



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



2025-3318

Officer Involved Critical Incident – 681 4th St. SW, Warren, OH
44483, Trumbull County (L)

Investigative Activity: Case Closing

Involves: Brad M Bailey (S), [REDACTED] (S), [REDACTED]
(S), [REDACTED] (S), [REDACTED] (S)

Date of Activity: 07/08/2026

Author: SA Ryan Emahiser, #36

Narrative:

On June 2, 2026, the Trumbull County Prosecutor's Office issued a letter to the Ohio Bureau of Criminal Investigation (BCI) advising that no charges will be pursued against the officers involved in the officer involved critical incident (OICI) that occurred in Warren, Ohio, on October 12, 2025, that resulted in the death of Brad Bailey. In the letter, the prosecutor stated the following:

"Because this office finds that there can be no conclusion other than the fact that the officers' use of force was reasonable there will be no presentment of this matter to a grand jury and this investigation will be closed with no action against any of the officers involved."

As a result of the Trumbull County Prosecutor's Office decision this case can be closed. On June 29, 2026, all evidence was returned to the requesting agency.

References:

No references.

Attachments:

Attachment # 01: Trumbull County Prosecutor's Office Release OIS October 12, 2025

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NEWS RELEASE

JUNE 2, 2026

RE: OFFICER INVOLVED SHOOTING IN WARREN CITY, TRUMBULL COUNTY, OHIO ON OCTOBER 12, 2025

On October 12, 2025, at approximately 6:58 a.m. law enforcement officers from various law enforcement agencies shot and killed Brad Bailey in front of 681 4th Street, SW, Warren, Trumbull County, Ohio.

Background and Incident Synopsis

On Sunday, October 12, 2025, at approximately 12:34 a.m. the Trumbull County Sheriff's Office (TCSO) dispatch received a total of four (4) 911 calls regarding a domestic dispute occurring at 7123 Oakfield North Road NW, Bristol Township, Ohio. One of the calls to 911 was made by the resident, Sarah Bailey (Sarah), and Sarah advised the dispatcher that her husband Brad was acting as if he

was on drugs, had pushed her, earlier that night Brad tried to run Sarah off the road, and Brad had stolen her phone.

Sarah told the dispatcher that she and Brad had been in a physical struggle over Sarah's phone, that Brad had been charged with domestic violence in the past, and that there was something wrong with Brad. Sarah told dispatchers that while Brad was in the residence that he grabbed a razor or a knife, and that Sarah felt that Brad was either on drugs or was suffering from a mental disorder at the time. The dispatcher asked Sarah what kind of drugs Brad used in the past and she advised that Brad had previously been a heroin addict, has done crack, and that he does pills. Sarah advised the dispatcher that she allowed Brad to stay in the residence in another room due to their arguing, but that Brad came into her room trying to touch her inappropriately then accused Sarah of sleeping with someone else.

Sarah also advised the dispatcher that Brad was on parole.

TCSO Deputies arrived at the residence, spoke with Brad and Sarah separately, and Brad agreed to leave the residence and stay in Champion Township at a residence near the McDonald's in Champion where he had been doing remodeling work for his employer. TCSO [REDACTED] dropped Brad off in Champion Township, near the intersection of State Route 305 and State Route 45, due to [REDACTED] needing to respond to another domestic dispute call in Trumbull County.

Champion Township Police Department (CTPD) was aware that Brad had been dropped off in their jurisdiction, and CTPD Officer Rudesill even had an amicable encounter with Brad shortly after being dropped off by [REDACTED] around 1:00 a.m.

Law enforcement did not have any additional contact with Brad after his interaction with Officer Rudesill until two (2) 911 calls were received by dispatchers from Sarah Bailey's cell phone.

The first was at 6:08 a.m. and only recorded an altercation going on between a male and a female, with the male subject asking for keys. The first call was terminated, and a second 911 call from Sarah's daughter Leah Poage (Leah) using Sarah's cell phone was received at 06:10 hours. Leah told dispatchers the following:

"Um, just last night, early this morning, around midnight, one o'clock, my mom and her husband had gotten into a fight. I'm 16. Um, I had woken up and they've been fighting all week. I was dead asleep. I woke up to a bang and I thought originally... that... it was, I'm sorry, I'm really shaky. I thought that it was them bringing the dogs back, including the door, you know, routine. I come out. 'cause the banging had not stopped. They're on the ground fighting, you know, and whatever she called the police, they get here, they take him, and then, you know, we calm down and we went back to sleep. I'm up now. I'm getting up for work. Um, he just stormed into the house, took all of our phones. We managed to wrestle him to get, this is my mother's phone that I'm calling on. He took the house phone, all of our cell phones. Um, he wrestled all of us. He pushed my aunt to the ground, like on top of her pounding on her. My

mom's trying to get him off. I was trying to run back here to get on the phone with Keith..."

Sarah also frantically called 911 at the same time from another cell phone and told dispatchers the following:

"I, I think my daughter got somebody on the other line. I need the cops here now... My husband just came here and choked me, busted the window, just hit my sister in the face, and he took all the phones...Banging on the fucking wall, trying to get in the house. He broke the window and came in the window. He grabbed me by my throat and pulled me all the way across the yard. He's got some kind of weapon to his head saying he's gonna die and we need to go."

Sarah then is heard on the 911 call yelling at Brad ***"Don't Come Near Me!"*** several times, Brad is heard on the background of Sarah's 911 call saying ***"I'm gonna die today...I'm gonna die today...I got my guns, I'm ready..."*** The dispatcher asks Sarah if Brad had a gun in his possession and Sarah told the dispatcher ***"They're fake... Yeah, but I don't know if they're real."*** Sarah then told the dispatcher that Brad left the scene in her white Buick Regal towards State Route 45. Sarah also told dispatchers that there was blood all over the residence that belonged to Brad, due to Brad breaking the window to gain access to the residence.

While dispatchers are still on 911 with Sarah, they continued to relay critical information to the responding TCSO Deputies, including information that Brad was alleged to have two small guns, possibly toy guns and possibly a 9mm. Dispatchers

also relayed to responding units that the possible “toy guns” do not have orange tips and may be BB gun type toys.

When TCSO [REDACTED] and Lewis arrived at the Bailey residence they obtained statements and evidence of Brad’s actions of physical violence and breaking and entering into the residence. Sarah, Leah, and Sarah’s sister, Albri Lafferty (Albri), provided written statements of the events to deputies as well.

Sarah told Deputies that Brad broke into the bedroom window of their house, while she was sleeping, and chased Sarah through the house as she ran for the house phone to call 911.

Sarah further told deputies that she attempted to run outside to her vehicle as Brad continued to chase her while Brad was yelling “*we’re all going to die today*” and “you fucking whore you fuck everyone we’re going to die.” Sarah stated that she tried to get into her white Buick Regal but the vehicle was locked, which was when Brad caught her and grabbed her by the throat lifting her off the ground. Sarah advised the deputies that she attempted to fight back but Brad then slammed her onto the back of the vehicle then slammed her to the ground.

According to the TCSO report, Leah came out of the residence and saw Brad assaulting her mother (Sarah) as Sarah was screaming for help. When Brad saw Leah with a phone, Brad chased Leah into the residence and began physically wrestling with Leah for her cell phone. He then chased Leah into her bedroom where Brad

kicked in her locked door. Brad then lunged for Leah's cell phone and took the cell phone.

Brad then began physically fighting with Sarah in the living room. Albri told deputies that she tried to separate Brad and Sarah. Brad pushed Albri, causing Albri to fall and she struck her head. Albri said that she tried to kick Brad to stop him from assaulting her sister. Brad then punched her in the right eye. Brad then exited the house through the front door but then climbed back into the bedroom through the broken window and ***"swinging a gun around."***

In the report Deputy Lewis stated that he attempted to call Brad's cell phone, with the first attempt Brad hanging up on Deputy Lewis. Lewis called Brad's cell phone a second time and stated the following:

"I then called Brad a second time and advised him to pull the car over and speak with the officers. Brad said 'fuck you' then asked to speak with Sarah. I advised him he was not speaking with Sarah and he needed to pull over. Brad told me he was going to get out with his guns and was going to die. Brad then hung up on me."

In the TCSO report, Deputy Lewis detailed the charges that were going to be pursued from the morning incident at the Bailey residence; three (3) counts of ORC 2919.25 Domestic Violence M-1, and one (1) count of ORC 2903.18 Strangulation F-4.

At 6:44 a.m. and while Trumbull County Sheriff's Deputies were still at the Bailey residence, CTPD Officer Rudesill located Brad driving the white Buick Regal, belonging to Sarah, in Champion Township. Officer Rudesill activated his emergency lights and sirens attempting to perform a traffic stop on the white Buick. Brad immediately fled from Officer Rudesill, and dispatchers advised CTPD units that Brad had intentions to "commit suicide by cop" and that Brad may have a firearm with him.

Officer Rudesill pursued the white Buick into the city of Warren, and dispatchers advised Warren Police Department (WPD) that a vehicle pursuit was entering their jurisdiction and provided additional details of the pursuit. Officer Rudesill was eventually joined in the vehicle pursuit by CTPD [REDACTED], TCSO [REDACTED] and [REDACTED] who took lead on the vehicle pursuit.

According to reviewed records, videos, and statements by the officers involved, Brad drove through several Warren City blocks attempting to evade police. While attempting to evade police, Brad traveled at high rates of speed and swerved the white Buick in the direction of at least one oncoming CTPD cruiser, causing the driver of the cruiser, [REDACTED], to drive off the roadway to avoid being struck by the white Buick.

Pursuing officers requested that WPD deploy vehicle spikes in an attempt to disable the vehicle and end the vehicle pursuit. At 6:57 a.m. WPD Ofc. Justin Fenstermaker deployed his assigned vehicle spikes which successfully disabled the white Buick, causing the vehicle to noticeably slow. Within seconds, the white Buick came to rest in the middle of Fifth Street SW, in front 706 Fifth Street SW, and according to officers, Brad exited the driver's door of the white Buick with a black handgun in his possession. Brad then fled northbound on foot into a wooded area, while being pursued by [REDACTED] and [REDACTED] and [REDACTED] and Officer Rudesill.

Body Cam videos show officers pursuing Brad through a thick wooded area full of debris. Additionally, it is still dark.

As Brad fled from the police through the thick wooded area he was encountered by Officer Fenstermaker and his canine. Officer Fenstermaker yells for Brad to stop and Brad yells at Officer Fenstermaker ***"FUCK YOU, I'LL SHOOT YOU MOTHER FUCKER!"***

As Brad continued to flee from Officer Fenstermaker, and the officers coming through the wooded area, Brad ran eastbound down Fourth Street SW in the direction of a westbound WPD cruiser with emergency lights and sirens activated driven by [REDACTED]

As Officers were pursuing Brad they advised over their radios and yelled that Brad had a gun. Brad then directly into the path of [REDACTED] cruiser. As Brad approached the front of [REDACTED] cruiser he can clearly be seen in the video carrying a black handgun. Below are screenshots from [REDACTED] cruiser camera showing Brad approaching the cruiser.



