



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: Body Camera Review

Involves: Chris Burmeister (S), Jason Viapiano (S), Andrew Shappie (S), Aaron Wesbecher (S)

Date of Activity: 12/21/2022

Activity Location: Sidney Food Town – 1010 Wapakoneta Ave., Sidney, OH 45365, Shelby County

Author: SA Perry K. Roeser, #114

Narrative:

On December 26, 2022, Ohio Bureau of Criminal Investigation (BCI) Special Agent Perry Roeser (SA Roeser) reviewed the Body Worn Camera (BWC) footage from Sidney Police Officers Shappie, Viapiano, and Wesbecher dated 12/21/2022 from the Sidney Foodtown grocery store located at 1010 Wapakoneta Avenue, Sidney, Ohio. Sidney Police Captain Jerry Tangerman, provided the video recordings to SA Roeser. Captain Tangerman explained the fourth involved officer, Sergeant Burmeister, was not wearing his BWC at the time of the OICI.

The details below summarize the recorded BWC from the Officer-Involved Critical Incident dated 12/21/2022.

Officer Andrew Shappie-BWC dated 12/21/2022 at 0801 hours: Camera ID #QBA01153

- 0801.56 – Officer Shappie was located at the Sidney Police Department when he left for the call for service.
- 0802.32 – Audio from the BWC began inside the SUV-style police cruiser.
- 0804.04 – Officer Shappie arrived at the location and exited the vehicle with a rifle. Three other SUV-style cruisers were already on the scene.
- 0804.36 – Once officers broke the threshold of the entrance to the grocery store, they came into contact with the subject near the cash registers.
- 0804.36 – Officers shout commands to the subject to comply with orders.
- 0804.49 – The subject reached into his right-side jacket pocket and produced a handgun. Officers discharged their firearms in the direction of the subject.
- 0804.54 – Officers notified dispatch of shots fired. The subject fell backward onto the ground.
- 0805.12 – Officer Wesbecher moved the handgun (with his foot) away from the subject's

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feet.

- 0806.06 – Officer Wesbecher put on latex gloves and assessed the subject.
- 0808.16 – Sidney Fire and Rescue arrived for life-saving measures.
- 0808.34 – Officer Shappie exited the store.
- 0810.40 – Officer Shappie extracted the magazine and one (1) cartridge from his rifle's barrel and laid the weapon in the backseat of his cruiser.
- 0815.54 – The BWC was shut down.

The total duration of the footage was 13:57 minutes in length.

Officer Jason Viapiano–BWC dated 12/21/2022 at 0802.28 hours: Camera ID #188

- 0802.40 – The BWC started from inside the police cruiser.
- 0802.54 – Officer Viapiano exited his cruiser in the parking lot of the grocery store with a rifle. Officer Viapiano was the first uniformed officer to arrive.
- 0802.58 –The BWC audio began.
- 0803.04 – Officer Viapiano asked a patron at the front door where the subject was and entered the store.
- 0803.42 – Officer Viapiano walked against the north wall inside the store, looking north down the aisles for the subject.
- 0804.34 – Officer Viapiano saw the subject near the cash register and began to yell, "hands, hands, hands, get your hands up," as he advanced toward the subject.
- 0804.32 – Officer Viapiano took a knee and aimed his rifle in the direction of the subject as he continued to yell commands.
- 0804.48 – Officer Viapiano fired his weapon in the direction of the subject.
- 0805.09 – Officer Viapiano moved toward the subject with other officers. A handgun laid at/near the feet of the subject.
- 0805.12 – Officer Wesbecher moved the handgun (with his foot) away from the subject's body.
- 0805.40 – Officer Viapiano moved to the front office area and checked on a female hiding behind the counter.
- 0807.56 – Officer Viapiano went into the front office and found two individuals hiding underneath a desk. One of the females was on the phone. The female underneath the desk seemed to be in shock.
- 0809.06 – Officer Viapiano exited the store's entrance and headed toward his SUV-style cruiser, license plate #Ohio 154ZKP. Officer Viapiano placed his rifle in the front passenger's seat and sat in the driver's seat.
- 0810.09 – The BWC was shut down.

The total duration of the footage was 7:43 minutes in length.

Officer Aaron Wesbecher–BWC dated 12/21/2022 at 0802.03 hours: Camera ID #208

- 0802.03 – The BWC started from a desk area inside the Sidney Police Department.
- 0802.30 – Officer Wesbecher left from the Sidney Police Department's back parking lot.
- 0802.33 – Audio from the BWC started.
- 0804.10 – Officer Wesbecher arrived at the grocery store's parking lot. Officer

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- Wesbecher exited the SUV-style cruiser with a rifle in hand.
- 0804.35 – As Officer Wesbecher approached the store's front entrance, he began to hear officers shout commands at the subject. Officer Wesbecher ran into the building and confronted the subject at gunpoint near the cash registers.
 - 0804.48 – The subject reached into his front right jacket pocket and produced a handgun. Officer Wesbecher and other officers discharged their firearms in the direction of the subject.
 - 0805.58 – Officer Wesbecher put on a pair of latex gloves, searched, and assessed the subject.
 - 0808.06 – Sidney Fire and Rescue arrived for life-saving measures.
 - 0808.44 – Officer Wesbecher exited the store, walked over to his SUV-style cruiser, Ohio license plate # 704ZNT, unloaded his rifle in the back trunk area, and took a seat in his cruiser.
 - 0815.48 – The BWC was shut down.

The total duration of the footage was 13:45 minutes in length.

The Sidney Foodtown grocery store has video footage from its surveillance system that will be examined in a separate investigative report.

The BWC videos are maintained on a thumb drive and stored in the case file for review.

References:

USB Thumbdrive – Black SanDisk 64 GB