



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



2021-1772

Officer Involved Critical Incident - 300 Wood Street Apt. A8, Mansfield,  
OH

Investigative Activity: Interview with Officer Mark Boggs  
Activity Date: August 9, 2021  
Authoring Agent: SA Cory Momchilov #64

**Narrative:**

On Monday, August 09, 2021, at 1006 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Cory Momchilov (Momchilov) and SA Andrew Harasimchuk (Harasimchuk) interviewed Officer Mark Boggs (Boggs), who was accompanied by his attorney, Robert Sauter (Sauter), from the Fraternal Order of Police. The interview took place at the Mansfield Police Department, located at 30 North Diamond Street, Mansfield. The interview was audio recorded.

Prior to the interview, agents were advised by attorney Sauter that Officer Boggs had prepared a typed statement, which a copy was provided to agents. It was decided that Officer Boggs would read his typed statement to investigators, and afterward agents would ask any follow-up or clarification questions.

Officer Boggs' typed statement is attached to this Investigative Report. The reader of this Investigative Report is strongly encouraged to read the typed statement in its entirety before reading the follow-up question section of this Investigative Report.

Also, prior to the interview, Officer Boggs read, understood and signed the BCI Criminal Investigation Notification form.

**Follow-Up Questions**

Officer Boggs' radio call sign is 3213 or "13" and his badge number is 294. At the time of the incident, Officer Boggs was driving a marked police cruiser that is equipped with emergency lights, sirens and a spot light. Officer Boggs stated he did not utilize his emergency lights or sirens during the incident and the radio channel utilized during the incident were the primary Mansfield Police Channel.

Officer Boggs' cruiser was also equipped with a mobile data terminal that was only used to receive the CAD (Computer Aided Dispatch) information related to the call.

Officer Boggs does not have any physical disabilities and was not injured during this incident; his equipment was not damaged.

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Officer Boggs stated he has received CIT (Crisis Intervention Team) training and does not have any prior discipline related to use of force.

Officer Boggs stated that he is not under the influence of any alcohol or drugs at the time of this interview.

SA Momchilov asked Officer Boggs if he conducted a round count on his weapon after the incident. Officer Boggs stated he did briefly look at his magazine after the incident and estimated he fired eight shots based upon his brief examination of his magazine.

Officer Boggs' firearm is department issued, and he stated he uses a level III holster.

SA Momchilov asked Officer Boggs if he was ever able to determine who called 911. Officer Boggs stated he does not know and felt that the 911 call may have been unrelated to this incident.

SA Momchilov asked Officer Boggs if he knew how far away he was from the individual when he encountered him outside of the apartment. Officer Boggs explained that as soon as they walked up the stairs and turned right, they were approximately 10 feet away from the individual, at which point Officer Boggs stated they began to back up.

SA Momchilov asked Officer Boggs to describe the knife the individual was holding. Officer Boggs stated, "It was bloody, I remember the blade was sliver and it appeared sharp on both sides, like a switchblade maybe."

Officer Boggs estimated he was approximately 10 feet away from the individual when he fired his Taser because the individual walked toward the apartment window and was now closer to the officer.

SA Momchilov asked Officer Boggs if he felt that he had made "good contact" when he fired the Taser. Officer Boggs stated he thought that he did and observed at least one dart hit the individual's chest.

SA Momchilov asked Officer Boggs why he instructed Officer Blair to fire his weapon after his Taser had failed. Officer Boggs stated, "Because I could see that he was breaking the window out, with everything, with the blood smeared on him, the knife still in his hand and there was an individual yelling for help, I thought for sure he was, he was trying to get back into the apartment."

SA Momchilov stated, "And you didn't fire your weapon at that point." Officer Boggs replied, "Not at that point." SA Momchilov asked, "Is that because you had the Taser in your hand?"

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Officer Boggs replied, "Yes, I fired the Taser twice, and then, I wasn't able to transition fast enough to get the pistol before he was going through the window back into the apartment."

SA Momchilov asked, "Would you have fired you weapon at that point?" Officer Boggs replied, "Definitely."

SA Momchilov asked Officer Boggs if the individual said anything during this incident. Officer Boggs replied, "Not once."

SA Momchilov asked Officer Boggs how many times he watched the dash-camera video that was published in the media. Officer Boggs stated, "At least 10 times probably." SA Momchilov asked Officer Boggs if he felt seeing the dash-camera video affected his memory of the incident. Officer Boggs stated no.

SA Momchilov asked Officer Boggs, when he was in the apartment after the shooting, if he had a chance to see the knife again. Officer Boggs stated he did, and the knife was still in the individual's hand. SA Momchilov asked Officer Boggs if the knife was broken at all. Officer Boggs replied, "Not that I recall."

