



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



2023-2307

Officer Involved Critical Incident - I-75 Southbound at Mile Marker 110,  
Danny E Berry (S)

Investigative Activity: Interview with Trooper John Sanders-Tirado  
Activity Date: September 3, 2023  
Activity Location: Wapakoneta Post 6  
Authoring Agent: SA Chris Hamberg #69

On September 3, 2023, Special Agent Chris Hamberg (SA Hamberg) and Special Agent Supervisor Scott Stranahan (SAS Stranahan) of the Ohio Bureau of Criminal Investigation (BCI) interviewed Trooper John Sanders-Tirado (Sanders-Tirado) of the Ohio State Highway Patrol (OSP). The purpose of the interview was to ascertain what actions Sanders-Tirado took and what he may have witnessed during the pursuit/shooting of Danny Berry (Berry).

The interview took place in an office at the State Highway Patrol Wapakoneta Post 6. The interview was digitally recorded. The audio recording is attached to the case file.

Present for the interview was staff representative Bruce Elling (Elling) with the Ohio State Troopers Association. Sanders-Tirado is assigned to the Lima Post (2) of the OSP and was assigned to work second shift, which is 1400 hours to 2200 hours.

SA Hamberg asked Sanders-Tirado if he could describe how the events unfolded today and what he may have witnessed in regard to the pursuit/shooting incident. Sanders-Tirado stated he signed into service through his radio at approximately 1340 hours, when he overheard radio traffic from another Trooper indicating he was behind a "75" and observed a turn signal violation and the Trooper was going to attempt a traffic stop, which failed and the pursuit begun. Sanders-Tirado stated that he lived in the Bluffton area and was heading toward the I-75 area, in an attempt to find a location where he could deploy stop sticks, as the pursuit was coming southbound on I-75 toward his direction.

Sanders-Tirado stated as he was heading northbound on I-75 approaching the 145-MM, he overheard radio traffic that two (2) Troopers were in position on the southbound lane and had stop sticks set. Sanders-Tirado stated he approached the grass median and overheard radio traffic that the subject vehicle (SV) struck a commercial vehicle (CV) when he observed the CV put his four-way flashers on and drive over to the right shoulder, when the SV was wobbling in the left lane. Sanders-Tirado stated when the SV drove past him, he pulled onto the interstate and, for a short time, was the primary unit behind the SV, as he was getting up to speed. Sanders-Tirado stated the other Troopers that were already at speed got back up and behind the SV and he became the third or fourth in line, and from that point on he observed the SV until the end of the incident.

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Sanders -Tirado stated the following: the front tires came off the vehicle and were bouncing on the interstate, and the wheels were sparking on the roadway. Speeds at that time ranged from 60 mph to 80 mph, while other Troopers were blocking off the exit and entrance ramps to the interstate and when he reviewed the information on his computer, he became aware that the subject was involved in a homicide in the Chicago area.

SA Hamberg asked Sanders -Tirado if he knew who the primary unit was in the pursuit. Sanders -Tirado stated that LT Slates and SLT Crow from the Findlay post were up front, when toward the end of the pursuit, they backed down and he thought Trooper Roose from the Findlay post took over after that. Sanders-Tirado added that when they got to the Lima area, a Lima Police K-9 unit joined the pursuit also.

Sanders-Tirado stated that south of Lima the SV was sparking from the roadway and parts were coming off, when someone on the radio indicated that they needed to end the pursuit before they got into a metropolitan area. Shortly after that, SLT Crow gave permission for the pit-maneuver to be initiated with the SV when it was safe to perform the task. Sanders-Tirado stated that when the pit-maneuver happened, the following were behind the SV: Roose, who conducted the pit-maneuver, another Trooper, Lima PD K-9 unit, and himself.

Sanders-Tirado said Roose struck the right rear side of the SV with the left front of Roose's cruiser, when the SV came around and struck the passenger side of Roose's cruiser and continued spinning around until the SV came to rest adjacent to the cable/fence in the median area. Sanders-Tirado stated that Trooper Schreiber's cruiser was parked at an angle facing the SV, when he (Sanders-Tirado) parked off the roadway, at an angle facing the SV and being adjacent to Schreiber's cruiser. Sanders-Tirado stated his dash camera captured the SV. Sanders-Tirado said he then exited his cruiser and went to the trunk to retrieve his AR-15 rifle. Sanders-Tirado stated that he and Sgt. Powell made their way over to LT Slates' cruiser, which was being used as a stationary barrier. Sanders-Tirado stated he took the position of the C-Pillar at the driver side of Slates' cruiser, with his AR-15 rifle pointed at the SV, as the subject was still inside the Chrysler Pacifica.

