



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



2024-1376
Officer Involved Critical Incident – Interstate 77 Southbound at
Exit 85 , New Philadelphia, OH 44663

Investigative Activity: Interview with Officer
Involves: [REDACTED] (S)
Date of Activity: 05/17/2024
Activity Location: [REDACTED] – Business – 2454 E. High Avenue, New Philadelphia, OH 44663
Author: SA Eric Lehnhart, #84

Narrative:

On Friday, May 17, 2024, at 1200 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Eric Lehnhart (SA Lehnhart) and SA John Tingley (SA Tingley) interviewed Ohio State Highway Patrol (OSHP) [REDACTED] ([REDACTED]), who was accompanied by his attorney, Lathan Lipperman, from the Ohio Trooper's Coalition. The interview took place at 2454 East High Avenue, New Philadelphia, Ohio 44663. The interview was audio recorded.

[REDACTED] read, understood, and signed the BCI Criminal Investigation Notification form.

This report only summarizes the information deemed by the author to be of the most relevance to the investigation and does not purport to contain all questions and answers from the interview. Further, this report was placed in a chronology to aid the reader's overall understanding of the information elicited during the interview and may not be reflective of the actual sequencing of questions. It is suggested that the full recording be reviewed to clarify any content or contextual questions regarding the information from the interview.

Preliminary and Demographic Information:

Name: [REDACTED]	Rank: [REDACTED]
Badge Number: [REDACTED] / Unit [REDACTED]	Cruiser/Vehicle Number: [REDACTED]
Radio Call Sign: Unit [REDACTED]	Immediate Supervisor: Sgt. Jennifer Makas
Radio Channel Utilized: New Philadelphia	Mobile Data Terminal: Present; Not Used
Cruiser Description: OSHP Dark Gray	Occupants of Cruiser and Seating Positions: One (1) Out of Cruiser Contact
Assignment: Midnights	Normal Shift: 10 PM – 6 AM
In-Car Camera: Operational & Utilized	Spotlight: Present; Not utilized
Emergency Lights: Present; Not Utilized	Siren: Present; Not Used

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Shift Day of Incident: Friday	Duty Status: On-Duty
Days Off: Friday & Saturday	Prior Overtime or Extra Details within Preceding 48 Hours: None
Hours of Sleep Prior to Incident: 7 - 8 hrs	Consider Self Well Rested?: Yes
Total Length as Officer: Sixteen (16)	Length at Current Agency: Twelve (12)
Physical Disabilities (to include hearing aid): None	Corrective Lenses: No Corrective Lenses
Uniform Worn: Standard OSHP Gray	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: Taser X26
Ballistic Vest: Concealed Armor	Body Worn Camera: Present & Used
Other Recording Devices: None	Partner: None
Injuries: None	Equipment Damage: None
Training or Areas of Specialty: None	OPOTC Certification: OSHP Academy
Military Experience/Training: Combat Military Experience / ANG Red Horse	Use-of-Force Training: January 2024
Prior Shooting Incidents: None	Prior Discipline or Use-of-Force Complaints: None
Medications, Prescriptions, or Drugs that might Impair Your Duties at Time of Incident: None	Medications, Prescriptions, or Drugs that might Impair You Now for Interview: None
Alcohol in Past 24 Hours? None	Last Consumed Alcohol Prior to Incident: Unknown

Officer's Firearm(s):

Weapon #1

Make: Sig Sauer	Model: P320
Caliber/Gauge: 9 mm	Serial: Click here to enter text.
Type: Semi-Auto Handgun	Method of Carry: Right Side Duty Belt
Magazine Capacity: 17	Total Rounds as Carried (including chamber): 17 +1
Extra Magazines: Two (2) on Duty Belt	Number of Rounds in Extra Magazines: 17
Discharged During Incident? Yes	Primary or Backup Weapon: Primary
Rounds Remaining After Incident: Eleven (11)	Number of Rounds Fired: Six (6) or Seven (7)
Right/Left-Handed Carry: Right-Handed	Ownership: Department Owned
Last Qualification Date: January 2024	Type of Holster, if any: Retention Holster

