



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: Deputy Austin Shively (W)
Date of Activity: 10/19/2024
Activity Location: Shively, Deputy Austin – Business – 5945 N. Dixie, Dayton, OH
45414
Author: SA David Hornyak, #112

Narrative:

On October 19, 2024 at approximately 1354 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agents Dave Hornyak and Richard Ward interviewed Montgomery County Sheriff's Office (MCSO) Deputy Austin Shively relative to the Officer-Involved Critical Incident that occurred earlier that day in Dayton, Ohio. Also present was FOP Representative Det. Ryan Dalton.

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.

Deputy Shively provided the following information:

While on duty earlier this morning, he responded to a "Signal 99", indicating a countywide response needed by all available law enforcement agencies. He traveled with lights and sirens activated to Rosedale Drive (Dayton). At the scene, he met up with other officers and set up in a position where he could see a subject in a vehicle, whom he was able to see was a Black male. He could not see further into the vehicle and was unable to see whether or not the subject was armed. Persons whom Deputy Shively believed to be the subject's family were nearby yelling that, "The gun's unloaded!" and "Don't kill my brother!"

At some point a call came out on the radio that "the BearCat" was enroute and that officers should standby and not "provoke" the subject. Shortly after, Deputy Shively heard someone yell something like, "Gun!" and then heard multiple shots being fired.

Deputy Shively also recalled that during the encounter he did hear someone initially telling the subject to drop the gun. The interview terminated at approximately 1404 hours.

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Attachments:

Attachment # 01: 2024-10-19 / Deputy Austin Shively interview

Exhibit 1

Included as a separate file.