Brad then ran to the driver's side door of [REDACTED] He then points the black handgun directly at [REDACTED] who is seated in the driver's seat. In all respects the handgun that is in Brad's hand appears to be a real firearm.



As Brad is pointing the firearm at [REDACTED] puts his left hand up in a defensive motion fully expecting to be shot by Brad.

Brad continues to point the handgun at [REDACTED] as pursuing officers on foot are nearing Brad. Brand then begins to strike [REDACTED] driver's door window with the handgun. Brad was striking the window so forcefully with the

handgun that the handgun begins to break apart, leaving Brad with only the lower portion of the handgun in his right hand.

Brad then moves to the rear driver's side door of [REDACTED] cruiser and attempts to enter the vehicle. The door is either locked or he cannot open it.

After Brad cannot get the rear driver's side door open to [REDACTED] cruiser, he turns towards the officers pursuing him on foot with the remaining portion of the separated handgun in his right hand and based on the officers' interviews, Brad then points the handgun toward the pursuing officers.

Based on all of the facts that the officers had at that moment including Brad's statements about shooting officers, fleeing from the officers, having committed offenses of violence and pointing the handgun at officers, the officers feared for their own lives and lives of their fellow officers.

[REDACTED], and [REDACTED] then fired their weapons at Brad. Brad was struck multiple times. Officers then rendered life saving measures to Brad when they deemed safe to do so, however Brad eventually died from the injuries.

Dash cam footage from another WPD cruiser cam shows Brad pointing the firearm at pursuing officers while he is standing right beside the rear driver's side door of [REDACTED] vehicle.



INVESTIGATION

Shortly, after the shooting, Trumbull County Sheriff Michael G. Wilson requested the assistance of the Ohio Bureau of Criminal Investigation (BCI) Force Investigations Unit (FIU) and Crime Scene Unit (CSU) in conducting an independent investigation into the facts and circumstances surrounding an officer-involved critical incident.

The investigation involved the following:

- Recorded interview(s) of the officers who discharged their weapons
- Recorded interviews of officers who were involved in the incident, at the scene, or otherwise deemed to potentially have relevant information

- Neighborhood canvass of the area surrounding the scene including surveillance video obtained

- Attempted interview of Brad Bailey's wife Sarah Bailey

- Review of responding Emergency Medical Services call records

- Special agent attendance at post-mortem examination (autopsy) of the deceased

- Obtained and reviewed post-mortem examination (autopsy) and toxicology reports

- Obtained and reviewed police reports of prior law enforcement contacts with the subject

- Obtained and reviewed open and closed-source biographical information on the involved subjects, to include criminal history reports, OHLEG, driving records, etc.

- Review of all available dash cameras involved in the incident

- Review of all available body cameras involved in the incident

- Processing of the scene for potential evidence (photographing, searching, measuring, documenting, and collecting)

- 3D scans / model of incident area

- Processing of involved vehicle(s) for potential evidence

- Reviewed audio communications on the radio frequencies utilized during the incident

- Review of 911/phone communications related to the incident

- Review of dispatch/CAD records pertaining to the incident

- Review of the department's reports, photographs, and investigative materials pertaining to the incident, excluding any Garrity statements or information derived from any compelled statement

- Obtained search warrants for the subject's phone and performed an analysis of the data present

- Conducted forensic laboratory examinations to include:

1. Firearm identification testing of involved firearms, casings, and bullets

2. Firearm operability testing

- Reviewed data obtained from aforementioned items of electronic evidence

- Collected and reviewed the departmental personnel files of the officers involved in the shooting, to include training, firearm qualifications, and disciplinary records (if any)

- Verified the Ohio Peace Officer Training Commission (OPOTC) certification status of the officer(s) who discharged their weapons

- Obtained the department's policies and procedures regarding use of force for prosecutorial review
- Reviewed tips, social media posts, and pertinent statements made in the media regarding the incident
- Research of the replica handguns possessed and used by Brad Bailey

Decedent

Brad M. Bailey was 41 years of age at the time of the incident. Brad had an extensive criminal history and prior contact with law enforcement.

Brad had convictions for Possession of Drugs, Possession of Drug Abuse Instruments, numerous Driving Under the Influence convictions, Operating a Motor Vehicle Without a Valid License, Willful or Wanton Operation, Domestic Violence convictions and Fictitious Identification charges.

He was sent to prison in Trumbull County Common Pleas Court Case No. 2020-CR-373 for Aggravated Vehicular Assault, a felony of the second degree and was still on post-release control and under the supervision of the Ohio Department of Rehabilitation and Control's Ohio Adult Parole Authority at the time of this incident.

Autopsy

The autopsy of Brad Bailey was conducted by Trumbull County Medical Examiner, Dr. George Sterbenz. The cause of death was determined to be

[REDACTED]

Dr. Sterbenz noted in his autopsy that

[REDACTED]

[REDACTED]

The autopsy further stated that

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Finally, the postmodern drug screen

[REDACTED]

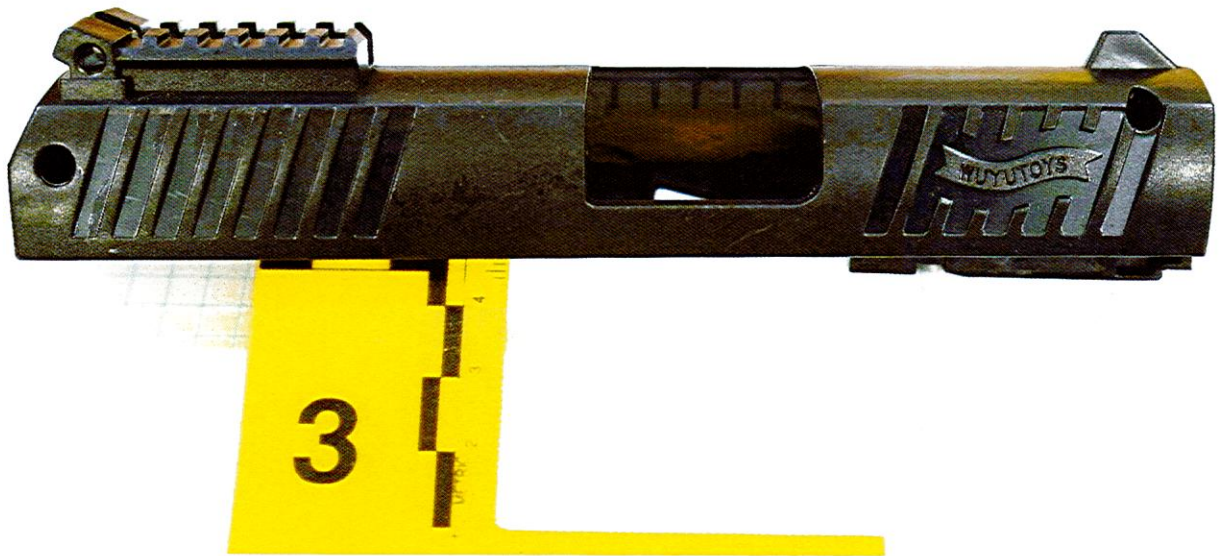
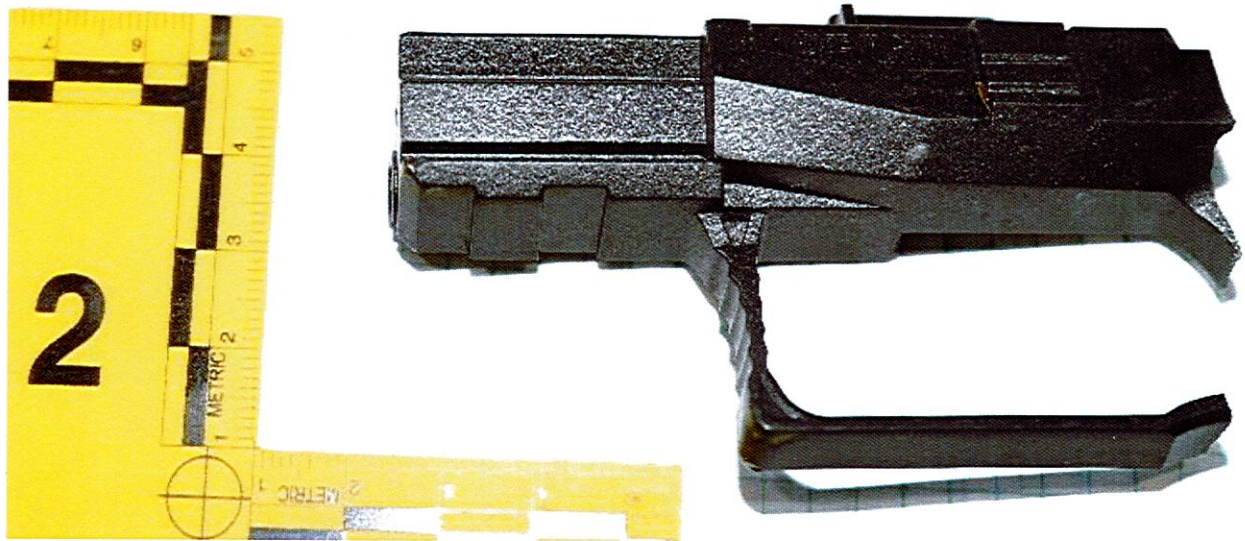
[REDACTED]

