



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



2025-0596

Officer Involved Critical Incident – 236 McKinley Ave, Piqua, OH
(Miami County) (L)

Investigative Activity: Interview with Witness, Interview with Officer
Involves: Lieutenant Marcos Rodriguez (S)
Date of Activity: 03/03/2025
Activity Location: Piqua Police Department – Business – 100 N. Wayne Street, Piqua, OH 45356
Author: SA David Hornyak, #112

Narrative:

On March 3, 2025, at approximately 1014 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agents Dave Hornyak and Steve Seitzman interviewed Lieutenant Marcos Rodriguez of the Piqua Police Department relative to the officer-involved critical incident that occurred on February 21, 2025, at 236 McKinley Avenue, Piqua, Ohio. The interview took place at the Piqua Police Department. Also present for the interview was Attorney Joe Hegedus, legal counsel for Lt. Rodriguez. The purpose of the interview was to obtain all relevant information of the incident known or observed by this individual.

Prior to the interview, Mr. Hegedus cooperatively informed the agents that he would only allow Lt. Rodriguez to be interviewed if the interview were to be audio recorded only, and not video recorded. In order to accomplish the interview on Mr. Hegedus' terms, through the Piqua Police Department, the agents arranged for the interview to be conducted in a non-recorded meeting room in the city building.

Immediately prior to the interview, the agents provided Lt. Rodriguez and Mr. Hegedus with a copy of the BCI Criminal Investigation Notification form, asking them to review and have Lt. Rodriguez sign if they wanted to proceed with the interview. Lt. Rodriguez reviewed and signed the form in the presence of Mr. Hegedus and returned it to the agents.

Lt. Rodriguez verified that he was voluntarily attending the interview and then provided the following information:

Preliminary and Demographic Information:

Name: Marcos Antonio Rodriguez	Rank: Lieutenant (Lt.)
Badge Number: 239	Cruiser/Vehicle Number: P232

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Radio Call Sign: 239	Immediate Supervisor: Deputy Chief of Police Dave Thomas
Radio Channel Utilized: LE 1	Mobile Data Terminal: Present & Utilized
Cruiser Description: 2023 Dodge Durango with Piqua PD decals	Occupants of Cruiser and Seating Positions: No
Assignment: Patrol supervisor	Normal Shift: [REDACTED]
In-Car Camera: Operational, But Not Used	Spotlight: Present; Not utilized
Emergency Lights: Present; Not Utilized	Siren: Present; Not Used
Shift Day of Incident: [REDACTED]	Duty Status: On-Duty
Days Off: Rotating	Prior Overtime or Extra Details within Preceding 48 Hours: No
Hours of Sleep Prior to Incident: 7–8 hours	Consider Self Well Rested?: Yes
Total Length as Officer: Since 2004	Length at Current Agency: Since 2004
Physical Disabilities (to include hearing aid): n/a	Corrective Lenses: No Corrective Lenses
Uniform Worn: Department-issued navy blue pants and shirt, Piqua PD shoulder patches, external ballistic vest with police badge and name on the front and "POLICE" lettering "POLICE" on the front and back	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: TASER, pepper spray, collapsible baton
Ballistic Vest: External Armor	Body Worn Camera: Present & Used
Other Recording Devices: Used a department-issued cell phone camera to record video due to the mistaken belief that his department-issued body-worn camera was not working.	Partner: Officer Jackson Heath, Officer Adam Kimpel, Officer Zachary Smith, and Officer Hunter Mote
Injuries: No	Equipment Damage: No
Training or Areas of Specialty: 40-hour CIT course, basic instructor, and hostage negotiation (currently assigned to the Piqua Sydney combined SWAT team as a negotiator)	OPOTC Certification: Ohio Police Corps Training Academy; 2004
Military Experience/Training: No	Use-of-Force Training: Annual use of force training; legal and policy updates via Lexipol
Prior Shooting Incidents: No	Prior Discipline or Use-of-Force Complaints: No
Medications, Prescriptions, or Drugs that might Impair Your Duties at Time of Incident: No	Medications, Prescriptions, or Drugs that might Impair You Now for Interview: No
Alcohol in Past 24 Hours? No	Last Consumed Alcohol Prior to Incident: Could not recall

