



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



2024-3258

Officer Involved Critical Incident – 1273 Rosedale Drive, Dayton,
OH (Montgomery Co.) (L)

Investigative Activity: Interview with Officer
Involves: [REDACTED] (S)
Date of Activity: 12/10/2024
Activity Location: Moraine Police Department – 4200 Dryden Road, Dayton, OH
45402
Author: SA Steven Seitzman

Narrative:

On Tuesday, December 10, 2024 at approximately 1302 hours, Ohio Bureau of Criminal Investigation Special Agents Steven Seitzman and Dave Hornyak interviewed Dayton Police [REDACTED], who was accompanied by his Fraternal Order of Police attorney, Scott O'Reilly. [REDACTED] was identified as an officer who discharged his weapon during the OICI. The interview took place in a conference room at the Moraine Police Department, located at 4200 Dryden Road in Moraine, Ohio. The interview was audio recorded.

The details below summarize what the author believed to be the pertinent portions of the recorded interview and are not a verbatim account. Further, this report was placed in a chronology to aid the reader's overall understanding of the information elicited during the interview and may not be reflective of the actual sequencing of questions. It is suggested that the full audio recording be reviewed.

[REDACTED] read, understood, and signed the BCI Criminal Investigation Notification form.

Preliminary and Demographic Information:

Name: [REDACTED] Ray [REDACTED]	Rank: [REDACTED]
Badge Number: [REDACTED]	Cruiser/Vehicle Number: [REDACTED]
Radio Call Sign: [REDACTED]	Immediate Supervisor: Sergeant Christopher Savage
Radio Channel Utilized: Dayton West	Mobile Data Terminal: Present & Utilized
Cruiser Description: marked Ford Explorer	Occupants of Cruiser and Seating Positions: None
Assignment: Patrol and canine duties	Normal Shift: [REDACTED]

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In-Car Camera: Operational & Utilized	Spotlight: Present; Not utilized
Emergency Lights: Present; Not Utilized	Siren: Present; Not Used
Shift Day of Incident: [REDACTED]	Duty Status: On-Duty
Days Off: [REDACTED]	Prior Overtime or Extra Details within Preceding 48 Hours: No
Hours of Sleep Prior to Incident: 7 or 8	Consider Self Well Rested?: Yes
Total Length as Officer: 10 years	Length at Current Agency: 10 years
Physical Disabilities (to include hearing aid): n/a	Corrective Lenses: No Corrective Lenses
Uniform Worn: Navy blue city of Dayton police uniform, city of Dayton shoulder patches, external load-bearing ballistic vest, "Police K9" marking on the back, badge on left chest, name on right chest.	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: TASER, pepper spray, ASP baton, k9 "popper" to release K9
Ballistic Vest: External Armor	Body Worn Camera: Present & Used
Other Recording Devices: None	Partner: [REDACTED]
Injuries: None	Equipment Damage: None
Training or Areas of Specialty: K9, academy instructor, FTO	OPOTC Certification: Dayton Police Academy, [REDACTED]
Military Experience/Training: [REDACTED]	Use-of-Force Training: Annual with firearms qualifications, as updated in Power DMS
Prior Shooting Incidents: Yes; April 2016 & March 2021. Both incidents resulted in no true bills by the grand jury.	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: None

Officer's Firearm(s):

Weapon #1

Make: Glock	Model: 17
Caliber/Gauge: 9 mm	Serial: As photographed
Type: Semi-Auto Handgun	Method of Carry: Holster
Magazine Capacity: 17	Total Rounds as Carried (including chamber): 18
Extra Magazines: 2	Number of Rounds in Extra Magazines: 17
Discharged During Incident? Yes	Primary or Backup Weapon: Primary
Rounds Remaining After Incident: 6 cartridges in involved magazine	Number of Rounds Fired: 11, which he learned from the round count
Right/Left-Handed Carry: Right-Handed	Ownership: Department Owned

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████████ confirmed that he prepared a typed statement prior to the interview. He reviewed the statement and confirmed it was his. He then signed the statement.

████████ read his statement into the record. He explained that he responded to back up other officers on a welfare check call involving a subject stating he was going to have a shootout with the police. Regarding the details of the incident once he was on scene, he wrote:

We set up a perimeter at the scene and looked for an individual in the backyard. We did not see a suspect. We asked dispatch to call the residence; no response was received.