SA Momchilov explained to Officer Boggs that a knife was recovered from the apartment that appeared to have blood stains on it, and that the knife was broken into pieces.

Officer Boggs asked if the knife was shot. SA Momchilov replied that was a possibility. Officer Boggs stated, "He definitely had it in the hand, so he was a little bit, still in the bedroom by the doorway and it was in his hand and he was coming, so, I mean if it was shot. It was definitely, he had the full knife in his hand, you can see it when, he had the knife when he was going back into the window and then when he came out he still had the knife. It was a full knife."

Officer Boggs stated he believes his actions were consistent with his training and that he had not spoken with any officers in length about the incident. Officer Boggs stated no one has asked him to lie or otherwise try to influence his statement to investigators.

SA Momchilov asked Officer Boggs if the other individual in the apartment made any statements to him. Officer Boggs stated that the individual was screaming, "He stabbed me, help, help."

SA Momchilov stated that Officer Boggs had previously mentioned that no one else was inside the apartment. SA Momchilov then asked Officer Boggs what type of conclusion he drew from this incident. Officer Boggs stated, "Mr. Ginn and Mr. Haynes had some kind of altercation inside, Mr. Haynes began to violently stabbing Mr. Ginn and for some reason left the apartment... So, Mr. Haynes was stabbing Mr. Ginn."

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Officer Boggs gave permission for agents to review any drug test results that Officer Boggs submitted to after the incident. Officer Boggs also gave permission for agents to obtain and review any reports or other documents he may be compelled to complete.

The interview with Officer Boggs was audio recorded and that recording is attached to this Investigative Report. Also attached is the Ohio BCI Criminal Investigation Notification Form signed by Officer Boggs.

**Statement of Mansfield Police Officer Mark J. Boggs**  
**Regarding Incident of July 29, 2021**

I was first employed as a Police Officer with the City of Mansfield Police Department (“MPD”) on November 14, 2016. I previously worked as a part-time seasonal Park Ranger at the Muskingum Watershed Conservancy District from March 2016 through October 2016. My work as a Park Ranger was on weekends. From 2014 through October, 2016, I had fulltime employment as a Probation Officer for the Mansfield Municipal Court. I left both my part-time seasonal and my fulltime employment to begin my employment at MPD.

I served on active duty in the United States Marines from November 2005 through June, 2012. I was honorably discharged from military service.

I completed my Basic Police Officer Training at the North Central State College, Mansfield, where I graduated in April, 2016. I am OPOTA-certified.

I am a graduate of Madison Comprehensive High School, Mansfield, graduating in 2005. I obtained a Bachelor’s degree in Criminal Justice from Post University, Connecticut, graduating in 2019.

Since being employed at the MPD, I have maintained the rank of Police Officer. I primarily work patrol assignments. I am regularly assigned to second shift hours, 2:00 p.m. to 10:00 p.m. I work a variable schedule, with six days on and two days off. My immediate supervisor is my Squad Sergeant, Sergeant Jered Kingsborough but on July 29, 2021 Sergeant Kingsborough was not present and Sergeant Toneli Webb was my immediate supervisor.

I do not wear prescription glasses or contacts. I take no prescription medications.

I am familiar with the MPD Use of Force policy. I am regularly updated as to this policy. The last time I recall personally reviewing the Use of Force policy prior to the incident was in June of 2021 when the MPD had internal training relative to the policy.

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My duty weapon is a Sig Sauer P320, 9mm, which is Department-issued. I did not carry a backup weapon on my person on the date of the incident. I also carry an Axon Taser 7, which is Department-issued. I am current in the qualifications required for my duty weapon and for my Taser.

On the date of the incident, I had one round in the chamber of my duty weapon and 17 rounds in my magazine. I also had two magazines (17 rounds each) on my outer carrier vest.

On the date of the incident, I was dressed in my regular MPD patrol uniform. On my duty belt, I carried the following items (clockwise): duty weapon on right side, handcuffs in back and my cruiser microphone pack on my left side. On my outer carrier vest, I carried (from my left to my right): the two magazines described above, OC spray, tourniquet, handcuffs, and my Taser.

Prior to the incident, there was no instance when I had used lethal force in either my current employment with the MPD or in my prior law enforcement employment as a Park Ranger. I have used my Taser on several occasions at the MPD and the use of my Taser on each occasion has been documented and reported to the MPD.

