



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



2022-2888

Officer Involved Critical Incident – 1010 Wapakoneta Ave., Sidney,
OH 45365 (L)

Investigative Activity: Interview with Witness
Involves: Ray Hess (W)
Date of Activity: 12/21/2022
Author: SA Perry K. Roeser, #114

Narrative:

On December 21, 2022, at 1351 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent Perry Roeser (SA Roeser) met with the City of Sidney Firefighter/EMS medic Ray Hess (Hess). Hess was dispatched to Sidney Foodtown for medical services regarding Todd Jordan, deceased. The medic run to the grocery store was related to an Officer-Involved Critical Incident under BCI investigation. SA Roeser met with Hess at Station House #1 for the interview.

Hess explained he has been a firefighter for the City of Sidney for 15 years and is assigned to Station #1 with the title of Senior Firefighter on duty. Hess said he was at Station #1 when the call for service came into the firehouse. Hess said he noticed a lot of police cruisers exiting the police parking lot when the call came in. When getting ready to leave the firehouse, Hess said the dispatcher explained there had been shots fired at the scene's location. Hess noted three (3) pieces of fire equipment, two medics, and one fire truck were dispatched to the grocery store.

Hess said he was on Medic #3 with one other firefighter, and the Medic #1 crew had three firefighters on it, with both medics arriving at the scene simultaneously. Hess said they located a male on the ground in the supine position close to the lottery machine near the front entrance to the store. Hess said after the male's shirt was removed, they saw multiple gunshot wounds to the chest area. Hess said a quick assessment was made before the male was loaded onto a backboard. Hess said during the evaluation that the male was unconscious, pulseless, and not breathing. Hess said once the male was on the backboard, he was transported to Medic #1 for life-saving measures, which included CPR, IV, and intubation. Hess also stated the chest wounds were packed with gauze.

Hess said that with a significant trauma scene, they have a golden rule of only being on the scene for 10 minutes with a patient before transporting them to a medical center. Medic #1 transported the male to Wilson Hospital, Sidney, Ohio, for treatment.

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Hess stated he saw a revolver on the ground near the male. The revolver barrel was pointed (westward) toward the front of the store.

SA Roeser had a grand jury subpoena issued to Sidney Fire and Rescue for the medical run report involving Todd Jordan. SA Roeser reviewed the medical run report from Sidney Fire and Rescue, and uploaded it into the Matrix case file system; see attachment #2.

The interview between SA Roeser and Hess concluded at 1359 hours and was audio recorded. See attachment #1 for a copy of the recorded interview.

Attachments:

Attachment # 01: 2022-12-21 / Ray Hess Interview

Attachment # 02: Sidney Fire and Emergency Services records

Exhibit 1

Included as a separate file.

Exhibit 2

I hereby certify that the attached records are true and accurate copies of the documents to which this certification is affixed and that those records were generated and compiled in the ordinary course of the business operations of the City of Sidney Department of Fire and Emergency Services, related to patient Todd Jordan, DOS 12/21/2022 in Sidney, OH.

Kelvin M. Hooper

Records Custodian – Sidney Fire and Emergency Services

Number of Pages Certified 6



COURT OF COMMON PLEAS, SHELBY COUNTY, OHIO

_____, Plaintiff)
)
vs.)
)
_____, Defendant)

Case No. _____

SUBPOENA

Civil Criminal
 Duces Tecum X Grand Jury

The State of Ohio, Shelby County, SS.:
To the Sheriff of Shelby County, Ohio, Greetings:

YOU ARE HEREBY COMMANDED TO SUBPOENA THE FOLLOWING NAMED PERSON, to-wit:

**City of Sidney Fire & Emergency Services, Attention: Katie Hoehne
222 West Poplar Street, Sidney, OH 45365**

To be and appear before the Court of Common Pleas of the County of Shelby, Sidney, Ohio, on the 6th day of October 2022 at 9:00 a.m., to testify as a witness in a certain case pending in said Court on behalf of the State of Ohio.

YOU ARE FURTHER ORDERED TO BRING WITH YOU:

EMS run sheets and any and all other information and records regarding Todd Jordan for the incident at Sidney Food Town on December 21, 2022.

This Subpoena is confidential and may be honored by delivering the requested information to Special Agent Perry Roeser by email: Perry.Roeser@OhioAGO.gov, on or before Wednesday, January 4, 2023.

And not depart the Court without leave. And therein to fail not, under penalty of law, and to have then and there this writ. Present this Subpoena to the Clerk of Court upon your arrival and before you leave. You may be held in contempt of Court for failure to appear.

Person being subpoenaed resides outside the Count in which Court is located. One day witness fee and mileage in amount of \$ _____ is attached.

See attached for your rights and duties under subpoena.

RETURN OF SERVICE	DATE OF SERVICE
Service \$ _____	_____
Mileage \$ _____	<i>Type of Service</i>
Total \$ _____	<input type="checkbox"/> Personal
	<input type="checkbox"/> Residential - by leaving copy with

_____ Sheriff - Bailiff - Process Server	

Timothy S. Sell, Prosecutor (0030867)

WITNESS my hand and Seal of said Court this ___ day of December, 2022.

Michele Mumford, Clerk
Common Pleas Court

By _____
Deputy Clerk

Fee paid to witness by clerk \$ _____

RULES OF CIVIL PROCEDURE

RULE 45. Subpoena

C) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.

(2) (a) A person commanded to produce under Divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule need not appear in person at the place of production or inspection unless commanded to attend and give testimony at a deposition, hearing, or trial.

(b) Subject to division (D)(2) of this rule, a person commanded to produce under Divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to production. If objection is made, the party serving the subpoena shall not be entitled to production except pursuant to an order of the Court by which the subpoena was issued. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel the production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the production commanded.

(3) On timely motion, the Court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:

(a) Fails to allow reasonable time to comply;

(b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;

(c) Requires disclosure of a fact known or opinion held by an expert not retained or specially employed by any party in anticipation of litigation or preparation for trial as described by Civ. R. 26(B)(4), if the fact or opinion does not describe specific events or occurrences in dispute and results from study by that expert that was not made at the request of any party;

(d) Subjects a person to undue burden.

(4) Before filing a motion pursuant to Division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to Division (C)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.

(5) If a motion is made under Division (C)(3)(c) or (C)(3)(d) of this rule, the Court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

(D) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall, at the person's option, produce them as they are kept in the usual course of business or organized and labeled to correspond with the categories in the subpoena. A person producing documents pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials under Civ. R. 26(B)(3) or (4), the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.