



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



2022-1726

Officer Involved Critical Incident – 15266 Gilchrist Rd., Mt.
Vernon (L)

Investigative Activity: Body Camera Review
Date of Activity: 11/04/2022
Author: SA John P. Tingley, #154

Narrative:

On November 3, 2022, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) John Tingley (Tingley) reviewed body-camera video footage from two recordings from Delaware Tactical Unit (DTU) and Delaware County Sheriff's Office (DCSO) Deputy (Dep.) Pate. The video footage is related to the officer-involved critical incident which took place on August 20, 2022, at 15266 Gilchrist Road, Mt. Vernon, Knox County, Ohio, and involved Randy and Bradley Wilhelm and members of the DTU.

The listed narrative is a synopsis of the activities and conversations recorded on Dep. Pate's body camera and only documents those activities which the author deems to be the most relevant. Furthermore, the narrative does not cover all of the activities or conversations of Dep. Pate and the other members of the DTU, which were recorded; nor is it a word-for-word translation of the conversations. It is suggested that the full recordings be reviewed to clarify any content or contextual questions regarding the information documented in the narrative.

It should also be noted that due to the DTU members wearing earpieces, radio traffic cannot be heard.

SA Tingley reviewed the video listed as: qka01384_20220820130139e0_20220820, and noted the following:

This video is 178:59 minutes in length and begins on August 20, 2022, at 09:01:09 hours, as Dep. Pate is seated inside the DTU MRAP with other DTU members. Initially, there is no audio.

At approximately 9:01:39 hours, the audio is activated.

At approximately 9:02:35 hours, the MRAP entered the driveway leading to Sandra Wilhelm's residence at 15266 Gilchrist Road, Mt. Vernon, Ohio, and stops. The rear door opens and Dep. Keller and the DTU team assigned to the MRAP exit the vehicle.

At approximately 9:05:16 hours, the DTU team arrived at the outbuilding, which is located south of Sandra Wilhelm's residence, and east of the driveway.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law – a statute, an administrative rule, or any rule of procedure.

At approximately 9:11:22 hours, the DTU team returned to the MRAP.

At approximately 9:13:01 hours, the MRAP leaves the property and begins traveling southbound on Gilchrist Road, heading toward Randy Wilhelm's residence at 15159 Monroe Mills Road, Mt. Vernon, Ohio.

While en route to Monroe Mills Road, the DTU hears radio traffic and turned around, as the officer-involved critical incident had occurred.

At approximately 9:16:33 hours, the MRAP arrived on Gilchrist Road and turned into the driveway leading to the Wilhelm Bottled Gas Company, which is also on the property at 15266 Gilchrist Road. Once in this driveway, the MRAP turns and begins going to the northeast through the yard west of the business buildings, heading toward a path through the tree line, which runs between the business and the aforementioned outbuilding.

At approximately 9:18:12 hours, the MRAP stops at the location along the north side of the tree line where the Razor side-by-side ATV, occupied by Bradley Wilhelm (driver) and Randy Wilhelm (passenger), had come to rest after being engaged by a DTU team which was at the southeast corner of Sandra Wilhelm's residence. The MRAP is facing westbound, while the razor is facing southbound.

At approximately 9:18:15 hours, Dep. Pate and the rest of the DTU team exit the rear door of the MRAP and begin moving along the passenger side of the MRAP toward the Razor.

At approximately 9:18:28 hours, the DTU team took a position at the passenger side front corner of the MRAP and began covering the Razor and its occupants.



This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law – a statute, an administrative rule, or any rule of procedure.

At approximately 9:21:23 hours, the DTU and OSHP Tactical team approach the Razor. Once there, a tactical medic checks Bradley and Randy Wilhelm and verifies that they are deceased.

At approximately 9:22:35 hours, the DTU returns to the MRAP.

At approximately 9:23:48 hours, the MRAP backs up (eastbound), in order to place some distance between the MRAP and the Razor, due to a backpack in the Razor and previous reports of possible improvised explosive devices (IED).

At approximately 9:24:38 hours, the audio is turned off. However, the video continues.

At approximately 10:17:14 hours, the audio is turned back on.

At approximately 10:17:16 hours, the DTU exits the MRAP and begins an approach to the aforementioned outbuilding.

At approximately 10:18:38 hours, the DTU team arrives at the outbuilding, makes entry and clears the building.

At approximately 10:27:58, the DTU finishes clearing the outbuilding and exits the building. The DTU team then moves to the west side of the outbuilding and stands by there.

At approximately 10:31:30 hours, the audio is turned off. However, the video continues.

At approximately 10:56:19 hours, Dep. Pate and part of his DTU team walk westbound beside the driveway and exit the property.

At approximately 10:59:35 hours, Dep. Pate and other DTU team members re-enter the Gilchrist Road property and begin moving toward the DTU Bearcat, which is parked facing northbound at the southeast corner of Sandra Wilhelm's residence.

At approximately 11:05 hours, the audio is turned on.

At approximately 11:07:08 hours, the combined DTU teams from the MRAP and the Bearcat enter Sandra Wilhelm's residence and begin clearing the residence and checking on the safety of Sandra Wilhelm.

At approximately 11:09:08 hours, Dep. Pate, who is covering a staircase in the residence, encounters Sandra Wilhelm. Sandra Wilhelm eventually comes down the stairs and moves to a different room.

At approximately 11:19:49 hours, the audio is turned off.

At approximately 11:24:03 hours, Dep. Pate exits the residence and returns to the Bearcat parked at the southeast corner of Sandra Wilhelm's residence.

At approximately 11:27:30 hours, Dep. Pate and other members of the DTU walk toward the driveway entry into the property off of Gilchrist Road.

At approximately 11:49:18 hours, the DTU team re-enters the Wilhelm property through the

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law – a statute, an administrative rule, or any rule of procedure.

open gate at the end of the driveway and return to the MRAP, which is still parked east of the Razor.

At approximately 11:52:54 hours, Dep. Pate and the DTU members assigned to the MRAP arrive at and enter the MRAP.

The video concludes with the DTU team in the MRAP. There is still no audio up to the end of the video.

These video recordings are attached to this case file as Reference Item A.

ADDITIONAL FACTORS FOR EVALUATING THE VIDEO RECORDINGS

There are numerous other factors that need to be considered when reviewing and evaluating the videos and audio recordings of this incident. Those factors are:

- Video recording devices record within the video and sound capabilities available, and they record objectively. Video recordings lack the history, perspective and interest of the people involved. The positions, angles, obstacles, lighting and distance from the incident are also factors that need serious consideration.
- Video recording devices also record more information about a particular scene or incident than the person(s) involved in the incident can process during the critical incident.
- Video recording devices rarely record an event from the same perspective of the officer. It captures the action but not the perception, decision making, focus or intent of the officer.
- Video recordings often miss tactile cues or other actions of a subject. The speed of the incident is remarkable. The speed and complexity of rapidly evolving situation(s) that occur during use-of-force encounters are difficult concepts to comprehend by only watching the video.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law – a statute, an administrative rule, or any rule of procedure.