



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



2022-1726
Officer Involved Critical Incident – 15266 Gilchrist Rd., Mt.
Vernon, Knox County, Ohio, 43050 (L)

Investigative Activity: Body Camera Review
Involves: Lt. WPD [REDACTED] (S)
Date of Activity: 10/14/2022
Author: SA John P. Tingley, #154

Narrative:

On October 14, 2022, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) John Tingley (Tingley) reviewed body-camera video footage from five recordings from Westerville Police Department (WPD) Lieutenant (Lt.) [REDACTED] ([REDACTED]), who is also assigned to the Delaware Tactical Unit (DTU). 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 Lt. [REDACTED]'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 Lt. [REDACTED] 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 except when inside the Bearcat, when the radio inside of the Bearcat can be heard.

SA Tingley reviewed the video listed as 064800 and noted the following:

This video is 00:37 seconds in length and begins on August 20, 2022, at 06:47:43 hours, as Lt. [REDACTED] is seated inside of the stationary Bearcat with the rear door standing open and other members of the DTU visible. No audio is heard until approximately 09:48:13, with the audio consisting of background noises. There is no conversation heard.

SA Tingley then reviewed the video listed as 071600 and noted the following:

This video is 00:34 seconds in length and begins on August 20, 2022, at 07:16:17, as Lt. [REDACTED] is seated inside of the stationary Bearcat with the rear door standing open and other members of the DTU visible. No audio is heard until approximately 07:16:46, with the audio

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consisting of background noises. There is no conversation heard.

SA Tingley then reviewed the video listed as 082400 and noted the following:

This video is 00:35 seconds in length and begins on August 20, 2022, at 08:23:57 hours, as Lt. [REDACTED] is outside of the MRAP armored vehicle, which has its rear door open and is being manned by other DTU members. There is no audio until approximately 08:24:27, with the audio consisting of background noises. There is no conversation heard.

SA Tingley then reviewed the video listed as 082600 and noted the following:

This video is 02:00 minutes in length and begins on August 20, 2022, at 08:25:32 hours, as Lt. [REDACTED] is standing outside of the Bearcat looking into the interior of the Bearcat through the open rear door. There is no audio until 08:26:01, with the audio consisting of Lt. [REDACTED] discussing tactics, including movements and placement of the team members, with the DTU team, prior to the team heading toward the mother's house at 15266 Gilchrist Road, Mt. Vernon.

SA Tingley then reviewed the video listed as 090100 and noted the following:

This video is 28:46 minutes in length and begins on August 20, 2022, at 09:01:23 hours, as Lt. [REDACTED] is seated in the moving Bearcat with the rear door closed. There is no audio until approximately 09:01:53, with the audio consisting of limited conversation as the DTU team approaches the mother's residence.

At approximately 09:02:54, the DTU team begins to exit the stationary Bearcat at the mother's house.

At approximately 09:06:32, a DTU member advises of radio traffic from another tactical team of shots fired at law enforcement at Randy Wilhelm's residence which is located at 15159 Monroe Mills Road, Mt. Vernon, Ohio.

At approximately 09:07:17, a number of distant gunshots can be heard. About this time, Lt. [REDACTED] takes a position at the driver's side rear corner of the Bearcat.

At approximately 09:09:13, a number of distant gunshots can again be heard.

The second DTU team in the MRAP, which had followed the DTU Bearcat onto the mother's property and which had deployed to cover the outbuilding south of the mother's house, moves back toward their vehicle to redeploy, while leaving two team members behind to secure the aforementioned outbuilding.

At approximately 09:13:13, a DTU member advises that radio traffic has stated that the suspect/s are heading westbound from the house on Monroe Mills Road in a quad-style vehicle, heading toward the mother's house.

At approximately 09:13:44, an unknown DTU member calls out, "Here he comes."

Also at this time, a DTU member [Dublin Police Officer [REDACTED] ([REDACTED])] can be seen kneeling in

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front of Lt. [REDACTED] at the driver's side rear corner of the Bearcat.

At approximately 09:13:51, the quad/Razor with Randy and Bradley Wilhelm can be seen coming through the tree line.



At approximately 09:13:54, Lt. [REDACTED] and Officer [REDACTED] begin firing their rifles.

At approximately 09:13:56, the quad/Razor turns sharply and begins moving behind the outbuilding toward the tree line. The DTU continues to fire. (Photo below shows the moment just before the quad/Razor begins turning.)

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At approximately 09:14:08, Lt. [REDACTED] moves behind the Bearcat and puts a new magazine into his rifle.

At approximately 09:14:10, the last shots fired by DTU members at the Bearcat are heard. Due to the close proximity of Lt. [REDACTED] and Officer [REDACTED] the exact number of shots fired by Lt. [REDACTED] could not be determined.

At approximately 09:14:17, Lt. [REDACTED] advises command that shots have been fired, and the quad/Razor with two occupants is stopped near the tree line, behind the outbuilding located south of the mother's house. He further advises that no movement can be seen from the occupants of the quad/Razor.

At approximately 09:18:11, the DTU MRAP approaches the stationary quad/Razor.

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At 09:20:35, the video is stopped, so the remainder of the video can be checked for potential Garrity issues.

BCI SA Charles Moran (Moran) and BCI SA Nick Valente reviewed the remainder of the video footage from Lt. ██████'s body-worn camera. At the end of their review, SA Moran advised that there was potential Garrity content on the video. He also stated that there was no more important information directly related to the officer-involved critical incident on the remainder of the video.

This video recording is 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:

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- 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.

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