



Ohio Attorney General's Office
Bureau of Criminal Investigation
Prosecutor Summary



Investigative Activity: Case Closing
Involves: Dustin Booth (S)
Date of Activity: 03/16/2022
Activity Location: Ohio Bureau of Criminal Investigation – 1560 SR-56 SW, London, OH 43140, Madison County
Author: SA Steven Seitzman

To: Michael T. Gmoser, Butler County Prosecutor

CC: Special Agent Supervisor Will Jones, Ohio BCI

From: Special Agents Richard Ward and Steven Seitzman, Ohio BCI

Date: March 16, 2022

Case Title: Monroe Police Department OICI

Case Number: 2022-0310

Preface:

The following prosecutor summary serves as an overview into the criminal investigation of an Officer-Involved Critical Incident (OICI) that took place at the intersection of Lebanon Street and New Garver Road in the City of Monroe, Butler County, Ohio. The incident occurred between Dustin Booth and members of the Monroe Police Department. The investigation was conducted by Ohio Bureau of Criminal Investigation (BCI) Senior Special Agent Richard Ward (SA Ward) and Special Agent Steven Seitzman (SA Seitzman) at the request of Monroe Police Department Chief of Police Bob Buchanan.

This report only summarizes the investigative activity and information gathered by BCI. Every fact, detail, and full summary of all interviews is not presented in this report. Therefore, it is recommended that each individual report from which this document was derived be reviewed in order to obtain a complete understanding of this investigation. Audio and/or video recordings exist for some of the interviews conducted revealing further details of statements given regarding the incident.

Synopsis of Incident:

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.

On February 11, 2022, at approximately 1413 hours, the Monroe Police Department was contacted by Brandi Booth (Ms. Booth), wife of decedent Dustin Booth (Booth). Ms. Booth reported Booth had been acting erratically and was placed on a medical hold for a psychological evaluation a week prior. Ms. Booth informed the police dispatcher on February 11th, 2022, that Dustin was "a danger to himself and others." When a Monroe police officer attempted to conduct a traffic stop on Booth while he operated his truck, Booth ignored the officer's request. Booth instead drove to his residence at 120 Bluegrass Lane located in the City of Monroe. While on the driveway of his residence, Booth again ignored the officer's commands to stay outside. Booth entered his residence and continued to refuse commands from additional Monroe police officers who arrived at the scene.

For several hours, Monroe police officers attempted to speak with Booth by utilizing a police cruiser PA system. After a few verbal exchanges between Booth and police officers, Booth refused to exit his residence. During that time, officers observed Booth through a window wearing a handgun on his hip. Monroe police officers surrounded the Booth residence for several hours; however, at approximately 1700 hours, Monroe police officers ultimately cleared the marked patrol vehicles from the area. Two unmarked Monroe PD vehicles with plain clothes detectives remained in the area to keep an inconspicuous police presence and to surveil the Booth residence.

At approximately 2000 hours, Booth's friend, Justin Duh (Mr. Duh), on his own volition, drove to Booth's residence and went inside. Mr. Duh was in communication with Ms. Booth. Ms. Booth provided Mr. Duh with Monroe PD Detective Aaron Ledford's phone number. Mr. Duh briefly left the residence to get pizza for Booth and him. While he was away from the residence, he spoke with Det. Ledford on the phone. Det. Ledford informed Mr. Duh if he could get Booth in his pick-up truck, Monroe police officers would conduct a traffic stop. The plan was to stop the pick-up truck and take Booth to a hospital. Mr. Duh continually provided Det. Ledford with updates. Booth eventually got in Mr. Duh's pick-up truck; however, he exited to go back inside his residence to get a gun. Mr. Duh advised Det. Ledford of the development. Det. Ledford in turn advised officers Booth retrieved the gun. Booth got back inside Mr. Duh's pick-up truck with a tote-style bag containing the aforementioned handgun. They exited the main entrance of the neighborhood onto Gallaher Road.

At approximately 2248 hours, Mr. Duh and Booth were stopped by Monroe police officers as they were at the intersection of Lebanon Street and New Garver Road. Booth exited the truck and walked away from the police officers with his hands up. He failed to comply with officers' commands to stop. Monroe Canine Police Officer Fred Doughman tried twice to apprehend Booth with his canine; however, those attempts were unsuccessful. Booth subsequently brandished a silver revolver pistol. Booth pointed the gun in the direction of the Monroe police officers, and as a result, the police officers fired several rounds at Booth. Booth ultimately succumbed to his injuries at the Middletown Atrium Medical Center.

