



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



2025-2991

Officer Involved Critical Incident - 513 South Isabella St.,  
Springfield, OH 45506 (L)

**Investigative Activity:** Case Closing  
**Involves:** Springfield Police Department (O), Patrick Foley (S),  
Officer Collin Peterson (S)  
**Activity Date:** 12/22/2025  
**Authoring Agent:** SA Lauren Frazier, #129

**Narrative:**

On December 12, 2025, the Clark County Prosecutor's Office provided a declination letter to Springfield Police Chief Allison Elliott regarding the officer-involved critical incident (OICI) that occurred on September 17, 2025, in Clark County, Ohio. Clark County Prosecutor Dan Driscoll declined to file criminal charges regarding the actions of Springfield Police [REDACTED] in relation to the death of Patrick Foley. This case was not presented to a Grand Jury.

On December 17, 2025, Springfield Police Chief Allison Elliott conducted a press release, advising that no criminal charges would be pursued by the prosecutor's office.

On December 23, 2025, Ohio BCI Special Agent Lauren Frazier received a copy of the declination letter from Clark County Prosecutor Dan Driscoll, advising that their office has reviewed all reports submitted by BCI and believes that based on the totality of the circumstances, that [REDACTED] acted in an objectively reasonable fashion and that these actions were necessary to achieve a lawful purpose.

On December 30, 2025, all evidence in this case was returned to the requesting agency. Special Agent Lauren Frazier and Special Agent Supervisor Kevin Barbeau have reviewed this investigation and discussed the documentation. It was determined that the investigation was sufficiently pursued and that all investigative efforts and aspects of this case have been completed. Special agent assistance is no longer required by the requesting agencies.

The letter received from the Clark County Prosecutor's Office has been attached to this report. This case is closed.

**Attachments:**

Attachment # 01: 2025-12-12 Prosecutor Declination Letter

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12 December 2025

Chief Allison Elliott  
Springfield Police Division  
130 N. Fountaine Ave  
Springfield, Ohio

**RE: Potential Criminal Charges**

Chief Elliott:

I have reviewed the investigation compiled by the Ohio Bureau of Criminal Investigation (BCI) regarding the officer involved critical incident that occurred on September 16, 2025 on Isabella Dr. The purpose of BCI's report was to determine if [REDACTED] acted criminally during the incident that led to the death of Patrick Foley.

In making a decision on whether [REDACTED] actions were criminal in nature, I looked at the relevant statutes, law enforcement reports, interoffice memos, BWC videos, cruiser cam videos, and interviews conducted by BCI. In total several thousand pages of documents, numerous videos, and pictures were included in this report.

On September 16, 2025, [REDACTED] was operating his marked Springfield Police cruiser when he witnessed a Silver Ford pickup truck travelling in excess of the posted speed limit. [REDACTED] pulled behind the truck and attempted to effectuate a traffic stop. At this point the driver of the pickup fled from [REDACTED]. In doing so the truck failed to stop at a posted traffic control device. Due to the risk of danger to the public, [REDACTED] immediately terminated the pursuit.

[REDACTED] remained in the area and was able to re-locate the truck within a minute or two. The driver later identified as Patrick Foley was exiting the vehicle as [REDACTED] approached. Foley began to flee. [REDACTED] gave chase. Foley jumped over a fence in an attempt to escape. [REDACTED] BWC was not activated as he began the foot pursuit. [REDACTED] activated the camera following the incident. This particular BWC has a 2 minute "look-back period." Because of this we have video of the foot pursuit but not audio. There were no civilian witnesses available to support or contradict [REDACTED] version of what was said.

When jumping over the fence, [REDACTED] BWC shows Foley fall and then briefly face [REDACTED] before turning and fleeing again. [REDACTED] reported that he gave several verbal warnings to Foley to stop fleeing.