I removed my gun from the holster. Dispatch and Officer [sic] Kloos both advised that there was a history of an individual with mental health issues at this location.

Officer K. Urekar brought her vehicle to the front of the residence and requested the occupants to come out of the residence to speak with officers in relation to the call. I used my vehicle to block off traffic from the location. While Officer K. Urekar was giving commands, a black female, later identified as the mother of the suspect, came out. She indicated that her husband was in the house and that they had called about their son. She pointed at a tan Buick and identified the suspect as her son and that he had a firearm.

The suspect drove on Access Road and stopped about ten feet from a stop sign. He opened the driver's front door. I and the other officers gave verbal commands to exit the vehicle. I observed the suspect reach over to the passenger side of the vehicle and grabbed what I believed was a shotgun. He held the gun with the barrel facing up with his hands near the trigger.

I put out a "99 call," which indicates a request for assistance from an officer in distress. Officers from Moraine Police Department and the Sheriff's Office responded.

I, along with Officer K. Urekar, ██████████ took cover behind a blue four door car. I maintained cover on the suspect. Sgt. Savage, Sgt. Spires, and Officer Kloos later arrived at the location. Other officers maintained from other locations and deployed stop sticks.

A family member appeared at the scene and appeared to be agitated. We were able to remove the family member from the scene; he later returned and remained with the suspect's family.

I spoke to the suspect in an effort to diffuse the situation. He, along others, gave the suspect verbal commands to drop the weapon and leave his vehicle.

After speaking to him for a period of time, the suspect exited his vehicle and pointed his

shotgun at my direction. I believed that I was in imminent danger of death or great bodily harm and the only means of escape from danger was the use of deadly force. I did not believe that I could safely withdraw from the location and adequately protect myself, other ffocers [sic], or other possibly innocent persons in the area. I remained behind the car and fired at the suspect. I believed that I had a clear line of sight on the suspect.

Other officers fired on the suspect as well. I observed the suspect fall to the ground. The shotgun was no longer in his hands. I called out suspect down and shots fired on the radio. I, along with [REDACTED] pulled the suspect away from the car and the shotgun. The suspect was searched and no other weapons were found. Other officers began life saving measures and a medic was called to the scene. The suspect was transported to a hospital.

SA Seitzman asked [REDACTED] to recall the incident from the moment Cotton exited his vehicle. [REDACTED] stated that Cotton quickly and abruptly jumped out of the vehicle and extended one arm out to support the gun. He remembered Cotton's other hand was near the trigger. SA Seitzman asked him which hand was supporting the gun. [REDACTED] stated that he believed Cotton held the gun as if he were left handed.

[REDACTED] remembered thinking that Cotton was going to shoot him and that he was not in the best position of cover. He said that he needed to stop the immediate threat to him and the other officers.

SA Seitzman asked [REDACTED] if he believed he acted appropriately and within his training. He answered in the affirmative. He also stated that he believed the other officers at the scene acted appropriately.

The interview concluded at 1324 hours. [REDACTED]'s signed statement, signed BCI Criminal Investigation Notification form, and the interview audio recording are attached below.

References:

No references.

Attachments:

- Attachment # 01: 2024-12-10 Interview of Dayton Police [REDACTED]
- Attachment # 02: DPD [REDACTED] Signed Statement
- Attachment # 03: BCI Criminal Investigation Notification- [REDACTED] J. [REDACTED]

Exhibit 1

Included as a separate file.

Exhibit 2

STATEMENT OF [REDACTED]

OCTOBER 25, 2024

I am a [REDACTED] with the Dayton Police Department. I have been employed as a law enforcement officer since 2014. I have been employed by Dayton since [REDACTED] I graduated from the Dayton Police Academy in [REDACTED]

I am currently assigned as a [REDACTED]

I am providing this statement voluntarily. I have prepared the statement to the best of my recollection. I have had the opportunity to review available videos of the incident. It is possible that a future review of additional materials might refresh my recollection in the future.

I am familiar with the Dayton police department policies and procedures on use of force. My most recent training on use of force occurred in within the last year. I most recently completed my firearm qualifications for rifle in the summer of 2024. I most recently completed my firearm qualifications for handgun in the fall 2023.

