



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



2023-1626
Officer Involved Critical Incident – 439 E Mulberry Street,
Lebanon, Ohio 45036 (L)

Investigative Activity: Interview with Victim
Involves: Shayla Simmons (V)
Date of Activity: 06/18/2023
Activity Location: Simmons, Shayla – Home – 439 E. Mulberry, Lebanon, OH 45036, Warren County
Author: SA David Hornyak, #112

Narrative:

On June 18, 2023 at approximately 0213 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agents Dave Hornyak and Ken Smith interviewed Shayla Simmons in regard to an Officer-Involved Critical Incident that had just occurred at her home. 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.

Ms. Simmons provided the following information:

Ms. Simmons lives with her fiancé, Brandon Ruffner in the home of Brandon's mother, Jane Ruffner. At least several days ago, Dione Kellum, who is "something of step-father" to Brandon Ruffner, tried to move into the home in an attempt to become re-involved with Jane Ruffner with whom he had previous relationship. As Kellum was not welcome at the property, Ms. Simmons ultimately called the police and Kellum was arrested for violating an active protection order. *Agent's note: The protection order was previously filed by Jane Ruffner.*

On the evening of June 17, 2023, Kellum returned to the property. While there, he sent threatening texts to the family including one containing a real-time picture of the family's home that Kellum stated he had just taken from outside. Kellum also sent a text stating that he had a gun adding that would take a hostage if the police were called.

Ms. Simmons called 911 advising that Kellum was outside with a firearm and was in violation of a protection order. Arriving officers were heard telling Kellum to put down his weapon doing so approximately 50 or more times over approximately 10 minutes. Specifically heard was, "Put it down," which Ms. Simmons said was restated "...so many times." Kellum was heard saying to officers, "Do you think I'm fucking crazy?"

As the incident continued, Ms. Simmons ultimately heard a gunshot from what she described

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as sounding like "a shitty gun." Ms. Simmons specified that the round sounded quiet as if fired from a small firearm. That shot was followed by two more gunshots, which were louder.

Before this incident, Kellum had said on multiple occasions that he wanted to kill himself and that he had a gun. Ms. Simmons said she feels bad that Kellum was shot, "...but he was dangerous." Ms. Simmons also described Kellum as a heavy drinker.

During the interview Ms. Simmons voluntarily showed the agents text messages from Kellum. With permission, the agents took photographs of the text chains. *Agent's Note: After the interview concluded, Simmons advised that the phone she had shown the agents was Brandon Ruffner's phone, and specified that her text interactions with Kellum as well as Brandon Ruffner's interactions with Kellum all took place to and from that phone.*

The interview terminated at approximately 0256 hours.

Attachments:

Attachment # 01: 2023-06-18 / Shayla Simmons interview

Attachment # 02: Combined text messages and screenshots – Brandon Ruffner phone

Exhibit 1

Included as a separate file.

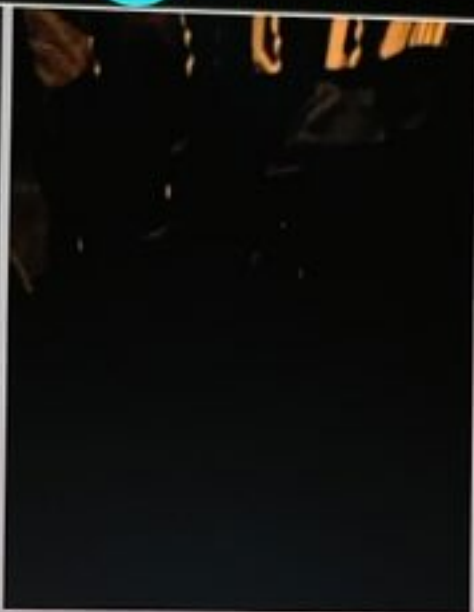
Exhibit 2

2:55    



PD

Pappy D
Mobile



I'm telling you and yeah I said I'm telling you you call the fucking police I start shooting everything now push me to the fucking limit and see what happens

I asked Brandon to bring my jewelry and knives out he did not do that I want to talk to him now and I'm telling you you call the police and his will turn into a fucking hostage shit I'm ready to die don't push it Shayla

Tell Brandon to answer the phone now



Type a message...





Pappy D
Mobile



go to the church and wait on you so talk to me for real

Come on Brandon God damn I'm not at the fucking house

If I was I'd have done beat on the door by now cuz you're pissing me off

Yesterday 7:12 PM

You are fucking making me madder than fuck boy

There's no reason you can't fucking answer the phone or call me back or text me

Yesterday 9:26 PM

Okay look this is Shayla. Your starting to get ridiculous. There's no reason to talk to him like that. Don't text this phone anymore. & DO NOT come here unless your getting everything u own here and u need to bring the police with you when u do so. If u text Janes phone or this phone or show up at the house the cops are getting called. Your out of line.



Monday, 11:08 PM



Type a message...