A review of the video shows that Foley appears to have items clenched in both of his hands as he ran. Foley then turns down an adjacent alley. [REDACTED] reports that he again gave warnings to stop or he would

deploy the Taser. While the video does not contain audio, [REDACTED] statement seems to be confirmed as Foley looks back at [REDACTED] soon after the Taser is produced. The alleyway is not paved. It consists of two small gravel paths, the width of a car's tire with a mounded grass strip down the middle. Both sides are flanked with overgrown brush.

Foley continues to flee and [REDACTED] deploys the Taser striking Foley. Foley falls in the alley. As [REDACTED] approaches Foley's hands are under his body. [REDACTED] has to pull Foley's hands out from underneath him and then places him in handcuffs. Note: Foley had cash and cocaine in his hands at the time of his arrest.

It is apparent at this point that Foley has suffered some form of injury to his face or head. Blood begins to pool around his head. [REDACTED] brings Foley up into a seated position as other officers begin to arrive on the scene. The duration of time from [REDACTED] exiting his vehicle until officers begin rendering first aid to Foley, is approximately 1 minute and twenty seconds.

It is clear that the only force used by [REDACTED] was deploying his Taser and the fall associated with that deployment. There is no truth to the reports on-line that [REDACTED] or other Springfield Police Officers physically assaulted Mr. Foley.

Based on these facts it must now be determined if [REDACTED] was objectively reasonable in his actions and if those actions were necessary to accomplish a lawful purpose. To determine if an officer was objectively reasonable, we must examine the totality of circumstances surrounding the incident involving the officer.

In this case Foley fled from [REDACTED] immediately after committing a felony offense. Failure to Comply with the Order or Signal of a Police Officer (ORC 2921.331) is a felony of the third degree if the operation of the vehicle causes a substantial risk of serious harm to persons or property. In this case Foley operating the Ford truck at high rate of speed in a residential area and failing to stop at posted traffic control devices would cause that substantial risk. These actions show disregard for the safety of the general public. Foley's actions would give [REDACTED] a lawful reason to stop and detain Foley.

Foley then ran from [REDACTED] ignoring several orders to stop and warnings from [REDACTED] that he was prepared to deploy his Taser. While fleeing on foot Foley appeared to be concealing something in both hands. In the brief amount of time [REDACTED] had to make a decision he would not have been able to determine if Foley was concealing a weapon, contraband or some other item.

Deadly force is defined in the revised code as force that carries a substantial risk that it will proximately result in the death of any person. Here, Peterson deployed his Taser which is a less than lethal force application. The Taser is specifically designed to not create a substantial risk of death. The Taser was only deployed after commands to stop and warning of the deployment of the Taser were given.

The alleyway, while not an ideal location to deploy the Taser, was not a paved roadway or concrete slab but was a less travelled gravel and grass pathway. The brush on either side did not allow for additional avenues for retreat which may have contributed to a heightened sense of urgency for the officer.

After the Taser was deployed and Foley was secured, first aid was rendered to Foley by the other Officers on scene.

Patrick Foley's autopsy determined that he suffered multiple facial fractures as a result of the incident and that his cause of death was multiple blunt force trauma. His manner of death was an accident.

When deciding if [REDACTED] actions were objectively reasonable, we do not focus on the outcome, which in this case was unbelievably tragic. We do not dissect frame by frame the video or parse every action to determine its ultimate meaning. Instead, we look at the 18 seconds from when [REDACTED] exited his patrol vehicle to pursue Patrick Foley until he deployed his Taser causing Foley to fall. We then look at [REDACTED] actions and ask if they were reasonable for an officer who was in his position, with his knowledge at the time of the incident and we ask were those actions legal.

While my heart goes out to the Foley family for their loss and I understand the desire to hold someone responsible when a tragedy like this occurs, based on the totality of the circumstances I find that [REDACTED] did act in an objectively reasonable fashion and that these actions were necessary to achieve a lawful

purpose. Based on the facts of this case the Clark County Prosecutor's Office will not be moving forward with criminal charges against [REDACTED] At this point I consider the matter closed.

Respectfully,

Daniel P. Driscoll  
Clark County Prosecutor