



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



2023-0557

Officer Involved Critical Incident – 2900 Towne Boulevard,
Middletown, OH 45044 (L)

Investigative Activity: Interview with Officer
Involves: Officer Austin Renner (W)
Date of Activity: 03/01/2023
Activity Location: Middletown Police Department – Business – 1 Donham Plaza,
Middletown, OH 45042
Author: SA Lauren Frazier, #129

Narrative:

On Saturday, February 25, 2023, the Ohio Bureau of Criminal Investigation (BCI) was contacted by the Middletown Police Department in Butler County, Ohio, to assist with an Officer-Involved Critical Incident (OICI) that occurred at the Walmart, located at 2900 Towne Boulevard, Middletown, OH (Warren County) between Victor Lykins and the Middletown Police Department.

On March 1, 2023, BCI Special Agents Lauren Frazier and Kenneth Smith interviewed Officer Austin Renner reference his involvement related to the OICI. The interview took place at the Middletown Police Department and began at approximately 1416 hours. Present for the interview was Attorney Stewart Matthews and Attorney Jennifer Knight. This report only summarizes the pertinent portions of the interview. Please refer to the audio recording for additional information.

Officer Renner stated that he has been a police officer at the Middletown Police Department for approximately two years and has served as a member of the Middletown SWAT team for less than a year. He stated that he previously worked a year and a half as a police officer at German Township Police Department. Officer Renner stated that he works 2nd shift from 1500 to 2300 hours. On the day of the incident, Officer Renner's radio call sign was 2L12, using radio channel law main. He stated that he was wearing a clearly marked Middletown police uniform with an outer vest carrier. Officer Renner was driving a marked police cruiser, which he indicated was a Ford Explorer with cruiser #102. He stated that he carries a Glock 17 duty pistol, loaded to capacity with 17 plus 1 round in the firearm and two additional magazines with 17 rounds.

On February 25, 2023, Officer Renner stated that he heard Officer Hilgendorf make a traffic stop at Walmart and he began that way. Once he arrived on scene, he made contact with Officer Hilgendorf, who was sitting in his cruiser. Officer Renner stated that Officer Hilgendorf

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told him that the driver didn't have a license and that the passenger was nervous and didn't know his social security number. Both occupants were still in the vehicle, when Officer Renner approached on the passenger side.

Officer Renner described the passenger was an older male with facial hair, who had a ball cap and hood on with sunglasses. He stated that he had both of his hands out and kept rubbing up and down on his legs. Officer Renner stated that the passenger's body was stiff but his arms were jittery and he appeared nervous. Officer Renner said that the passenger continued looking straight ahead, and would not make eye contact with him.

Officer Hilgendorf approached the vehicle and asked the driver to get out and placed him in the back of his cruiser. Officer Renner knew that he would attempt to talk with him about the passenger's identity. Officer Renner stated that he kept observing the passenger's behavior and said that he appeared to be breathing abnormally. Shortly after, Officer Hilgendorf announced to him "35," which is their signal code for warrant. Officer Renner said that he looked back and nodded his head, indicating that he understood.

Officer Hilgendorf began approaching the car and Officer Renner unlocked the door through the open window and asked the passenger to get out. The passenger stated, "no, no I'm not gonna do that." Officer Renner said that the passenger rocked his upper body forward and as he came up, he had "a silver revolver in both of his hands." Officer Renner felt that he was too close to try to get his gun out, so he put his hands on top of the gun and shoved the passenger to the center of the car. Officer Renner said that "he was trying to get the gun away from him" and that "he kept trying to rotate towards [him] with the gun."

Officer Renner recalls hearing a loud bang before the gun came loose from the passenger and Officer Renner realized he was holding the gun and dropped it to the ground. He said that there was an abundance of blood coming from the passenger and he appeared to be deceased. Officer Renner checked on himself and checked on Officer Hilgendorf because he did not know who had shot. Officer Renner stated that Officer Hilgendorf got on the radio and let dispatch know that they needed a signal 10 (emergency response), the suspect was down, to start an ambulance, and that officers were not hurt.

Officer Renner stated that they secured the driver, got the subject down on the ground, and Officer Hilgendorf began CPR, which Officer Renner took over shortly after. Officer Renner described the gun as a silver revolver with something around the handle. He said that Officer Hilgendorf secured the firearm, by standing over it, until he was relieved by other officers.