Monroe Police Chief Bob Buchanan requested BCI investigate the OICI. The BCI Crime Scene Unit (CSU) and Special Investigations Units (SIU) were called to the scene. BCI SIU Special Agents (SA) Richard Ward, Steven Seitzman, Ken Smith, Doug Eveslage, and Special Agent Supervisor William Jones responded. BCI CSU SA Chad Holcomb and SA Kevin Wagner responded to process the scene and involved officers.

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.

Summary of Investigative Process:

- OICI scene and involved officers processed by the BCI Crime Scene Unit
- Autopsy completed by Hamilton County Coroner's Office, attended by SA Ken Smith and SA Eveslage
- Firearms, casings, and projectiles examined at the BCI laboratory
- Obtained written letter of request for BCI assistance
- Obtained body-worn camera, cruiser camera, and intersection traffic camera footage
- Obtained training records/personnel records for the following Monroe police officers: Skylar Halsey, Micah Day, Austin Whitt, Fred Doughman, and Sergeant Caleb Payne
- Retrieved dispatch logs, detail call sheet, radio recordings, and the uniform incident report face sheet from the Monroe Police Department
- Obtained a copy of Monroe Police Department's Use of Force policy
- Obtained EMS Run Reports
- Obtained Booth's medical records
- E-trace on Booth's .45 caliber Ruger Vaquero revolver
- Obtained all other known pertinent records or recordings.

Investigative Interviews:

Several individuals were interviewed as a part of the investigation, including the following officers who were directly involved in the shooting incident: Monroe Police Department Officers Skylar Halsey, Fred Doughman, Austin Whitt, Micah Day, and Sergeant Caleb Payne.

The following Monroe police officers, who were not directly involved in the shooting, were interviewed: Sergeant Chad Caudill, Det. Ledford, Det. Matthew Parker, and Officer Buddo.

Mr. Duh provided a statement to agents on the night of the OICI. He also gave agents written consent to search his vehicle.

Jonathan Janowski (Mr. Janowski) and Eliza Miller (Ms. Miller) were interviewed after they came forward and indicated they witnessed at least a portion of the incident. Mr. Janowski contacted the Monroe Police Department on the night of the incident to report he witnessed part of the incident from his car while he was stopped at the intersection. Ms. Miller spoke to a news outlet, then contacted BCI on February 14, 2022. She advised she was stopped at the traffic signal on the north side of New Garver Road at SR-63 and observed the incident as it was occurring across the street on the south side of New Garver Road.

Ms. Booth was interviewed on March 3, 2022, in the presence of her attorneys (Konrad Kircher and Ryan McGraw from Rittgers & Rittgers Attorneys at Law) and her mother, Jodi Price, and mother-in-law, Melodie Neace (Booth's mother).

Monroe Police Department Sergeant Robert "Eddie" Myers (Sgt. Myers) was interviewed on March 22, 2022, in the presence of Ohio Patrolmen's Benevolent Association attorney George Gerken. He was present for the entire OICI; however, he did not fire his weapon. He advised it was his belief all officers responded appropriately during the OICI.

Officers Michelle Berling and Charles Ernie Malott from the West Chester Township Police

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.

Department were interviewed, as they provided assistance to Monroe PD in the form of crisis negotiation services. They both advised agents they briefly spoke with Booth during the initial incident during the afternoon on February 11, 2022. Both advised Booth incoherently rambled on the telephone and did not give them much opportunity to speak.

Involved officer interviews:

The involved officers were interviewed on March 1, 2022 at the Monroe Police Department. They were represented by Ohio Patrolmen's Benevolent Association attorney Joseph Hegedus. The following are condensed summaries of the statements made by the involved officers.

Officer Fred Doughman (Officer Doughman):

Officer Doughman advised he assisted with the traffic stop of Mr. Duh and Booth. He was aware Booth was likely to be armed. He serves as a canine officer and attempted to apprehend Booth with his canine, which was unsuccessful. He went "hands on" with Booth and they both went to the ground. As Booth was standing up, he brandished a chrome revolver and raised it up toward officers. Fearing for his safety and the safety of his fellow officers, Officer Doughman said he fired three or four rounds at Booth. After Booth fell to the ground, he remembered officers moving up to Booth, and an officer (unknown officer to him; however, through additional investigation determined to be Sgt. Myers) kicked the gun away from Booth. Officers then rendered medical aid to Booth.

Officer Austin Whitt (Officer Whitt):

Officer Whitt advised at approximately 1430 hours on February 11, 2022, he responded to 120 Bluegrass Ln. for the initial incident involving Booth. He stated Sgt. Myers utilized a police cruiser PA system to give commands to Booth. Booth exited the residence at one point and told officers to "bring everything" they've got. Booth also told officers to "go get that big vehicle you don't use for anything else" and ram it through his door. Officer Whitt went to another residence where Ms. Booth was waiting. He stayed with Ms. Booth as she spoke with a Butler County Mobile Crisis counselor. After the counselor heard Ms. Booth's concerns, the counselor advised she would sign an application for emergency admission for Booth; however, she required Monroe police officers to take him. Officer Whitt advised Monroe PD command staff decided to "pull back" from the residence so as to not escalate the incident with Booth, as officers were aware Booth was armed.