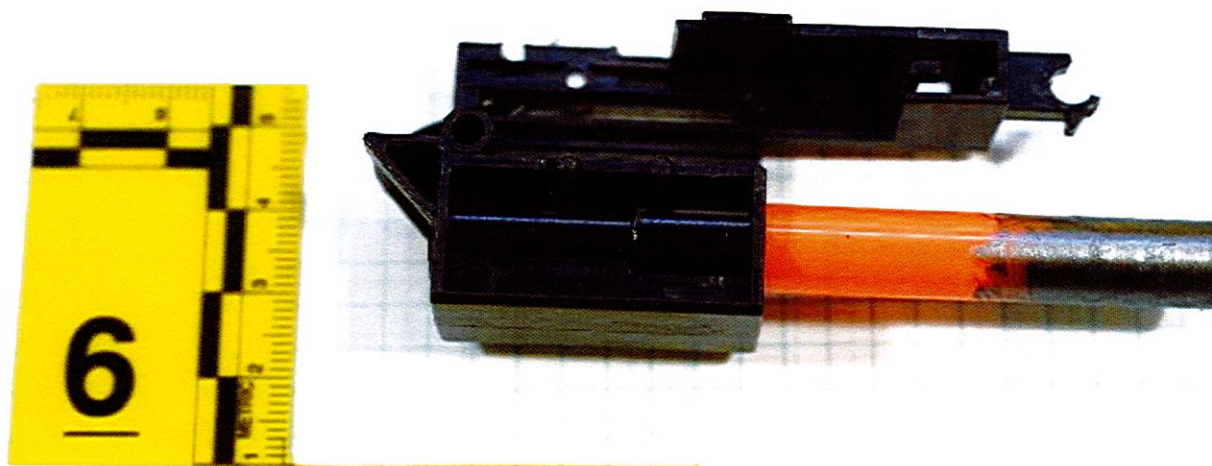
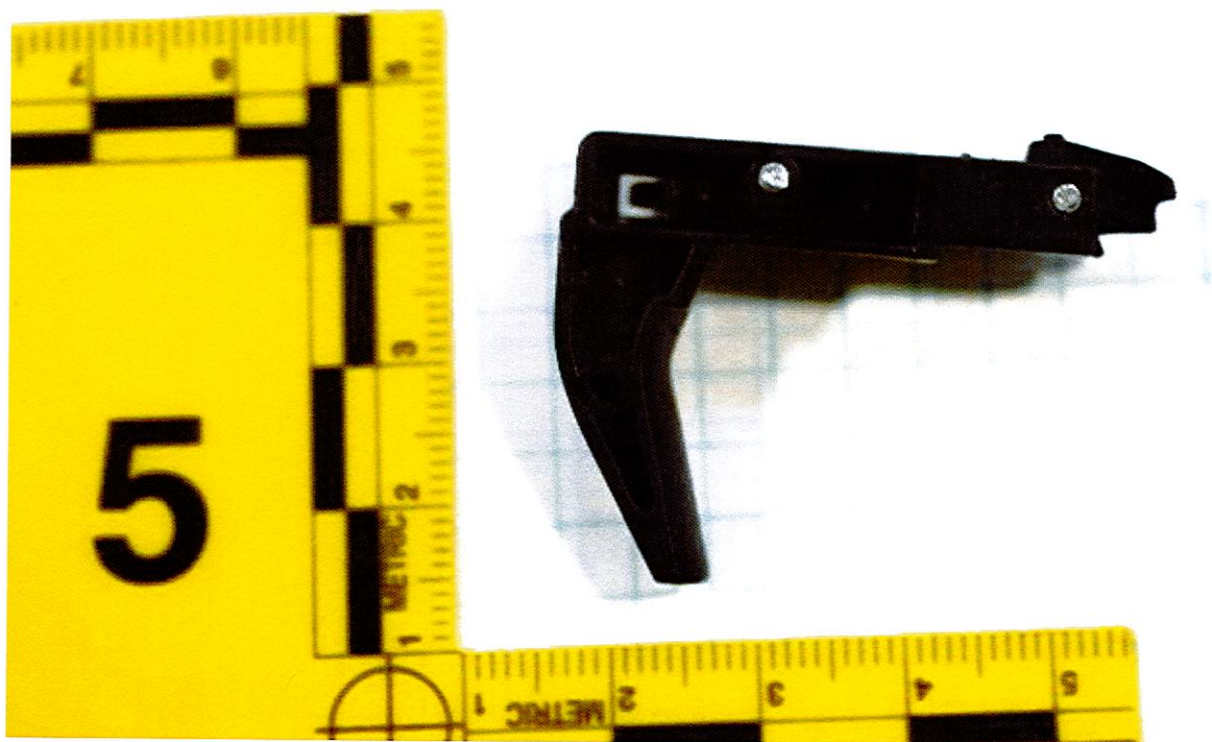
Physical Evidence

As noted above, BCI agents collected, among other items, the weapons that were used by the officers involved, cartridge casings, the replica gun used by the Decedent, the Decedents cell phone, another replica gun recovered from the white Buick.

With respect to the replica gun that Bailey had in his possession, Agents located both the piece he held in his hand and the broken pieces. The following are photographs of the pieces recovered:





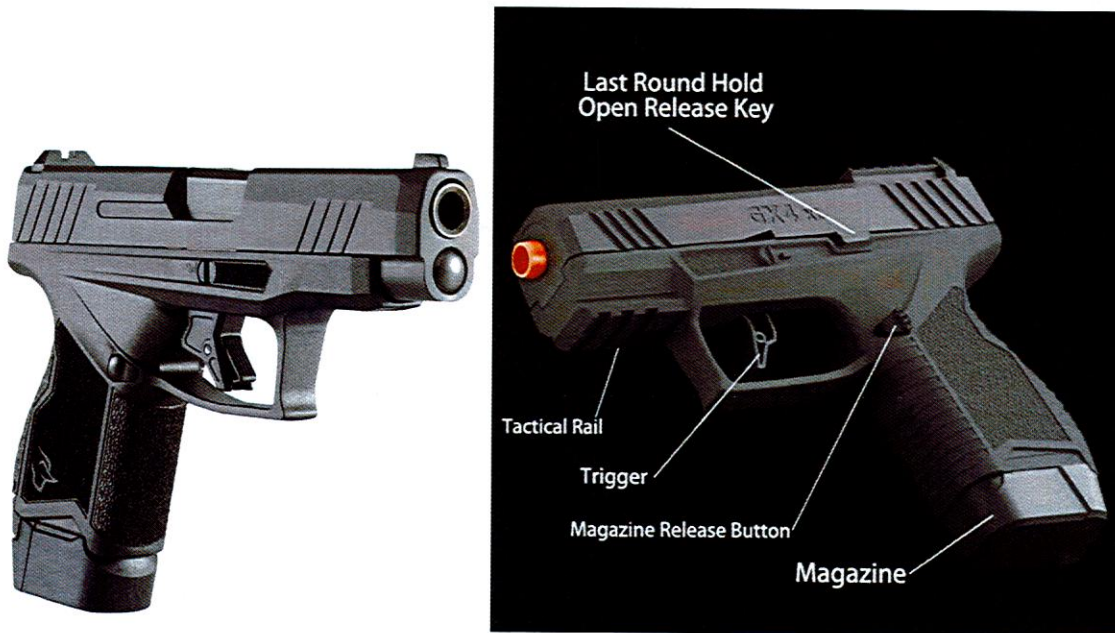


Agents also recovered a second replica handgun from the front passenger floorboard area of the white Buick driven by Brand, shown below:



The replica handguns could not be submitted for laboratory firearms testing as they are not true functioning firearms. Research was conducted by Agents that discovered that these Chinese made plastic replica handguns are modeled after true firearms company manufactured handguns. The researched information also showed that these replica handguns function mechanically as a true firearm but firing foam darts. The barrels of both replica guns appear to have been manipulated and would not have shown the orange paint originally applied to the barrel to indicate the replica gun as a toy. Below are side by side comparison photos of both replica handguns possessed by Brad and the modeled true firearm manufactured handguns they are

modeled after. The photos of the replica handguns and true firearm handguns are sourced from manufacturer websites.



Left Photo – Real Taurus 9mm GX4 XL, Right Photo – Chinese made GX4 XL Shell Ejection direct replica of real-world handgun.



Left Photo – Real Walther 9mm PPQ, Right Photo – Chinese made PPQ Shell Ejection direct replica of real-world handgun

Brad Bailey's Apple iPhone

Agents also located Brad Bailey's Apple iPhone in the front passenger floorboard area of the white Buick driven by Brad. The phone was found next to the second replica handgun that was recovered from the vehicle.

The Apple iPhone was submitted into evidence, and a search warrant was executed on the device for BCI to perform a physical extraction of the data on the iPhone. The BCI Cyber Unit performed the physical extraction and provided the data into a readable format to investigating Agents, and with the help of BCI's Criminal Intelligence Unit the information was reviewed.

In reviewing the information found on Brad's iPhone it was apparent that Brad and Sarah had ongoing domestic disputes via text messages and phone calls, and Brad was continually accusing Sarah of having an affair. Brad's messages to Sarah, and others, appeared to be in desperation of his relationship ending and appeared to be at least abusing pain pills.

On the day prior to the incident, Brad texted Sarah "***I think I'm gonna buy a toy gun paint it black and go run after a cop,***" and "***I'm serious. I think I'm just gonna kill myself.***" Brad also texted that he was not going to return to prison and stated that if Sarah pursued a protection order against him for his actions his life would be over.

Sarah had texted Brad and told him, “*You’re choosing drugs and that’s what ruined your life.*” Several text messages by Brad to others also indicate that he was likely to have been taking pain pills, and possibly other illegally obtained narcotics.

In the days leading up to the shooting and the domestic dispute incident at the Bailey residence, it is apparent that Brad had a belief that Sarah was cheating on Brad. Following the domestic dispute incident involving Trumbull County Sheriff’s Office Deputies, it is also apparent that Brad was in desperation and feared going back to prison if Sarah sought a protection order against Brad.

The information on the iPhone also showed that Brad had made calls and texts from the time that he was dropped off in Champion Township by TCSO Deputies following the earlier domestic dispute call up to and during the initiation of the vehicle pursuit by CTPD Officer Rudesill. Based on the activity on the iPhone it is doubtful that Brad slept at any point following the earlier call after midnight at the Bailey residence.

WITNESSES

Lay Witnesses

On the date of the incident, Agents conducted a neighborhood canvass of residences around the immediate area of the scene, with numerous residents being interviewed. Out of the residents interviewed only two had seen any of the events

leading up to the events. One witness reported that she only saw the vehicles passing her residence and then heard the gunshots. The other witness observed the vehicles passing their residence and stated they also seeing muzzle flashes in the distance. Neither of those two witnesses observed any actions by the involved officers or Brad.

Agents went to the Bailey residence and later made telephone contact with Sarah Bailey and she initially was willing to participate in an interview and a date was set for the interview. Agents had additional contact with Sarah due to her white Buick Regal used by Brad in the incident and then being held for evidence.

Agents coordinated with the prosecutor and WPD to return the white Buick to Sarah as soon as reasonably possible. In conversations with Sarah, she also provided Brad's iPhone passcode to Agents that was successfully used in the physical evidence extraction of the iPhone. Prior to the agreed date for the interview with Sarah, Sarah advised that she had retained Attorney Aaron Meikle. Agents contacted Attorney Meikle and left a voicemail requesting an interview. No response was received from Sarah or Attorney Meikle.

Officers

Champion Township Officer Joshua Rudesill

Agents interviewed Champion Township Police department Police Department (CTPD) Officer Joshua Rudesill. The interview took place at the Trumbull County Sheriff's Office (TCSO). The interview was audio-recorded.

Officer Rudesill did not discharge a firearm during the incident.

At the time of the incident Officer Rudesill had been with CTPD for a total of almost nine years, with the first three years being employed part-time. Rudesill was also employed at Braceville Township Police Department, holding positions as Chief, Detective Sergeant, and Patrol Sergeant. Rudesill was a field training officer and had previously trained CTPD [REDACTED] who was involved in the incident.

