

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, ex rel.
CINCINNATI ENQUIRER

Relator,

v.

OHIO DEPARTMENT OF
PUBLIC SAFETY, et al.,

Respondents.

:
:
:
: Case No. 15-0390
:
: **Original Action in Mandamus**
:
:
:
:
:

RESPONDENTS' SUBMISSION OF EVIDENCE

MICHAEL DEWINE (0009181)
Ohio Attorney General

John C. Greiner (0005551)*
*Counsel of Record
Darren W. Ford (0086449)
Graydon Head & Ritchey LLP
1900 Fifth Third Center
511 Walnut Street
Cincinnati, Ohio 45202-3157
Tel: 513-629-2734
Fax: 513-651-3836
jgreiner@graydon.com

*Counsel for Relator
Cincinnati Enquirer*

JEFFERY W. CLARK (0017319)*
*Counsel of Record
MORGAN LINN (0084622)
HILARY R. DAMASER (0059190)
Assistant Attorneys General
Constitutional Offices Section
30 East Broad Street, 16th Floor
Columbus, Ohio 43215
Tel: 614-466-2872
Fax: 614-728-7592
jeffery.clark@ohioattorneygeneral.gov
morgan.linn@ohioattorneygeneral.gov
hilary.damaser@ohioattorneygeneral.gov

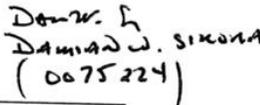
*Counsel for Respondents
Ohio Department of Public Safety and John Born*

FILED
JAN 19 2016
CLERK OF COURT
SUPREME COURT OF OHIO

TABLE OF RESPONDENTS' EXHIBITS

In accordance with Supreme Court Practice Rule 12.06, Respondents Ohio Department of Public Safety and Director John Born hereby present the following evidence. Because all but one exhibit previously attached to the Affidavit of Eric S. Richmond have been resubmitted as joint exhibits of the parties, only the 911 call CD referenced therein as Exhibit D, now relabeled as Respondents' Exhibit E, is attached hereto:

Affidavit of Trooper Laura Harvey Respondents' Exhibit A
Affidavit of Trooper Cristian Perrin Respondents' Exhibit B
Report of Investigation, Incident No. 15 052001 0883 Respondents' Exhibit C
Affidavit of Eric S. Richmond Respondents' Exhibit D
911 Call CD Respondents' Exhibit E

 By 
Jeffery W. Clark (0017319)*
*Counsel of Record
Morgan Linn (0084622)
Hilary R. Damaser (0059190)
Assistant Attorneys General
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Columbus, Ohio 43215
Tel: 614-466-2872; Fax: 614-728-7592
Jeffery.Clark@ohioattorneygeneral.gov
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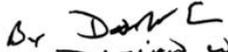
*Counsel for Respondents
Ohio Department of Public Safety And John
Born*

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Respondents' Submission of Evidence* was served by first class mail via the U.S. Postal Service on January 19, 2016, upon the following:

John C. Greiner
Darren W. Ford
Graydon Head & Ritchey LLP
1900 Fifth Third Center
511 Walnut Street
Cincinnati, Ohio 45202-3157

*Counsel for Relator
Cincinnati Enquirer*


By 
DAVID W. SIMON
0075224

Jeffery W. Clark (0017319)
Assistant Attorney General

EXHIBIT A

the vehicle and activating my vehicle's emergency lights, which automatically activated the dashboard-mounted video camera.

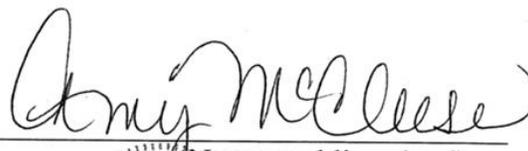
5. Despite the activation of my light bar, the driver of the vehicle did not pull over, which I recognized as probable cause that the driver was in violation of R.C. 2921.331(B), *Failure to comply with signal of police officer*, which was a violation that continued for the duration of the ensuing pursuit. I activated my siren and continued to pursue the vehicle. I broadcasted by radio my initiation of pursuit, and Trooper Cristian Perrin who was located nearby joined me in the pursuit. During the pursuit, I observed the vehicle commit marked lane violations, change lanes with no turn signal, and cut Trooper Perrin's vehicle off near mile post 16, which I recognized as probable cause of violations of R.C. Sections 4511.33, 4511.39, and 4511.20. At times during the pursuit the suspect vehicle accelerated to speeds in excess of 90-120 MPH, which I recognized as probable cause of violation of R.C. 4511.21, *Speed limits*. At the conclusion of the pursuit, the vehicle crashed in the left lane of the highway. I pulled in behind the crashed vehicle. My lights and camera remained activated, recording the vehicle and documenting the apprehension, search, and questioning of the driver for various offenses, and the securing of the vehicle.
6. The video record of the pursuit, stop, and apprehension of the suspect and vehicle was created and maintained to capture evidence documenting that the driver of the vehicle I was pursuing had committed and continued to commit violations of criminal law. The video record was further created to document my investigation of observed actions and omissions that were in apparent violation of criminal law. The video record was further created in anticipation of use by the appropriate prosecuting attorney in criminal litigation.
7. Subsequently, I contributed my narrative notes to the Report of Investigation for Incident No. 15 052001 0883, that documented my observations and conclusions in this matter in detail. A true and accurate copy of the Report of Investigation is attached and marked as Respondents' Exhibit C.

And further Affiant sayeth naught.



Trooper Laura Harvey

Sworn to before me and subscribed in my presence this 18th day of January, 2016.



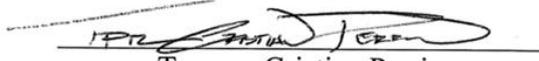
Notary public (seal)
AMY MCCLEESE
Notary Public, State of Ohio
My Commission Expires
December 21, 2019
Recorded in Warren County.

EXHIBIT B

4511.21, *Speed limits*. At the conclusion of the pursuit, the vehicle crashed in the left lane of the highway.

5. The video record of the pursuit, stop, and apprehension of the suspect and vehicle was created and maintained to capture evidence documenting that the driver of the vehicle I assisted in pursuing had committed and continued to commit violations of criminal law. The video record was further created to document the investigation of observed actions and omissions that were in apparent violation of criminal law. The video record was further created in anticipation of use by the appropriate prosecuting attorney in criminal litigation.
6. Subsequently, I contributed my narrative notes to the Report of Investigation for Incident No. 15 052001 0883, that documented my observations, actions, and conclusions in this matter in detail.

And further Affiant sayeth naught.


Trooper Cristian Perrin

Sworn to before me and subscribed in my presence this 18th day of January, 2016.