Weapon #2

Make: Sig Sauer	Model: P365
Caliber/Gauge: 9 mm	Serial: Click here to enter text.
Type: Semi-Auto Handgun	Method of Carry: Ankle

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Magazine Capacity: Ten (10)	Total Rounds as Carried (including chamber): 10 +1
Extra Magazines: None	Number of Rounds in Extra Magazines: None
Discharged During Incident? No	Primary or Backup Weapon: Backup
Rounds Remaining After Incident: Eleven (11)	Number of Rounds Fired: None (0)
Right/Left-Handed Carry: Right-Handed	Ownership: Personally Owned
Last Qualification Date: January 2024	Type of Holster, if any: Concealed

Narrative:

██████████ (██████████) was working patrol in the southern part of Tuscarawas County when he received a request to respond to the area of Interstate 77 and Schneider's Crossing (Exit 85). Once on scene, he parked behind both Troopers Spencer Day (Trooper Day) and ██████████'s (██████████) patrol vehicles. As he approached the Troopers on scene, he observed a red pickup truck parked on the off ramp. According to ██████████ ██████████ ██████████ said that the occupant of the pickup truck appeared to be impaired or under the influence of drugs and was not acting normal. During this time, or shortly after, ██████████ ██████████ discovered that the occupant's name was Kendell Woodard (Woodard).

As ██████████ approached the vehicle, Woodard was verbally nonresponsive, rocked back and forth and "looked nervously wide eyed." ██████████ made multiple attempts to build rapport with Woodard, but he would only rock and vape. ██████████ eventually asked Trooper Day and ██████████ to move back towards their patrol vehicles as a safety precaution.

Woodard was asked by ██████████ whether he had any weapons. Woodard's eyes "immediately darted right" towards the passenger side of the vehicle but would offer no verbal response. ██████████ summonsed local paramedics who arrived and also tried to engage a response from Woodard. The only verbal response that was offered by Woodard was "everybody's safe."

Over the next several hours, ██████████ began to believe that Woodard was suffering from a "mental disturbance." With that, he offered Woodard reassurance that all they wished to do was to get him help. Cigarettes, cigars, coffee, and donuts were also offered as a rapport builder, but Woodard would not respond to those offers.

██████████ called for a crisis intervention team (CIT) certified deputy. Also, with the assistance from the OSP Intelligence Center, Woodard's guardian Bettina was located and contacted by telephone. After Woodard would not answer her calls, ██████████ had her call patched to his cellular telephone and placed the phone near the open window of the vehicle. Woodard became emotional as Bettina spoke, but only continued to rock and shake his head back and forth indicating the "no" gesture. Bettina was advised that Troopers would have to call her back as the situation was getting to the point where Lieutenant Harris believed that ██████████ had exhausted all options and that those on scene would probably have to go hands-on with Woodard.

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██████████ pled with Woodard several more minutes standing at the "A" pillar of Woodard's vehicle before ██████████ grabbed Woodard's arm to escort him out of the vehicle. Woodard immediately tensed up and pulled back, placing his right arm behind his back. As they ordered Woodard to show his hands, ██████████ moved up along the passenger side of the vehicle and observed a gun. After ██████████ called out "gun, gun, gun, it's in his right hand" Woodard pulled a silver handgun from behind his back and raised it towards the open driver's side door in the direction of both ██████████ and ██████████. ██████████ fired multiple shots towards Woodard chest and stopped firing when he noticed Woodard slumping in the seat and the weapon, he had in his hand, had lowered back down.

Troopers and Officers on scene used cover to allow another deputy to secure the weapon from Woodard's hand. Once the weapon was secured, Woodard was removed from the vehicle and emergency aid was rendered to him.