Rudesill typically works the [REDACTED]

Officer Rudesill told investigators that on the date of the incident he was working in Champion Township running radar on State Route 45 around midnight and he heard TCSO deputies were dispatched to the Bailey residence in Bristol Township. TCSO deputies later dropped Brad Bailey on the north side of Champion Township and Officer Rudesill advised that he saw TCSO [REDACTED] drop Brad off at the corner of SR 45 and SR 305.

A couple hours after he saw [REDACTED] drop Brad off, Ofc. Rudesill saw Brad walking southbound on SR 45 toward Officer Rudesill's parked CTPD cruiser.

Officer Rudesill told investigators, "I seen him walking up and I rolled down my window and he asked me if I had a lighter. I said no. And uh, he goes, oh. He goes, well if I walk up to that gas station you're not gonna get me for jay walking across the, I'm like, no dude. It is like the, we don't, we don't do that. Just be careful when you're crossing the road. He goes, I had a bad night. I broke up with my wife or found out my wife was cheating or whatever. And I said that sucks. And he goes, yeah, I'm working on some rental property over behind McDonald's. I'm like, okay. I was like, well you take care of yourself and just be careful. And he continued on his way and then he, 15, 20 minutes later he come walking back. He had a big gulp pop and went back the other way towards Folsom behind where I was sitting."

Investigators asked Officer Rudesill if Brad appeared to be under the influence of anything or was intoxicated during that interaction and Officer Rudesill said that Brad did not appear to be under the influence. Rudesill also told investigators that he had no prior interactions with Brad prior to the date of the incident.

Rudesill then told investigators that around 6:14 a.m. TCSO dispatch radioed CTPD requesting that they assist TCSO with a domestic situation at the Bailey residence in Bristol Township. Upon acknowledging the request to assist, Officers Rudesill and [REDACTED] began heading north on SR 45 toward the Bailey residence.

Shortly after, TCSO deputies advised that Brad had left the residence in a white Buick and provided the license plate number of the vehicle. Due to Brad leaving the residence prior to TCSO arriving, CTPD began checking the Champion Township area attempting to locate the vehicle.

The TCSO was able to obtain Brad's cell phone location in the area of Old Colony located within CTPD jurisdiction. Officers Rudesill and [REDACTED] began patrolling the area searching for the white Buick, alleged to being driven by Brad. Rudesill stated that while they were looking for the white Buick, dispatch had advised them that Brad was alleged to have two 9mm handguns in his possession, and Rudesill believed that information came from Brad's wife, Sarah Bailey.

Officer Rudesill said that as he was driving westbound on State Road near Champion Street, he spotted the white Buick matching the description given by TCSO travelling eastbound on State Road. Officer Rudesill turned his patrol cruiser around upon observing the vehicle passing him and noted that by the time he was able to turn around the white Buick was travelling quickly away from Officer Rudesill's location.

Rudesill then observed Brad run a red light at the intersection of State Road and North Levitt and Officer Rudesill activated his emergency lights and siren attempting to traffic stop the white Buick. Officer Rudesill explained that the white

Buick just continued to pick up speed, disregarding Officer Rudesill's emergency lights and siren.

Officer Rudesill advised that while in pursuit of the white Buick, the vehicle traveled into the city of Warren and Officer Rudesill advised dispatch that additional police units were needed to assist with the pursuit. The white Buick turned down several streets, still disregarding the CTPD emergency lights and sirens attempting to stop the vehicle, and in the area of Parkman Road an uninvolved vehicle pulled into Officer Rudesill's path and almost caused a collision with Rudesill's cruiser.

Officer Rudesill tried catching up to the white Buick and saw the vehicle's taillights as it turned onto Bennett Ave, and for a moment Rudesill believed he may have lost the vehicle. Officer Rudesill said that he was driving down Clearwater St. and was able to see the white Buick parked in the middle of Bennett Ave. with its lights turned off, and it was still dark. Officer Rudesill turned down Bennett Ave. towards the white Buick, still with emergency lights and sirens activated, and the white Buick's lights came on and began accelerating towards Officer Rudesill's cruiser.

Officer Rudesill stated that the white Buick then traveled off the roadway, onto the curb, and through some of the residences' yards, Rudesill followed the vehicle through the yards. Rudesill said that he followed the white Buick until it drove back onto Clearwater Street, and the white Buick started driving around

several streets away from the pursuing cruisers. Officer Rudesill said he and other officers asked where Warren Police Department (WPD) units were and requested that WPD units could deploy spike strips to disable the white Buick. As Officer Rudesill and the pursuing CTPD and TCSO units continued to pursue the white Buick around several city blocks, WPD units were seen in the area around Highland Ave. where one of the WPD units deployed their spike strips disabling the white Buick.

Officer Rudesill said that the white Buick turned down Fifth Street and after traveling a “couple hundred yards” the white Buick stopped in the roadway. Officer Rudesill advised that when Brad stopped the white Buick in the middle of the roadway Officer Rudesill was unable to clearly see Brad exit the white Buick because his view was obstructed.

However, Rudesill did see Brad running in front of the white Buick northbound into a wooded area and from Ofc. Rudesill’s position, he was unable to see any firearms possessed by Brad at that time. Ofc. Rudesill only became aware that Brad had a gun because another officer, he believed [REDACTED] advised that Brad had a gun over the radio. According to Rudesill, [REDACTED] and [REDACTED] and [REDACTED] began to pursue Brad on foot. Officer Rudesill was running slightly behind them. Officer Rudesill said that was the last time he saw

Brad prior to shots being fired and seeing Brad lying on the ground following the shots being fired.

Officer Rudesill said that he couldn't keep up with the other officers, and that when he exited the wooded area near Fourth St. he saw two sets of police emergency overhead cruiser lights facing his direction and could not see anyone else because of the brightness of the lights. Rudesill said that it was clear that these lights were police cruiser lights. At that time, Officer Rudesill stated that he had his duty weapon in his hand, and because he did not see anyone, he holstered his weapon. Shortly after that Officer Rudesill heard screaming followed by a "volley of shots" being fired.

Officer Rudesill advised that even when the shots were fired, he was unable to see muzzle flashes, which he attributed to the intensity of the WPD cruisers' emergency lights and headlights facing toward him and the pursuing officers.

Officer Rudesill stated that he asked the officers near him "who shot?" Officer Rudesill said that [REDACTED] and [REDACTED] and [REDACTED] told him that they fired their weapons. Officer Rudesill said that he was initially unaware that WPD [REDACTED] had fired his weapon until [REDACTED] also responded that he had fired his weapon.

At that time Ofc. Rudesill told all the officers, who had advised that they fired their weapons, to separate and not talk to anyone else until their supervisors arrived on scene.

Officer Rudesill stated that after the officer involved shooting incident occurred, and officers began providing lifesaving measures, he rolled Brad over and Brad was wearing the same clothing from earlier in the morning when Officer Rudesill and Brad spoke.

Officer Rudesill was asked if he saw a weapon on or near Brad, "I'm not a hundred percent sure what it was. There was a black, it looked like, and I haven't said anything to anybody about it because this is the first time I was asked. It looked like a toy gun laying there and it was broken. And I told everybody not to touch and leave it alone."

Rudesill further stated, "It looked, if you were to look at it just like at a, at a glance it would, it was a gun. But from it laying there and the way it was laying, it looked like a toy gun to me. But that was after the fact."

Champion Township [REDACTED]

[REDACTED] was interviewed at the Trumbull County Sheriff's Office. The statement was audio recorded. [REDACTED] had been a police officer for [REDACTED] at the time of this event.

[REDACTED] was aware of the domestic dispute incident that occurred involving Brad Bailey earlier in the night [REDACTED] said that he and the other CTPD officer working that night had read the notes from the call and were aware that TCSO had dropped Brad off in Champion.

██████████ stated that, after TCSO dropped Brad off in Champion, he did not have any interactions with Brad but heard TCSO deputies were dispatched in the morning hours back to the Bailey residence for an in-progress domestic violence situation involving Brad.

██████████ explained that TCSO requested CTPD's assistance with the second call, and that he and Officer Rudesill began responding to the Bailey residence with TCSO. ██████████ said that as they were responding that they were advised over the radio *"of him [Brad] strangling the female party [Sarah Bailey], taking phones, all that stuff. Um, and that he had left in a white sedan. So that's when they told us that we can hold off that they had made suicidal comments and that they were gonna ping his phone. Um, when they did ping his phone, it came back to an area in Champion"*

██████████ also added that TCSO advised over the radio that Brad had two firearms when Brad fled the residence in a white sedan. ██████████ stated that a short time after, TCSO advised CTPD that Brad's cell phone had been located in the area of Old Colony near State Street in Champion. ██████████ and Rudesill began checking the general area in Champion separately, attempting to locate Brad. Officer Rudesill then advised that he had located Brad driving the white Buick.

██████████ said Rudesill attempted to make a traffic stop on the vehicle Brad was driving. However, the vehicle fled southbound towards Warren. Rudesill began to

pursue the vehicle. [REDACTED] said that the pursuit of the vehicle continued into the city of Warren, and TCSO units had joined the vehicle pursuit.

[REDACTED] stated that when he arrived in the area of Todd Ave. and Highland Ave., the vehicle and the pursuing officers were headed towards his location. [REDACTED] said that as the vehicle approached his cruiser the vehicle swerved towards his marked cruiser, causing [REDACTED] to drive off the roadway into a yard to avoid being struck “*head-on*” by the vehicle driven by Bailey.

[REDACTED] then joined the vehicle pursuit, traveling along several streets including Todd Ave. and Highland Ave., and at one point [REDACTED] was the first police

Spike strips were deployed that caused the vehicle to slow down. [REDACTED] then saw Brad exit the driver’s door. [REDACTED] said “*when he got out of his car, he came out and brought his gun around like this, showed it to us and was coming around the back of the car. And that's when I drew my gun and started backing up like between my car and the car behind me. And that's when he took off running.*”

[REDACTED] described the handgun as black and described Bailey as pointing the gun at the officers.

[REDACTED] advised that he and other officers in his immediate area called out “gun”

upon observing the handgun in Brad's hand. [REDACTED] stated that Brad fled from officers northbound into a wooded area and onto another street (Fourth Street), and as Brad was running eastbound [REDACTED] could see two other police cruisers approaching Brad. At that time [REDACTED] and other pursuing officers began yelling out that the subject had a gun, and [REDACTED] said that he also radioed this information to the other units.