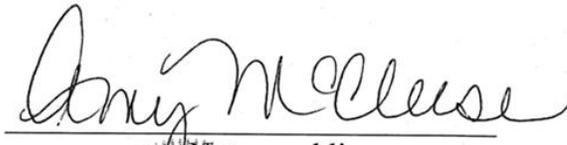

Notary public,
(seal) AMY MCCLEESE
Notary Public, State of Ohio
My Commission Expires
December 21, 2019
Recorded in Warren County

EXHIBIT C



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Suspect / Arrest Report

INCIDENT NUMBER 15 052001 0883
REPORT DATE/TIME 1/22/2015 08 27

TOTAL SUSPECTS : 1

NAME / DESCRIPTIVES

No. 1	<input checked="" type="checkbox"/> Adult <input type="checkbox"/> Juvenile <input type="checkbox"/> Unknown <input type="checkbox"/> Business	CHECK APPROPRIATE CATEGORY 3 <input type="checkbox"/> Suspect <input type="checkbox"/> Arrestee <input checked="" type="checkbox"/> Suspect/Arrestee <input type="checkbox"/> Runaway <input type="checkbox"/> Missing <input type="checkbox"/> Other	CHARGES FILED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
NAME: (Last, First, Middle): Teofilo, Aaron, D		SSN#: [REDACTED]		
ADDRESS: 2112 North Gimon Circle Mobile, AL - 36601		GANG AFFILIATION:		
EMPLOYER NAME & ADDRESS: , OH		PHONE #: (330) 541-6316		
PLACE OF BIRTH	DRIVER'S LICENSE # & STATE	STATE EMPLOYEE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	OCCUPATION/SCHOOL None	
AGE / DOB 19 12/29/1995	GENDER M	RACE Black, Non-Hispanic Origin	HEIGHT 5ft 5in	
		WEIGHT 120	HAIR Black	
		EYES Brown	MARITAL STATUS Single	
ADDITIONAL DESCR PTION:				
SCARS, MARKS, TATTOOS : 1) 2) 3) 4) 5)				
POTENTIAL INJURIES : Lacerations to face from crash		RESIDENT CODE <input checked="" type="checkbox"/> RESIDENT <input type="checkbox"/> TOURIST <input type="checkbox"/> MILITARY <input type="checkbox"/> STUDENT <input type="checkbox"/> OTHER <input type="checkbox"/> UNKNOWN <input type="checkbox"/> NOT REPORTED		
TYPE WEAPON FORCE USED				
SUSPECT USED: 99				
99 NONE	13B OTHER FULLY AUTOMATIC WEAPON	18 IMITATION FIREARM	50 POISON	
11 FIREARM	14 SHOTGUN	17 SIMULATED FIREARM	60 EXPLOSIVES	
12 HANDGUN	15 OTHER FIREARM	18 BB / PELLET GUN	65 FIRE / INCENDIARY DEVICE	
12A AUTOMATIC HANDGUN	15A SEMI-AUTOMATIC SPORTING RIFLE	20 KNIFE / CUTTING INSTRUM.	70 DRUGS/NARC/SLEEP PILLS	
13 RIFLE	15B SEMI-AUTOMATIC ASSAULT FIREARM	30 BLUNT OBJECT	80 OTHER WEAPON	
13A FULLY AUTOMATIC RIFLE	15C MACHINE PISTOL	35 MOTOR VEHICLE	85 ASPHYXIATION	
		40 PERSONAL WEAPON	U UNKNOWN	

ASSOC PERSONS

NAME	ADDRESS (Street, Apt, City, State, Zip)	PHONE	RELATION

ARREST INFORMATION

ARREST / OFFENSE DESCRIPTION	ARREST / OFFENSE CODE	COUNT	F/M & DEGREE	DISPOSITION	LARCENY	ARREST LARCENY TYPE
Failure to Comply with Order or Signal of P.O.	2921.331	1	F-3			23A POCKET PICK NG 23B PURSE SNATCHING 23C SHOP L FT NG 23D THEFT FROM BUILD NG 23E THEFT FROM CO N-OP MACH NE 23F THEFT FROM MOTOR VEHICLE 23G MOTOR VEH. PARTS/ACCESSORIES 23H THEFT OF MOTOR VEHICLE 23H OTHER
Carrying Concealed Weapons	2923.12	1	F-4			
Receiving Stolen Property	2913.51	1	F-5			
Possessing a Defaced Firearm	2923.201	1	M-1			

WARRANT NUMBER	WARRANT DESCRIPTION	WARRANT NUMBER	WARRANT DESCRIPTION
1.		2.	
3.		4.	

ARREST DATE: 1/22/2015 TIME: 08 51 ARREST LOCATION (Street, Apt., City, State, Zip): SB 1-71 Interstate Route (Turnpike is also IR) MP23 CITATION NUMBER: OHP831006012220151447

ARRESTEE ARMED WITH: 1. None 2. 3. ARREST DISPOSITION: Slated / Incarcerated BAIL:

FINGER PRINTED: YES NO THUMB PRINTED: YES NO DNA TAKEN: Yes, DNA taken by other agency ITN NUMBER: FB/BCI #: 319076XD5

MULTIPLE ARRESTEE SEGMENTS INDICATOR COUNT ARRESTEE MULTIPLE ARRESTEE INDICATOR N/A ARREST TYPE: Complaint Court Summons/Citation Crime In Progress Warrant Order Of Protection Other

COURT: Mason Municipal Court COURT DATE: 1/29/2015

JAIL SENTENCE YEARS: 0.00 DAYS: 0.00

JUVENILE

JUVENILE'S PARENT / GUARDIAN NOTIFIED: YES NO DATE/TIME NOTIFIED: NOTIFIED By: JUVENILE DISPOSITION:

PARENT / GUARDIAN NAME & ADDRESS PHONE RELATIONSHIP

PARENT / GUARDIAN NAME & ADDRESS PHONE RELATIONSHIP

DATE OF LAST CONTACT DATE OF EMANCIPATION NCIC

LAST SEEN WEAR NG

REPORTING OFFICER: Tpr. Harvey, Laura M	UNIT NUMBER: 1006	DATE: 1/22/2015
APPROVING OFFICER: Lt. Hamilton, Matthew J	UNIT NUMBER: 1714	DATE: 1/25/2015



Ohio State Highway Patrol
 REPORT OF INVESTIGATION
 Vehicle Report

INCIDENT NUMBER 15 052001 0883
REPORT DATE/TIME 1/22/2015 08 27

VEHICLE INFORMATION									
CHECK CATEGORIES <input type="checkbox"/> Abandoned <input type="checkbox"/> Impounded <input type="checkbox"/> Stolen <input type="checkbox"/> Received <input checked="" type="checkbox"/> Recovered <input type="checkbox"/> Used In A Commission of a Crime <input type="checkbox"/> N/A									
LICENSE Z581064	LIC STATE OH	VEHICLE IDENTIFICATION NUMBER / OAN 3FAFP07176R227964			NCIC NO.	STOLEN OPTION Recovery and Charges		IS VEHICLE LOCATED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	VEHICLE NO. 1
VALUE 6000.00	VEH YR. 2006	MAKE Ford	MODEL Fusion	STYLE 4Door	VEHICLE COLOR TOP Burgundy (Purple) BOTTOM Burgundy (Purple)		TRACK TYPE		
OWNER NAME & ADDRESS (Street, City, State, Zip) Brian R. Keil & 739 Akron Blvd., Kent, OH - 44240								PHONE (330) 281-0240	
VEH. ASSOC. W/ SUSPECT #		VEH. ASSOC. W/ VICT M # 2		TOWED BY : John's Towing		OWNER VERIFIED BY : Tag Receipt			
ADDITIONAL DESCRIPTION								DATE TIME NOTIFIED	