Later in the evening, Officer Whitt received information that Booth's friend, Mr. Duh, drove to Booth's residence and went inside. Mr. Duh was in contact with Det. Ledford. A plan was made to have Mr. Duh drive Booth and Monroe police officers would initiate a high-risk traffic stop on the vehicle. Officer Whitt assisted with the traffic stop. He recalled Mr. Duh exited the vehicle and stated, "He's (Booth) got a gun! He's got a gun!" Booth got out of the vehicle and walked away from the officers. Officer Doughman unsuccessfully deployed his canine, and then Officer Doughman went "hands on" with Booth. Both Officer Doughman and Booth went to the ground. As Booth got up from the ground, he grabbed a "long barrel revolver," and Booth pulled the weapon up toward officers. Officer Whitt remembered firing four or five rounds at Booth. He stated he fired at Booth because he feared for his safety and the safety of the other officers. He ceased firing after Booth fell to the ground and dropped his gun. He then assisted other

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.

officers in providing medical aid to Booth. As Booth lay on the ground, he said to the officers, "I love you guys" and "fuck these bullet holes. I just need water."

Officer Skylar Halsey (Officer Halsey):

Officer Halsey advised he became involved in the incident after the plan was made to conduct a traffic stop on Mr. Duh's vehicle. Once Mr. Duh left Booth's residence, Officer Halsey was the first police cruiser behind the vehicle. He received information from Monroe PD Sergeant Chad Caudill that Booth was armed. Officer Halsey initiated a traffic stop on the vehicle on Lebanon Street near New Garver Road. Mr. Duh and Booth fought inside the vehicle, and Mr. Duh subsequently exited. He thought Mr. Duh said he was stabbed, but he certainly heard Mr. Duh say "He [Booth] has a gun." Booth got out of the vehicle and walked away from officers with his hands up. Officer Doughman unsuccessfully deployed his canine. Officer Doughman then put Booth on the ground near a concrete island. Booth stood up, reached across the front of his body with his right hand, and pulled out a large, silver pistol. Booth raised the weapon toward officers, which caused Officer Halsey to fear for his life and the lives of the other officers. Officer Halsey fired an unknown number of rounds at Booth. Booth fell to the ground. Officers moved up to Booth and Sgt. Myer kicked the gun away from him. Officers then rendered medical aid. Officer Halsey recalled Booth saying, "I love you guys" and asking for water.

Officer Micah Day (Officer Day):

Officer Day advised he was working overtime at a basketball game and learned information about the activity that was occurring at 120 Bluegrass Ln. After the overtime assignment, his lieutenant requested he start work early and assist the prior shift in conducting a high-risk traffic stop on the vehicle containing Booth. He heard over the police radio that Booth was the passenger in the vehicle and was armed with a gun. Monroe police officers initiated a traffic stop on the vehicle on Lebanon Road near New Garver Road. He was one of the last officers to arrive at the traffic stop location. He observed Booth walking away from officers. He then heard the driver (Mr. Duh) say, "He's got a gun, he's got a gun!"

Officers approached Booth, and Monroe PD Canine Officer Doughman released his canine. Officer Doughman attempt at deploying his canine was unsuccessful. Officer Doughman then went "hands on" with Booth, and they both fell to the ground. As Booth stood up, his right arm went somewhere between the center of his chest and waistline. Officer Day remembered seeing "silver." He recognized the "silver" was a handgun being held by Booth. He remembered seeing the gun "coming out" toward officers as Booth was moving it. He feared for his life and the lives of his fellow officers, so he discharged his duty weapon. He was uncertain how many rounds he fired; however, he believed it was more than once. He observed Booth fall to the ground, and his handgun fell out of his hand. After officers ceased firing, they gave verbal instructions to Booth not to move. Officers then advanced toward Booth and rendered first aid. Officer Day applied a tourniquet to Booth's right leg. He recalled Booth saying something to the effect of he "wasn't mad at us, but we were wrong and he was right."

Sergeant Caleb Payne (Sgt. Payne):

Sgt. Payne arrived for midnight shift and was conducting roll call. During roll call, he learned

the prior shift dealt with Booth, who was experiencing a mental breakdown. Monroe PD Lieutenant Rosenbalm informed him Booth's friend, Mr. Duh, was inside the residence was Booth. Lt. Rosenbalm advised the plan was to have Mr. Duh drive Booth away from the residence so Monroe police officers could stop the vehicle. Lt. Rosenbalm received and relayed the information from Sgt. Myers.