[REDACTED] described what happened next: *"He [Brad] came up to the Warren City cruiser, and he [Brad] had his gun in his hand and started bashing it on the driver's side window. And then I heard one shot go off, and I started shooting, 'cause I honestly thought at the time I thought he [Brad] shot the officer in the cruiser. I wasn't sure who had entirely shot, but at that point I, I thought he [Brad] had shot and shot the officer in the car."*

[REDACTED] went on to state that he felt Bailey was a threat to him and the other officers based upon Bailey running him off the road and then approaching the Warren cruiser driven by [REDACTED], *"I thought, 'cause like when he came up and was hitting the gun, I thought he was gonna kill that officer."* *"Honestly, there's no telling what he could have done... At that point I was, I was worried for the safety of myself and the officers around me"*

[REDACTED]
[REDACTED] was interviewed in a video recorded statement at the Warren Police Department.

At the time of the incident [REDACTED] had been a Trumbull County Deputy Sheriff for [REDACTED] and an officer for [REDACTED]

[REDACTED] advised that TCSO was dispatched to the Bailey residence sometime after midnight on October 12, 2025, for a domestic situation. [REDACTED] stated that at the time of the first call to the residence, only he and Deputy Lewis were working, and [REDACTED] was the acting supervisor.

Upon arriving at the residence, [REDACTED] encountered Brad Bailey who was sitting in a chair outside the residence near a shed, and Sarah Bailey was sitting on the front steps of the residence.

[REDACTED] stated that he had encountered Brad prior to the incident on October 12, 2025. [REDACTED] advised that he had met Brad several years prior on another domestic dispute or suicidal subject call but recalled that in the prior incident, Brad had fled the residence threatening suicide. [REDACTED] could not remember the outcome of that incident, or if criminal charges were filed against Brad. [REDACTED] stated that in that prior incident there were also multiple agencies involved in the situation.

On the night of the incident [REDACTED] spoke with Brad and Deputy Lewis spoke with Sarah. [REDACTED] said that Brad told him that Sarah had been cheating on him and

that Sarah wouldn't let Brad see her phone. [REDACTED] explained that he was trying to figure out what had occurred between Brad and Sarah. [REDACTED] said Brad told him that he was currently on parole for an accident that he was involved in.

Brad told [REDACTED] that he just wanted to leave the residence and Deputy Lewis had confirmed with Sarah that nothing physical had occurred between them. [REDACTED] said that they decided to take Brad to Champion after Brad volunteered to leave the residence to avoid any further conflict between him and Sarah. Brad requested to be dropped off near McDonald's in Champion, where he had been working on the remodel of a house where he could stay for the rest of the night.

[REDACTED] stated that while he was transporting Brad to Champion, another domestic call was dispatched in the northeast sector of Trumbull County, and [REDACTED] told Brad that he would not be able to transport him all the way into Champion but would drop him off. [REDACTED] dropped Brad off in the area of State Route 305 and State Route 45 at a gas station on the north side of Champion Township. [REDACTED] said that he dropped Brad off, told him good luck, and headed toward the dispatched domestic dispute.

While responding to the domestic dispute call, dispatch advised that the assisting law enforcement agencies that responded to the dispute advised that there was no need for TCSO Deputies to respond. [REDACTED] stated that he then went into

Champion to get fuel and observed Brad walking southbound on S.R. 45 near JD's Post House on the Avenue. [REDACTED] said that was the last time that he observed Brad until the events that unfolded later in the morning and advised that Champion Township Police Department was also aware that Brad had been dropped off following the domestic dispute.

[REDACTED] stated that around 6:00 a.m., dispatch advised that Brad had returned to the residence, had a gun to his head and was threatening suicide. Dispatch advised responding units, [REDACTED] and Lewis, that Brad had taken two guns from the gun safe in the residence, which [REDACTED] believed were to be two 9mm pistols.

[REDACTED] stated that he requested dispatch to contact CTPD to assist with the call. Around the same time, Deputy Lewis advised that he was in the area of Brad's residence. Shortly after, dispatch advised responding units that Brad left the residence in a white Buick.

[REDACTED] stated that he and Lewis arrived at the Bailey residence and spoke with the female residents, including Sarah. [REDACTED] asked CTPD units to check the area of McDonald's in Champion.

[REDACTED] explained that due to Brad's pending domestic violence and strangulation charges and suicidal remarks, *"that he's not going to go alive,"* and remarks of *"suicide by police"* made to the female residents, [REDACTED] asked dispatch to "ping" Brad's phone in an attempt to locate Brad. While dispatch was

working on Brad's location, and CTPD units were looking for Brad, [REDACTED] arrived at the Bailey residence to assist Lewis with getting witness/victim statements.

[REDACTED] said that he then asked the female residents, including Brad's wife Sarah, where they thought Brad could be going. [REDACTED] was told by one of the females that Brad's brother lives in the area of Herner County Line Rd, across from Southington Estates mobile home park near Southington.

With that information, [REDACTED] stated that he left the Bailey residence and headed toward the Southington area where Brad's brother lived. [REDACTED] stated that a short time later, dispatch advised that they obtained the location of Brad's cell phone within 2,700 meters of Old Colony Dr SW and State Road in Champion Township.

[REDACTED] advised that moments later, dispatch advised that CTPD had located the white Buick, and that the white Buick was "*taking off on them.*" At that time, [REDACTED] requested dispatch to patch TCSO's MARCS radio channel in with CTPD in order for them to be able to communicate. [REDACTED] advised that once TCSO was patched into CTPD's radio channel, he advised the CTPD pursuing units that Brad was alleged to be in possession of firearms and had made threats to use the firearms to be sure that the pursuing units were aware of the potential harm.

[REDACTED] said that he proceeded to the area where CTPD units were pursuing the white Buick in the city of Warren, and when he arrived in the area of the Dairy Queen on West Market Street in Warren, [REDACTED] could see pursuing units' emergency

lights headed towards his location. [REDACTED] advised that the white Buick passed him, and he turned his marked patrol cruiser around, emergency lights and siren activated, and began pursuing the white Buick, while advising the other pursuing units that he was taking the lead on the pursuit of the white Buick.

[REDACTED] stated that they pursued the white Buick around several street blocks in the areas of Tod Avenue, Highland Avenue, and South Main SW. [REDACTED] advised that he had dispatch at some point notify Warren Police Department (WPD) and the Ohio State Highway Patrol (OSHP) and requested that vehicle spikes be used to attempt to safely stop the white Buick.

[REDACTED] also noted that due to the early morning time, people were starting to wake up and traffic was starting to increase.

[REDACTED] was asked if, while he was pursuing the white Buick, if he was able to see the driver or observe any actions by the driver and [REDACTED] stated he was not. [REDACTED] advised that at some point one of the CTPD units got in front of [REDACTED] and CTPD [REDACTED] radioed that the white Buick swerved at [REDACTED] cruiser. [REDACTED] explained that when he heard this, his awareness was elevated, and he felt that it was "*getting bad.*"

[REDACTED] said, shortly after, one of the WPD units was able to successfully spike the white Buick's tires in the area of Highland Avenue, advising "*good hit, good hit spikes,*" and the white Buick began slowing down. [REDACTED] said

that the white Buick finally came to a stop in the middle of the street at an angle, and CTPD [REDACTED] in his CTPD cruiser stopped in front of [REDACTED] [REDACTED] said that the driver's door of the white Buick swung open and Brad exited the white Buick with a gun in his hand pointed in the air. [REDACTED] said that Brad immediately began running north from the stopped Buick with the gun in his hand in a running motion, as numerous officers present began yelling **"gun, gun."**

[REDACTED] stated that as Brad ran, he stopped several times and would begin to point the gun in the direction of pursuing officers in what he believed was Brad's attempt to get officers to shoot Brad. [REDACTED] said when he observed Brad starting to point his handgun in the direction of [REDACTED] and other pursuing officers: ***"Yes, he was, he was running as he was running like this, he went, you and I'm like, oh shit this, this guy, you know, this is, this is crazy. This is by far one of the craziest things I've ever been in."*** [REDACTED] said that he clearly identified that Brad had a gun in his right hand and added that one of the pursuing officers had illuminated Brad with a spotlight, causing the light to shine off the black gun.

[REDACTED] stated that as he began to pursue Brad, [REDACTED] pulled his duty weapon from his holster and would only occasionally use his handheld flashlight to illuminate Brad to not give away his position. [REDACTED] said that as he was pursuing Brad, armed with the black handgun, [REDACTED] felt he was overexposing himself and paused for a moment to allow other pursuing officers to catch up with him. [REDACTED]

said that as they continued to pursue Brad, Brad was running east down Fourth Street [REDACTED] explained that as they did this, [REDACTED] could see a marked unit with emergency lights activated approaching Brad from the east.

[REDACTED] said that someone yelled over the radio or vocally ***“hit him with the car!”*** [REDACTED] said that WPD [REDACTED] marked patrol cruiser, with emergency lights activated, was headed westbound on Fourth Street, and the WPD cruiser pulled slightly off the south side of the roadway and made contact with Brad, who was running eastbound. [REDACTED] advised that the contact was not enough to subdue Brad, but Brad fell back then quickly jumped back up to his feet with the handgun in his hand and Brad began striking the WPD cruiser window with the handgun in an attempt to break the cruiser driver’s window.

[REDACTED] could not specifically recall how Brad was holding the handgun as he was striking the driver’s window with the handgun [REDACTED] said that when he saw Brad attempting to break the WPD cruiser driver’s window, ***“You know, I’m like, holy shit, this guy’s trying to, he’s trying to, you know, this, I mean, what person in their right state of mind would ever even think to do something like that?”***

[REDACTED] described Brad’s actions as being constantly in motion and very fluid, and when Brad was striking the WPD cruiser’s driver window it was very loud.

[REDACTED] contemplated firing his weapon at Brad at this moment but given that [REDACTED] was still in the cruiser’s driver’s seat, he did not feel it was safe to

do so. [REDACTED] explained that [REDACTED] exited the vehicle at some point but did not recall when because everything happened so fast.

In the course of this happening, [REDACTED] recalled a WPD canine being deployed, and was worried about being bitten by the canine himself.

[REDACTED] said, ***"I remember he [Brad] turned and had it in his hands and went to raise up, and I discharged my firearm with him. I don't remember how many times I, I discharged once, for sure. I think at least twice, but I'm not, I'm not quite certain. Um, after that, um, I heard other gunfire. I don't, I don't know how many rounds I heard. I, I remember when he fell and hit the ground, he was, he had his hands tucked underneath him. Uh, I remember the dog came over and was biting his ankles. Um, but it was, it was pretty, uh, chaotic. Pretty chaotic."***

[REDACTED] said he saw the handgun in Brad's hand when Brad raised his hands towards the officers. He said that he knew that Brad still had the gun in his hands from pursuing him, and from Brad striking the WPD cruiser's driver window because it was making a metallic "tink" sound when he would strike the window.

