



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



2022-1734
Officer Involved Critical Incident – 27724 Zuck Road, Howard,
Ohio 43028

Involves: Knox County Sheriff's Office (O), Elizabeth Ann Delano (S), Derek L Delano (O)

Date of Activity: 08/23/2022

Activity Location: Delano, Derek L – Home – 27724 Zuck Road, Howard, OH 43028, Knox County

Author: SA Eric Lehnhart, #84

Narrative:

Search Warrant Obtained

Knox County Sheriff's Office (KCSO) Lieutenant (Lt.) Craig Feeney (Feeney) drafted a search warrant for 27724 Zuck Road, Howard, Ohio 43028, and a 2006 gold Cadillac displaying the vehicle identification number (VIN) 1G6DM57T160107606, relative to the officer-involved critical incident which occurred on Monday, August 22, 2022.

On Tuesday, August 23, 2022, Lt. Feeney met with Mount Vernon Municipal Court Judge John C. Thatcher (Judge Thatcher). Judge Thatcher reviewed the search warrant and search warrant affidavit. On Tuesday, August 23, 2022, at approximately 0125 hours, Judge Thatcher signed the search warrant.

Search Warrant Executed

On Tuesday, August 23, 2022, at approximately 0125 hours, Lt. Feeney served the aforementioned search warrant with assistance from members of the Ohio Bureau of Criminal Investigation (BCI) Crime Scene Unit.

During the search, the following items of potential evidence were seized:

1. (Item #1) Smith & Wesson M&P 15; 5.56 Rifle; Serial # [REDACTED]
2. (Item #2) Stevens Model 320; 20 gauge shotgun; Serial #183323K
3. (Item #3) One (1) Fired Shot Shell; WIN 20GA
4. (Item #4) One (1) Samsung Galaxy S9+; Cellular Telephone
5. (Item #5) One (1) Live Shotgun Shell; WIN 20GA Super X
6. (Item #6) One (1) Fired Shot Shell; WIN 20GA Super X

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An inventory of the items seized was prepared with a copy provided to the residence.

Search Warrant Returned

On Wednesday, August 24, 2022, Lt. Feeney filed the original search warrant affidavit, search warrant, inventory and search warrant return with the Mount Vernon Municipal Clerk of Courts.

A copy of the search warrant documents and search inventory is attached to this Investigative Report.

Attachments:

Attachment # 01: 2022-08-22 27724 Zuck Road Mount Vernon Muni Search Warrant Clerked

AFFIDAVIT FOR SEARCH WARRANT

STATE OF OHIO)
)
KNOX COUNTY) SS:

Before me, the undersigned Notary Public for the State of Ohio, personally appeared Detective Lieutenant Craig Feeney, who being first duly sworn according to law, deposes and says he has probable cause to believe that there is evidence of potential crimes located within the jurisdiction of this court, at:

27724 Zuck Road, Howard, Ohio, being a white single-story residence with green trim around the windows, with a chimney to the right of the front door, titled to Derek and Elizabeth Delano, located on Knox County Parcel No. 08-00881.000 in Butler Township

And a 2006 gold Cadillac, VIN 1G6DM57T160107606.

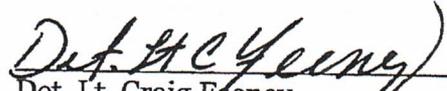
The facts upon which such belief is based are as follows:

1. Affiant Detective Lt. Craig Feeney is a detective in good standing with the Knox County Sheriff's Office since 2013. Prior to his employment with the Sheriff's Office, Affiant was a detective with the Mount Vernon Police Department (MVPD) and was a member of the MVPD since 1999.
2. Affiant received his police certification from the Delaware Police Training Academy, in 1997.
3. Affiant was a part-time auxiliary police officer with the Fredericktown Police Department with continual service from 1997-1999 prior to joining the Mount Vernon Police Department.
4. Based upon your Affiant's training, experience, participation in this and other investigations, and based upon the knowledge derived from other experienced officers with whom your Affiant is associated, your Affiant knows the following:
5. On August 22, 2022, at approximately 8:31 p.m., the Knox County Emergency Dispatch received a call from a minor child saying that their mom was attacking the door and trying to get into the house, and that she and her little brother were hiding in their father's bedroom. The child then stated that the mother had broken in through the front door of the house. The child said that the mother had driven to the residence at 27724 Zuck Road, Howard, Ohio, 43028. The child was able to identify their mom as Elizabeth Delano.
6. While on the phone with dispatch, both the caller and the younger sibling were

able to get out of the house and run to a neighbor's house.

