



Ohio State Highway Patrol Report Of Investigation

INCIDENT NO: 17-103001-0080	INCIDENT DATE / TIME (M/DD/YY HHMM) 7/26/17 1924 hours	PHOTO POUCH NO:
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July 26, 2017 1924 hours

On July 26, 2017, at approximately 1924 hours, while working the Ohio State Fair detail, a radio report was received from a uniformed trooper to the Ohio State Fairgrounds Headquarters Dispatch requesting a medic be dispatched to his location to assist with an unconscious male with no pulse. The initial report indicated the unconscious male was by a Gordon Food Services (GFS) truck located in the truck compound. I was then contacted via telephone by Lieutenant (Lt.) C.A. Miller (General Headquarters Office of Criminal Investigations), who advised he needed me to contact all available investigators to respond to his location (which he indicated was by the Fire Ball amusement ride). Lt. Miller said it was in reference to the unconscious male, and the report indicated the Fire Ball amusement ride had malfunctioned, one of the gondolas had separated from the ride itself, and two individuals had been ejected from the ride. Lt. Miller said he believed the unconscious male was deceased.

I then made contact with Trooper (Tpr.) C. Lyons (District Six Office of Criminal Investigations) via telephone, who advised he and Tpr. F. Applegate (General Headquarters Office of Criminal Investigations) would be en route to the scene. Tpr. J. Griffith (District Eight Office of Criminal Investigations) was also contacted via telephone and advised he and Tpr. J. Chaney (District Six Office of Criminal Investigations) were already on scene.

I arrived on scene a short time later and noticed Columbus Fire and EMS were already on scene. I also observed a younger white male lying by a jersey barrier, and close to two fifth wheel dollies. It was later discovered that the two fifth wheel dollies had to be physically moved by individuals to get back to the victim. Information was obtained from both of the fifth wheel dollies and it is as follows: Fifth wheel dolly located closest to victim – black in color with VIN #1PT0Y10G9L9009839, Model #0Y10 – 0B00, DOT – C2, and date of manufacture of 5/18/90. Fifth wheel dolly located behind of dolly closest to the victim – blue in color with Trailer #D – 1, Tag #421990, Vehicle ID #D -1 and no VIN #. Both fifth wheel dollies are owned by Amusements of America (AOA).

EMS personnel was performing CPR on the unconscious male when I arrived. I then observed several individuals lying on the pavement in close proximity to the Fire Ball. Two of the individuals appeared trapped in the gondola that had become detached. Several other people were lying directly on the pavement and were being tended to by EMS personnel. Also while on scene, I observed the gondola that had detached from the amusement ride was lying on the pavement. The gondola was damaged, and two individuals were still secured and trapped by the safety harnesses of the amusement ride. The gondola was resting on its back and the two victims were facing towards the sky. Columbus Fire and EMS were tending to those victims, and were working on trying to get them free from the gondola.

It was later discovered that the two victims trapped inside of the gondola were identified as Tamica Dunlap and Russell Franks. The two victims that were ejected from the gondola were identified as Keziah Lewis and Tyler Jarrell. The remaining victims that were found lying on the pavement in close proximity to the Fire Ball amusement ride and were transported to the hospital were identified as Jennifer Lambert, Abdi Hussein, Tyler Griffin and Jacob Andrews.

At that point I requested the investigators on scene begin to collect as much information from the injured victims as possible. The victims were all eventually identified and their information is as follows: Keziah Lewis – transported to the OSU Medical Center by Columbus Fire Medic 13, Russell Frank – transported to the OSU Medical Center by Columbus Fire Medic #7, Tamica Dunlap – transported to the OSU Medical Center by Columbus Fire Medic #8, Jacob Andrews – transported to the Grant Medical Center by Columbus Fire Medic #132, Jennifer Lambert – transported to the Grant Medical Center by Columbus Fire Medic #16, Abdi Hussein – transported to the Grant Medical Center by Columbus Fire Medic #25, Tyler Griffin – transported to Nationwide Children's Hospital by Columbus Fire Medic #51 and Tyler Jarrell – deceased victim.