On the morning October 19, 2024, I worked a shift from 0630 to 1630. I was wearing my uniform and operating my patrol car during my shift. My [REDACTED] [REDACTED], was with me in the vehicle.

While on duty, I carry my Glock 17 9mm pistol along with 3 magazines containing 17 rounds each. One magazine is contained in the firearm, the remaining 2 are carried on my belt. My firearm had 18 rounds (1 in the weapon and 17 in the magazine).

I also have a Rock River .223 rifle stored in a carrying case in the trunk of my vehicle along with ten magazines. Each magazine is capable of holding up to 30, but policy is to load only 28 rounds in each magazine.

I received a call from Dispatch at approximately 0830 on October 19, 2024. The weather that morning was clear and not too cold.

I was located on Salem Avenue near Oxford. Officers K. Urekar and [REDACTED] responded to a call for a "welfare check" on Rosedale Drive. A welfare check means a request to check on the health of an individual and often involves mental health issues.

[REDACTED]

One of the officers requested that additional units add to the call. I was informed that an individual at the scene had threatened to have a shootout with police.

I met with other responding officers at the intersection of Bryn Mawr and Oxford.

I, along with the other officers approached the scene on Rosedale. Another Officer took a different route to the scene in order to control access to the scene and maintain visual from all directions.

We set up a perimeter at the scene and looked for an individual in the backyard. We did not see a suspect. We asked dispatch to call the residence; no response was received.

I removed my gun from the holster. Dispatch and Officer Kloos both advised that there was a history of an individual with mental health issues at this location.

Officer K. Urekar brought her vehicle to the front of the residence and requested the occupants to come out of the residence to speak with officers in relation to the call. I used my vehicle to block off traffic from the location. While Officer K. Urekar was giving commands, a black female, later identified as the mother of the suspect, came out. She indicated that her husband was in the house and that they had called about their son. She pointed at a tan Buick and identified the suspect as her son and that he had a firearm.

The suspect drove on Access Road and stopped about ten feet from a stop sign. He opened the driver's front door. I and the other officers gave verbal commands to exit the vehicle. I observed the suspect reach over to the passenger side of the vehicle and grabbed what I believed was a shotgun. He held the gun with the barrel facing up with his hands near the trigger.

I put out a "99 call," which indicates a request for assistance from an officer in distress. Officers from Moraine Police Department and the Sheriff's Office responded.

I, along with Officer K. Urekar, [REDACTED] took cover behind a blue four door car. I maintained cover on the suspect. Sgt. Savage, Sgt. Spires, and Officer Kloos later arrived at the location. Other officers maintained from other locations and deployed stop sticks.

[REDACTED]

A family member appeared at the scene and appeared to be agitated. We were able to remove the family member from the scene; he later returned and remained with the suspect's family.

I spoke to the suspect in an effort to diffuse the situation. He, along others, gave the suspect verbal commands to drop the weapon and leave his vehicle.

After speaking to him for a period of time, the suspect exited his vehicle and pointed his shotgun at my direction. I believed that I was in imminent danger of death or great bodily harm and the only means of escape from danger was the use of deadly force. I did not believe that I could safely withdraw from the location and adequately protect myself, other officers, or other possibly innocent persons in the area. I remained behind the car and fired at the suspect. I believed that I had a clear line of sight on the suspect.

Other officers fired on the suspect as well. I observed the suspect fall to the ground. The shotgun was no longer in his hands. I called out suspect down and shots fired on the radio. I, along with [REDACTED], pulled the suspect away from the car and the shotgun. The suspect was searched and no other weapons were found. Other officers began life saving measures and a medic was called to the scene. The suspect was transported to a hospital.

I remained on the scene for a period of time. I drove my vehicle and K9 to the Safety Building. I remained in my uniform until an evidence tech from BCI arrived. BCI photographed me and secured my firearm. I did not receive any injuries as a result of this incident.

[REDACTED]
12/10/2024

Exhibit 3



Ohio Attorney General's Office
Bureau of Criminal Investigation



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).

[Redacted]
Printed Name of Interviewee

12/10/2024 1303
Date / Time

[Redacted]
Signature of Interviewee

STEVEN SEITZMAN
BCI Agent (Printed)

[Signature]
BCI Agent (Signature)