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Officer's Firearm(s):

Duty Weapon

Make: Sig Sauer	Model: P320
Caliber/Gauge: 9 mm	Serial: [REDACTED]
Type: Semi-Auto Handgun	Method of Carry: Duty belt holster
Magazine Capacity: Stated 15 or 17	Total Rounds as Carried (including chamber): Believed 17 + 1; said it was topped to capacity
Extra Magazines: Two spare magazines on duty belt	Number of Rounds in Extra Magazines: Believed topped to capacity at 17 rounds
Discharged During Incident? Yes	Primary or Backup Weapon: Primary
Rounds Remaining After Incident: Did not recall	Number of Rounds Fired: Four rounds, confirmed by watching incident video
Right/Left-Handed Carry: Right-Handed	Ownership: Department Owned
Last Qualification Date: Within the past year	Type of Holster, if any: Level III

Lt. Rodriguez has specialty training in Crisis Intervention Training (CIT), Hostage Negotiation training, and has completed the 2-week OPOTA Basic Training Instructor course. He has worked as a hostage negotiator for the Piqua/Sidney joint regional SWAT team and has been with the team for approximately five years.

Prior to February 21, 2025, he had one previous encounter with David West, the subject who died during the officer-involved critical incident. During that previous encounter, Lt. Rodriguez responded to West's then-residence on Broadway in Piqua. Lt. Rodriguez recalls this as having occurred in the summertime approximately two years ago. The extent of the encounter involved Lt. Rodriguez speaking with West from outside the residence through a window. West remained inside during the entire encounter and the police left the residence without further incident.

Lt. Rodriguez is aware that West had previously threatened "Job and Family Services," had reported his child as being kidnapped, and had received a criminal charge that resulted in him being sent to a mental health facility in Toledo, Ohio, for multiple weeks. Lt. Rodriguez also verified that West had never previously assaulted him.

Lt. Rodriguez stated that, on February 21, 2025, he was working [REDACTED]. He was well-rested and had not consumed any alcohol in approximately multiple months. He was in a standard PPD uniform, which was well-marked identifying him as a police officer. He was armed with his Sig Sauer 320 9mm duty pistol and was also carrying a Taser, pepper spray, and a baton.

Shortly before 1700 hours, a domestic call was received involving David West. Lt. Rodriguez believed he was going to end up at the call "one way or another" and responded to 236

McKinley. Prior to the incident, Lt. Rodriguez had believed that West still resided at the property on Broadway and did not associate him with the McKinley address.

At the residence, Lt. Rodriguez activated his body-worn camera (BWC). After noticing that it appeared not to be working, Lt. Rodriguez activated a video recording from his cell phone and placed it in his vest pocket with the camera facing out in order to ensure the incident was properly documented. (*Agent's Note: On the evening of February 21, 2025, hours after the incident, Lt. Rodriguez's labor attorney Joe Hegedus reported this to BCI investigators and provided the cell phone; however, when BWC video was later provided by PPD, it was found that Lt. Rodriguez's BWC had been functioning properly and had fully recorded the incident.*)