As paramedics assumed treatment of Woodard, ██████████ secured the weapon and placed it, five (5) cartridges and one (1) fired cartridge casing in an evidence bag.

██████████ believed he had no other option than to use lethal force to stop Woodard from injuring himself, ██████████ or others near the vehicle.

The interview concluded at approximately 1317 hours.

The interview was audio recorded. The audio recording signed BCI Criminal Investigation Notification form and ██████████ statement are all attached to this report. Please see the attachments for further details.

References:

No references.

Attachments:

Attachment # 01: 2024-05-17 ██████████ Criminal Investigation Notification Form
Attachment # 02: 2024-05-17 ██████████ Written Statement
Attachment # 03: 2024-05-17 ██████████ Interview



Criminal Investigation Notification

1. This investigation is being conducted in order to determine whether any criminal laws have been violated on the part of those involved in this incident. Specifically, to collect facts and information to be provided to the prosecutor and/or grand jury in order for them to determine whether the conduct involved is authorized or prohibited by criminal statutes.
2. Your participation in this interview is voluntary and you may decline to answer or cease the interview at any time. You are entitled to have an attorney present if you wish.
3. The criminal investigation is separate from any internal, administrative investigation which your employer may or may not be independently conducting. You are not being compelled to give any statement or answer any questions. This is not a "Garrity" interview (where you could be required to answer).

Printed Name of Interviewee

17 May 2024 12:16 hrs
Date / Time

Signature of Interviewee

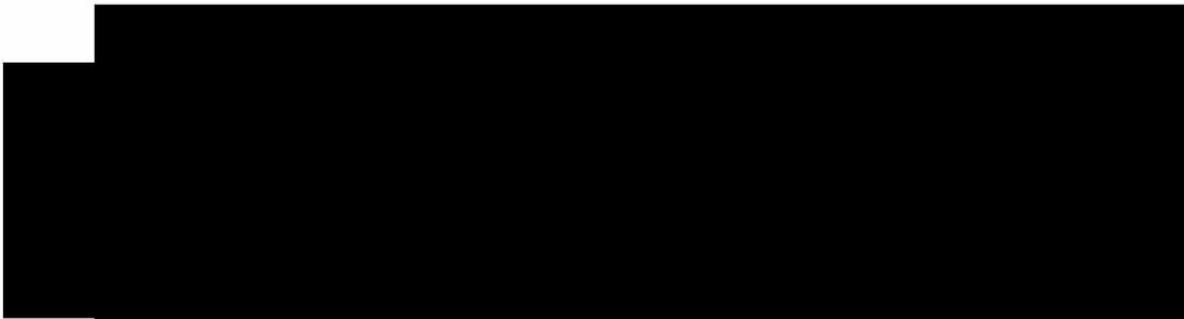
Eric Lenhardt
BCI Agent (Printed)

Eric T. Lenhardt
BCI Agent (Signature)

STATEMENT OF [REDACTED], UNIT # [REDACTED]

This statement regards my involvement in an incident that occurred on May 3, 2024, between approximately 1:40 a.m. and 5:20 a.m. in Dover, Ohio. I am making this voluntary statement as part of the investigation being conducted by the Ohio Bureau of Criminal Investigation (BCI).

My date of hire with the Ohio State Highway Patrol (OSP) is November 7, 2012. Before I joined OSP, I served as a police officer with the City of Massillon for about four years, from 2008 until 2012. I received my Ohio Peace Officer Training Academy certification in March of 2008. I am a certified Drug Recognition Expert and am familiar with the signs of drug impairment.



I am currently assigned to Post 79 in New Philadelphia. My regular duty hours are scheduled from 10:00 p.m. – 6:00 a.m. My regular days off are Friday and Saturday. On the day of this incident, I was wearing the uniform of the day which consisted of a Stetson hat; gray trousers; a light gray short-sleeved shirt with OSP patches on both shoulders; and an internal vest. I also had a body worn camera (“BWC”) mounted to my shirt in the middle of my chest. My BWC was on and recording during this incident.