2:55 *NN*  



Pappy D
Mobile



go to the church and wait on you so talk to me for real

Come on Brandon God damn I'm not at the fucking house

If I was I'd have done beat on the door by now cuz you're pissing me off

Yesterday 7:12 PM

You are fucking making me madder than fuck boy

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Okay look this is Shayla. Your starting to get ridiculous. There's no reason to talk to him like that . Don't text this phone anymore. & DO NOT come here unless your getting everything u own here and u need to bring the police with you when u do. If u text Janes phone or this phone or show up at the house the cops are getting called. Your out of line.



Read

Yesterday 11:05 PM



Type a message...



2:55



Pappy D
Mobile



I don't have any money right now but Shayla is cooking

Yesterday 5:57 PM

I need to talk to you

I hate it when you do this shit you know I need to talk to you so just talk to me for a minute God damn

Yesterday 6:07 PM

What the fuck bro you can't talk to me neither or you got to get fucking permission I mean just tell me straight up

You can't get on the fucking phone and talk to me

The restraining order ain't with you I'm allowed to see you

Yesterday 6:51 PM

I'm just going to keep calling or I'm going to go to the church and wait on you so talk to me for real



Type a message...



2:55 NN



Pappy D
Mobile



I don't get this dude from you not when I opened up give you tools look man keep the carpet tools give me the jewelry and stuff back okay you couldn't talk to me I've always treated you like a son and you're just going to ignore me when I'm in this fucking shape. I don't understand it because you've been in this shape you know what I'm going through well you've never been thrown out on the street which is where I am. Brandon please just talk to me.

Yesterday 5:00 PM

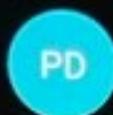
Are you home yet

We will be in a second. But Jane wants u to just get your stuff and go she doesn't want u to come mess around with the shed and stuff.

I got nowhere to put it all bring me a sandwich just a cheeseburger from McDonald's double cheeseburger we'll talk about this TV

Yesterday 5:36 PM

I don't have any money right now but Shaunda is cooking



Pappy D
Mobile



Wednesday 5:04 PM

So what's up is Shayla going to get that TV

Wednesday 6:49 PM

Thanks for getting back with me you know you could let a mother fucker know what's going on cuz this is bullshit you won't even fucking talk to me after I told you I'd give you all that shit

Wednesday 7:28 PM

Now you can't even answer me cuz you need to



Thursday 6:18 AM

I don't get this dude from you not when I opened up give you tools look man keep the carpet tools give me the jewelry and stuff back okay you couldn't talk to me I've always treated you like a son and you're just going to ignore me when I'm in this fucking shape. I don't understand it because you've been in this shape you know what I'm going through well you've never been thrown out on the street which is where I am. Brandon please just talk to me.



Type a message...




3:09 **MM** **MM**  



Pappy D


Mobile • (937) 765-7842



Missed call 


Sat 6:49 PM



Missed call 


Sat 6:50 PM



Missed call 


Sat 6:52 PM



Missed call 

Sat 7:11 PM




Incoming call 

Sat 8:48 PM

7m 21s



Outgoing call 

Sat 9:24 PM



Missed call

Sat 11:29 PM



Missed call

Sat 11:29 PM

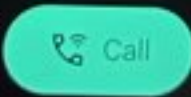


Outgoing call 

Sat 11:56 PM



Video call



Call



Message

CITY OF
LEBANON

OHIO



ance in Public Service™

www.lebanonohio.org

Day SEN SPE BCI



David M. Hornyak II
SPECIAL AGENT

3:10 **MM**  




Pappy D


Mobile • (937) 765-7842





 **Missed call**
Sat 12:44 PM



 **Outgoing call**  10m 0s
Sat 1:19 PM

 **Missed call** 
Sat 5:32 PM



 **Missed call** 
Sat 6:13 PM

 **Missed call** 
Sat 6:49 PM

 **Missed call** 
Sat 6:50 PM

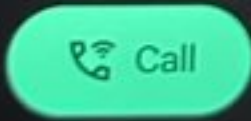
 **Missed call** 
Sat 6:52 PM

 **Missed call** 
Sat 7:11 PM

 **Incoming call**  7m 21s
Sat 8:48 PM






Video call






Call






Message

3:10 **NN**   




  Pappy D
Mobile • (937) 765-7842 

 Incoming call  26s
Jun 4, 7:34 PM

 Missed call
Jun 5, 8:37 AM


 Missed call
Jun 5, 8:40 AM

 Missed call
Wed 4:39 PM

 Missed call
Wed 4:43 PM

 Incoming call  2m 26s
Wed 4:44 PM

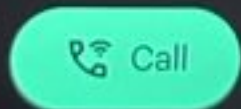
 Missed call
Sat 12:44 PM

 Outgoing call  10m 0s
Sat 1:19 PM

 Missed call 
Sat 5:32 PM



Video call



Call



Message



Y OF
ANON

Public Service*

w.lebanon

Day
SEN
SPE
BO



David M. Hornyak II
SENIOR SPECIAL AGENT
SPECIAL INVESTIGATION