



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



2024-1219  
 Officer Involved Critical Incident – 4632 East Main Street,  
 Whitehall

**Investigative Activity:** Interview with Officer  
**Involves:** ██████████ (S)  
**Date of Activity:** 04/19/2024  
**Activity Location:** – 4683 Winterset Drive, Columbus, OH 43220  
**Author:** SA James Poole

**Narrative:**

On April 30, 2024 at 1304 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agents James Poole (SA Poole) and Chad Holcomb (SA Holcomb) interviewed Whitehall Police (WPD) ██████████ (██████████). The interview took place at the Fraternal Order of Police (FOP) Attorney's office ██████████ was identified as being a police officer who was involved in an Officer-Involved Critical Incident which involved William Villatoro and the know deceased Santiago Alfaramunoz (Alfaramunoz). The purpose of the interview is to obtain all relevant information of the incident known or observed by this officer.

This interview was audio recorded, and a copy of the recording was saved electronically within the case file. Please refer to the recording for specific quotes. The following is a summation of the interview.

Prior to beginning the interview, SA Poole provided ██████████ with a BCI "Criminal Investigation Notification" (CIN) form. SA Poole advised that BCI was conducting a criminal investigation separate from any internal investigation that Whitehall Police Department (WPD) may be conducting and read him the Criminal Investigation Notification Form. ██████████ was told his interview was voluntary and he could stop answering questions at any time. ██████████ verbally confirmed he understood and signed the CIN, validating he understood his rights.

Attorney Nicole Wannamaker provided SA Poole with a written statement from ██████████ regarding the OICI. SA Poole reviewed the statement upon receipt. ██████████ signed his statement provided to BCI, and verified the statement was a true and accurate depiction of the OICI. Please refer to ██████████'s statement for further details. A copy of the signed written statement was saved within the case file and is attached to this report.

██████████ stated, *"Immediately before this incident, I went to assist ██████████ at a*

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traffic stop on Hamilton Road. During the stop, we heard gunshots that sounded like they were in close proximity. Radio aired that ShotSpotter had indicated two (2) gunshots in the area of Roses Discount Store which was less than a half a mile from our location.

I got into my cruiser and drove north on Hamilton Road and turned right (east) onto E. Main Street. I turned left (north) just east of the McDonald's and drove north down the east side of the McDonald's. There was a silver SUV with its hazard lights blinking in the parking lot. It was parked northwest of the McDonald's, with the front of the SUV facing west. I pulled behind the SUV and put my cruiser into park. It was dark outside but there was some light from the parking lot lights, as well as the lights around the McDonalds. As I was exiting my cruiser, I noticed that the interior dome light was illuminated and I saw movement in the front seat of the SUV.

I approached the driver's side of the SUV. I had my flashlight in my left hand and used it to illuminate the interior of the car as I approached. There was a lot of stuff in the backseat of the car, including clothes, bags and a 12 pack of beer. The driver was a Hispanic male and he was turned around (to his left), lifted up out of the driver's seat and looking at me over the back of the seat. Once I reached the vehicle, he sat down and used his hands to pull down the driver's side window. He pulled the window about halfway down and I asked if he spoke English and he replied no. [REDACTED] arrived and approached the passenger. He asked if there were any pistols in the car and the passenger responded no. I used my flashlight to take another look through window and into the backseat of the car and I saw the grip of handgun against the back of the center console. I think the barrel of the handgun was concealed by a bag or something but I was certain there was a gun. I told [REDACTED] that there was a "33" which is our 10-code for a gun.

I opened the driver's door and told the driver to get out of the vehicle. The driver exited the vehicle and I told him to turn around. As I was securing him in handcuffs, I asked him "pistola?" He replied no. I heard [REDACTED] repeatedly saying "manos arriba!" I saw the suspect moving in the passenger's seat but since I was securing the driver, I could not see exactly what the passenger was doing. I heard [REDACTED] repeat "manos arriba" faster just as I finished handcuffing the driver. Not even half a second later, he said it again with a worried inflection in his voice. Suddenly, I heard a gunshot and I did not see [REDACTED] by the passenger door where he had just been standing.

I quickly drew my weapon and I fired my weapon through the back passenger side window at the suspect. I then heard [REDACTED] yelling at the suspect to put his hands up. I grabbed the driver, who was kneeling down, and pulled him behind a brick wall (that I believe encloses the McDonald's dumpsters) that was just south of my cruiser. I took a position on the northeast corner of the brick wall and kept my gun pointed at the SUV. Deputy Chief Wilder pulled up with several other officers. He gave instructions to the other officers to secure a shield. I put the driver into the back of a cruiser.

Deputy Chief Wilder and Officers Grace and Stephen advanced towards the suspect's vehicle. I was behind them. Once they got to the vehicle and could see the suspect, Deputy Chief Wilder requested a medical bag. Other officers secured the scene and rendered aid until medics arrived."