I was carrying my OSP-issued primary service weapon, a Sig Sauer P320 9mm handgun. That weapon was loaded with OSP-issued ammunition and was equipped with an OSP-issued

light mounted to the underside of the frame as well as an OSP-approved modified pistol grip. I most recently qualified with that weapon in January of this year. I was also carrying a backup weapon: a Sig Sauer P365 9mm handgun. I did not use or access that weapon during this incident.

I was not working with a partner, but OSP [REDACTED] and [REDACTED] were present when this incident occurred, and Trooper Spencer Day was also on scene for some of the incident. [REDACTED] from the Tuscarawas County Sheriff's Office was also present. Finally, there were also paramedics on scene from Dover. I was driving a marked OSP SUV cruiser, [REDACTED]

I have good vision and do not need corrective lenses. I have slightly impaired hearing, but I do not require hearing aids. I do not suffer from any disabilities. I did not drink any alcohol in the 24 hours before my shift, nor did I take any medication that could impair the performance of my duties. On May 2, the calendar day before this incident, I started my shift at 6:00 p.m.

Around 1:45 a.m. on May 3, I was conducting routine patrol in southern Tuscarawas County when Trooper Day aired and requested [REDACTED] to respond to his location. A short time later, [REDACTED] radioed to ask where I was and requested that I also respond. I asked what was going on, and [REDACTED] said he was not sure yet.

[REDACTED] and Day were on a southbound offramp from I-77 in Dover. I got to that location shortly after 2:00 a.m. That offramp has two lanes. [REDACTED] and Day were parked on the right (western) side of the ramp. I parked behind their cruisers, got out, and approached. The suspect's vehicle, a red pickup truck, was parked on the right (western) side of the offramp such that the left/driver's side of the truck was protruding into the right lane.

██████████ told me that he believed the suspect was impaired/under the influence of drugs and was acting odd. He added that the suspect was constantly staring and sighing and took a long time to hand over his identification. He also relayed that the suspect had a suspended license. It may have been then as well when ██████████ told me the suspect had been coming from Akron travelling to Dayton. I learned during the incident that the suspect's full name was Kendell Woodard.

I approached the driver's side door of the suspect's truck. The suspect was a male black. I believe one of the other troopers told me his birthday was in 1989. Trooper Day was speaking with the suspect when I approached. I introduced myself and asked the suspect what was going on. He did not reply and instead looked around nervously and wide-eyed and rocked back and forth in his seat. One of the troopers told me his name was Kendall. I asked the suspect whether he needed medical attention, and again he did not reply.

A brief time later the suspect asked us to step back, and I told ██████████ and Day to move towards the back of the truck. The suspect continued rocking back and forth and looking around without providing answers to any of my questions. I was repeatedly asking variations of why he had pulled over, what was going on, and whether everything was okay. I was also trying to use any opportunity to build rapport and put the suspect at ease due to his paranoia. For example, he was continuously vaping and smoking cigars, and I would ask what he was smoking and what flavors he liked best. I also tried asking the suspect about his family and whether he had kids.

At one point, I told the suspect that he was making me and the other troopers feel unsafe and requested that he keep his hands on the steering wheel. At first, he did not respond or otherwise comply. After I asked again a few times, he asked me to step back. I told him that I

would step back if he agreed to keep his hands on the steering wheel. After some additional requests, the suspect complied, and I stepped back.

I noticed the suspect was repeatedly rubbing his left leg/shin as though he was in pain. I asked whether he was hurt and needed medics. I also asked whether the suspect had any thoughts of self-harm. Again, the suspect would not initially answer my questions. But after I asked again several times he replied that he was hurt and wanted medics. He also said that he had thoughts of harming himself.