REPORTING OFFICER: Tpr. Harvey, Laura M	UNIT NUMBER: 1006	DATE: 1/22/2015
APPROVING OFFICER: Lt. Hamilton, Matthew J	UNIT NUMBER: 1714	DATE: 1/25/2015



Ohio State Highway Patrol
 REPORT OF INVESTIGATION
 Property Report

INCIDENT NUMBER 15 052001 0883
REPORT DATE/TIME 1/22/2015 08 27

TYPE PROPERTY LOSS (ENTER CODES BELOW)											
1 NONE		3. COUNTERFEITED / FORGED			5. STOLEN / ETC		7. RECOVERED		E EV DENCE	P PHOTO	U UNKNOWN
2 BURNED		4. DESTROYED / DAMAGED / VANDALIZED			6. SEIZED		D DAMAGED		F FOUND	L LOST	
PROPERTY NO:1	PROPERTY CODE 44	LOSS CODE E	QUANTITY 1.00	PROPERTY VALUE	VICT M NO.:	SUSPECT NO.:	VEHICLE NO.:	VEH LIC STATE:	VEHICLE YEAR:		
PROPERTY DESCRIPTION .38 Revolver (Rohm GMBH Sonthe IM/BRZ)							FOUND LOCATION Front passenger side floorboard of vehicle				
MAKE / BRAND Rohm			MODEL .38 Revolver		SERIAL FILED OFF			N.C.I.C. #			
FIREARM	CALIBER .38	TYPE Pistol - Revolver		BARREL LENGTH 3	FINISH Black			N.C.I.C. ENTRY #			
NARCOTICS		DRUG TYPE	UNIT OF MEASURE	DRUG CODE		PILL TYPE	P LL SHAPE	P LL COLOR1	PILL COLOR2		
PILL MARK NG 1						PILL MARKING 2					
OWNER NAME & ADDRESS Aaron D Teofilo / 2112 North Gimon Circle, Mobile, AL, 36605								OWNER PHONE (330) 541-6316			
EVIDENCE CODE		EV DENCE DATE/ TIME 1/22/2015 10 00		EVIDENCE COLLECTED BY (1462) Tpr. Griffith, Joseph R			EVIDENCE FINAL DISPOSITION		OTHER EVIDENCE		
PROPERTY NO:2	PROPERTY CODE 64	LOSS CODE E	QUANTITY	PROPERTY VALUE	VICT M NO.:	SUSPECT NO.:	VEHICLE NO.:	VEH LIC STATE:	VEHICLE YEAR:		
PROPERTY DESCRIPTION 6 .38 caliber rounds							FOUND LOCATION Inside the cylinder of property #1				
MAKE / BRAND			MODEL		SERIAL			N.C.I.C. #			
FIREARM	CALIBER	TYPE		BARREL LENGTH	FINISH			N.C.I.C. ENTRY #			
NARCOTICS		DRUG TYPE	UNIT OF MEASURE	DRUG CODE		PILL TYPE	P LL SHAPE	P LL COLOR1	PILL COLOR2		
PILL MARK NG 1						PILL MARKING 2					
OWNER NAME & ADDRESS Aaron D Teofilo / 2112 North Gimon Circle, Mobile, AL, 36605								OWNER PHONE (330) 541-6316			
EVIDENCE CODE		EV DENCE DATE/ TIME 1/22/2015 10 00		EVIDENCE COLLECTED BY (1462) Tpr. Griffith, Joseph R			EVIDENCE FINAL DISPOSITION		OTHER EVIDENCE		

PROPERTY CODES	17 COMP. HARDWARE/SOFTWARE	38 BUSES	60 CHEMICALS
EXCHANGE MEDIUMS	18 OFFICE EQUIPMENT	39 TRUCKS	61 CROPS
01 MONEY	19 STEREO EQUIPMENT, TV AND RADIO (NON-VEHICLE)	40 TRAILERS	62 DOCUMENTS/PERSONAL OR BUSINESS EXPLOSIVES
02 CREDIT/DEBIT CARD	20 RECORDINGS	41 WATERCRAFT	63 EXPLOSIVES
03 NEGOTIABLE INSTRUMENTS	21 SPORTS EQUIPMENT (ALL EXCEPT BICYCLES AND FIREARMS)	42 RECREATIONAL VEHICLE	64 FIREARM ACCESSORIES
04 OTHER EXCHANGE MEDIUMS	22 PHOTOGRAPHIC EQUIPMENT	43 OTHER MOTOR VEHICLE	65 FUEL
DOCUMENTS	23 FARM EQUIPMENT	WEAPONS	66 IDENTITY-NTANGIBLE
05 NON-NEGOTIABLE INSTRUMENTS	24 HEAVY CONSTRUCTION / INDUSTRIAL EQUIPMENT	44 FIREARMS	67 LAW ENFORCEMENT EQUIPMENT
06 PERSONAL (IDENTITY) PAPERS	25 BUILDING SUPPLIES FOR CONSTRUCTION	45 OTHER WEAPONS	68 LAWN/YARD/GARDEN EQUIPMENT
07 OTHER DOCUMENTS	26 TOOLS	STRUCTURES	69 LOGGING EQUIPMENT
VALUABLES	27 VEHICLE PARTS / ACCESSORIES	46 SINGLE OCCUPANCY	70 MEDICAL/MEDICAL LAB EQUIPMENT
08 JEWELRY/PRECIOUS METALS	28 SCHOOL SUPPLIES	47 OTHER DWELLINGS	71 METALS, NON-PRECIOUS
09 ART OBJECTS, ANTIQUES, AND OTHER PRECIOUS ITEMS	29 OTHER EQUIPMENT	48 COMMERCIAL/BUSINESS	72 MUSICAL INSTRUMENTS
10 OTHER VALUABLES	CONSUMABLE ITEMS	49 INDUSTRIAL/MANUFACTURING	73 PORTABLE ELECTRONIC COMMUNICATIONS
PERSONAL EFFECTS	30 ALCOHOL	50 PUBLIC/COMMERCIAL	74 WATERCRAFT
11 CLOTHING FURS	31 DRUGS / NARCOTICS	51 STORAGE	EQUIPMENT/PARTS/ACCESSORIES
12 PURCHASES/HANDBAGS/WALLETS	32 CONSUMABLE GOODS	52 OTHER STRUCTURES	
13 OTHER PERSONAL EFFECTS	ANIMALS	OTHER	
HOUSE HOLD ITEMS	33 LIVE STOCK	53 MERCHANDISE	
14 HOUSEHOLD ITEMS	34 HOUSEHOLD PETS	54 OTHER PROPERTY	
EQUIPMENT	VEHICLES	55 PENDING INVENTORY	
15 DRUG/NARCOTIC EQUIPMENT	35 AIRCRAFT	56 SPECIAL CATEGORIES	
16 GAMBLING EQUIPMENT	36 AUTOMOBILES	57 AIRCRAFT PARTS OR ACCESSORIES	
	37 BICYCLES	58 ARTISTIC SUPPLIES OR ACCESSORIES	
		59 CAMPING/HUNTING/FISHING EQUIPMENT/SUPPLIES	