Tpr. Applegate did obtain a run sheet listing all of the EMS and fire department personnel that were dispatched and arrived at the Ohio State Fairgrounds for the Fire Ball amusement ride accident. The personnel that arrived on scene are highlighted in yellow on the run sheet. The run sheet is enclosed with the case for review. There were also several



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Columbus P.D. units that arrived on scene to assist as well. Their names were: Officer Bugard, Officer Hargus, Officer Risinifir, Officer Covey, Officer Springer, Officer Specht, Officer Rudman, Officer Kelley and Officer Ritch.

There were several uniformed troopers securing a perimeter around the amusement ride to ensure the spectators were not interfering with the investigation. Lt. Miller also requested the uniform troopers obtain any personal information for any possible witnesses to the accident, or anyone who may have been on the ride at the time of the accident. Those individuals were eventually taken over to the Office of Criminal Investigations trailer (OIS trailer) where written statements were obtained by investigators and/or uniformed troopers.

It was initially reported that an AOA employee was rushed away from the scene following the Fire Ball amusement ride accident in an attempt keep law enforcement from identifying him. A witness report taken by one of OSHP's Police Officers said the AOA employee was a white male with a ponytail named "Victor." Through the course of the investigation it was determined there was no employee working the Fire Ball amusement ride named "Victor" and all of the ride operators/ride workers were positively identified. An employee list provided by AOA did not reveal anyone with the name of "Victor" that worked for the company.

Tpr. Chaney began documenting the scene by taking photographs and Lt. Miller called for the Ohio State Highway Patrol's Reconstruction Team to respond to map out the scene. Mapping out the scene of the incident consists of obtaining measurements utilizing a Total Station device. Once the measurements are obtained a diagram can be drawn to recreate the scene and document where any possible physical evidence may have been.

Tpr. B. Long (District Six Headquarters) and Tpr. R. Wilson (Lancaster Post 23) ultimately responded to map the scene. The OSHP Aviation Unit was also requested to respond and pick up a unit to document the scene by taking aerial photographs. Once the OSHP Aviation Unit responded, Sgt. A. Spradlin (OSHP Academy) went up with them and obtained the aerial photographs.

While on scene I spoke with Link Shell (Columbus Fire Dept. – Station #3) and Todd Millar (Columbus Fire Dept. – Station #16). Both of those individuals assisted in cutting out the two individuals (later identified as Tamica Dunlap and Russell Franks) that had been trapped in the gondola. They extricated the individuals with the Jaws of Life device. They also both indicated the safety harnesses were still secured on the individuals, and were still secured on the other two seats when they arrived. It was later discovered the other two seats were carrying Keziah Lewis and Tyler Jarrell before they were ejected from the ride. Investigators discovered what seat Ms. Lewis and Mr. Jarrell were sitting in after reviewing a Snap Chat video posted on You Tube the day after the incident.

Mr. Link and Mr. Millar did state they performed a test cut of the safety harness on the seat Ms. Lewis had been seated in prior to her ejection. Following the test cut they then cut the safety harnesses off of the seats Mr. Franks and Ms. Dunlap were trapped in. Mr. Link and Mr. Millar did say that workers from the Amusements of America (AOA) had attempted to "hot wire" the electrical system securing the safety harnesses to free both individuals, but were unsuccessful. They explained that "hot wiring" the electrical system was essentially them trying to override the electrical system in order to allow the safety harnesses to unlock.

Upon further investigation, it was discovered if you are facing the gondola from the front, the following individuals were seated from left to right: Russell Franks, Tamica Dunlap, Keziah Lewis and Tyler Jarrell. It is to be noted the gondola was orange in color (one of two in that color on that particular ride) and was numbered on the back of the seat from left to right with #5, #6, #7 and #8.

It was also advised Lt. Gritter from the Columbus Fire Department pronounced Mr. Jarrell deceased at 1930 hours on the incident date. The Franklin County Coroner's Office was then contacted and the following personnel from their office arrived on scene a short time later: Kelly Sandberg – Investigator, Matthew Caudill – Director, and Brandon Perry –



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Morgue Supervisor. Once their investigation at the scene was concluded, Mr. Jarrell was then transported to the Franklin County Coroner's Office where an autopsy was performed.