I aired for medics to respond to our location. It was about that time I asked the suspect whether he had any weapons. His eyes immediately darted right, toward the passenger side of the truck. He would not give me a definitive answer and instead replied words to the effect "everybody's safe." While medics were enroute, I repeatedly asked the suspect to throw his keys out of the truck. Several times he dangled his keys out of the driver's window as though he was going to comply, but he continuously hesitated and would not let go of the keys. It was also around that time I told Troopers Day and [REDACTED] to go back to their cruisers so the suspect might feel less paranoid.

Medics arrived a short time later. Several paramedics approached and I told them the suspect was paranoid and had mentioned harming himself. I again asked the suspect if he had any weapons, but he would not give an answer. One of the medics asked the suspect what was wrong and what he could do to help, but the suspect continued rocking in his seat and not responding. I continued reassuring the suspect he was not in trouble and that we simply wanted to get him help. At one point, I recall the suspect mentioning he would drive to the hospital, but I told him he would need to ride with the medics. The suspect would not get out of the truck or tell us what was wrong.

I tried negotiating with the suspect for approximately an hour with no success. I told him we could get him cigarettes or cigars or food if he got out of the truck. I also continuously tried to keep him at ease by assuring him everyone wanted to help and that he was not under arrest. During that time, based on my training and experience, I believed it was more likely the suspect was suffering from a mental disturbance than drug impairment. I radioed for dispatch to send a trooper certified in crisis intervention (referred to as "CIT"). Dispatch replied that the closest CIT certified trooper was in Cuyahoga County, so I said to check with the Tuscarawas County Sheriff's Office. Dispatch found a CIT certified deputy, and he was sent to our location.

██████████ with the Tuscarawas Sheriff's Office got on scene at approximately 3:00 a.m. ██████████ approached the driver's door of the suspect's truck and tried engaging the suspect in conversation. While ██████████ tried engaging the suspect, I radioed for dispatch to contact a supervisor. Initially, dispatch could not reach the sergeant, but eventually dispatch made contact. OSP ██████████ radioed and asked me to call him, but because I was focused on the suspect I told ██████████ to call him. A short time later, I told Troopers Day and ██████████ (who had remained back at their cruisers) to leave and stage at a gas station nearby and that I would call if I needed them.

Shortly after those troopers left, I pulled my cruiser up and parked closer to the suspect's truck. I kept my blue light bar activated so any civilians driving by would stay clear. Initially, I turned on my takedown lights, but the suspect did not like that, so I turned them off. I kept my headlights on, however. At some point, dispatch also aired and advised me to check my MDT: I did so and learned the suspect had previously been charged with (I believe) failure to comply, resisting arrest, and improperly handling of a firearm in a motor vehicle.

Over the next approximately two hours, [REDACTED] and I stood outside the suspect's truck and tried to get him to get out and go with medics to the hospital. He continued the pattern of refusing to get out of the truck or give up his keys; rocking back and forth while paranoidly looking around; and not giving answers to any of our questions. Since the suspect had a cellphone, we gave him the number to the crisis hotline, but he would not call them. Medics remained on scene but away from the suspect's truck during that time. (Once Troopers Day and [REDACTED] left, the squad pulled about 40-50 yards behind my cruiser and blocked the right lane).

I believe [REDACTED] arrived on scene around 4:00 a.m. I walked away from the suspect's truck and updated him. I relayed that the suspect was very paranoid and thought people were trying to sneak up on him. I also informed [REDACTED] that the suspect would not say whether he had any weapons.

[REDACTED] stayed back by his cruiser, and I rejoined [REDACTED] outside the suspect's truck. At some point, I aired for dispatch to contact OSP's intelligence center and have a workup done on the suspect. A workup will include a review of the suspect's social media accounts for any useful information as well as whether there are any family members we could contact to speak with the suspect and convince him to get treatment. The suspect eventually told [REDACTED] and I that he had a girlfriend. We encouraged him to call her. He seemed to call someone, but he claimed that she would not answer and did not want to talk to him.