On Tuesday, July 27, 2021 I worked my regularly assigned second shift and had a special duty detail from 11:00 a.m. to 2:00 p.m., prior to the start of my shift. On Wednesday, July 28, 2021 my work hours were shifted to 8:00 a.m. to 4:00 p.m. for Department-approved Training. On Thursday, July 29, 2021 I worked a special duty detail from 11:00 a.m. to 1:30 p.m., prior to the start of my regularly assigned shift. On both July 27, 2021 and July 29, 2021, the special duty detail was at the Ohio State Reformatory which is a facility operated by a non-profit group, The Ohio State Reformatory Preservation Society, and which is open to the public for tours and special events.

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As to both my special duty detail and to my regular assignment on July 29, 2021, I had consumed no alcohol within eight hours prior to beginning work. At no time was I under the influence of any intoxicant of any type, whether alcohol, prescription drugs, or nonprescription drugs.

On July 29, 2021 my cruiser, Unit 33, had an in-dash cam video and audio, which was working during the incident. The audio connected to a microphone which I had on my person. I was not wearing a body camera since body cameras have not been issued by the MPD to Patrol Officers. I was not carrying any personal recording device.

On July 29, 2021 I was well rested for the start of both my special duty assignment and my regular assignment. Prior to the incident, while on duty, I engaged in routine patrol activities.

The weather on July 29, 2021 was warm, dry and clear. At the time of the incident, it was daylight outside and this outside lighting did not change during the incident.

As to the incident, I was dispatched to 300 Wood Street, Apt. A1 in reference to a 911 hang-up call. I was dispatched with Patrol Officer Blair who was in his own cruiser. Dispatch advised that males could be heard talking on the call. I arrived at the apartment complex and was attempting to park in an open parking spot several apartments West of Apt. A1 which was located on the bottom floor of 300 Wood Street and was the furthest apartment East in the building.

As I was attempting to park, a female in an SUV was waving to get my attention. I pulled my cruiser next to her driver's side door so I could speak with her. The female stated she was a taxi driver and had dropped two males off at the apartment and something was "off" with the males. The female expressed concern with the males and was worried that they may not pay the fare. The female described the males as a larger black male with medium length dreads and another skinnier black male. The female pointed to the apartment they entered and the door was labeled

“A-8.” That apartment was located on the second floor and was the furthest West apartment in the building.

As I was speaking with the female, Patrol Officer Blair, who had arrived, was speaking with the occupants of Apt. A1, who told him there were no issues. An older male then exited Apt. A-8, and walked down the steps towards the taxi driver. I assumed the gentleman was paying the taxi fare and there was no longer any issue. I exited my cruiser and walked towards the direction of Patrol Officer Blair. As I walked towards Patrol Officer Blair, I heard loud voices coming from an upstairs apartment. I spoke to Officer Blair about the yells and at that point we both heard cries for help. We both ran up the stairs, still hearing cries for help. At the top of the stairs, we turned right, facing East, where there was a black male, later identified as Jaymes Hayes, coming out of the door to Apt. A-8, and standing on the walkway in front of the now closed door to Apt. A-8. Mr. Hayes had a large amount of blood smeared on his t-shirt and he was holding a bloody knife. I drew my duty weapon and pointed my weapon at Mr. Hayes while yelling at him to drop the knife. Officer Blair gave similar commands. Mr. Hayes then attempted to re-enter Apt. A-8, but the door was locked.

At that point Mr. Hayes turned towards me and Officer Blair as we both gave additional comments for him to drop the knife. He then started elbowing the window to Apt. A-8 and was able to break the glass. While both Officer Blair and I were giving Mr. Hayes commands to drop his knife, I could hear a male inside the apartment yelling and screaming for help. The male inside the apartment was later identified as Jaron Ginn. Given my belief that Mr. Hayes had been involved in a bloody altercation with Mr. Ginn who was yelling for help, and Mr. Hayes was now attempting to re-enter the apartment through the window, with a knife in his hand, I put my duty weapon in my holster and drew my Taser. I fired my Taser into Mr. Hayes. The first Taser

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cartridge did not appear to stop Mr. Hayes from breaking the window, so I fired another Taser cartridge at Mr. Hayes. This Taser also appeared to have no effect because Mr. Hayes was now bending over at the waist and was attempting to get into the apartment through the broken window. From inside I could hear Mr. Ginn yelling and screaming for help.

I then dropped my Taser and drew my weapon as I yelled for Officer Blair to “shoot.” I was in fear for Mr. Ginn who was inside the apartment, who obviously had been stabbed by Mr. Hayes who was now attempting to re-enter the apartment. I had every reason to believe that Mr. Ginn’s life and physical safety was in immediate danger. Officer Blair fired several rounds from his duty weapon at Mr. Hayes as he entered the apartment through the broken window.