Sgt. Payne ended roll call and went toward the Bridle Creek neighborhood. As he was driving, he heard over the police radio that Mr. Duh and Booth were leaving, and Booth had a bag with a gun inside. He heard Officer Halsey make the traffic stop on Lebanon Street at New Garver Road. He arrived after several other officers and observed Mr. Duh walking back toward the police cruisers. He walked toward the stopped vehicle in the direction of the other officers. As he reached the stopped vehicle, he saw Sgt. Myers looking inside a bag on the ground and heard him yell, "The bag's empty! The bag's empty! Don't fight him! Don't fight him!" He understood Sgt. Myers statements as a warning to other officers that Booth was armed.

Sgt. Payne next observed Officer Doughman's canine, Canine Nelson, in a failed attempt to bite Booth. Officer Doughman then grabbed Booth by the shoulders and did a leg sweep to take him to the ground. Both Booth and Officer Doughman went to the ground. As Booth was getting up from the ground, Booth produced a large, chrome revolver. Booth began "waving" the handgun in the direction of the officers. Sgt. Payne was in fear for his safety and the safety of the other officers, so he fired two shots from his duty pistol. He recalled other officers also fired shots at Booth. He remembered Booth falling on his back onto a concrete slab. Booth's gun fell to the ground approximately three or four feet to his right. Sgt. Myer radioed that shots had been fired and requested an ambulance. During this time, he noticed Booth was wearing a cowboy or western-style belt and holster over his left shoulder. The belt had several rounds of ammunition in ammunition loops. Officers subsequently advanced toward Booth and rendered medical aid. Sgt. Payne provided tourniquets to officers to use on Booth, but he did not render aid himself due to the number of officers already doing so.

BCI Firearms Laboratory Reports:

On March 24, 2022, SA Ward received the BCI Firearms Laboratory Report. The report revealed the following information from each officers' respective firearm:

Sgt. Payne: Three fired casings were confirmed from his firearm. A bullet removed from Booth's right hip was confirmed from his firearm.

Officer Doughman: Five fired casings were confirmed from his firearm. A bullet removed from Booth's epigastric was confirmed from his firearm. A bullet removed from Booth's neck was confirmed from his firearm.

Officer Halsey: Six fired casings were confirmed from his firearm.

Officer Whitt: Six fired casings were confirmed from his firearm. A bullet removed from Booth's back was confirmed from his firearm.

Officer Day: Four fired casings were confirmed from his firearm. A bullet removed from Booth's right buttock was confirmed from his firearm.

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.

Source identifications for two bullets were inconclusive. Those bullets were removed from Booth's spine and colon. A bullet fragment located in Booth's hospital room at the Atrium Medical Center was unsuitable for testing.

Post-mortem examination/autopsy:

BCI SA Ken Smith and SA Doug Eveslage attended Booth's autopsy. Jennifer Schott, M.D., conducted the autopsy with the assistance of Autopsy Technician Michael Mulholland. The autopsy took place at the Hamilton County Coroner's Office at the request of the Warren County Coroner's Office.

Dr. Schott took photographs throughout the entire examination process. SA Eveslage and SA Smith observed a thoracotomy on Booth's front left side of his chest, at least one tourniquet, and other medical bandages applied during life saving measures.

Dr. Schott located multiple gunshot wounds to the left side of Booth's body; specifically, two to his left forearm and two on the left side of his chest cavity. She located gunshot wounds to Booth's torso, foot, and scrotum. Dr. Schott recovered six projectiles and at least one projectile fragment from Booth's body. Dr. Schott stated she located numerous through and through gunshot wounds and multiple broken bones caused by gunshots. At the conclusion, she advised agents her preliminary finding was Booth's death was the result of blood loss due to a gunshot wound to the left kidney.

A copy of the Hamilton County Coroner's Report was received on April 5, 2022. A corrected version was received on April 7, 2022, after a typographical error was discovered. With respect to the gunshot wounds, the following opinions were rendered:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

With respect to blunt impacts of the torso and extremities, the following opinions were rendered:

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.

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

Summary:

All persons known to have relevant information regarding this investigation have been interviewed, and all known records have been obtained and reviewed. BCI has striven to conduct a thorough and impartial investigation into this OICI. BCI will continue to offer investigative assistance into any newly identified witnesses or information relative to this criminal investigation. It appears that BCI's investigation into this OICI is concluded, unless such new information or witnesses are identified through the grand jury or other processes.

As always, we remain available for consultation and look forward to your assessment of this investigation and your decision as to any additional efforts, processes, or further assistance or involvement you might determine to be necessary.

End of Summary.