[REDACTED] said **"when he [Brad] had it in his hands and he went to brace up, I, uh, I discharged my weapon at him."** [REDACTED] said that after seeing that Brad went to the ground, after being struck, officers began life saving measures. [REDACTED] said that Brad was lying on top of his hands, and even though he did not see the handgun

he did see another officer kick something away from Brad, which [REDACTED] assumed was the handgun possessed by Brad.

[REDACTED] was asked if Brad posed a threat to officers: **"Yes, 100%. He, uh, as somebody that was on parole, um, has been charged with things. He knew that he was gonna have, uh, he was gonna be charged with domestic. We had domestic and strangulation, uh, strangulation's, a felony. Um, and with him being on parole, he knew that his, I, I don't wanna speak on behalf of him, but somebody that is, knows the system. They knew they knew what they did, and they were gonna go back to, uh, prison, you know, and face a lot more serious consequences. But he absolutely posed a, uh, a great risk to everybody that was involved. All of the officers, the public, um, the unknown public, his wife, residents of that household. And we did everything we could to protect, you know, the, uh, priorities of life. Um, unfortunate as it was with the circumstances that transpired."**

When asked if he ever heard any statements made by Brad during the incident [REDACTED] said that he never heard any statements made by Brad and added that the incident area was so loud from sirens and radios that even if Brad had said anything while fleeing, he may not have heard it.

[REDACTED]

At the time of the event [REDACTED] had been employed as a law enforcement officer for [REDACTED] and with the Trumbull County Sheriff's Office for [REDACTED] [REDACTED] provided a video recorded statement to the BCI investigators.

[REDACTED] told investigators that he was getting ready to begin his shift that day and he was monitoring radio traffic prior to beginning his regular shift [REDACTED] said that he heard that TCSO deputies were involved in a vehicle pursuit, so he responded prior to his shift starting and headed to the area of the vehicle pursuit [REDACTED] stated that according to relayed information on the radio he heard that the subject involved in the vehicle pursuit was alleged to have made suicidal statements and alleged to have two firearms in the vehicle.

[REDACTED] said that he lives [REDACTED] and recognized that the vehicle pursuit was in the area of Todd Ave. and Highland Ave., not far from where he resides. [REDACTED] stated that when he arrived in the area of Highland Ave. in his marked TCSO cruiser, he observed numerous police cruisers pursuing a vehicle with emergency lights and sirens activated.

[REDACTED] began to assist in pursuing the vehicle he observed a Warren Police Department (WPD) Officer deploying spike strips in the path of the vehicle being pursued. [REDACTED] stated that there was verbal confirmation he heard over the radio

that the fleeing vehicle was successfully spiked. [REDACTED] advised that after the pursued vehicle's tires were spiked, the vehicle began to slow, turning onto what he believed Fourth or Fifth Street and stopped partially in the oncoming lane of travel. [REDACTED] said that he observed a male, later identified as Brad Bailey, exit the vehicle. [REDACTED] stated Brad was holding something, and after [REDACTED] activated his cruiser spotlight, he identified that the object Brad was holding in his hand appeared to be a "black gun."

[REDACTED] advised that Brad ran around the front of the pursued vehicle and ran toward a wooded area off the south side of the roadway. [REDACTED] said that officers then began to pursue Brad on foot while verbally shouting commands such as **"Stop! Drop the gun!"** [REDACTED] also began pursuing Brad on foot, and Brad ran to Fourth St. still carrying a firearm in his hand. At that time, [REDACTED] said that the WPD canine was also running in that immediate area. [REDACTED] stated that Brad was running eastbound along Fourth St. [REDACTED] saw a WPD cruiser with emergency lights activated approaching Brad from the east. [REDACTED] advised other units over the radio that Brad **"still had the firearm in his hand,"** as [REDACTED] believed that the involved agencies' radio frequencies were patched together, but he later learned that WPD was not patched into TCSO's radio frequency.

[REDACTED] explained that he was advising this over the radio so that the eastbound WPD cruiser headed toward Brad would be aware that Brad still had the

firearm in his hand as Brad ran in the direction of the WPD cruiser. [REDACTED] said that as the WPD cruiser, later determined to be driven by WPD [REDACTED] approached Brad, the cruiser went off the roadway and onto the curb where Brad was struck with the cruiser. [REDACTED] stated that Brad then went around to the driver's window of the WPD cruiser occupied by [REDACTED] and Brad began striking the WPD cruiser driver's window multiple times with the black handgun.

[REDACTED] stated that after Brad stuck the WPD cruiser driver's window multiple times with what [REDACTED] believed was the butt of the black handgun, Brad turned toward [REDACTED] and [REDACTED] and Champion [REDACTED] who had all been pursuing Brad on foot. [REDACTED] explained that as Brad turned toward the three officers Brad **"brandished the firearm, pointed it towards myself, [REDACTED] and whoever else was behind us. Uh, at that time I heard what I believe the shot towards us at that time I returned fire, uh, discharging the, the rounds and then had to stop shooting 'cause [REDACTED] came in front of me at that time".**

[REDACTED] advised agents that he believed he fired two to three rounds from his duty weapon. [REDACTED] said that he then moved up to [REDACTED] with light body contact so that [REDACTED] knew that [REDACTED] was present next to him. [REDACTED] said that officers present then began giving Brad, who was lying face down on the ground with his hands tucked beneath his body, verbal commands to drop the gun.

██████████ stated that, as he and other officers present approached Brad, whose hands were still tucked under his body, ██████████ was able to see the lower part of the black handgun still in Brad's hand. ██████████ advised that as they made physical contact with Brad, ██████████ removed the firearm from Brad's person and tossed the firearm away from Brad's immediate area for safety. ██████████ stated that he and other officers present secured Brad with handcuffs and then began providing life saving measures to Brad. Officers then removed the handcuffs from Brad to facilitate providing more in-depth CPR and other life saving measures to Brad

██████████ told investigators that he had no previous interactions with Brad. ██████████ was asked if he felt that when Brad pointed the black handgun directly towards him and the other officers if there was a threat of serious physical harm to anyone. ██████████ responded that there was a serious threat of serious physical harm to himself and the other officers.

When asked if he felt that his use of force was appropriate ██████████ responded, "yes sir."

Sgt. Thaddeus Stephenson

Sgt. Thaddeus Stephenson at the time of the incident had been a police officer for twenty-two years with the Warren Police Department. He provided a video recorded statement to investigators.

On the date of the incident Sgt. Stephenson was preparing for roll call when they heard about the pursuit entering the City of Warren. Stephenson was aware that the chase had originated in the Champion/Bristol area. He was not sure which agencies were pursuing the vehicle but did know that it was in the area of 4th Street and Highland Ave. in the City of Warren. Stephenson stated that WPD was unable to hear the Trumbull County Sheriff's Department radio traffic.

Sgt. Stephenson went to the area. Upon arriving he saw police emergency lights in the distance and then saw approximately four officers running toward the front of [REDACTED] WPD cruiser. Sgt. Stephenson said at that time it was dark out, but that he was able to recognize that these were police officers running towards the front of [REDACTED] cruiser. He stated that he could not tell from what departments the officers were.

Sgt. Stephenson stated that he then heard shots fired and a fired round struck Sgt. Stephenson's cruiser windshield and Sgt. Stephenson ducked inside his cruiser to avoid being struck. Sgt. Stephenson advised that he heard several other fired rounds strike his cruiser while he was ducking for cover near the steering wheel.

Sgt. Stephenson said he briefly saw the subject, Brad Bailey, near [REDACTED] [REDACTED] cruiser prior to ducking for cover and only recalled that Brad was standing near the cruiser and moving his arms. Sgt. Stephenson stated that he did not recall seeing Brad with a gun prior to ducking for cover, but explained that he was further

away, it was dark, and he had to quickly duck for cover when the fired rounds struck his cruiser.

Sgt. Stephenson stated that after the fired shots ceased, EMS was called to respond, and when he exited his cruiser Brad was lying face down in the roadway with handcuffs on his wrists. Sgt. Stephenson said that all the officers present appeared to be in shock, himself included, and he advised the officers present to start life saving measures.

Officer Justin Fenstermaker

Officer Fenstermaker is a canine handler for Warren Police and has been employed with them for twelve years. He provided a video recorded statement to investigators from BCI.

At the time of the incident Fenstermaker advised that he was printing off reports for court and just finishing his shift when he heard dispatch advise that there was a vehicle pursuit entering Warren.

After conferring with his Lieutenant, Fenstermaker headed to the area of the pursuit with his canine.

Fenstermaker stated that he understood that the chase was the result of a domestic violence situation had occurred and the subject fleeing police “*wants suicide by cop.*” Officer Fenstermaker stated that he arrived in the area of the vehicle pursuit as WPD dispatch was relaying information from the Trumbull County

Sheriff's Office, and WPD dispatch advised WPD units that TCSO was requesting that WPD use vehicle stop sticks.

Fenstermaker advised that he parked his vehicle in the area of Highland Ave. and 4th Street, and deployed his stop sticks as the vehicle pursuit passed his location. Ofc. Fenstermaker stated that the vehicle being pursued hit the stop sticks and he recalled someone over the radio advising "*good stick, good stick.*" Officer Fenstermaker said that up to that point he did not recall any mention of weapons being involved or being possessed by the pursued subject, and only recalled that the pursued subject wanted "*suicide by cop.*"

Fenstermaker said that he did not see the driver of the pursued vehicle as it drove over the stop sticks because he took cover behind his cruiser. Prior to taking cover, the pursued vehicle appeared to be traveling in the path of his cruiser, so Officer Fenstermaker gave himself some additional space in case the pursued vehicle collided with his cruiser.

Fenstermaker stated that the vehicle turned right on 5th Street after being disabled by the stop sticks, and Officer Fenstermaker decided to parallel the vehicle pursuit down 4th Street. Fenstermaker noticed the emergency lights on the pursuing cruisers stop on 5th Street so he assumed that the subject, later identified as Brad Bailey, must have fled from the vehicle. At that time, Officer Fenstermaker said that

he did not believe that WPD was patched in with TCSO because he was not hearing any of the pursuing officers' radio traffic.

As Fenstermaker was driving down 4th Street he saw shadows running through a wooded area as he drove past the wooded area located on the south side of 4th Street. At that time, Ofc. Fenstermaker stopped his cruiser, exited the cruiser and saw Brad running through the wooded area, and deployed his canine Heros, who immediately began running toward Brad, as he was being pursued by other officers.

Officer Fenstermaker stated that Brad stopped in the middle of an empty lot, turned towards Officer Fenstermaker and said "*I have a gun. I'm going to fucking kill you!*"

Fenstermaker said that at that moment he couldn't see a gun in Brad's hands and questioned whether Brad actually had a gun even though Brad had just threatened to kill Officer Fenstermaker. Fenstermaker saw Brad bending over, and as he was unsure whether Brad had a gun or did not. Fenstermaker decided to take cover and concealment behind a nearby telephone pole, called his canine Heros off from pursuing Brad, and pulled his duty weapon out.