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SA Poole asked what alerted [REDACTED] to Alfaramunoz's vehicle. [REDACTED] explained that Deputy Chief Chad Wilder (Deputy Chief Wilder) was in the area and aired that there was a vehicle parked in the parking lot with its hazards on in the same area where ShotSpotter identified where shots were fired.

SA Poole asked if [REDACTED] was fluent in Spanish. [REDACTED] said, "No," but that he took Spanish in high school.

SA Poole asked if [REDACTED] believed Alfaramunoz and Villatoro understood what [REDACTED] was communicating to them and what made him believe that. [REDACTED] stated, "Yes," and explained that the driver, Villatoro, had no issues getting out of the vehicle, putting his hands up, and turning around when given commands.

SA Poole asked where exactly did [REDACTED] see the firearm and asked him to explain what it looked like. [REDACTED] stated, he saw the firearm in a bag directly behind the center console. [REDACTED] explained it was black with the handle grip sticking upwards out of the bag with the barrel facing down towards the driver side of the vehicle.

SA Poole asked if both individuals in the vehicle could access the handgun. [REDACTED] stated, "yes."

SA Poole asked if [REDACTED] feared for his life or others. [REDACTED] explained when he heard the gunshot he looked over and could not see [REDACTED] and saw Alfaramunoz quickly move. [REDACTED] believed Alfaramunoz had shot [REDACTED] and believed he would shoot him next or continue to shoot [REDACTED]. [REDACTED] then fired his weapon towards Alfaramunoz.

SA Poole asked if Villatoro or Alfaramunoz had made any statements. [REDACTED] explained that while they were trying to get them out of the vehicle they were both speaking Spanish to one another and [REDACTED] did not understand what they were saying to each other before getting Villatoro out of the vehicle.

SA Poole asked if [REDACTED] believed [REDACTED] and himself conducted themselves out of policy and procedures of their department. [REDACTED] stated, "No."

The interview concluded at 1313 Hours.

**Attachments:**

- Attachment # 01: Statement of [REDACTED]
- Attachment # 02: [REDACTED] Whitehall

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**STATEMENT OF [REDACTED] BADGE NO. [REDACTED]**

This statement is regarding my involvement in an incident that occurred on Friday, April 18, 2024, between approximately 2:00 a.m. and 2:15 a.m. in Franklin County, Ohio. I am voluntarily providing this statement as part of the investigation being conducted by the Bureau of Criminal Investigation (BCI) into this matter.

My date of hire as a police officer with the Whitehall Police Department is [REDACTED]. My regular assignment is patrol 3<sup>rd</sup> shift. My regular duty hours are 7:00 p.m. until 7:00 a.m. My regular days off are Tuesday, Wednesday, Thursday and I have rotating Mondays off. I earned my Ohio Peace Officer Training certification from Eastland Career Center in the summer of 2020. I previously worked as a law enforcement officer for Circleville Police Department for approximately two (2) years and for the Fairfield County Sheriff's Office. [REDACTED]

[REDACTED]. I do not have any uses of force that have been found outside of policy.

On the day of this incident, I was wearing my standard Whitehall PD uniform consisting of a black short sleeved shirt with Whitehall Police patches on both shoulders and dark pants. I was also wearing an external vest carrier. I had my body worn camera (BWC) mounted on the outside of my vest carrier and it was activated during this incident. I was carrying my division-issued Glock 17 9mm service weapon which was loaded with division issued ammunition. I am current in my range qualifications with this weapon. I was not carrying a backup firearm. I was not working with a partner. I was in cruiser [REDACTED] which is a marked Whitehall Police cruiser and is equipped with a cruiser video system.

I wear contacts and my corrected vision is good. I was wearing my contacts during this incident. I do not wear hearing aids and my hearing is good. I do not suffer from any disabilities. I was not taking any medication, prescription or over the counter, that could impact the

performance of my duties. I had not consumed any alcohol in the 24-hours before this incident. I had not worked any special duty or overtime in the 24-hours prior to this incident. I arrived at the start of my shift well-rested.

Immediately before this incident, I went to assist [REDACTED] at a traffic stop on Hamilton Road. During the stop, we heard gunshots that sounded like they were in close proximity. Radio aired that ShotSpotter had indicated two (2) gunshots in the area of Roses Discount Store which was less than a half a mile from our location.

I got into my cruiser and drove north on Hamilton Road and turned right (east) onto E. Main Street. I turned left (north) just east of the McDonald's and drove north down the east side of the McDonald's. There was a silver SUV with its hazard lights blinking in the parking lot. It was parked northwest of the McDonald's, with the front of the SUV facing west. I pulled behind the SUV and put my cruiser into park. It was dark outside but there was some light from the parking lot lights, as well as the lights around the McDonalds. As I was exiting my cruiser, I noticed that the interior dome light was illuminated and I saw movement in the front seat of the SUV.