Other PPD officers responding to the domestic situation were Officers Adam Kimpel, Hunter Mote, and Jackson Heath. Inside the residence, David West's mother (Tammy West) informed officers that West had shoved her with "...a two-hand shove." West's father told officers that West was armed with a pepper ball gun. Mrs. West told officers that West had "...some sort of Taser gun." After the parents told officers that West was in the basement, Lt. Rodriguez and other officers went to the basement door. As they first began moving downstairs, West announced to officers that he had a pistol. The officers then held at the top of the stairs and Lt. Rodriguez began giving orders for West to "come out." Lt. Rodriguez stated that the first time he saw West, West moved toward the stairs and the lower part of his torso was visible, but not his hands. Lt. Rodriguez said that due to this posture, he assumed West had a weapon in his hands and began giving commands for West, specifically saying, "Put the gun down. Put the gun down." Lt. Rodriguez said he then told his fellow officers what he had seen just before West appeared again and displayed what looked to be a handgun pointed up the stairs at Lt. Rodriguez. Lt. Rodriguez said that, in response, he fired four rounds at West who then disappeared into the basement.

Lt. Rodriguez stated that he called out to West multiple times with no response before hearing what sounded to be a snoring noise that Lt. Rodriguez knows to be associated with "agonal" or labored breathing. Lt. Rodriguez said that, knowing he had struck West with gunfire, he made the decision to go down the basement where he then found West lying on the far end of the basement floor with what looked to be a handgun at his feet. Lt. Rodriguez "kicked that away" and instructed Officer Heath to "glove up" and begin CPR on West. Lt. Rodriguez then went upstairs giving further instruction from there until Officer Marrs arrived, became the officer-in-charge. Due to being the officer involved in the shooting, Lt. Rodriguez then placed himself out-of-service.

In response to questions from the agents, Lt. Rodriguez said that at the beginning of the direct encounter, he was positioned on the left side of the basement doorway and that the basement opened up to the right. Lt. Rodriguez said he assumed that West had a real firearm because West had specifically announced to officers that he had "...a gun." Lt. Rodriguez acknowledged that even though West's family members had stated that West was only armed with less-lethal weapon, officers had no way of being certain that the pistol brandished by West was not an actual firearm.

When Lt. Rodriguez did first see the gun in West's hands, it looked to Lt. Rodriguez to be a black, semi-automatic handgun. When West pointed the gun at Lt. Rodriguez, West used a two-handed grip with both arms fully extended and pointed up the stairs "directly" at Lt.

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Rodriguez.

Lt. Rodriguez said he fired at West when he first came to believe that his own life was in danger and that West was about to shoot him. Lt. Rodriguez said he stopped firing when "...the threat was gone." Lt. Rodriguez acknowledged that he had no way of knowing for certain whether or not West was still a deadly threat when he went downstairs to check on him. Lt. Rodriguez stated that, due to believing West was armed with a real firearm, it was necessary for the primary officer to have his duty weapon out instead of beginning with a less-lethal option. Lt. Rodriguez stated that it could be appropriate for a secondary officer to be ready with a less-lethal option, but that the layout of this situation did not allow officers the opportunity to attempt to deploy a less-lethal tool. Specifically, Lt. Rodriguez stated that he did not believe other officers could even see West from their positions on the other side of the doorway. Had they been able to see West, Lt. Rodriguez stated that the distance would also have been an impediment to deploying a Taser.

Near the beginning of the BCI interview, Lt. Rodriguez informed the agents that he had seen his BWC video and having watched it, would not have done anything different during the encounter. The interview then terminated at approximately 1053 hours.

The interview was recorded on a handheld digital recording device. This report is a summary only. The entire interview can be reviewed on the recording.

References:

No references.

Attachments:

Attachment # 01: 2025-03-03 / Lt. Marcos Rodriguez interview

Attachment # 02: 2025-03-03 / Crim. Invest. Notification form – Lt. Rodriguez

Exhibit 1

Included as a separate file.

Exhibit 2

OHIO BUREAU OF CRIMINAL INVESTIGATION



Bureau of Criminal Investigation
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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).

Marcos Rodriguez
Printed Name of Interviewee

3/3/25
Date / Time

[Signature]
Signature of Interviewee

SA DAVE HORNEM #112
BCI Agent (Printed)

[Signature]
BCI Agent (Signature)