



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



2022-2888
Officer Involved Critical Incident – 1010 Wapakoneta Ave., Sidney,
OH 45365 (L)

Investigative Activity: Interview with Officer
Involves: Andrew Shappie (S)
Date of Activity: 01/11/2023
Activity Location: Sidney Police Department – Business – 201 West Poplar Street,
Sidney, OH 45365
Author: SA Lauren Frazier, #129

Narrative:

On December 21, 2022, the Ohio Bureau of Criminal Investigation (BCI) was requested to investigate the facts and circumstances surrounding an Officer-Involved Critical Incident (OICI) that occurred at Sidney Foodtown, located at 1010 Wapakoneta Avenue, Sidney, Ohio (Shelby County). The OICI occurred when Sidney police officers encountered Todd Jordan (Todd), who was armed with a gun inside Sidney Foodtown.

On January 11, 2023, BCI Special Agents Lauren Frazier and Perry Roeser interviewed Officer Andrew Shappie with the Sidney Police Department, regarding his involvement related to this incident. Attorney Joe Hegedus was present for the interview, which was conducted at the Sidney Police Department, located at 234 W Court Street, Sidney, Ohio. Officer Shappie was read the *BCI Criminal Investigation Notification* form, which was signed and is attached to this report (attachment #01). Officer Shappie also provided a typed statement (see attachment #02). The details below summarize the pertinent portions of the recorded interview. Please refer to the audio recording for additional information.

The interview began at approximately 1201 hours. Officer Shappie stated that he has been with the Sidney Police Department for 22 years and is a defensive tactics and range instructor. On the date of the incident, Officer Shappie was working dayshift and was wearing a clearly marked Sidney police uniform with a body worn camera (BWC). He was driving clearly marked police cruiser #3, described as a Ford Explorer SUV with in-car camera.

On the date of the incident, Officer Shappie said he was working on paperwork at the police department. He heard dispatch state that there was an active shooter, specifically a subject inside Sidney Foodtown with a gun, possibly a rifle. He said that he immediately responded and dispatch stated that the subject had fired shots inside the store.

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Officer Shappie was shown an overhead view of Sidney Foodtown and the surrounding area, and he indicated an approximate location of where he parked, when he arrived on scene. Officer Shappie got his AR-15 rifle out of his cruiser and approached the store. He stated that he saw a White male directly outside the store, believed to be the store manager, who said that the subject was inside by the registers.

Officer Shappie said that himself and Sergeant Chris Burmeister approached the entrance together. He observed Officer Jason Viapiano down the front aisle already inside the store. He observed a subject with a hoodie on standing in the first aisle near the front office and first register. Officer Shappie said that the subject had a blank stare on his face and was not listening to commands being given by officers. He stated that the subject was "motioning" with his right hand towards the pocket of his hoodie. Officer Shappie was giving commands saying "don't do it, don't do it" before the subject reached into his pocket and pulled out a handgun with a brown handle.

Officer Shappie stated that he feared for his life, other officers, and potential customers inside the store. He said that he heard shots being fired, but was unsure if it was from the subject or other officers. At this time, Officer Shappie fired 1-2 rounds from his rifle at the subject, which he believes impacted the subject's left side of his chest. Officer Shappie estimated that he was approximately 10 feet away from the subject at this time.

He stated that the subject fell down in the aisle and the gun fell down towards the subject's feet. Officer Aaron Wesbecher was next to him and began searching the subject and assessing his injuries, while Officer Shappie provided cover. Officer Shappie stated that Captain Shoemaker had him wait in his cruiser prior to going back to the Sidney Police Department, where he was ultimately met by BCI. The interview concluded at 1224 hours. A copy of the audio recording is attached (attachment #03).

Attachments:

- Attachment # 01: 2023-01-11 Officer Andrew Shappie Criminal Notification Form
- Attachment # 02: 2023-01-11 Officer Andrew Shappie Typed Statement
- Attachment # 03: 2023-01-11 Officer Andrew Shappie Audio Interview

Exhibit 1



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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).