[REDACTED] also called OSP Lt. Molly Harris, who oversees OSP's CIT training and has training and experience in dealing with mental disturbances. I left [REDACTED] and joined [REDACTED] at the back of a cruiser and spoke with Lt. Harris. I told her everything we had done to put the suspect at ease and convince him to get treatment. She asked whether we had contact information for any of the suspect's friends or family. I relayed that the suspect said he had a

girlfriend but that he did not think she wanted to speak with him. I also told Lt. Harris that we gave the suspect the crisis center phone number, but that he would not call them. Lt. Harris said that we had likely exhausted all options and would probably have to go hands-on to remove him from the truck. She said if she thought of anything else we could try she would call back.

Shortly after I got off with Lt. Harris, I returned to [REDACTED] and asked the suspect if he liked coffee and donuts. He smiled in response, and I told him we would get him some coffee and donuts and in exchange he would get out of the truck. I called [REDACTED], who was still staging at the nearby gas station, and told him to get some coffee and donuts and bring them to the scene. [REDACTED] arrived with those items several minutes later.

I put the coffee and donuts on the hood of the suspect's truck and told him he would need to get out to get the items. The suspect, though, still would not get out of the truck. After a few more minutes of asking the suspect to get out, I told him I was setting a timer for five minutes and that if he did not get out by then we would have to help him.

In the meantime, dispatch said they had contacted the suspect's guardian, Bettina. I asked the suspect if he would be willing to talk to her and he said she could call him. Dispatch got Bettina on the line and called the suspect's cell phone twice. Each time the suspect refused to answer the phone, saying he did not recognize the number. I told him it was Bettina calling through dispatch. Since the unknown number made him uncomfortable, I gave the suspect dispatch's number and told him to call so that he could be patched through to Bettina. He would not call that number, though. Instead, I called dispatch from my phone and had them patch through Bettina. I put my phone on speaker and held it near the open window so the suspect could talk to Bettina.

As Bettina tried to persuade the suspect to open the door and go to the hospital, the suspect became emotional: He was constantly shaking his head “no” and he looked like he might cry. Bettina said that his mother would not want this for him, which further upset the suspect. He seemed to calm down, though, as Bettina, [REDACTED] and I continued asking him to open the door and come out; though the suspect’s refusal to get out continued. At one point, the suspect said something about not wanting to go to prison or go back to prison, and [REDACTED] [REDACTED] repeatedly assured the suspect he was not in trouble, and he just needed to get help. We told the suspect we would even have the squad pull up if he wanted so that he did not have to walk far. I believe the squad pulled up in the left lane parallel to the suspect’s truck about that time.

After a few minutes, I told Bettina that I was going to put the phone down for a few moments. I put the phone on the hood of the truck. About that time, the suspect said that if we stepped back he would come out. [REDACTED] and I stepped back and a brief time later the suspect opened the driver’s door a few inches but hesitated and would not open it further. A few seconds later I told [REDACTED] to grab the door and open it, which he did.

[REDACTED] stood in the doorway such that the door was on the other side of his body and could not be shut. He and I encouraged the suspect to come out, but he would not. It was about that time I told Bettina that we would need to call her back and I ended the call. I told the suspect traffic was picking up since people were on their way to work, and he needed to get out. When he refused, [REDACTED] and I firmly told the suspect he needed to get out or that we would have to go hands on.

The suspect would not comply, and after a few seconds [REDACTED] grabbed the suspect’s left arm to escort him from the truck. At that time, [REDACTED] and [REDACTED]

were still holding back near my cruiser, away from the suspect's view. When [REDACTED] grabbed the suspect's left arm, he immediately tensed up, pulled back, and placed his right arm behind his back such that it was hidden from our view.

I ordered the suspect to show us his right hand. [REDACTED] did the same. The suspect kept his right hand/arm behind his back, hidden from our view. I thought the suspect might be grabbing a weapon. I drew my taser and gave more commands for the suspect to show his hands. I believe it was about that time [REDACTED] and [REDACTED] advanced towards the back of the suspect's truck. [REDACTED] was also ordering the suspect to show us his hands.

