

# Ohio Attorney General's Office Bureau of Criminal Investigation

Investigative Report

2024-3294

Officer Involved Critical Incident - Portage Hike and Bike Trail near North Freedom Street, Ravenna, Ohio 44266



**Investigative Activity:** Review of Firearms Lab Report

Involves: BCI Lab (O)
Activity Date: 11/11/2024
Activity Location: BCI - Richfield

Authoring Agent: SA Allison Fletcher

#### Narrative:

On Monday, November 11, 2024, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Allison Fletcher (Fletcher) received Ohio BCI Laboratory report(s) for items of evidence submitted on October 23, 2024 for scientific analysis (laboratory case number 24-37623). The report originated from the Firearms section of the laboratory and was authored by Forensic Scientist Dylan Matt. The items relevant to this report which had previously been submitted were as follows:

- Eleven (11) 45 auto fired cartridge case (Matrix Evidence Items #3 13)
- One (1) HK 45 Auto semi-automatic pistol, model HK45, serial one (1) magazine, and five (5) 45 auto cartridges (Matrix Evidence Item #21)

Additional items were submitted for testing on October 31, 2024, they are listed below:

- One (1) fired bullet and one (1) fired bullet fragment (EB1 & EB2)
- Eight (8) fired bullets

Note: The individual Matrix Evidence Item numbers were not included with the Lab Item numbers. The above listed eight (8) fired bullets and one (1) fired bullet and bullet fragment are Matrix Evidence Items #32-40.

The report provided the following findings:

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BCI Lab #/Matrix Item	Comparison	Conclusion
Item #16/(Matrix Item 21): One (1) HK 45 Auto semi-automatic pistol, model HK45, serial #	N/A	Operable
	Items 2 (Matrix Item 3), 7-9 (Matrix Items (8-10), and 11 (Matrix Item 12): Five (5) fired cartridge casings	Source Identification
	Item 22: one (1) fired bullet	Source identification
	Items 18 -21, and 23-26: eight (8) fired bullets and one (1) fired bullet fragment	Inconclusive*
Item #17/(Matrix Item 22): One (1) HK 45 Auto semi-automatic pistol, model HK45, serial #	N/A	Operable
	Items 3-6 (Matrix Items 4-7), 10 (Matrix Item 11) & 12 (Matrix Item 13): six (6) 45 fired cartridge casings	Source Identification
	Items 18-21 & 23-26: eight (8) fired bullets and one (1) bullet fragment	Inconclusive*
Items 18-21 and 23- 26: eight (8) fired bullets and one(1) bullet fragment	Intercompared	Inconclusive*

A summary of the findings has been provided below:

- The report indicated all firearms submitted were operable.
- The HK 45 Auto semi-automatic pistol, model HK45, serial was issued to Ravenna Police Department (RPD) The firearm was identified as the source of five (5) fired cartridge casings (Matrix Evidence Items #3, 8-10, 12) and one fired projectile.

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- The HK 45 Auto semi-automatic pistol, model HK45, serial was issued to RPD The firearm was identified as the source of six (6) fired cartridges casings (Matrix Evidence Items #4-7, 11, 13)
- Items 18-26 (fired projectiles; Matrix Evidence Items 32-40) were examined and determined to be 45 auto jacketed hollow point fired bullets.
- Items 20-23 and 26 (fired projectiles) were consistent with the Federal branded ammunition submitted with Item 16 (Matrix Evidence Item #21). Item 16 was the firearm issued to
- Items 18,19, 24, and 25 (fired projectiles) were consistent with the Speer branded ammunition submitted with item 17 (Matrix Evidence Item #22). Item 17 was the firearm issued to

A copy of the Ohio BCI Laboratory report is attached to this investigative report. Please refer to the attachment for further details.

## **References:**

None

#### **Attachments:**

1. 24-37623 Firearms

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**Bureau of Criminal Investigation** 

Laboratory Report Firearms

To: BCI / Richfield BCI Laboratory Number: 24-37623

Allison Fletcher

4055 Highlander Parkway Analysis Date: Issue Date:

Richfield, OH 44286 October 31, 2024 November 08, 2024

Agency Case Number: 2024-3294 BCI Agent: Dan Boerner

Offense: Shooting Involving an Officer

Subject(s):

Victim(s): Larry Burghy

#### Submitted on 10/23/2024 by Betsy Farris

2. Envelope containing cartridge case (Matrix CS Item 3)

One (1) 45 Auto fired cartridge case.

3. Envelope containing cartridge case (Matrix CS Item 4)

One (1) 45 Auto fired cartridge case.

4. Envelope containing cartridge case (Matrix CS Item 5)

One (1) 45 Auto fired cartridge case.

5. Envelope containing cartridge case (Matrix CS Item 6)

One (1) 45 Auto fired cartridge case.

6. Envelope containing cartridge case (Matrix CS Item 7)

One (1) 45 Auto fired cartridge case.

7. Envelope containing cartridge case (Matrix CS Item 8)

One (1) 45 Auto fired cartridge case.

8. Envelope containing cartridge case (Matrix CS Item 9)

One (1) 45 Auto fired cartridge case.

9. Envelope containing cartridge case (Matrix CS Item 10)

One (1) 45 Auto fired cartridge case.

10. Envelope containing cartridge case (Matrix CS Item 11)

One (1) 45 Auto fired cartridge case.

11. Envelope containing cartridge case (Matrix CS Item 12)

One (1) 45 Auto fired cartridge case.

Please address inquiries to the office indicated, using the BCI case number.