7. Knox County Sheriff's deputies, Mount Vernon Police officers, and an officer from the Danville Police Department responded to 27724 Zuck Road. When they arrived on scene, they immediately saw the 2006 gold Cadillac,. The officers were able to make contact with Elizabeth, and ordered her to exit the residence. Elizabeth was non-compliant with their orders, and refused to exit the residence.
8. Elizabeth then broke a window out of the residence with the barrel of a shotgun and was scanning the curtilage of the house. She then retreated from the broken window and went to the other side of the house. She then eventually returned to the broken window, and continued to scan the curtilage.
9. The officers began to get an odor of propane, so they backed up from the residence. At 9:08 pm., units advised "shots fired," and that Elizabeth was shooting from the residence.
10. At 9:14 p.m., the officers believed that Elizabeth was outside the northeast side of the residence and was shooting at officers.
11. At 9:15 p.m., officers advised that Elizabeth was down. Deputies approached Elizabeth and began CPR and requested an ambulance, continuing CPR until medical assistance arrived on scene.
12. Medical personnel arrived on scene and loaded Elizabeth into the squad, transporting her to Knox Community Hospital. KCH staff found a single gun shot wound in Elizabeth's left chest and pronounced her dead at KCH.
13. Derek and Elizabeth are divorced, being granted a divorce in the Knox County Court of Common Pleas Domestic Relations Division Case No. 21DC09-0193 on August 3, 2022. In Magistrate's Decision filed July 14, 2022, Derek was awarded the property at 27724 Zuck Road, Howard, Ohio in its entirety, and Elizabeth has no legal rights to the property. Further, Elizabeth was granted full ownership of the 2006 gold Cadillac, VIN 1G6DM57T160107606.
14. Based upon the emergency nature of the events and the need to enter the residence without further delay to prevent the destruction of evidence, Affiant requests a SEARCH IN THE NIGHTTIME (8:00 p.m. to 7:00 a.m.).
15. Affiant has probable cause to believe that evidence exists on the above-described premises relevant to a burglary and felonious assault.

Further Affiant sayeth naught.


Det. Lt. Craig Feeney

Sworn and subscribed in my presence this 23rd day of August, 2022.


NOTARY PUBLIC



NICOLE DERR
Notary Public
In and for the State of Ohio
Attorney at Law
No Expiration Date Needed

MOUNT VERNON MUNICIPAL COURT, MOUNT VERNON, OHIO

**STATE OF OHIO,
KNOX COUNTY, SS:**

SEARCH WARRANT

To: the Sheriff of Knox County, Ohio:

WHEREAS, there has been filed with me an Affidavit, a copy of which appears following, showing that grounds exist for the issuance of this warrant, to wit, probable cause to search, and,

WHEREAS, the undersigned is a duly elected, qualified and acting Judge of a Court of record in and for Knox County, Ohio;

THESE ARE, THEREFORE, to command you in the name of the State of Ohio, with all necessary and proper assistance, to enter onto the premises described as follows:

27724 Zuck Road, Howard, Ohio, being a white single-story residence with green trim around the windows, with a chimney to the right of the front door, titled to Derek and Elizabeth Delano, located on Knox County Parcel No. 08-00881.000 in Butler Township

And a 2006 gold Cadillac, VIN 1G6DM57T160107606.

You are further commanded to execute a search of said premises within 72 hours after the issuance of this Warrant to Search, the said premises being located within the jurisdiction of this Court, in Knox County, Ohio, and there diligently search for persons, goods, chattels and articles, which are subject to search and seizure, to wit:

Certain evidence and trace evidence including a black shotgun used in the commission of the burglary, ammunition, criminal tools, or other things by means of which a crime has been committed, fingerprints, documents and cell phones, and the persons of anyone located within the suspected residence: Burglary of 27724 Zuck Road, Howard, Ohio 43028, in violation of Section 2911.12 of the Ohio Revised Code, and/or Felonious Assault, in violation of Section 2903.11 of the Ohio Revised Code

Which items may be evidence of violations of Ohio Revised Code Sections 2911.12 and 2903.11.