REPORTING OFFICER: Tpr. Harvey, Laura M	UNIT NUMBER: 1006	DATE: 1/22/2015
APPROVING OFFICER: Lt. Hamilton, Matthew J	UNIT NUMBER: 1714	DATE: 1/25/2015



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Property Report

INCIDENT NUMBER 15 052001 0883
REPORT DATE/TIME 1/22/2015 08 27

TYPE PROPERTY LOSS (ENTER CODES BELOW)		1 NONE	3. COUNTERFEITED / FORGED	5. STOLEN / ETC	7. RECOVERED	E EV DENCE	P PHOTO	U UNKNOWN	
		2 BURNED	4. DESTROYED / DAMAGED / VANDALIZED	6. SEIZED	D DAMAGED	F FOUND	L LOST		
PROPERTY NO:3	PROPERTY CODE 36	LOSS CODE 7	QUANTITY 1.00	PROPERTY VALUE 6000.00	VICT M NO.: 2	SUSPECT NO.:	VEHICLE NO.:	VEH LIC STATE : OH	VEHICLE YEAR : 06
PROPERTY DESCR PTION 2006 Maroon Ford Fusion							FOUND LOCATION IR 71 SB MP 6		
MAKE / BRAND Ford		MODEL			SERIAL 3FAFP07176R227964		N.C.I.C. #		
FIREARM	CALIBER	TYPE	BARREL LENGTH		FINISH		N.C.I.C. ENTRY #		
NARCOTICS	DRUG TYPE		UNIT OF MEASURE	DRUG CODE		PILL TYPE	P LL SHAPE	P LL COLOR1	PILL COLOR2
	PILL MARK NG 1					PILL MARKING 2			
OWNER NAME & ADDRESS Brian R. Keil / 739 Akron Blvd., Kent, OH, 44240							OWNER PHONE (330) 281-0240		
EVIDENCE CODE		EV DENCE DATE/ TIME 1/22/2015 08 00	EVIDENCE COLLECTED BY (0711) Tpr. Perrin, Cristian			EVIDENCE FINAL DISPOSITION Returned to Owner		OTHER EVIDENCE	
PROPERTY NO:4	PROPERTY CODE 20	LOSS CODE E	QUANTITY	PROPERTY VALUE	VICT M NO.:	SUSPECT NO.:	VEHICLE NO.:	VEH LIC STATE :	VEHICLE YEAR :
PROPERTY DESCR PTION One CD recording of the suspect's interview							FOUND LOCATION Cincinnati Operations		
MAKE / BRAND		MODEL			SERIAL		N.C.I.C. #		
FIREARM	CALIBER	TYPE	BARREL LENGTH		FINISH		N.C.I.C. ENTRY #		
NARCOTICS	DRUG TYPE		UNIT OF MEASURE	DRUG CODE		PILL TYPE	P LL SHAPE	P LL COLOR1	PILL COLOR2
	PILL MARK NG 1					PILL MARKING 2			
OWNER NAME & ADDRESS Aaron D Teofilo / 2112 North Gimon Circle, Mobile, AL, 36601							OWNER PHONE (330) 541-6316		
EVIDENCE CODE		EV DENCE DATE/ TIME 1/23/2015 10 00	EVIDENCE COLLECTED BY (1462) Tpr. Griffith, Joseph R			EVIDENCE FINAL DISPOSITION		OTHER EVIDENCE	

PROPERTY CODES	17 COMP. HARDWARE/SOFTWARE	38 BUSES	60 CHEMICALS
EXCHANGE MEDIUMS	18 OFFICE EQUIPMENT	39 TRUCKS	61 CROPS
01 MONEY	19 STEREO EQUIPMENT, TV AND RADIO (NON-VEHICLE)	40 TRAILERS	62 DOCUMENTS/PERSONAL OR BUSINESS
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08 JEWELRY/PRECIOUS METALS	28 SCHOOL SUPPLIES	47 OTHER DWELLINGS	71 METALS, NON-PRECIOUS
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10 OTHER VALUABLES	CONSUMABLE ITEMS	49 INDUSTRIAL/MANUFACTURING	73 PORTABLE ELECTRONIC COMMUNICATIONS
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13 OTHER PERSONAL EFFECTS	ANIMALS	OTHER	
HOUSE HOLD ITEMS	33 LIVE STOCK	53 MERCHANDISE	
14 HOUSEHOLD ITEMS	34 HOUSEHOLD PETS	54 OTHER PROPERTY	
EQUIPMENT	VEHICLES	55 PENDING INVENTORY	
15 DRUG/NARCOTIC EQUIPMENT	35 AIRCRAFT	56 SPECIAL CATEGORIES	
16 GAMBLING EQUIPMENT	36 AUTOMOBILES	57 AIRCRAFT PARTS OR ACCESSORIES	
	37 BICYCLES	58 ARTISTIC SUPPLIES OR ACCESSORIES	
		59 CAMPING/HUNTING/FISHING EQUIPMENT/SUPPLIES	

REPORTING OFFICER: Tpr. Harvey, Laura M	UNIT NUMBER: 1006	DATE: 1/22/2015
APPROVING OFFICER: Lt. Hamilton, Matthew J	UNIT NUMBER: 1714	DATE: 1/25/2015



