and Elaine Helman. I learned after this incident that the suspects were married, but I do not think I knew that during this event. I do not know either person, and I do not think I have met either one previously.

This concludes my statement.

Trooper [REDACTED] Unit # [REDACTED]

Exhibit 3

Included as a separate file.