Officer Fenstermaker stated that at that time the other pursuing officers were now exiting the wooded area towards Brad's location, and canine Heros noticed the other officers running towards Brad's location, so Offocer Fenstermaker continued

recalling canine Heros. Officer Fenstermaker advised that Brad then started to run again and Officer Fenstermaker did observe a gun in Brad's hand.

Officer Fenstermaker said that Brad ran down the sidewalk area of 4th Street eastbound toward an approaching cruiser, and at the time Fenstermaker was unsure what department cruiser was approaching Brad. At that same time, officers, pursuing Brad on foot, were closing in on Brad, and Officer Fenstermaker started yelling ***“gun, gun, he does have a gun!”*** while keeping canine Heros near him.

Officer Fenstermaker said that the approaching cruiser veered off the roadway into a small ditch and made physical contact with Brad. Fenstermaker said that it wasn't enough contact to cause Brad to lose his balance because Brad was at the front of the cruiser and brought the gun up toward the cruiser.

Fenstermaker said ***“then I saw him [Brad] bring the gun up. He [Brad] went around the driver's window and he started like punching the window with, with the gun hand. Um, I was on the op.. passenger side of the car, still running that way. Um, there really wasn't anything at that point I could do.”***

Officer Fenstermaker said that at the same time he was trying to be aware of where canine Heros was and then he started to hear gunfire. By that time, canine Heros had continued towards Brad, and when Fenstermaker rounded the rear of the WPD cruiser canine Heros was biting Brad's right thigh/buttocks area. Ofc.

Fenstermaker described Brad in that moment as lying on his stomach with his hands under his body.

With everything going on and shots being fired, he took cover and was focused on his canine Heros. Fenstermaker did not see who was shooting and was not even sure of the names of the officers involved but knew that they were from TCSO and Champion Township Police Department. The only officer that he was aware of firing their weapon was WPD [REDACTED] who had been seated in the cruiser being struck with the gun by Brad.

[REDACTED]
[REDACTED] at the time of the incident had been a police officer for [REDACTED] as a Warren Police Officer. [REDACTED]
[REDACTED] was interviewed at the Warren Police Department, and the interview was video recorded.

[REDACTED] worked the [REDACTED] and explained that he arrived approximately 25 minutes early for his shift on the day in question, as he always does. He used the extra time to examine his patrol vehicle and prepare for the shift. When he was in rollcall, he was alerted by Sergeant Thaddeus Stephenson that the Trumbull County Sheriff's Office and Champion Police Department were involved in a pursuit that started in Bristol.

The pursuit was reported to be on a route that would take it into the city of Warren, and the driver was said to be in possession of two pistols. [REDACTED]

[REDACTED] recalled that the pistols were referred to specifically as pistols and not handguns.

[REDACTED] stated that the entire shift got ready and went to their vehicles. He stated that there was no further information provided by the dispatch center.

[REDACTED] recalled hearing what he described as screaming on the radio. He thought that it was from a member of the WPD but could not be certain as he was not able to make out what the transmission was. [REDACTED] was aware that the pursuit was on the Southwest side of the city, so he went to the area of Highland Avenue to assist.

While on Highland Avenue he observed another WPD cruiser turn onto a side street, but due to the low light conditions he was not able to determine what street the officer turned down. [REDACTED] decided to turn down another street that did not already have an officer on it.

When [REDACTED] turned from Highland Avenue and onto Fourth Street, he stated that he was searching the area until further directives were put out on the radio. He observed an individual running towards him from a few hundred meters away. [REDACTED] initially thought that the individual was Officer Justin Fenstermaker as he typically wears a green tactical uniform since he is a canine handler. [REDACTED] stated the following about the individual on Fourth Street:

“Um, so the subject running at me, I realized it was not Fenstermaker. So we have a problem, uh, subject I believe it was partially in the roadway or grassy area. I can't remember. But when he started running eastbound, the only thing I was able to do, try to cut him off with my cruiser. And I believe at some point I might have bumped him with uh, front push bar, uh, just to stop him so I could create some distance and take cover.”

██████████ continued to recall his vehicle becoming stuck, and that his location was contradictory to all of his police training:

“Well, not sure if there was a ditch I was in, but it was definitely something uh, at that point it was too late. Uh, everything that I've trained for ██████████ not to do, excuse my language, I'll speak freely. It was a holy shit, a shit sandwich. Um, at that point the subject displayed a firearm or a handgun. Don't ask me the color, don't ask me the brand, I don't know, came up to my window. Excuse me, this part is something I didn't want to talk about. In training, not being in the position. Um, came up to my window, pointed a weapon, uh, to the left side of my head. Um, my training throughout the whole career in special SWAT schools and any other situations was distance cover, return, fire.”

██████████ explained that though he was in what he described as a tactically disadvantageous position, he could not exit his vehicle or get it to reverse out of its location. He explained his next actions as follows:

“But I tried to get away. Car wasn't moving. So do you want to draw your weapon right away? And a subject or suspect entered the selfpreservation. So I did what I was trained. Uh, I believe it was my left hand I put up and was kind of trying to figure out how I'm gonna draw.

Um, for some reason the suspect, and I'm gonna refer to him as a suspect 'cause I forgot his name and I don't know his name. I had my hand like this. He started attempting to smash my window."

██████████ recalled what he was thinking when he had the firearm pointed at his head:

"If I told you I wasn't scared and I didn't believe that my life is over, I'd be talking a lot of crap and lying to you. Uh, my daughter went through my head. My, my other daughter, my wife. To me, I was done. That was it. You know, you spent ██████████ not to be in this. And I'm sorry, I'm, I'm getting pissed. Um, because this is the first time I actually talked about this situation. Didn't even tell my wife a hundred percent. Um, that gun to my head was, I don't wanna cuss but it was fucked up."

██████████ stated that when he put his left hand up, the subject started to strike his driver's side window with the firearm. He was not sure how the subject was holding the gun, but he was sure he was using it as a striking implement.

██████████ went on to explain that he attempted to get away from the subject again, but couldn't:

"Um, at that point, which I tried to get away, create distance that didn't work. Whether it was a ditch, whether I wasn't in gear, reverse, I don't know. He disappeared to my left. At which point was I exited, uh, the vehicle, I believe I already had my weapon drawn and uh, I had to eliminate the threat. Uh, if you asked me how many times I fired, I don't know. Um, and also the messed up part was once I opened the door there was firefight."

[REDACTED] stated that he did not see any officers because once he opened his driver's door he was solely focused on the subject. He recalled what he was thinking as he exited his vehicle:

"So when I exited the car I thought, holy shit, I'm getting shot at 50 times, I'm not getting hit. This is big guy above. Um, and I couldn't tell you was he shooting first? Were the officers shooting? This is after the fact of man where all these round come from."

[REDACTED] stated that he was not sure where the shots came from. He explained further as follows:

"In my mind it was him and I. And mind you, with no radio traffic, I believe it was just me. And that's what I told you when I heard all those gunshots. And I don't know how many, but it was quite a few. Uh, was I scared? Like hell I was scared 30 seconds prior. Um, didn't see any officers to my right. I heard multiple shots and obviously instant reaction of survival is to distance, cover, return fire, try to eliminate a threat until it's safe."

[REDACTED] went on to discuss his thoughts on the incident:

"... learning later on where I was and who was to my right, it's a miracle that I'm here. But can I say shit sandwich? I said shit sandwich. Um, is it hard to deal with? Yeah, I'm a human being, no cop wants to do this shit. Am I shook up now? A hundred percent because of course discharging firearm at a human being, nobody wants to fucking do that. But having the gun in your head, that's gonna fuck me up for a long time. So that's the truth."

[REDACTED] was asked if he felt that there was any other option than the use of deadly force at the time of the incident. He stated:

“It was one option, give up and die. I refuse. There was no other option. There was nothing. And I thought about it. Uh, all of us cops, we have that alpha male, we can do this and that and uh, you know, quarterbacking a couple days later. No, every scenario I ran was, the outcome was the same. There was no option, no ideas, no negotiating, nothing. And I'm speaking because throughout the trainings I was put in, they teach you to get out of this shit sandwich, get out of the X. Well, no it was impossible and it sucks.”

[REDACTED] stated that he heard no radio traffic about the individual having a firearm.

[REDACTED] further explained the situation and the training he has had:

“It's, I wish there was a, well if you did this and that because it would be easier, I'd rather blame myself than somebody else because I can face myself say, hey dumbass, you screwed up 'cause you didn't do what you were trained to do. That wasn't the case. Hell, I wasn't trained to... you're on the X and you can't get out. That was one scenario that we never had training on because it's pretty much telling you, hey, if you get to this point, chances are you're not gonna make it. So that's what, that was my belief. I, I wasn't coming home.”

LAW

The Supreme Court has instructed courts to use the following factors to determine whether an officer used unreasonably excessive force: (1) “the severity of the crime at issue[;]” (2) “whether the suspect poses an immediate threat to the safety

of the officers or others[;]” and (3) whether the suspect was “actively resisting arrest or attempting to evade arrest by flight.” *Graham v. Connor*, 490 U.S. 386, 396, 109 S.Ct. 1865, 104 L.Ed.2d 443 (1989) (citing *Tennessee v. Garner*, 471 U.S. 1, 8–9, 105 S.Ct. 1694, 85 L.Ed.2d 1 (1985)).

The reasonableness of the officers’ use of force is assessed under the “totality of the circumstances.” *Tennessee v. Garner*, 471 U.S. 1, 8-9 (1985).

The evaluation of excessive force claims is done under an “objective reasonableness” standard, judged from the perspective of a reasonable officer on the scene. *Graham v. Connor*, 490 U.S. 386, 396-97, 109 S.Ct. 1865, 104 L.Ed.2d 443 (1989); see also *Pauly v. White*, 874 F.3d 1197 (10th Cir. 2017).

In conducting that analysis, the Court “focuses not on the officers’ particular motivations, nor on the arrestee’s perception of the intrusion, but on whether the officers’ actions were ‘objectively reasonable’ in light of the facts and circumstances confronting them.” *Fisher v. City of Las Cruces*, 584 F.3d 888, 894 (10th Cir. 2009) (internal citation omitted).

In this case all three Graham factors are overwhelmingly present.

First Graham factor

With respect to the first Graham factor Bailey had broken into his wife’s home after being escorted out approximately six hours earlier. He had physically assaulted and threatened his wife and others, took their cell phones and fled the scene.

He refused to stop after receiving visible and audible signals to stop from law enforcement officers. He ran one police vehicle off the roadway and after having his vehicle immobilized by stop sticks he exited the vehicle and fled from officers threatening to kill them.