Ohio State Highway Patrol
REPORT OF INVESTIGATION
Victim/Reportee/Witness Report

INC DENT NUMBER 15 052001 0883
REPORT DATE/TIME 1/22/2015 08 27

VICTIM	NO. 1	VICTIM TYPE: <input type="checkbox"/> Individual <input type="checkbox"/> Financial Institution <input type="checkbox"/> Police Officer (In The Line Of Duty) <input type="checkbox"/> Society / Public <input type="checkbox"/> Other <input type="checkbox"/> Business <input type="checkbox"/> Government <input type="checkbox"/> Religious Organization <input type="checkbox"/> Unknown <input type="checkbox"/> Trooper <input type="checkbox"/> State Agency							
	<input checked="" type="checkbox"/> Victim <input type="checkbox"/> Witness <input type="checkbox"/> Reportee		NAME (Last, First, Middle): Society / Public						
	ADDRESS(Street, Apt, City, State, Zip):							PHONE #:	
	OCCUPATION:				STATE EMPLOYEE: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		SSN:		
	RESIDENTIAL STATUS: <input type="checkbox"/> Resident <input type="checkbox"/> Military <input type="checkbox"/> Other <input type="checkbox"/> Tourist			STATEMENT OBTAINED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
	AGE / DOB			GENDER		RACE :		STATEMENT TYPE: <input type="checkbox"/> Written <input type="checkbox"/> Oral <input type="checkbox"/> Taped <input type="checkbox"/> Other	
				HEIGHT FROM - TO		WEIGHT FROM - TO		HAIR	
								EYES	
	EMPLOYER NAME & ADDRESS							PHONE #:	
	VICTIM <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF INJURED, DESCRIBE INJURIES: 1) 2) 3) 4) 5)		VICTIM DECEASED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		VICTIM WITNESS REFERRAL INFO <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		TYPE OF REFERRAL
AGG. ASLT / HOMICIDE CIR: 1)			2)						
VICTIM/SUSPECT RELATIONSHIP: 1) Citizen/Society				VICTIM OFFENSE LINK: 1)2913.51 2)2921.331 3)2923.12 4)2923.201					
JUST FIABLE HOMIC DE:			ACTIVITY TYPE		ASSIGNMENT TYPE		LE ORI - OTHER JURISDICTION		
My signature verifies that the information on this report is accurate and true							DATE:		
X									
VICTIM	NO. 2	VICTIM TYPE: <input checked="" type="checkbox"/> Individual <input type="checkbox"/> Financial Institution <input type="checkbox"/> Police Officer (In The Line Of Duty) <input type="checkbox"/> Society / Public <input type="checkbox"/> Other <input type="checkbox"/> Business <input type="checkbox"/> Government <input type="checkbox"/> Religious Organization <input type="checkbox"/> Unknown <input type="checkbox"/> Trooper <input type="checkbox"/> State Agency							
	<input checked="" type="checkbox"/> Victim <input type="checkbox"/> Witness <input type="checkbox"/> Reportee		NAME (Last, First, Middle): Kell Brian R.						
	ADDRESS(Street, Apt, City, State, Zip): 739 Akron Blvd., Kent, OH - 44240							PHONE #: (330) 281-0240	
	OCCUPATION:				STATE EMPLOYEE: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		SSN: [REDACTED]		
	RESIDENTIAL STATUS: <input checked="" type="checkbox"/> Resident <input type="checkbox"/> Military <input type="checkbox"/> Other <input type="checkbox"/> Tourist			STATEMENT OBTAINED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
	AGE / DOB 34 / 10/6/1980			GENDER M		RACE : White, Non-Hispanic Origin		STATEMENT TYPE: <input type="checkbox"/> Written <input type="checkbox"/> Oral <input type="checkbox"/> Taped <input type="checkbox"/> Other	
				HEIGHT FROM - TO 6ft 6in		WEIGHT FROM - TO 175 - 175		HAIR Brown	
								EYES Brown	
	EMPLOYER NAME & ADDRESS							PHONE #:	
	VICTIM <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF INJURED, DESCRIBE INJURIES: 1) 2) 3) 4) 5)		VICTIM DECEASED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		VICTIM WITNESS REFERRAL INFO <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		TYPE OF REFERRAL
AGG. ASLT / HOMICIDE CIR: 1)			2)						
VICTIM/SUSPECT RELATIONSHIP: 1) Stranger				VICTIM OFFENSE LINK: 1)2913.51					
JUST FIABLE HOMIC DE:			ACTIVITY TYPE		ASSIGNMENT TYPE		LE ORI - OTHER JURISDICTION		
My signature verifies that the information on this report is accurate and true							DATE:		
X									

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Thursday, January 22, 2015 09:15

1462 Tpr. Griffith, Joseph R

Cincinnati Operations was requested to assist the Lebanon Patrol Post (P-83) with a suspected stolen vehicle and a handgun recovered out of a vehicle pursuit. Tpr. Dave Griffith (U-861) and I responded to the scene. Upon our arrival, we observed multiple law enforcement agencies on scene. We observed the crashed suspect vehicle (Ford Fusion) in the left lane. We were informed the handgun was on the front passenger floorboard, and the suspect driver was at University Hospital in Cincinnati.

Tpr. Dave Griffith photographed the scene, vehicle, and handgun. I collected the handgun as evidence. The handgun was a Rohm .38 caliber special with the handle taped and the serial number damaged beyond recognition with the naked eye. The handgun was made safe and each round was taken out of the cylinder. The handgun and rounds were later given to Sgt. T. Callahan (U-1053) to be given to Tpr. D. Brown (U-494) in an attempt to reveal a serial number.

Tpr. Dave Griffith and I arrived at the University Hospital to conduct an interview with the driver (Aaron Teofilo). Teofilo was under the watch of Tpr. L. Harvey. Teofilo was in Emergency Room number 27. A recorded oral interview was conducted and entered into evidence as property #4. The recorded interview is summarized below.

I read Teofilo his Constitutional Rights; witnessed by Tpr. D. Griffith. Teofilo informed me he understood his rights, and he agreed to provide an oral statement. Teofilo was unable to sign the form because both of his wrists were handcuffed to the hospital bed.

Teofilo said he left Alabama and came to Ohio about two to three weeks prior to the incident. Teofilo said he needed to get away from his peers because they bring others down. Teofilo said he was trying to change his life for the better. Teofilo said he came by himself, and he rode a Greyhound bus to Akron. When asked if he knew anyone in Ohio, he said his grandfather lived in Ohio somewhere. Teofilo said he tried to find his grandfather, but he was unable to locate him. Teofilo said he ran out of minutes for his phone. When asked if he had money, he said his mother would send him money throughout the week. The interview was stopped in order for the ER doctor to treat Teofilos wounds.

The interview was continued at 1256 hours. When Teofilo was asked where he was staying, he said he was staying with some guy. Teofilo said he didnt know what his name was. Teofilo said he didnt know how he knew the guy. Teofilo said he was invited to Ohio by an old friend, but the old friend was not who he stayed with. Teofilo was asked why he wanted to go back to Alabama. Teofilo said he was hanging out yesterday in Kent, Ohio. Teofilo said a random guy came to him and asked him if he wanted to purchase a Kindle. Teofilo said he didnt know who the guy was, and he told the guy he didnt want to buy the Kindle. Teofilo said they guy tried to rob him with a small black gun. Teofilo said he took off running through some woods. Teofilo said he didnt have any idea where he was when this happened.

Teofilo said earlier in the day the same guy showed him the vehicle. Teofilo said the guy told him he could easily get the vehicle. Teofilo said he told the guy that he didnt own the vehicle and he was trying to better his life. Teofilo said he didnt know who the guy was. Teofilo was asked how he ended up with the vehicle. Teofilo said after he ran from the guy who tried to rob him, he went to where the vehicle was located. Teofilo said he was not from around here, so he couldnt tell me where the

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vehicle was at. Teofilo said the guy told him he had been in the vehicle. Teofilo said they guy must have taken the car before because he said he had been in it, and it would be easy to take. Teofilo said when he got into the car and locked the door; the key was already in it. Teofilo said he then took off. Teofilo said he wasnt sure if the guy took the car or not, but he was the one who showed it to him. Teofilo said once he took off in the car; he started driving around. Teofilo said there was a GPS in the vehicle, and he used it.

