



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



2022-2876

Officer Involved Critical Incident – 256 N. Swain, LaRue, Ohio (L)

**Investigative Activity:** Interview with Witness

**Date of Activity:** 12/21/2022

**Author:** SA Ryan Emahiser, #36

**Narrative:**

On December 21, 2022, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Ryan Emahiser (Emahiser) interviewed Delaware County Tactical Unit (DTU) member Mark Kern (Kern) in regard to the officer-involved shooting that occurred in Marion County, on December 20, 2022. The interview was digitally recorded and the recording has been uploaded to this case file.

Kern advised that he is a deputy with the Delaware County Sheriff's Office and a member of the DTU, and advised that the DTU was called to assist the Marion County Sheriff's Office with a high-risk search warrant on December 20, 2022. Kern advised that he was assigned to the "MaxPro" (armored tactical vehicle) team with other members of the DTU, providing coverage to the three-side of the target house for the search warrant, ensuring that the outer area of the target area was contained. Kern said that when he arrived at the target location, Marion County's tactical team approached the barn area, and he and his team maintained their position.

Kern said that while they were maintaining their assigned position in the MaxPro, they overheard radio communications that a subject was exiting the barn on the target property, and Kern advised that he was able to see flashlights near the train tracks near the rear of the residence. Kern stated that radio communications advised that the subject was on the train tracks, and Kern advised that he was able to see a flashlight waving around on the tracks. Kern stated that shortly after, he was able to see multiple flashlights moving in the direction of the single flashlight, which he assumed to be the Marion County Tactical Team. Kern said that shortly after that, he overheard on radio communications that shots had been fired and said that he never saw any shots fired. Kern also advised that due to the size of the MaxPro and the engine noise, he did not hear any shots fired. Kern said that the only other radio communications that he heard, advised there was a medical helicopter en route to evacuate the subject that had been shot.

Kern stated that at one point he and his team exited their vehicles and assisted in clearing vehicles that were parked in the target driveway. Kern said that shortly after, he and the team were dismissed from the location.

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Kern advised that he did not have any additional information; and was advised that if he did, to contact SA Emahiser.

**Attachments:**

Attachment # 01: Mark Kern 12.21.2022

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