Andrew D. Shapp -

Printed Name of Interviewee

1-11-23 @ 1205hrs

Date / Time

Andrew D. Shapp -

Signature of Interviewee

Lauren Frazier

BCI Agent (Printed)

Lauren Frazier

BCI Agent (Signature)

Exhibit 2

Sidney Foodtown Active Shooter

On 12-21-22 I was working on paperwork at the PD from the previous day. Over the radio, Sidney PD Dispatch advised there was subject in Sidney Foodtown with gun. I immediately left paperwork and ran to my police cruiser that was parked on the apron of the police department.

Sidney PD Dispatch advised the subject inside the Sidney Foodtown has fired shots inside the store, has a long rifle and people are barricading themselves inside the freezers. I went lights and sirens from the Sidney PD, once on N Main Ave, I started to get my police patrol rifle (AR) out of the holder that is between the driver and passenger seat. Close to Main Ave and Jefferson St, I heard over the radio that Officer Viapiano (188) was already on scene and inside Sidney Foodtown.

I arrived at Sidney Foodtown and parked my cruiser near Officer Viapiano's police cruiser which is near the driveway access to Wapakoneta Ave. I exited my cruiser (unit#3) with my patrol AR, I observed a W/M subject standing near the front entrance of the store. The subject was very calm and kept looking inside the store. I began to approach the store with my AR and observed Sgt Burmeister approaching on my left side in the parking lot, towards the front. Officer Wesbecher was on my right but was getting his AR out of the back of his police cruiser.

When approached the w/m subject that was standing in front of the store, stated he is inside by the front registers and he wants to kill the lady. I motioned from the subject to move away from the front entrance of the store. Sgt Burmeister and I entered the store with Sgt Burmeister leading with me following.

Once we entered the store, I observed Officer Viapiano down the front aisle of the store towards the north, looking down the Dairy Aisle towards the Deli Area (east). There was no customers or workers to be seen and the store was quiet. When we got to the first register next to the front office, Sgt Burmeister who was still in front of me, turned to the right and started to yell let see your hands.

When I got into the store a little further, so I can see past the office wall, I observed a w/m subject with a hoodie on, standing there in the register aisle, motionless, 1000 mile stare and looking ahead towards the front of the store.

As started to point my AR at the w/m subject. I positioned myself close to a 45 Degree angle, while Officers began to give commands to the w/m subject. The w/m subject was not responding to our commands. From my point of view, the w/m subject's right hand kept motioning to the right front pocket of his hoodie. With all the commands we were giving the w/m he did not respond to anything, not saying a word and continued to have the 1000 mile stare.

The w/m subject continued to motion to the right front pocket of hoodie and I believe I said, Do not do this, put your hands up. The w/m subject made a quick movement towards the front pocket of his hoodie which I saw brown handle of a pistol. At this time, I feared for my life and the other officers present that the subject was going for a weapon in the front right pocket of his hoodie. I began to move my trigger finger to the trigger of the AR to fire. Before I could fire my AR, I heard gun shots from another officer or from the subject. I believe I fired one to two rounds from the AR, hitting the w/m subject. The w/m subject was also being hit with other rounds at this time.

The w/m subject fell directly backwards into the register aisle. At this time, I observed a brown handle black revolver lying down by the subject's feet with the barrel pointing in my direction. The subject was still moving but not responding. The subject stopped moving (arms) and appeared to stop breathing.

Officer Wesbecher who was standing next to me on my left, called out on the radio shots fired. I advised Officer Wesbecher that I would cover him while he checked the w/m subject for other weapons. Officer Wesbecher checked the subject and found no other weapons.

At this time, other law enforcement personnel began to arrive as well as the Sidney FD Medics. I was standing over the revolver that was by the subject's feet to preserve it for evidence. Due to limit space in the aisle for the medics to give aid, I moved the revolver to the wall of the office by the lottery tickets with my boot.

Captain Shoemaker (Acting Chief) arrived on scene. He advised all officers that were involved to secure in their police cruisers with their AR.

Officer Shappie #183

[Handwritten Signature] - 1-11-23 @ 1223 hrs.

Exhibit 3

Included as a separate file.