I informed Teofilo of the handgun located in the vehicle. Teofilo said that was why he didnt stop during the attempted traffic stop. Teofilo said the gun wasnt his. Teofilo said he couldnt stop with the gun in the car because he had touched it. Teofilo said once he jumped into the vehicle; he looked over to the passenger seat, and the gun was there. Teofilo said he was scared for his life, and that was the reason he jumped in the car and took off. Teofilo said he didnt see the gun as soon as he took the vehicle because he through his bag on the passenger seat. Teofilo said he touched the gun. Teofilo said once he first saw it, he picked it up and put it down.

Teofilo said he didnt stop anywhere after he took the vehicle. Due to the Teofilo saying the he stole the vehicle the night before and the pursuit being in the morning hours, there is a time gap. Teofilo explained he didnt stop to take any breaks and he hadnt had any sleep. Teofilo said he didnt know what time it was when he took the vehicle, but he estimated it to be around 11:00 PM.

Teofilo was questioned about where he went after he stole the vehicle. Teofilo said he dont know his way around here. Teofilo said he did stop at a gas station but he didnt know where or the name of the gas station. Teofilo said he thought it was a Speedway.

I questioned Teofilo if any of his statement was made up. Teofilo became upset and said he was trying to go somewhere and start a good life for his little baby. Teofilo said he was trying so hard to make changes in his life, but he cant seem to do things right. Teofilo said it was because of the devil. Teofilo said once he got to Ohio; he thought he would be able to start new. Teofilo said he, again, got around people who didnt want to be anything. Teofilo said it took him three weeks to screw up. Teofilo was asked if there were drugs involved. Teofilo again became upset. Teofilo said he has no idea what is going on in Ohio. Teofilo said he was trying to pull himself together, and not trying to be a nobody. This was the end of the summarized interview.

Friday, January 23, 2015 08:00

0494 Tpr. Brown, Daniel R

I had been requested to assist with the identification of the firearm. As I examined the weapon, I observed it to be a Rohm .38 caliber revolver with a blued finish. The serial number had been stamped into what would be the users right side of the weapon frame, directly above the forward end of the trigger guard. The numbers had all been ground and gouged out so that they were no longer readable.

I took digital photos of the weapon and of the location on the weapon where the serial numbers had been. I proceeded to attempt to restore the serial numbers through confidential methods. Of the six characters that would have been present in the serial number, I was able to verify the first digit as well as the third through sixth digits. The numbers were verified to be 2?5550. The second digit could not be verified with 100% certainty. Based on what I could see of the character, it was

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determined either to be a 3 or an 8, with it more likely to have been an 8.
I checked the serial number through NCIC using the 3 and then the 8 in the second character of the number. There were no matching stolen hits revealed. This information was conveyed to Tpr. J. Griffith (U1462) and it was suggested that the A.T.F. be contacted for a possible trace of the weapon for ownership.

Friday, January 23, 2015 12:30 **1462 Tpr. Griffith, Joseph R**

I took possession of the handgun and rounds from Tpr. D. Brown. The handgun was entered into evidence as property #1, and the rounds were entered into evidence as property #2. The handgun, rounds, and the recorded interview were given to Sgt. C. O'Bryon to be placed into permanent evidence at Lebanon Patrol Post.

Saturday, January 24, 2015 08:00 **1006 Tpr. Harvey, Laura M**

On, 01/22/15, at approximately 0827 hrs I was dispatched to a reckless vehicle southbound on Interstate 71. The Lebanon Dispatch center advised the vehicle was a red Ford Fusion with no rear plate; vehicle traveled off the roadway several times and was unable to maintain lanes. I pulled into the cross-over at mile post 24 and sat stationary waiting for the vehicle. I noticed a maroon vehicle in the far right lane with no rear plate after it passed my cruiser. I pulled out of the cross over and pulled behind the vehicle. I observed there was no rear license plate on the vehicle.

I initiated a traffic stop on Interstate 71 just north of the Western Row Entrance ramp onto southbound Interstate 71 near mile post 23. It was approximately 0835 hrs. The vehicle moved into the center lane as we passed under the Western Row overpass and shortly after I turned on my siren (still 0835hrs). We were traveling 57 MPH. At the Interstate 275 interchange near mile post 17 on Interstate 71, Trooper. C. Perrin began assisting in the pursuit. The suspect being pursued traveled at speeds ranging from 56MPH to 69MPH. He made several marked lanes violations, changed lanes with no turn signal and drifted into Trooper. C. Perrins lane several different times when Trooper. C. Perrin was alongside his vehicle. While Trooper. C. Perrin was alongside the vehicle, he was able to observe a single black male in the drivers seat. The suspect also cut Trooper. C. Perrin off near mile post 16 while traveling 56 MPH.

Traffic was light during the pursuit up until the Montgomery Road Exit on Interstate 71. Lieutenant. M. J. Hamilton advised Hamilton County Sheriffs Office would be deploying stop sticks at mile post 12. When we began approaching the 12 mile marker, Trooper. C. Perrin and I began to back off to give the officer room to throw the stop sticks. The suspect darted onto the left berm and began accelerating down the berm, missing the stop sticks. He then cut across traffic operating in a reckless manner. Once we passed mile post 12, the suspect accelerated to speeds in excess of 90 MPH -120 MPH. Traffic volume began to increase. I continued southbound in the left lane, and I observed two cruisers joining in the pursuit south of my location after passing mile post 12. I was no longer the primary or secondary pursuing Officer. Trooper Perrin and I backed off and became perimeter units. We continued southbound on Interstate 71 when I observed a cloud of dark smoke coming from the right side of the interstate and noticed a cruiser with flashing lights in the left lane. I observed the cruiser was stopped and that the suspect had crashed. The suspect had traveled off the right side of the roadway and struck a guardrail. He then stopped his vehicle on the left side of the roadway (Crash report number 83-0092-31) handled by Sgt. C. O'Bryon Unit 1500.

There were two Madeira Police Officers, and a Hamilton County Sheriffs Deputy on scene when I stopped and exited

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my cruiser. There were more Officers and additional Troopers that arrived on scene shortly after that as well. I ran up behind a Madeira SUV cruiser and took cover as I had my gun drawn on the suspect. He was still in his car when I got on scene. One of the Officers was ordering the suspect out of the vehicle. I saw the suspects hands as he placed them outside of the vehicle. He then opened the door and slowly exited the vehicle. The suspect was ordered to the ground and he complied. Another Officer and I cleared the car to make sure there were no other occupants in the vehicle. I approached the suspect and secured him without further incident. The suspect was handcuffed at 0853 hrs and searched. He had a silver knife in his pocket. The knife was placed in the drivers seat of the vehicle he was driving.

As I walked the suspect back to my patrol vehicle I asked him why he was running and he stated, "Trying to get back to Alabama". The suspect made a comment about how he took the vehicle. The suspect was searched and placed into my cruiser until the ambulance arrived. The suspect was mirandized at 0856 hrs. The suspect was very vague and hesitant in his answers. He stated he was coming from Ohio. I asked where he was going and he stated trying to get home. I asked why he came to Ohio and he stated just came down here. I dunno (dont know) no body. No one person. He stated he did not know where he had gotten the car. The suspect was asked again why he was running and he stated when they chasin me thats why I ran. I asked, Who was chasing you? He stated I dont know who it was. The ambulance (Norwood City EMS) arrived on scene at 0901 hrs.