You shall make prompt return of this Search Warrant, accompanied by an inventory of any property taken, to the undersigned Judge.

In lieu of returning recovered property/evidence authorized by this Search Warrant to the issuing Judge, the property/evidence will be retained in the Knox

County Sheriff's Office property/evidence room.

You shall make prompt return of this Search Warrant, accompanied by an inventory of any property taken, to the undersigned Judge;

The Court finds that the necessary showing has been made that due to the emergency nature of the events and the need to enter the residence without further delay to prevent the destruction of evidence, the address of the property shall be authorized to be a SEARCH IN THE NIGHTTIME.

IT IS SO ORDERED this 23rd day of August, 2022. at 1:25 a.m.



Judge John C. Thatcher

**INSTRUCTIONS TO OFFICER
EXECUTING SEARCH WARRANT**

FILED

Three Day Rule. Warrant must be executed within three days. Do not include the date of issuance or a Saturday, Sunday or legal holiday.

2022 AUG 24 PM 2:09
MT. VERNON MUNICIPAL CT
LISA R. MAZZA, CLERK

Knock and Announce Statute. Before breaking down an outer or inner door or window of the building to be searched, you must: (1) knock at the door or window; (2) announce your name, rank and agency; (3) announce that you have a Search Warrant for the building; and (4) demand that you be allowed in.

Daytime. This means the hours from 7:00 a.m. to 8:00 p.m.

RETURN OF SEARCH WARRANT

On the 23rd day of August, 2022, at 1:25 o'clock A.m., the undersigned received this Search Warrant and (Complete A or B):

A. Search Warrant Served: on the 23rd day of August, 2022 (X One):

 I gave to _____, the person who or on whose place the search was made, a copy of this Search Warrant.

 X I left at 27724 Tuck Rd, the place where the search was made, a copy of this Search Warrant.
LEFT BY BCII CRIME SCENE AGENT

Further, (X One):

 No property was taken.

 X Property was taken, as shown in the attached receipt/ inventory.

I (X One or Both):

 Gave a copy of the receipt/inventory to that person.

 X Left a copy of the receipt/inventory at that place.

B. Search Warrant not served. (X Here) _____ I am returning this Search Warrant without executing the same.

Dated: 8/24/2022

Det. McCleary
Law Enforcement Officer

Sworn to and subscribed before me this 24th day of August, 2022.

Taylor Zier
Deputy Clerk of Courts

Evidence Receipt for Case #: 2022-1734



Agency:
 Prepared By:
 Case Date: Aug 22, 2022
 Offense(s): Officer Involved Critical Incident
 Victim(s):
 Witness(es):
 Suspect(s): Elizabeth Delano
 Scene #: 1
 Scene Address: 27742 Zuck Road, Butler, OH 43028

Evidence #	Item Description	Location	Collected By	Date/Time
1	Gun/Firearm Cardboard Box containing Rifle – Quantity: 1; Serial Number: ██████████; Smith & Wesson - M&P 15; 5.56x45 NATO; S & W rifle with EO tech red dot sight & magnifier, one cartridge removed from chamber & 27 cartridges contained in seated magazine. Rifle rendered safe.	KCSO Cruiser 5	A. Chung	Aug 23, 2022
2	Gun/Firearm Cardboard Box containing Shotgun – Quantity: 1; Serial Number: 183323K; Stevens Model 30; 20 gauge; Shotgun located in the grass by the passenger side of the vehicle	Front Yard	A. Chung	Aug 23, 2022
3	Envelope containing Fired Shot Shell – Quantity: 1; WIN 20GA fired shit shell located in the grass near the front of the vehicle	Front Yard	A. Chung	Aug 23, 2022
4	Envelope containing Cell Phone – Quantity: 1; Samsung; Galaxy S9+; Cell phone sitting on gray chair in living room with broken screen	Living Room	A. Chung	Aug 23, 2022
5	Envelope containing Live Shotgun Shell – Quantity: 1; Winchester Super X 20 gauge shot shell located by door threshold to master bedroom	Master bedroom	A. Chung	Aug 23, 2022
6	Envelope containing Fired Shot Shell – Quantity: 4; Winchester Super X 20 gauge shot shells located by door threshold to master bedroom	Master bedroom	A. Chung	Aug 23, 2022

Released By	Released To	Date/Time
#ReleasedBySig#	#ReleasedToSig#	#ReleasedByTime#
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____