SA Hamberg was told that Sanders-Tirado and other Troopers were calling out what they could see the subject was doing inside the vehicle and they were also ordering the subject to show them his hands, which the subject failed to comply with. SA Hamberg asked Sanders-Tirado if the car was on fire at that time. Sanders-Tirado stated no, but there was a significant amount of smoke coming from underneath the vehicle. Sanders-Tirado stated approximately five minutes later, flames were coming from the under carriage of the vehicle on the passenger side and were rolling up the B-Pillar and shortly after that, the flames were coming from the driver side.

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Sanders-Tirado stated they were discussing that they needed to get the subject out of the vehicle, but also knew that the subject may have a gun on him. Sanders-Tirado stated they all gave numerous verbal commands for the subject to get out of the vehicle and show them his hands. Sanders-Tirado stated once the vehicle became fully engulfed and the glass was shattering, the subject was trying to exit the vehicle on the driver side, with only one hand being visible to law enforcement. Sanders-Tirado stated they all started giving verbal commands for the subject to show them both of his hands and to get out of the vehicle.

SA Hamberg was told that the subject had the driver side door opened up and the subject was outside standing next to it, with only one (1) hand being visible to law enforcement, due to the wind and the heavy smoke coming from the vehicle. Sanders-Tirado stated that the subject then turned around and moved a little which allowed Troopers to see a handgun in the subject's other hand. Sanders-Tirado stated he did not remember which hand the gun was in, but all of them yelled that the subject had a gun and they all gave out verbal commands for the subject to drop the gun.

Sanders-Tirado said the subject started walking southbound down the interstate, when someone stated they should use a cruiser as a moving barricade. Sanders-Tirado stated that one of the LT's Sport Utility Vehicle (SUV) was used as a moving barricade, with the LT, that was driving, having his AR-15 rifle pointed out the windshield, with the driver side door being fully opened up, and several Troopers were standing behind the door area utilizing that for cover. Sanders-Tirado stated the SUV was moving slowly in the direction of the subject, while he was walking up beside them with the LPD K-9 unit.

Sanders-Tirado stated that the subject, at times, was facing away from them while walking down the interstate, and other times he was facing them and would be walking backward down the interstate. Sanders-Tirado stated the subject would switch hands the gun was in and would also change the way he was holding the handgun from the trigger guard area, where the gun was loosely being held and then the subject would hold the gun by the grip where it was tightly being held.

Sanders-Tirado stated he was telling the subject he did not have to do this, it does not have to end this way, put the gun down, they can talk about everything. Sanders-Tirado stated at this time, the subject pointed the gun toward his (subject) head and told him (Sanders-Tirado) that he was not going to kill the Troopers, but was going to kill himself. Sanders-Tirado stated he and other Troopers kept telling the subject he did not have to do this, to just put the gun down, it does not have to end this way. Sanders-Tirado stated he then heard one (1) shot go off, with the subject falling down on the interstate and the gun falling out of his hand. Sanders-Tirado added that after the shot was fired and the subject fell to the ground, the subject began crying and stated he (subject) did not mean to do that. Sanders-Tirado stated he did not know what the subject meant by saying that. SA Hamberg asked Sanders-Tirado how far away he was from the subject when the shot was fired, and Sanders-Tirado stated approximately 15 to 25

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feet. Sanders-Tirado stated the subject was facing them with the gun toward the subject's head when he was shot and that the subject refused numerous verbal commands from all the Troopers that were at the scene.

SA Hamberg was told that Troopers got on the radio and indicated that a shot was fired with Troopers running up to see where the subject had been shot at, which was in the upper chest area, and they began administering life saving measures. Sanders-Tirado stated they rolled the subject over and were looking for an exit wound and did not locate one.

Sanders-Tirado stated that fire and paramedics were brought into the scene and took over life saving measures with the subject being transferred to Lima Memorial Hospital.

SA Hamberg asked Sanders-Tirado who all assisted with rendering aid besides himself. Sanders-Tirado stated Schreiber, [REDACTED] LT Slates, and possibly Sgt. Fitzgerald. SA Hamberg asked Sanders-Tirado if he knew who fired the shot. Sanders-Tirado stated he did not see who fired the shot, but originally thought that the subject shot himself, because of the statement he made to him right after the subject fell to the ground. Sanders-Tirado stated he was later told it might have been a Trooper that fired the shot.

Sanders- Tirado stated he did not have any other information to share on the incident. The interview concluded at approximately 1817 hours.

This report only summarizes the information deemed by the author to be of the most relevance to the investigation and does not purport to contain all questions and answers from the audio recording. Further, this report was placed in a chronology to aid the reader's overall understanding of the information elicited during the interview and may not be reflective of the actual sequencing of questions or responses. It is suggested that the reader refer to the audio recording in its entirety.