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- 12. Envelope containing cartridge case (Matrix CS Item 13)
  - One (1) 45 Auto fired cartridge case.
- 16. One cardboard box containing firearm (Matrix CS Item 021) (Serial #
  - One (1) HK 45 Auto semi-automatic pistol, model HK45, serial number one (1) magazine and five (5) 45 Auto cartridges.
- 17. One cardboard box containing firearm (Matrix CS Item 22) (Serial #
  - One (1) HK 45 Auto semi-automatic pistol, model HK45, serial number one (1) magazine and three (3) 45 Auto cartridges.

## Submitted on 10/31/2024 by Betsy Farris

- 18. One manila envelope containing projectile
  - One (1) fired bullet and one (1) fired bullet fragment (EB1 & EB2).
- 19. One manila envelope containing projectile
  - One (1) fired bullet.
- 20. One manila envelope containing projectile
  - One (1) fired bullet.
- 21. One manila envelope containing projectile
  - One (1) fired bullet.
- 22. One manila envelope containing projectile
  - One (1) fired bullet.
- 23. One manila envelope containing projectile
  - One (1) fired bullet.
- 24. One manila envelope containing projectile
  - One (1) fired bullet.
- 25. One manila envelope containing projectile
  - One (1) fired bullet.
- 26. One manila envelope containing projectile
  - One (1) fired bullet.

## **Findings**

<b>Item Description</b>	Comparison	Conclusion
Item 16: HK pistol	N/A	Operable
	Items 2, 7-9 & 11: five (5) 45 Auto fired cartridge cases	Source Identification
(serial number:	Item 22: one (1) fired bullet	Source Identification
	Items 18 (EB1 & EB2)-21 & 23-26: eight (8) fired bullets and one (1) fired bullet fragment	Inconclusive*

<b>Item Description</b>	Comparison	Conclusion
	N/A	Operable
Item 17: HK pistol (serial number:	Items 3-6, 10 & 12: six (6) 45 Auto fired cartridge cases	Source Identification
	Items 18 (EB1 & EB2)-21 & 23-26: eight (8) fired bullets and one (1) fired bullet fragment	Inconclusive*

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<b>Item Description</b>	Comparison	Conclusion
Items 18 (EB1 &		
EB2)-21 & 23-26:		
eight (8) fired bullets	Intercompared	Inconclusive*
and one (1) bullet	-	
fragment		

<sup>\*</sup>Similar class characteristics but insufficient corresponding individual characteristics to identify or exclude.

## Remarks

Items 18 (EB1) - 26 were each examined and determined to be one (1) 45 Auto jacketed hollow point fired bullet bearing six (6) sided polygonal rifling in a right direction of twist.

Items 20-23 & 26 are consistent with the Federal branded ammunition submitted with Item 16.

Items 18 (EB1), 19, 24 & 25 are consistent with the Speer branded ammunition submitted with Item 17.

Item 18 (EB2) was examined and determined to be one (1) jacketed fired bullet fragment bearing partial polygonal rifling in a right direction of twist.

Two (2) of the submitted cartridges from Item 16 were used for test firing.

Two (2) of the submitted cartridges from Item 17 were used for test firing.

All evidence will be returned to the submitting agency.

## **Analytical Detail**

Analytical findings offered above were determined using visual, physical, and microscopic examinations / comparisons.

Dylan Matt

Delan C. Mudd

Forensic Scientist

(234) 400-3648

dylan.matt@OhioAGO.gov



Based on scientific analyses performed, this report contains opinions and interpretations by the analyst whose signature appears above. Examination documentation and any demonstrative data supporting laboratory conclusions are maintained by BCI and will be made available for review upon request. Results relate only to the items tested.

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#### **Comparison Conclusion Scale**

The following lists the conclusions a Forensic Scientist may reach when performing comparisons. In reaching a conclusion, a Forensic Scientist considers the similarities and dissimilarities and assesses the relative support of the observations under the following two propositions: the evidence originated from the same source or from a different source.

A Forensic Scientist may utilize their knowledge, training, and experience to evaluate how much support the observed similarities or dissimilarities provide for one conclusion over another. A conclusion shall not be communicated with absolute certainty. It is an interpretation of observations made by the Forensic Scientists and shall be expressed as an expert opinion.

1	Source Identification	The observations provide extremely strong support for the proposition that the evidence originated from the same source and the likelihood for the proposition that the evidence arose from a different source is so remote as to be considered a practical impossibility.
2	Support for Same Source	The observations provide more support for the proposition that the evidence originated from the same source rather than different sources; however, there is insufficient support for a Source Identification. The degree of support may range from limited to strong or similar descriptors of the degree of support. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion.
3	Inconclusive	The observations do not provide a sufficient degree of support for one proposition over the other. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion.
4	Support for Different Source	The observations provide more support for the proposition that the evidence originated from different sources rather than the same source; however, there is insufficient support for a Source Exclusion. The degree of support may range from limited to strong or similar descriptors of the degree of support. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion.
5	Source Exclusion	The observations provide extremely strong support for the proposition that the evidence originated from a different source and the likelihood for the proposition that the evidence arose from the same source is so remote as to be considered a practical impossibility; or the evidence exhibits fundamentally different characteristics

We invite you to direct your questions to:

Abby Schwaderer, Quality Assurance Manager (740) 845-2517 abby.schwaderer@ohioattorneygeneral.gov

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# Dylan C. Matt Statement of Qualifications Dylan.Matt@OhioAGO.gov

#### Education

Bachelor of Science in Forensic Science. December 2015. Waynesburg University. Waynesburg, PA.

#### **Professional Experience**

Ohio Bureau of Criminal Investigation. Forensic Scientist. July 2016 - present

#### **Required Technical Training**

- Ohio Bureau of Criminal Investigation. Firearms Training. July 2016 September 2017
- Bureau of Alcohol, Tobacco, Firearms and Explosives. National Firearms Examiner Academy.
   September 2016 September 2017

A complete CV can be made available upon request

Updated: 3/25/24