He made statements prior to the pursuit that he wanted to die and a cop would have to kill him. He was carrying two very realistic looking toy firearms, both of which had been altered and in fact painted to remove the orange tips indicating that they were toy guns.

There was some confusion relayed to officers as to whether he had any real firearms or not.

He was on parole for Aggravated Vehicular Assault, a prior violent felony and had previously been convicted of operating a vehicle while under the influence of drugs or alcohol.

The first Graham factor is clearly satisfied by Bailey's actions and violent actions leading up to the shooting.

Second Graham factor

The second Graham factor is, "whether the suspect posed an immediate threat to the safety of officers or others[,] is the most important factor in determining the objective reasonableness of an officer's use of force." *Pauly*, 874 F.3d at 1215-16

“Deadly force is justified under the Fourth Amendment if a reasonable officer in Defendants’ position would have had probable cause to believe that there was a threat of serious physical harm to themselves or to others.” *Sevier v. City of Lawrence*, 60 F.3d 695, 699 (10th Cir. 1995).

The Ohio Supreme Court has reiterated the common law privilege to use force in the discharge of a police officer’s official duties. In *State v. White*, (2015), 142 Ohio St. 3d 277, 29 N.E.2d 939, the Court quoted the Supreme Court of Iowa in *State v. Smith*, (1905), 127 Iowa 534, 103 N.W. 944: “An officer, in the performance of his duty as such, stands on an entirely different footing from an individual. He is a minister of justice and entitled to the peculiar protection of the law. Without submission to his authority there is no security, and anarchy reigns supreme. He must of necessity, be the aggressor, and the law affords him special protection.”

The United States Supreme Court has stated, “[w]here the officer has probable cause to believe that the suspect poses a threat of serious physical harm to the officer or others, it is not constitutionally unreasonable to prevent escape by using deadly force.” *Tennessee v. Garner* 471 U.S. 1 at 11, 105 S.Ct. 1694, 85 L.ed.2d 1 (1985).

Further, the United States Court has stated, “the ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight...The calculus of reasonableness must embody allowance for the fact that police officers are often

forced to make split-second judgements-in circumstances that are tense, uncertain, and rapidly evolving-about the amount of force that is necessary in a particular situation.” *Graham v. Connor*, (1989), 490 U.S. 386 at 396-397, 109 S.Ct. 1865, 104 L.Ed.2d 443.

In this case Bailey was clearly and unequivocally an immediate threat to the safety of everyone he encountered on Sunday, October 12, 2025.

The first 911 call that was made at 12:34 a.m. from Sarah Bailey and she told dispatchers that she was involved in a domestic with Brad and he was acting as if he was on drugs and that he pushed her. She further stated that he had tried to run her off the road, had stolen her phone and that she had gone to the Trumbull County Sheriff’s Department to report the incident.

Sarah told the dispatcher that Brad had entered the house and took either a knife or razor and had left again. Sarah told the 911 operator and can be heard yelling at Brad that she is done with the relationship.

The 911 calls made at 6:00 a.m. and after Brad had been removed from the home earlier that night depict Brad being physical with Sarah. The first call at approximately 6:08 a.m. was presumably made by Sarah since the voices are heard in a verbal altercation about whether the female is cheating on the male. The male voice is heard yelling, ***“tell me you cheated you fucking whore.”***

Two minutes later, Sarah’s daughter Leah Poage called 911 and stated:

“Um, just last night, early this morning, around midnight, one o'clock, my mom and her husband had gotten into a fight. I'm 16. Um, I had woken up and they've been fighting all week. I was dead asleep. I woke up to a bang and I thought originally... that... it was, I'm sorry, I'm really shaky. I thought that it was them bringing the dogs back, including the door, you know, routine. I come out. 'cause the banging had not stopped. They're on the ground fighting, you know, and whatever she called the police, they get here, they take him, and then, you know, we calm down and we went back to sleep. I'm up now. I'm getting up for work. Um, he just stormed into the house, took all of our phones. We managed to wrestle him to get, this is my mother's phone that I'm calling on. He took the house phone, all of our cell phones. Um, he wrestled all of us. He pushed my aunt to the ground, like on top of her pounding on her. My mom's trying to get him off. I was trying to run back here to get on the phone with Keith.”

Finally, the last 911 call was made by Sarah at approximately 6:10 a.m. Sarah states to the operator:

“I, I think my daughter got somebody on the other line. I need the cops here now... My husband just came here and choked me, busted the window, just hit my sister in the face, and he took all the phones.”

The dispatcher attempted to obtain basic information from Sarah, and while she was responding a loud banging noise could be heard. The dispatcher asked Sarah what Brad was doing and she stated:

“Banging on the fucking wall, trying to get in the house. He broke the window and came in the window.”

The dispatcher then asked if anyone needed medical attention and Sarah said:

“I mean we’re okay but he fucking... do I have marks on me? He grabbed me by my throat and pulled me all the way across the yard.”

Sarah went on to explain that Bard had also assaulted her sister. When asked if Brad had weapons on him, Sarah said that she did not think that he had any. Sarah also was not sure if Brad had been drinking. She said that she could not smell anything on him, but that there was something wrong with him.

The dispatcher asked where Brad was and Sarah said:

“I don’t know sir... Right behind me... He’s got some kind of weapon to his head saying he’s gonna die and we need to go.”

The dispatcher continued talking to Sarah and on the call Sarah and a male voice presumably Brad’s can be heard in the following exchange:

Sarah: *DON’T COME NEAR ME!*

Male voice: *I’m gonna die today...*

Sarah: *DON’T COME NEAR ME!*

Male voice: *I’m gonna die today...*

Sarah: *DON’T COME NEAR ME! He’s taking my car.*

Male voice: *I got my guns, I’m ready...*

The dispatcher then asked Sarah if Brad had a gun on him. Sarah responded in a rushed whisper, ***“they’re fake”***. The dispatcher said, ***“Huh, what?”*** and Sarah said, ***“Yeah, but I don’t know if they’re real.”***

Bailey told individuals at his home that he wanted to die and wanted police to shoot him. This information was known to some if not all of the pursuing officers.

Bailey continued his threats to individuals when he nearly struck Champion

head-on and forcing vehicle off of the road.

After his vehicle was disabled Bailey fled and threatened officers not only with the gun he had but by yelling at Officer Fenstermaker that he had a gun and wanted to kill him.

He repeatedly ignored demands to stop and drop the gun.

Finally, his actions in approaching and striking cruiser clearly showed that he was an immediate threat to officers and others.

When someone points a gun at a law enforcement officer, the Constitution “undoubtedly entitles the officer to respond with deadly force.” *George v. Morris*, 736 F.3d 829, 838 (9th Cir. 2013).

Officers are also not required to delay their fire until a suspect turns his weapon on them.” *George*, 736 F.3d at 838. Officers shouldn't have to “wait until a gun is pointed at [them] before [they are] entitled to take action.” *Anderson v. Russell*, 247 F.3d 125, 131 (4th Cir. 2001). “If the person is armed—or reasonably suspected of being armed—a furtive movement, harrowing gesture, or serious verbal threat might create an immediate threat.” *George*, 736 F.3d at 838.

This analysis doesn't change because the weapon turned out to be a fake or replica gun provided the officer's had a reasonable belief that suspect possessed a real firearm. Officers were aware that Bailey had been involved in a violent incident at his home with his wife and others. They were made aware that he had firearms that may or may not have been real.

When confronted by law enforcement officers Bailey fled and nearly struck an oncoming police cruiser. Upon exiting the vehicle, Bailey was armed with a black replica gun—as with all replicas, it was presumably intended to look like a real firearm. In fact it looked exactly like a real gun because Bailey or someone else had painted the orange tip black.

Bailey made direct threats to the officers with his words that he would kill them and his actions in pointing the gun at them and using it to strike [REDACTED] [REDACTED] window.

The officers were reasonably justified in taking Bailey's threats at face value. *Cf. Blanford v. Sacramento County*, 406 F.3d 1110, 1116 (9th Cir. 2005) (finding it objectively reasonable for **officers** to attempt to “secure the weapon first” when confronting a suspect who might be “mentally disturbed or under the influence of a controlled substance”). After all, misplaced trust in this circumstance could be fatal for the officers or others.

The second factor under *Graham* is completely satisfied by Bailey's actions in becoming an immediate threat to the safety of the officers.

Third Graham factor

Finally, under the *Graham* analysis, the Court considers whether there is any indication that the suspect was actively resisting arrest or attempting to evade arrest at the time the officers decided to use deadly force. *Graham*, 490 U.S. at 396, 109 S.Ct. 1865.

Without doubt the Defendant was actively resisting and attempting to evade arrest at the time the officers used deadly force.

Bailey had led three different law enforcement agencies on a high-speed chase through multiple jurisdictions in Trumbull County.

Bailey went off the road and through yards to avoid officers, nearly struck a cruiser head on and only stopped after police put spike strips on the road and were successful in disabling his vehicle.

Bailey had no intent to stop his flight and even yelled at officers that he had a gun and would kill them.

Without any doubt, Bailey was attempting to elude officers, first in a motor vehicle and then on foot with what he clearly represented to them was a firearm. His uninterrupted and continued flight from officers, first by vehicle and then by foot,

and armed with what he represented to them as a real firearm clearly and completely fills the third and final Graham factor.

CONCLUSION

The particular facts in this case by Bailey make the decision as to whether any officer should be charged in this incident an easy one.

As [REDACTED] reflected, “it was one option, give up and die. I refuse. There was no other option. There was noting....”

Because this office finds that there can be no conclusion other than the fact that the officers’ use of force was reasonable there will be no presentment of this matter to a grand jury and this investigation will be closed with no action against any of the officers involved.

Because there is often civil litigation regarding officer involved shootings the Trumbull County Prosecutor’s Office will have no further statements regarding this matter.

This office gives special thanks to the Ohio Attorney General’s Office and Special Agents Supervisor Charles Moran, Ryan Emahiser, Forensic Scientist Monica Coblentz, Intelligence Analyst Jessica Smith, Dan Boerner, and Trumbull County Forensic Pathologist Dr. George Sterbenz for their thorough investigation and work in this matter.

Prosecutor Watkins acknowledges and thanks the assistance of First Assistant Christopher Becker in leading the prosecutor's office role in the investigation and preparation of this report. His leadership combined with his interviews with investigators and thorough review of the evidence was invaluable to this office Mr. Becker took an incredible amount of time to put this public report together with a clear professional analysis.

A copy of this report was sent by mail/e-mail to Ohio Attorney General Andy Wilson's BCI Office, Trumbull County Sheriff Mike Wilson, Champion Township Police Chief Larry Skaggs, and Warren Police Chief Eric Merkel. The Trumbull County Prosecuting Attorney's Office deems the BCI report a public record including the majority of various exhibits and documents not subject to public record exemption.

DENNIS WATKINS
Trumbull County Prosecuting Attorney