Crime scene tape was eventually placed around the perimeter of the amusement ride to secure the scene. Once the scene was secured an entry log was begun. Copies of those logs are available. Lt. R. Zupanc (OSHP Crime Laboratory) and Lt. M. Warren (OSHP Crime Laboratory) responded to the scene and secured the gondola as evidence and transported it to the OSHP Crime Laboratory, where it was stored and preserved in a secured room and out of the elements.

It is to be noted that investigators checked with Sgt. J. Smith (Ohio Expo Center/Post 96) in reference to video surveillance that may have captured the Fire Ball amusement ride accident. Sgt. Smith indicated the video surveillance scans at 360 degrees and does cover the area where the Fire Ball amusement ride is located, however, it was not pointed directly at that location when the accident occurred so it did not document the actual incident when it happened.

Also, a bystander (Brian Bury) handed over a SIM card which he advised contained photographs of the Fire Ball amusement ride that he had taken. He said we could review the SIM card to see if it contained any potential evidence. The SIM card was reviewed and a photograph of the back of the orange gondola that detached from the Fire Ball amusement ride was found. The time stamp on the photograph shows it was taken on July 26, 2017, at approximately 1908 hours (this is believed to have been the ride cycle that was just prior to the accident). The back of the orange gondola appears to have what can be construed as a crack running across the area where the gondola detaches. The photograph number for future reference is photo #2310. The SIM card was placed into the evidence locker.

Information was received a short time after the accident that the ride operators/ride workers had fled the scene following the incident. Uniformed troopers and police officers from OSHP then went to the AOA Headquarters (located on Ohio State Fairgrounds property) and located all four of the ride operators/ride workers. The four individuals were then brought over to the OIS trailer for further questioning. The four individuals were identified as: Cesar Gabriel Alvarez Martinez, Luis Benitez, Duwan Dowdy and Juan Alberto Osorio.

An audio recorded statement was obtained from Mr. Martinez on July 26, 2017 at approximately 2113 hours. Also present during the interview was Jon Kauffman, David Hunt and Ron Cordial. All three individuals are from the Department of Agriculture. The statement was burned onto a compact disc and placed into the evidence locker. Mr. Martinez was read and shown the HP-70G (Constitutional Rights Waiver). Mr. Martinez advised he understood his rights and agreed to provide a voluntary statement. The following is a summary of Mr. Martinez's audio recorded statement:

Mr. Martinez said he has been working for AOA since February of 2017. Mr. Martinez said he was the main operator of the Fire Ball amusement ride when the accident happened. He said the other operator (Luis Benitez) has been working on the Fire Ball for approximately one to two months, and he (Mr. Martinez) has been working on the Fire Ball since February of 2017.

Mr. Martinez then described what he saw on the incident date. He indicated the ride was swinging downward when he noticed one of the seats hit the deck and then hit the railing. Mr. Martinez said after the seat hit the deck he noticed people fly out of the seat. Mr. Martinez said that prior to the accident the Fire Ball had been functioning fine and had even passed an inspection the day prior.

Mr. Martinez said accidents like this are not supposed to happen. He said following the accident he went back and looked at the amusement ride and said all of the bolts were in right, and everything else (besides the detached seat) looked fine. Mr. Martinez said it appeared the arm attaching the seat had just "ripped off." Mr. Martinez advised he didn't look at the amusement ride for a long time after the accident because he was trying to get people off of the ride.



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Mr. Martinez said as a main operator of the Fire Ball he ensures all of the riders are secured properly in the ride before it begins and also ensures all of the other workers are off of the main deck before the ride begins.

Mr. Martinez advised on this particular ride he actually switched the four individuals that were riding on the detached gondola from another gondola. He said one of the riders was a little overweight and was slouching, and the safety harness wouldn't secure so he had to move her to another seat in another gondola. Mr. Martinez ultimately ended up moving four people total to the gondola that detached from the ride because they all wanted to sit together. Mr. Martinez indicated the gondola he switched them into was the one that detached from the ride. Mr. Martinez said the rider didn't have any issues getting secured in the safety harness once that rider was switched to a different gondola. Mr. Martinez claimed the center seats in the orange colored gondolas were a little bigger than the other gondolas. The gondola that became detached was orange in color.

