



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



2025-3488
Officer Involved Critical Incident - 371 SR 180, Chillicothe,
OH 45601 (L)

Investigative Activity: Case Closing
Involves: Bryan Rothe, [REDACTED]
Activity Date: 03/31/2026
Authoring Agent: SA James Poole

Narrative:

On Tuesday, March 31, 2026, the investigation regarding the officer-involved critical incident that occurred in Ross County, Ohio, on October 26, 2025, was denied by the Ross County Prosecutor's Office. Prosecutor Jeffrey Marks declined to file criminal charges regarding the actions of [REDACTED] in relation to the death of Bryan Rothe. Prosecuting Marks stated, "I believe that [REDACTED] had probable cause to place Bryan Rothe under arrest for assault at the time."

All evidence in this case has been returned to the requesting agency. Special Agent Poole and Special Agent Supervisor Barbeau reviewed this investigation and discussed the documentation throughout this investigation. During this discussion, it was determined that the investigation was sufficiently pursued and all investigative efforts and aspects of this case have been completed. Special agent assistance is no longer required by the requesting agency.

The documents received from the Ross County Prosecutor's Office are attached to this report. Please refer to those documents for further information.

This case is closed.

References:

N/A

Attachments:

ROTHE, Bryan. Officer Involved Shooting. [REDACTED] 102625. 030426

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March 4, 2026

Special Agent James Poole
Bureau of Criminal Investigation
30 East Broad Street
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Columbus, Ohio 43215

RE: Investigation into [REDACTED]
Officer Involved Critical Incident – Bryan Rothe (deceased)
October 26, 2025
BCI File No.: 2025-3488

Special Agent Poole,

I have now had an opportunity to review the investigative materials that were submitted to my office as result of your investigation into the officer-involved shooting that occurred on October 26, 2025, in the area of 371 S.R. 180, Chillicothe, Ohio.

An overview of the materials submitted indicate that on the above date members of the Ross County Sheriff's Office were called out to the area 371 S.R. 180, Chillicothe, Ohio, due to an assault that had been called into dispatch.

Among those responding to the scene were [REDACTED].
[REDACTED] When law enforcement officers arrived, they began questioning witnesses to the alleged assault. Based upon the witness statements, injuries observed to individuals, and a video recording of the alleged assault, [REDACTED] walked back to the fence line of Bryan Rothe's property to speak to him. At one point they asked to come inside the fence, to which Bryan Rothe declined to grant them permission.

Based upon the totality of the circumstances, I believe that [REDACTED] had probable cause to place Bryan Rothe under arrest for Assault at that time. When they indicated their intentions to place him under arrest, Mr. Rothe, made a statement to the effect of, "That ain't happening today."

At that point in time, Mr. Rothe turned away from the law enforcement officers and began retreating back toward his residence. Both [REDACTED] deployed their department issued tasers. The tasers did not have the desired effect, and Mr. Rothe continued toward his residence. When he got to the front of the residence, Mr. Rothe went up a set of stairs onto his porch and entered his residence going out of the sight of [REDACTED] for a period of time.

During this time, [REDACTED] entered the property of Bryan Rothe through a gate in the fence, and began moving toward the front door of the residence. The entirety of this interaction was captured on the body worn cameras of [REDACTED]

As [REDACTED] continued toward the front door of the Rothe residence, they had made it approximately half way through the yard when Mr. Rothe reappeared in the doorway. Both [REDACTED] and [REDACTED] indicate in their respective written statements that Mr. Rothe was now standing in the entryway of his residence, with the screen door open, holding what appeared to be a long firearm, or rifle, pointed directly at the two (2) law enforcement officers. Due to the distance between the officers and the front door at this time, Mr. Rothe is not clearly observable on the body worn cameras.

Both [REDACTED] retrieved their department issued firearms and an exchange of gun fire took place. Multiple witnesses in the area of the scene described two (2) separate and distinct sounds of projectiles being fired. This would be consistent with the firing of the rifle by Mr. Rothe, and the firing of the handguns by [REDACTED] it should be noted that [REDACTED] had the same type of firearm at the time which would have created a similar sound as the two (2) of them were firing.

After the exchange of gun-fire between the parties [REDACTED] were joined by Deputy Weaver. The three (3) members of the Ross County Sheriff's Office then approached the front doorway area of the residence and observed Mr. Rothe bleeding from suspected gunshot wounds. They also observed a purple and black rifle laying next to Mr. Rothe. The deputies rendered first aid to Mr. Rothe, who was then subsequently removed from the property by Green Township EMS. Mr. Rothe was transported to the hospital where he was later pronounced dead.

Due to the nature of the shooting, BCI was requested to conduct an investigation into the incident. When they arrived, they began collecting evidence from the scene. This evidence included, among other things,

- (1) the purple and black rifle,
- (2) the respective Sig Sauer handguns of [REDACTED]
- (3) four (4) 5.56 AP 20 rifle casings found in the area of the front doorway of the residence
- (4) ten (10) 9mm WIN casings found in close proximity to each other in the front yard
- (5) fifteen (15) 9mm WIN casings found in close proximity to each other in a separate area of the front yard

Additionally, photographs were taken of bullet holes found in bunk bed stairs located in the front yard of the residence.

The ten (10) 9mm WIN casings found in the front yard were determined to have been fired from [REDACTED] pistol. The fifteen (15) 9mm WIN casings found in a separate area of the front yard were determined to have been fired from [REDACTED] pistol. The four (4) 5.56 AP 20 rifle casings were determined to have been fired from the purple and black rifle possessed and used by Bryan Rothe. Finally, after examining the bullet holes located in the bunk bed stairs in the front yard, it was determined that the projectile that made those holes was fired in a north to south direction, meaning that the projectile would have been fired from the area of the front porch toward the front yard where [REDACTED] were located.

After reviewing these materials, which include but are not limited to, investigative reports, photographs, interviews of eyewitnesses, written statements from [REDACTED] body worn camera footage, training records for [REDACTED] the preliminary autopsy report, and BCI forensic analysis, it is my opinion, and you are hereby advised, that there will be no criminal charges pursued against [REDACTED] based upon their conduct immediately prior to, and during, this shooting incident.

Based upon the totality of the circumstances, it is my opinion that the use of deadly force by [REDACTED] was done so in a manner to protect the officers and others from what is reasonably and honestly believed to be an imminent threat of death or serious bodily harm.

Mr. Rothe had just previously been advised that he was being placed under arrest for assault. Mr. Rothe declined to be arrested, turned, and retreated toward his residence. Once inside of his residence, he was out of sight of the two (2) law enforcement officers. When he returned to the front door, Mr. Rothe was observed with a rifle in his hands, and pointed the same at the officers. As [REDACTED] indicated, he and [REDACTED] at that point in time, did not have body armor that was rated to stop rifle rounds. Additionally, they were both out in the open in the yard with no available cover. Their only means of protection at that time was to use deadly force.

Due to the reasons provided above, it is my opinion that the State would be unable to prove, beyond a reasonable doubt, that [REDACTED] did not lawfully act in defense of themselves, or in defense of others, as permitted under the Ohio Revised Code.

If you have any questions or concerns, please feel free to contact me and we can discuss the same.

Respectfully,



Jeffrey C. Marks
Prosecuting Attorney
Ross County, Ohio

CC: Special Agent Kevin Barbeau - BCI
George W. Lavender, Jr. – Ross County Sheriff