The suspect's eyes were darting back and forth, and he was still rocking in his seat as though he was contemplating his next move. His right arm/hand was still behind his back, and his body was slightly facing towards the open driver's door. [REDACTED] was still in the doorway, and I was several yards east of the driver's side of the truck. I yelled for [REDACTED] to check the passenger side of the truck. The suspect was repeatedly saying "no, no, no" and looking around the truck frantically. [REDACTED] moved up along the passenger side of the truck, shined a light inside the cabin, and immediately yelled "61" (referring to a gun in the suspect's hands) followed by "gun gun gun, it's in his right hand."

I immediately holstered my taser, dropped my flashlight and unholstered my weapon. [REDACTED] also quickly stepped back from the doorway, and I believe unholstered his weapon too while yelling "let me see your hand!" I stepped several feet north such that I was parallel to the open driver's door. Just as I did so, the suspect pulled a silver handgun from behind his back and raised and levelled the barrel of the weapon towards the open driver's door in my direction. [REDACTED] was also standing several feet near the driver's door as well.

I believed the suspect intended to shoot me and/or [REDACTED] and that we would be grievously injured or killed, and it was then I fired at the suspect. At nearly the same time multiple other shots rang out as well.

I stopped firing a moment later when the suspect went limp and was no longer raising the weapon. The other officers stopped firing at nearly the same time as well. I fired shots and quickly stepped back (north) towards my cruiser and joined [REDACTED] and [REDACTED] and [REDACTED]. Someone asked what I saw, and I replied that I saw a gun. An officer clarified that he wanted to know what I saw at that moment and I replied the suspect did not seem to be moving. [REDACTED] announced that he was going to grab a rifle.

After [REDACTED] returned with a rifle, I moved towards the suspect's truck with [REDACTED] and I believe one or two other deputies. Specifically, I pried around the driver's side of the truck, from about ten yards away. As I passed the open driver's door, I saw the suspect slumped back in his seat. He was not moving. The others and I advanced towards the truck. I approached from the front driver's side of the car, and the others were to my right (north). As I neared I saw the suspect still had the gun in his right hand with his index finger inside the trigger guard on or very near the trigger. He was holding the gun such that it was parallel to his body with the barrel pointed towards the open driver's door. I provided cover through the open door jamb, and one or two others provided lethal cover as well, and a deputy quickly grabbed and secured the suspect's gun. Once the gun was secure, two deputies extracted the suspect from the truck and placed him on the ground.

The suspect was placed on his stomach, quickly handcuffed, and assessed for injuries. I believe one of the deputies said the suspect had multiple gunshot wounds. He still was not moving. One of the troopers ran for a first aid kit. By that time, multiple other troopers and

deputies had arrived and were continuing to arrive on scene. A brief time later, medics approached and took over assessing the suspect.

While medics addressed the suspect, I returned to my cruiser and notified dispatch to contact a lieutenant so that supervision could respond. I also began collecting and further securing the suspect's weapon as evidence. As I opened the cylinder, I saw there were what looked like six rounds. But as I placed those rounds in an evidence bag, I realized one was actually a spent casing, indicating the suspect had fired the weapon (though exactly when I cannot say). I put the rounds and spent casing into an evidence bag, recorded the gun's serial number, took photos, and bagged the gun.

I remained at the scene for about another hour. During that time supervision from OSP and the Tuscarawas Sheriff's Office arrived on scene. Around 7:00 a.m. I was transported with [REDACTED] and [REDACTED] back to Post 79. A short time later, an investigator with BCI arrived to collect my weapon as evidence and take photographs. This ended my involvement with this incident.