I approached the driver's side of the SUV. I had my flashlight in my left hand and used it to illuminate the interior of the car as I approached. There was a lot of stuff in the backseat of the car, including clothes, bags and a 12 pack of beer. The driver was a Hispanic male and he was turned around (to his left), lifted up out of the driver's seat and looking at me over the back of the seat. Once I reached the vehicle, he sat down and used his hands to pull down the driver's side window. He pulled the window about halfway down and I asked if he spoke English and he replied no. [REDACTED] arrived and approached the passenger. He asked if there were any pistols in the car and the passenger responded no. I used my flashlight to take another look

through window and into the backseat of the car and I saw the grip of handgun against the back of the center console. I think the barrel of the handgun was concealed by a bag or something but I was certain there was a gun. I told [REDACTED] that there was a "33" which is our 10-code for a gun.

I opened the driver's door and told the driver to get out of the vehicle. The driver exited the vehicle and I told him to turn around. As I was securing him in handcuffs, I asked him "pistola?" He replied no. I heard [REDACTED] repeatedly saying "manos arriba!" I saw the suspect moving in the passenger's seat but since I was securing the driver, I could not see exactly what the passenger was doing. I heard [REDACTED] repeat "manos arriba" faster just as I finished handcuffing the driver. Not even half a second later, he said it again with a worried inflection in his voice. Suddenly, I heard a gunshot and I did not see [REDACTED] by the passenger door where he had just been standing.

I quickly drew my weapon and I fired my weapon through the back passenger side window at the suspect. I then heard [REDACTED] yelling at the suspect to put his hands up. I grabbed the driver, who was kneeling down, and pulled him behind a brick wall (that I believe encloses the McDonald's dumpsters) that was just south of my cruiser. I took a position on the northeast corner of the brick wall and kept my gun pointed at the SUV. Deputy Chief Wilder pulled up with several other officers. He gave instructions to the other officers to secure a shield. I put the driver into the back of a cruiser.

Deputy Chief Wilder and Officers Grace and Stephen advanced towards the suspect's vehicle. I was behind them. Once they got to the vehicle and could see the suspect, Deputy Chief Wilder requested a medical bag. Other officers secured the scene and rendered aid until medics arrived.

I returned to the Whitehall Police Department and then to the Whitehall Fire Station. I waited there until BCI agents collected my weapon and photographed me. This ended my involvement in this incident.

I believe I fired four or five rounds at the suspect. I believe I was approximately 6-8 feet from the suspect when I began firing my weapon and approximately 12-15 feet from the suspect when I fired my last round. I initially fired from the rear passenger's side of the suspect's vehicle and I believe my first round shattered the rear passenger side window. I fired with a two-handed grip and I believe I used my fixed sights. I fired while advancing backwards (southeast). When I stopped firing, I was approximately 4-7 feet south of my cruiser. The direction of my shots was northwest. My backdrop was the empty parking lot. My target was the left side of the suspect's center mass. I stopped firing when I no longer saw the suspect moving and he no longer appeared to be an immediate threat.

At the time I fired my weapon, I was in fear for the life of [REDACTED]. I knew there was a firearm in the car and that [REDACTED] had repeatedly told the suspect to put his hands up in Spanish. Immediately before I fired, I heard [REDACTED] repeat "manos arriba" and that was instantly followed by a gunshot. I no longer saw [REDACTED] next to the suspect's door and I believed the suspect had just shot him. It was at that moment that I unholstered and discharged my firearm. A second or two later, I heard [REDACTED] yelling at the suspect to get his hands up and that is when I realized [REDACTED] was not on the ground by the suspect's car. At the time, I did not believe I had any other reasonable alternative to protect [REDACTED] s life from the suspect's actions.

I did have a taser but it would not have been appropriate to use a taser in this situation. A taser is not appropriate when a suspect has deadly force. In addition, I did not have time, distance, barrier and it would not have been reasonable.

I have now had an opportunity to review the body worn camera footage of this incident, on the footage I can see the suspect reach towards the backseat immediately before the gunshot. However, during the incident, I was only able to see that the suspect was moving, as I was focused on the driver. I can also see that [REDACTED] begins backing up as soon as the suspect started to turn towards the backseat which is why I did not see him next to the suspect's vehicle immediately after the shot was fired. From the footage, it also appears that Deputy Chief Wilder was on scene immediately after shots were fired. I heard him on the radio airing shots fired and for a medic but did not realize he was there that quickly as he approached from the north and I was on the south side.

I now know that the gunshot I heard was [REDACTED] firing at the suspect. However, at the time of this incident I did not know that and I truly believed that the suspect had just shot and seriously injured or killed [REDACTED]. This entire incident was rapidly evolving. From the time [REDACTED] reached the passenger side until shots were fired was roughly a minute.

Since this incident, I know now that the deceased suspect's name is Santiago Diaz. I now know that the driver's name is Willaim Villatoro. I did not recognize him and I do not believe I have ever had any prior encounters, professional or personal, with him.

This concludes my statement and I will now answer any additional questions you may have at this time.

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[REDACTED] Badge [REDACTED]