Mr. Martinez said there was four total workers that were working on the Fire Ball on the incident date, however, one of them was on break when the accident happened. He said the two that were working the Fire Ball with him during the accident were new and it was their first day working the amusement ride. Mr. Martinez said he wasn't sure what their names were. The two individuals were later identified as Duwan Dowdy and Juan Osorio. Mr. Martinez said the fourth worker that was on break was Mr. Benitez. Mr. Martinez said when he is on break then Mr. Benitez would operate the Fire Ball. Mr. Martinez said Mr. Benitez was nowhere near the ride when the accident happened.

Mr. Martinez said he and Mr. Benitez were the only two individuals actually operating the Fire Ball on the incident date. He said the other two individuals (Mr. Dowdy and Mr. Osorio) just helped out by taking tickets and making sure people got on and off of the ride safely. He indicated Mr. Dowdy and Mr. Osorio did not operate the amusement ride.

Mr. Martinez described the procedure for getting the riders into their seats on the gondola and how the safety harnesses work. He indicated when the riders get in their seats they have them put their arms in the air. Mr. Martinez said when he is given the signal from the other workers he then presses a button on the control panel and the safety harnesses come down over the riders. Mr. Martinez said after the safety harnesses are down over the individual riders then there are four green lights on each gondola that will illuminate indicating the safety harnesses are secured. Once all four of the safety harnesses are secured then a green light on the control panel located in a booth that sits beside of the amusement ride will illuminate. Mr. Martinez said they do not have to go back and physically check that the safety harnesses are secured after all of the green lights turn on. Mr. Martinez did say that if a safety harness does not secure it may be because someone is heavy set and slouching. He said they will tell the individual to sit up straight and then try again to see if the safety harness will secure.

Mr. Martinez said they perform daily inspections of the Fire Ball with the amusement ride foreman (Davis Milan Colon). Mr. Martinez also advised he assists with the assembly of the amusement ride.

Mr. Martinez indicated he will sometimes ride the Fire Ball himself during the course of his shift. He said he does this in the event someone is scared and he wants to prove to them the amusement ride is safe. Mr. Martinez denied getting on and riding the Fire Ball on the date of the incident.

Mr. Martinez wasn't sure how long the amusement ride had been operating from the time it started until finished when the accident happened. He did indicate the amusement ride was operating at 100% when the accident happened. Mr. Martinez said the Fire Ball operates at three different speeds. He said the three speeds are 15%, 40% and 100%. Mr. Martinez said the Fire Ball operates on a cycle and will automatically shut off.

Mr. Martinez said immediately following the accident he took his foot off of the pedal and the Fire Ball stopped. Mr. Martinez said following the accident he went to check on everyone to make sure they were okay. He said he then went around the ride and was trying to keep other spectators away. Mr. Martinez advised after all of that he then went back onto the Fire Ball to get the remaining people off of the amusement ride.



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Mr. Martinez claimed no other passengers complained to him of having any safety concerns in reference to the Fire Ball on the incident date. Mr. Martinez then said riders will come up to him from time to time and claim the safety harnesses aren't locked right or aren't securing, but he stated it is all in their minds because they are scared. Mr. Martinez was asked if any of the riders came up to him on the incident date and complained of the safety harnesses not securing and he stated "they always say that."

Mr. Martinez said the rider that was having issues getting secured in the gondola did not express any safety concerns to him prior to the accident, ever after being switched gondolas due to the safety harness not securing in the initial gondola she was in.

Mr. Martinez denied any recent repairs or break downs to the Fire Ball amusement ride. He said wherever they go the Fire Ball amusement ride is considered the number one amusement ride. Mr. Martinez said the ride is always clean and greased up. Mr. Martinez did admit something had to be welded underneath of the platform prior to the accident on the incident date. Mr. Martinez said he wasn't sure what was welded because he didn't actually go underneath of the platform and see what needed fixed. Mr. Martinez said the area that needed welded was discovered by inspectors the day prior to the incident.

Mr. Martinez said in some of the places they go inspectors will inspect the rides every day, and some places they never even see an inspector. Mr. Martinez ensured that they make sure the Fire Ball amusement ride is "good." Mr. Martinez said the foreman (Davis Milan a.k.a Rico) is big on safety and is always on them about making sure everything is safe.