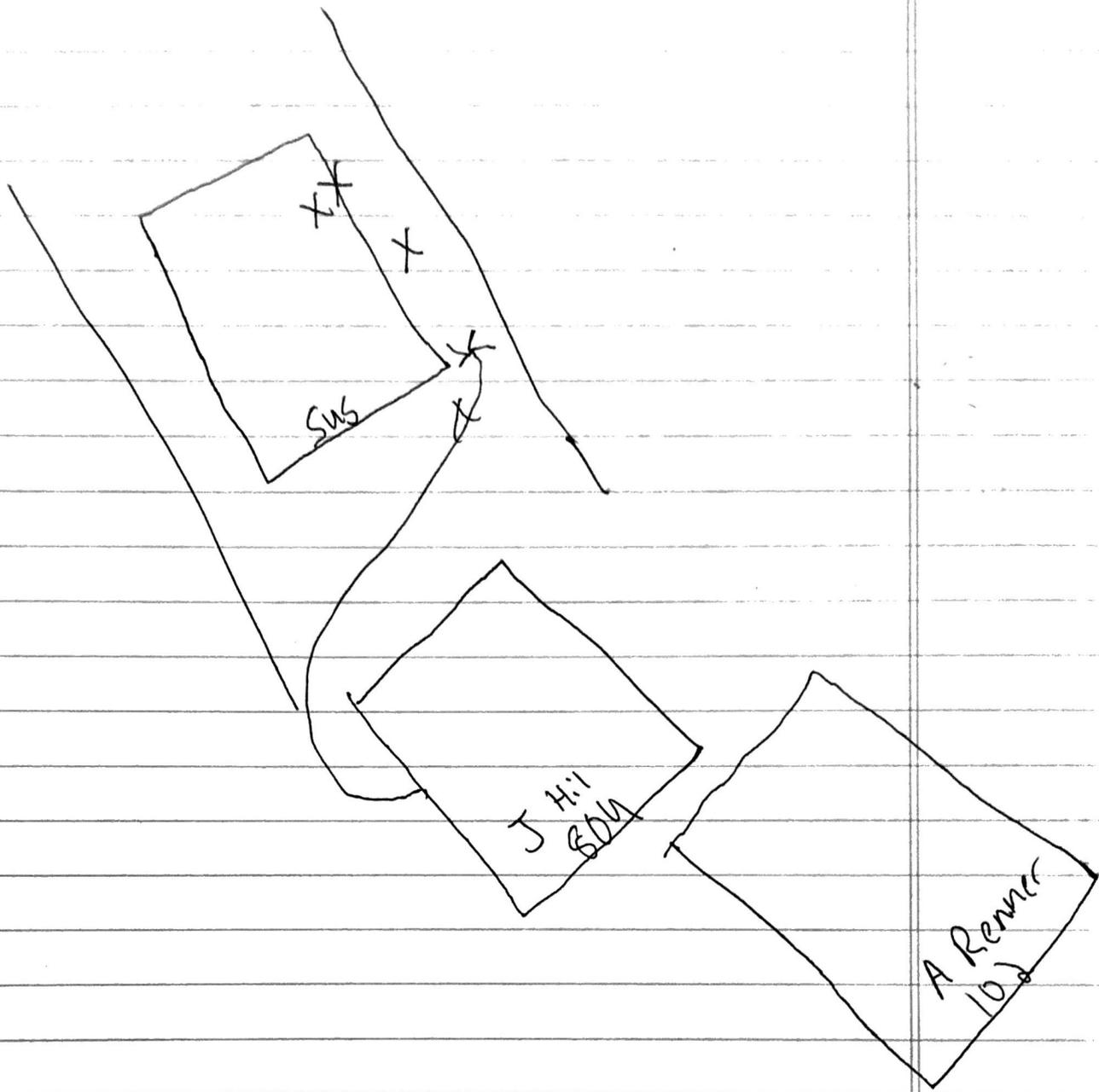
Officer Renner could not recall how many shots were fired and stated that no verbal commands were given due to how quickly the incident happened. Officer Renner drew a rough sketch of the scene (attachment #01). The interview concluded at 1446 hours. A copy of the audio recording is attached (attachment #02).

Attachments:

Attachment # 01: 2023-03-01 Officer Renner Rough Sketch

Attachment # 02: 2023-03-01 Officer Austin Renner Audio Interview

Exhibit 1



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Exhibit 2

Included as a separate file.