I believe I fired 6-7 rounds during this incident. I fired those rounds in a westerly direction. My target was the suspect's center mass. I do not believe I used my gun's sights. I used a two handed (right strong) grip. I fired those rounds in rapid succession in what I would estimate was less than two seconds. I believe I might have been stepping north when I fired. I would estimate that I was approximately 10-15 feet from the suspect when I fired. It was still dark out when this incident occurred, and I do not believe my gun's light was on; but my SUV's headlights were on and there was ample lighting such that I was able to see the suspect and what he was doing. My backdrop was the interior front passenger side of the truck and the open field/woods west of the truck. I did not see any law enforcement, civilians, or vehicles in my

backdrop at the times I fired. I knew that [REDACTED] was several feet northeast of the suspect's open door when I fired, and I believed [REDACTED] and [REDACTED] were behind the suspect's truck. I did not have any cover or concealment at the times I fired. I also believe [REDACTED] was fully exposed as well.

I was in fear for my life and the life of [REDACTED] at the times I fired my weapon. I was also concerned for the lives of [REDACTED] and [REDACTED] since I believed they were right behind the suspect's truck and could be shot as well. Finally, I was also aware that medics had pulled up next to the suspect's truck and could be in the suspect's line of fire.

By the time the suspect pulled the gun, I would estimate I had been on scene for about 3.5 hours. When I first encountered the suspect, I was not sure whether he was under the influence of drugs or suffering from a mental episode; but as time wore on, it seemed more likely the suspect was mentally disturbed as his behaviors were not consistent with my training on drug impairment.

I (and later [REDACTED]) used every available opportunity to convince the suspect to get out of the truck and get help. I was focused on keeping the suspect at ease, reassuring him, and preventing the situation from escalating. I also continuously tried to build rapport and trust with the suspect. [REDACTED] did the same.

Our efforts were not successful. No matter what either [REDACTED] or I did to calm the suspect, his paranoia never ceased. Nor did he ever give a meaningful sign that he would exit the truck. Several times he came close; but each time he would ultimately refuse to get out. When I saw him smile after I offered to get him coffee and donuts, I thought there was a chance that would work. But even after we brought donuts and coffee the suspect would not relent. Lt.

Harris, who has extensive experience with mental health, also relayed that we had likely run out of options to avoid extracting the suspect from the truck.

By 5:00 a.m. traffic was starting to pick up. More vehicles were beginning to pass by, and I was growing concerned that the longer the suspect stayed in the truck the more dangerous the situation would become. I was also concerned that I and others had asked the suspect whether he had weapons several times and he never gave a definitive answer, leading me to believe he might have a gun. Once the suspect refused to get out even after his guardian, Bettina, plead with him it became clear that we had no other option but to remove the suspect from the truck.

The instant after [REDACTED] grabbed the suspect's left arm, the suspect tensed up and reached his right arm behind his back such that it appeared to be at his back waistband. I believed he might have his hand on a gun, but at that time I could not see a weapon. Once [REDACTED] approached the passenger side of the truck, however, he yelled "gun" several times and said the suspect had the gun in his right hand (the same hand hidden behind his back).

Seconds later after I unholstered my gun, just as I was parallel to the open driver's door, I saw the suspect pull the gun from where his hand had been behind his back and level the barrel of the weapon out of the open door. At that time, I was immediately parallel to the open door such that I was directly across from the suspect at close range. [REDACTED] was also within several feet northeast of the open door. Neither of us had any cover or concealment. I believed that the suspect intended to shoot me, [REDACTED] and/or [REDACTED] or [REDACTED] and that one or more of us would be grievously injured or killed. It was at that moment I fired my weapon. Based on the spent casing found in the suspect's gun after this incident, at least one round had been fired from the weapon, though I am not certain of when.

At the times I fired, I did not think I had any other reasonable alternative to protect my life or the lives of the other law enforcement members from the deadly threat presented when the suspect pulled and levelled the barrel of his gun in my direction.

I do not know Mr. Woodard, and I do not think I have ever previously encountered him.

This concludes my statement.