Along with Officer Blair, I then ran to the door of the apartment and I kicked open the door to gain entry. I yelled “Mansfield Police” as I kicked open the door. I, along with Officer Blair, entered the apartment. The apartment was sufficiently lit for me to be able to see clearly inside the apartment. I immediately pushed the door to the right which blocked an entrance to a bedroom. The door from the walkway, which I kicked open, immediately entered upon a living room. Behind the living room, in the same open space, was a kitchen area. I could observe Mr. Ginn who was in the back of the living room towards the kitchen area. He had a massive amount of blood on his t-shirt and he was still yelling for help. Mr. Ginn was screaming, “he stabbed me” and “help.”

Officer Blair went immediately to the back of the living room making contact with Mr. Ginn. I turned from the doorway and faced the bedroom which was to the West of the living room. The front door to the apartment was blocking the entrance to the bedroom. I reached over and closed the front door to be able to see into the bedroom area. I had my duty weapon drawn and pointed to the entrance to the bedroom as Mr. Hayes, whom I had just encountered outside of the

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apartment, came into my view. Mr. Hayes was still holding his knife in his right hand near his side. I ordered him to show me his hands. Mr. Hayes then looked at me. His body appeared to tighten up, and he lunged in my direction. I tried to walk back but I began to fall landing on my back with a couch behind me. As I fell back I fired several times, aiming at Mr. Hayes' upper torso (center mass). Mr. Hayes continued to advance in my direction. I then fired more rounds, aiming at Mr. Hayes' head, in a last-ditch attempt to stop Mr. Hayes from attacking me. I fired my duty weapon because I was in immediate fear for my own life. While I was falling and firing my weapon, I could hear Officer Blair fire several times in the direction of Mr. Hayes. Mr. Hayes fell onto his back landing just inches in front of my feet. Mr. Hayes had several wounds in his chest and face, as he laid on his back and was not moving.

Officer Blair was assisting Mr. Ginn and had placed him on the couch. I radioed Dispatch updates, to have additional patrol units and medical personnel respond. Officer Blair was applying pressure to the stab wounds that Mr. Ginn had. I turned my attention to Mr. Hayes who was on the floor and assessed him for possible aid. I observed several wounds without blood. I checked Mr. Hayes for a pulse on the side of the neck. I did not feel a pulse. At that point additional patrol units, beginning with Officer Hecht arrived. I walked outside to direct the patrol units and medical personnel to the scene. I was met outside by Sergeant Webb who ordered me and Officer Blair to leave the scene and report to the station. Because my patrol cruiser was blocked by other units, I took a fellow Mansfield Patrol Officer's cruiser and drove directly to the station. I was then ordered to submit to a drug and urine sample at an Ohio Health facility, which I did.

When I discharged my duty weapon at Mr. Hayes inside the apartment the back drop was the bedroom. Aside from myself, Officer Blair, and Mr. Ginn, there were no other individuals inside the apartment and neither Officer Blair nor Mr. Ginn were in my aim of fire.

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Prior to July 29, 2021, I had no prior law enforcement or personal contact with either Mr. Hayes or Mr. Ginn.

I used lethal force in this incident. I do not believe that there was any less lethal force than the force I used which would have been as effective in attempting to stop the immediate threat to me inside the apartment when Mr. Hayes was attacking me with the knife in his hand. I also believe that the lethal force Officer Blair used in firing at Mr. Hayes outside the apartment was the only effective force he could have used given the failure of my Taser to stop Mr. Hayes. Also, Officer Blair had no less lethal force to use inside the apartment when he fired at Mr. Hayes to stop him from attacking me with his knife.

My statement is made from the best of my recollection as to the incident on July 29, 2021. I have reviewed the in-dash car video (with audio) which the MPD released to the Mansfield News Journal. I viewed this video on the newspaper's website.

Respectfully submitted,

  
\_\_\_\_\_  
Officer Mark J. Boggs

  
\_\_\_\_\_  
Date





# MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



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## Criminal Investigation Notification

1. You are advised that this investigation is being conducted in order to determine the presence or absence of criminal liability on the part of those involved in the 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 not in custody. 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. As such, you may refuse to answer questions from the criminal investigators; your statements are not being compelled under threat of adverse disciplinary action from your employer. This is not a "Garrity" interview (where you may be required to answer).

MARK BOGGS

Printed Name of Interviewee

8/9/21 1025

Date / Time

*MP*

Signature of Interviewee

*Cory Momchil*

BCI Agent (Printed)

*Cory*

BCI Agent (Signature)