The suspect was placed on a backboard and handcuffed. I road with the suspect in the ambulance to University of Cincinnati Medical Center for treatment of his injuries sustained from the crash. While I was with the suspect, Trooper Perrin Unit 711 performed an administrative inventory on the vehicle. This revealed a loaded .38 caliber Rohm Revolver in the right floor board of the suspects vehicle. The Highway Patrols Investigative Unit was requested for assistance and arrived on scene to collect the evidence (the firearm). Trooper Joseph Griffith Unit 1462 retrieved the firearm and determined the serial number had been filed off of the weapon which rendered it unreadable.

Once at the University of Cincinnati Medical Center, the suspect was admitted into the emergency room. The suspect was treated for facial lacerations from the crash. Two Highway Patrol Investigators and Sergeant O'Bryon arrived at the hospital. Trooper J. R. Griffith spoke with the suspect and obtained a recorded statement. The suspect was released from the University of Cincinnati Medical Center at 1402 hrs and placed in the rear of my patrol car. While he was in my patrol car the suspect stated how he had obtained the vehicle and the gun. He advised that the gun was in the car when he got in the car. He advised that he found the vehicle in a driveway, and the keys were in it. The suspect was transported to the Warren County Jail and incarcerated at 1457 hrs.

Once the suspect was incarcerated, I was informed the suspect had struck a vehicle while being pursued. He had side swiped a Toyota Prius. The crash report number for that incident is 83-0095-31.

During the administrative inventory of the vehicle Trooper C. Perrin observed a front plate on the vehicle, Ohio license plate GBM7512. The plate was expired and registered as a 2006 Ford, to a Brian Keil. A temporary plate was also located inside the vehicle, Ohio temporary plate Z581064. The temporary plate was also registered to a 2006 Ford, to a Brian Keil. OSHP personal made several attempts to contact Brian Keil and were unsuccessful. Lieutenant M.J. Hamilton Unit 1714 made contact with Brian Keil and determined the vehicle was stolen. Mr. Brian Keil informed him he had filed a stolen report with the Kent Police Department. Officer Mike Flemming #249 of the Kent Police department took a report. Officer Flemming advised he will fax the report to the Lebanon Patrol Post upon its completion. See Kent Police report #2015-00001182

The .38 Rohm revolver had a taped handle. The gun was fully loaded with six .38 special rounds. The serial number had appeared to have been filed off. Trooper Griffith relayed the firearm to Sgt. Callahan from the vehicle theft unit. He then relayed it to Trooper Dan Brown Unit 494. Trooper Brown attempted to lift the filed serial number from the firearm. Possible serial numbers on gun: 235550 & 285550. The firearm was then released to Sgt. O'Bryon and was

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placed in the Post 83 permanent evidence locker. An ATF trace was completed. and emailed to OSPINTEL. A copy is included in the case jacket.

Charges were filed at the Mason Municipal Court on 01/22/15. The suspect was cited for fleeing and eluding (2921.331 - F3), carrying a concealed weapon (2923.12 - F4), receiving stolen property (2913.51 - F5), possession of a firearm with a defaced serial number (2923.201- M1), driving with no license (4510.12A), reckless operation (4511.20), and failure to display (4503.21). Uniform Traffic Citation number OHP831006012220151447.

There is audio evidence of the 911 call about the suspect. There is also video evidence of the pursuit and video evidence of the suspect being transported to the Warren County Jail.

DNA and fingerprints were taken at the Warren County Jail by Warren County Corrections Officers - The Warren County Jail was asked to take hard -copy finger prints as well as digital prints.

De-confliction entry was entered TARGET ID: 122684

Photo Pouch numbers: 83-20154 & 83-20155

Towed vehicle number: 83R-37. The vehicle was towed by Johns Towing and verbally released over the phone to the registered owner.

Sunday, January 25, 2015 14:50

0711 Tpr. Perrin, Cristian

On January 22, 2015 at approximately 0827 hours, I was on patrol on IR 275 near IR 75. I overheard on the radio that Tpr Harvey, Unit 1006, was attempting to get a vehicle to stop. While listening to her radio traffic it became apparent that the vehicle was not stopping. I determined I was in a position to intercept the pursuit near IR 275 EB to IR 71 SB. I sat stationary in the gore with my overhead lights activated and could observe the pursuit heading southbound to my location. The pursuit came up on my left side and I joined at that time.

I pulled to the right side of the vehicle, giving a lane of space between the suspect vehicle and mine, to attempt to observe the driver. I could see that the driver was a light skinned black male wearing a camouflage jacket and a stocking cap. He looked over at me and we made eye contact. I motioned for him to pull over. He pointed to the left side of the roadway, then looked forward and continued to drive at speeds below the speed limit. As the suspect would approach exit ramps, I would pull ahead or beside and block his route to keep him on the interstate and out of populated areas.

We were advised by dispatch that there would be "stop sticks" set up near MP 12. As we approached the Montgomery Road Exit traffic began to get heavier. The suspect attempted to get around the stopped traffic and switched lanes in front of my patrol car, nearly striking my front left bumper. I pulled to the right and accelerated to keep him from exiting onto Montgomery Road. The suspect crossed over to the far right of the interstate and I could observe ahead where "stop sticks" were being deployed. A Hamilton County Deputy attempted to use his "stop sticks" and threw them into the center lane. The suspect avoided the sticks and accelerated quickly cutting across all lanes and began to pass vehicles on the right berm. It was at that time that I lost sight of the vehicle and began to follow behind Tpr Harvey. I could see up ahead that there were 3 units from other agencies that appeared to have taken over the pursuit. Tpr Harvey and I followed at a safe distance as not to

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create a caravan. We were approximately a half mile behind the pursuit. Traffic remained moderate to heavy while getting further into the city.

As we were approaching MP 6 I could observe a large dust cloud and saw that the other cruisers had come to a stop. I then observed the suspect vehicle on the left side of the roadway and it appeared he had crashed. I saw that the suspect was still in the vehicle and being held at gunpoint by other units. I got my K9 Rambo out of the patrol car in case the suspect attempted to escape. Rambo and I found a position of cover while the suspect was ordered out of the vehicle. The suspect complied and was taken into custody without incident. I could see that the suspect had a laceration on his cheek as a result of the crash. An ambulance was requested as well as a wrecker for the vehicle. It appeared that no other vehicles were involved.

I began to complete and administrative inventory on the vehicle while waiting for OIS and crash reconstruction. During the inventory I observed the handle of a pistol on the passenger side floorboard. The handle was wrapped in duct tape. The vehicle also had a very strong odor of marijuana coming from the passenger compartment. At that time I stopped doing the inventory and waited for OIS to arrive and recover the property. I assisted with the crash investigation until OIS arrived. Once OIS was finished at the scene I completed the administrative inventory and gave a copy to the wrecker driver.

Sunday, January 25, 2015 17:08 1005 Sgt. Kuntz, Scott J

Case reviewed

Thursday, January 29, 2015 08:37 1500 Sgt. Obryon, Charles E

Trooper Laura Harvey advised the Lebanon Dispatch Center that she was attempting to stop a vehicle that was southbound on Interstate 71 near the 23 mile marker. She advised that the suspect wasn't speeding, but that the suspect was refusing to stop. I left the Lebanon Patrol Post and responded to assist Trooper Harvey. I was monitoring the pursuit, while responding to the area. Trooper Christian Perrin was able to join in the pursuit around the 17 mile marker. Trooper Harvey advised that traffic was mostly behind them, and the suspect was still traveling around the speed limit.

The pursuit continued southbound, and dispatch advised that an agency in Hamilton County had stop sticks ready for deployment around the 12 mile marker. The suspect avoided the stop sticks that were deployed by Deputy Scott Prickett of the Hamilton County Sheriff's Office. The suspect then accelerated, and Trooper Harvey and Trooper Perrin, whom had slowed down for the deployment of the stop sticks, lost sight of the suspect. Madeira Police and a Hamilton County Deputy became the primary units. The suspect was swerving in and out of traffic and he lost control of his vehicle and struck a guardrail at the 6 mile marker. The suspect was taken into custody without further incident.

I arrived on scene, and the City of Norwood EMS department was on scene due to the crash. The suspect had visible facial lacerations, and he was transported to the University of Cincinnati Hospital.

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Trooper Harvey accompanied the suspect in the squad to the hospital. Lieutenant M.J. Hamilton, the Lebanon Post Commander, had contacted our investigative unit at Cincinnati Operations to respond to the scene, and Lieutenant Hamilton arrived on scene as well.

I initiated a crash investigation, and spoke to the other units that were involved in the pursuit. Detective Tim Vogel and Lieutenant Paul Phillips from the Madeira Police Department were the primary and secondary units from about the 11 mile marker. Deputy Mike Stemmerding from the Hamilton County Sheriff's Office was also in the area, and assisted with the pursuit. The crash investigation revealed that the suspect had traveled off the right side of the roadway, struck a guardrail, traveled back onto the roadway and came to rest in the left lane. See crash report number 83-0095-31.

Trooper J.R. Griffith and Trooper D. Griffith arrived on scene and processed the vehicle. A loaded handgun was in plain view on the passenger floor board. The owner of the vehicle was still under investigation at the time. There was no rear license plate on the vehicle. There was a front license plate that was expired and a temporary tag inside the vehicle. The Lebanon Dispatch Center advised that another individual had called and advised that his vehicle had been struck by the suspect during the pursuit. See crash report 83-0095-31

The scene was cleared and I responded to University of Cincinnati Hospital, where I met with Trooper Harvey and Trooper J. R. Griffith and Trooper D. Griffith. The suspect was photographed, and an attempt was made to obtain a statement from the suspect by Trooper J.R. Griffith. The statement has been summarized by Trooper Griffith, and included in the case report. I left the hospital after talking with Trooper Harvey and explaining that once the suspect was released, that he would be transported to the Warren County Jail.

I obtained written statements from Detective Vogel and Lieutenant Phillips from the Madeira Police Department. They advised that the suspect was swerving across several lanes of the Interstate at a high rate of speed when he struck a guardrail. Their statements have been included in with the case report. I spoke with Deputy Stemmerding, and he advised that he did not see the suspect crash. He advised that he assisted at the scene, as the suspect was taken into custody.

I reviewed both the in-car video of Trooper Harvey and Trooper Perrin, and compared it to their investigative notes.

Thursday, January 29, 2015 11:29 **1006 Tpr. Harvey, Laura M**

On 01/29/15, Sergeant C. E. O'Bryon and Trooper L. M. Harvey test fired the firearm. We used a blank round and found the fire are to be functional.

Thursday, February 05, 2015 08:00 **1006 Tpr. Harvey, Laura M**

Case set for Grand Jury on 02/20/15 at 8:45AM. February 2015 follow-up.

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Case reviewed		
Thursday, March 05, 2015 15:27		1006 Tpr. Harvey, Laura M
<p>March 2015 follow-up. Grand Jury was set on 02/20/15 - Indictment was filed on 02/23/15. On 02/25/2015 the court appointed an Attorney and an arraignment entry was filed. A bond order was filed - \$100,000 cash or surety. The court entered a demand for discovery on 02/27/15 (into online case file), as well as a motion for bill of particulars. A pre-trial hearing/scheduling conference is set for 1:30 PM on 03/26/15. Warren Court Clerk Of Courts case number 15CR30699.</p>		

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EXHIBIT D

IN THE
SUPREME COURT OF OHIO

STATE ex rel. CINCINNATI
ENQUIRER,

Plaintiff,

v.

OHIO DEPARTMENT
OF PUBLIC SAFETY, et. al,

Defendant.

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Case No. 2015-0390

AFFIDAVIT OF ERIC S. RICHMOND

State of Ohio:

County of Franklin: ss:

I, Eric S. Richmond, of the Ohio Department of Public Safety, having been first duly cautioned and sworn, and being under no disability that would prevent me from testifying herein, state from my own knowledge:

1. I am employed as an Assistant Public Records Manager.
2. A part of my duties as an Assistant Public Records Manager is to respond to public records requests and either provide the requested records or explain why, by law, the records have not been provided.
3. On May 1, 2015, I provided to Cincinnati Enquirer reporter Mr. Keith BieryGolick a DVD containing a digital copy of "the dashcam video that captured the State Highway Patrol's vehicle pursuit of Mr. Aaron Teofilo along Interstate 71 on January 22, 2015" ("dashcam video") in response to his January 29, 2015 public records request.
4. The dashcam video is attached to this affidavit as Exhibit A, and the video is an exact copy of what I provided to Mr. BieryGolick.
5. I included a cover letter with the dashcam video to explain why the video was being provided on May 1, 2015.

The cover letter is attached to this affidavit as Exhibit B, and is an exact copy of what I provided to Mr. BieryGolick.

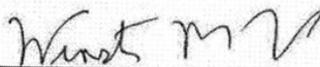
6. Previously, on February 11, 2015, I provided Mr. BieryGolick with other records pertaining to the vehicle pursuit of Mr. Aaron Teofilo, which were the State Highway Patrol initial incident report, and a digital copy of the audio-recorded 911 telephone calls that were received by the State Highway Patrol's dispatch center.
7. The initial incident report is attached to this affidavit as Exhibit C, and the incident report is an exact copy of what I provided to Mr. BieryGolick.
8. A CD of recorded 911 calls is attached to this affidavit as Exhibit D, and the recordings are an exact copy of what I provided to Mr. BieryGolick.
9. I reviewed and edited this affidavit so it accurately reflects my memory of the events averred to in the previous paragraphs.

And further Affiant sayeth naught.



(Eric S. Richmond)

Sworn to before me and subscribed in my presence this 14th day of May, 2015



Notary public
(seal)

WINSTON M. FORD, Attorney At Law
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.C.

EXHIBIT E

CD included