Mr. Martinez said they did not have any issues with the safety harnesses on the incident date that would have caused them to shut the amusement ride down. Mr. Martinez did state if they had any issues that needed attention then they would shut the amusement ride down until the issue was fixed. Mr. Martinez said they have never had any issues since he has worked on the Fire Ball that has required them to shut the amusement ride down.

Mr. Martinez said it is very easy to operator the Fire Ball amusement ride, and there is no specific course or training they are required to take to operate the Fire Ball. Mr. Martinez also said there is no specific course or training on how to assemble the Fire Ball. He said Mr. Milan normally is just there to oversee the assembling of the amusement ride. Mr. Martinez described it primarily as just on the job training when it came to operating and assembling the Fire Ball amusement ride.

Mr. Martinez said he has operated the Fire Ball amusement ride at approximately 11-13 different locations since February of 2017.

Approximately 23 minutes into the interview with Mr. Martinez, Jackie Jewell (Reminger, Attorneys At Law) arrived and said she represents AOA, and wished to speak with Mr. Martinez before he answered any further questions. A short time later D. Patrick Kasson (Reminger, Attorneys At Law) arrived and he and Ms. Jewell spoke with all four of the ride operators/ride workers behind closed doors. Following their conversations with all of the ride operators/ride workers, I was able to speak with Mr. Kasson. Mr. Kasson said they wished to cooperate with our investigation and indicated the four ride operators/ride workers would provide statements. Mr. Kasson indicated he would like either himself or Ms. Jewell being present during the interview. I then told Mr. Kasson we would be reading all four of the individuals their constitutional rights prior to speaking with them. Mr. Kasson then said he would like some time to allow the four ride operators/ride workers to seek criminal counsel if they so chose to for any possible criminal charges. Mr. Kasson said if the ride operators/ride workers did not obtain any criminal counsel who indicated they would not be providing a statement, then they would be available the following day to provide a statement. At that point all four of the ride operators/ride workers were free to leave.



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Several investigators and uniformed troopers were able to obtain written statements from individuals that were either on the Fire Ball amusement ride at the time of the incident, or in proximity to the amusement ride when the accident occurred. These investigators and uniformed troopers completed an HP-24 (Report of Investigation).

It is be noted that throughout the case some of the victims/witnesses may have given multiple statements. That was due to the amount of victims/witnesses that were either at the fair that day that were willing to provide statements or the amount that came forward in the days following the accident and that were willing to provide statements.

The following documentation indicates what information Tpr. Griffith obtained while assisting with the amusement ride investigation:

On July 26, 2017, at approximately 1926 hours, I was informed to respond to the Fire Ball ride at the Ohio State Fair due to an incident involving several injured people including one victim who was unresponsive. I responded to the scene and observed several victims lying on the ground being tended to by medical and emergency personnel. I went up onto the Fire Ball ride platform and started to take photographs. There were several different agencies already on the ride platform looking around the area. I met with OSHP OIS Lieutenant (Lt.) Chad Miller who requested I find out who the owner of the ride was and who was operating the ride. I spoke with Amusement Park Risk Management representative Jerry Smithson. Jerry explained Amusements of America was the corporation who owned the ride. I was also informed the ride operator was at the Amusements of America headquarters on grounds.

I went to Amusements of America headquarters and met with Cesar Martinez. I escorted Cesar Martinez to the OSHP OIS trailer, and was informed by Lt. Miller to standby on interviewing Cesar until they had further information. At this time, witnesses started showing up at the OIS trailer to provide statements. I conducted written interviews with Dylan Walsh (06/08/2002), Margaret Smith (11/27/2002), Anonica Smith (03/14/2001), and Alexa Finley (07/14/2001). The written interviews are summarized below.

Dylan Walsh

Dylan wrote that he was on the Fire Ball ride, and there was a lady that wanted to ride but was too large for the buckle to latch. He explained the worker tried to clip it shut. Dylan said he heard the worker say "whatever, its fine" and she wasn't safe. He said halfway through the ride the whole section broke off, and all four passengers flew off. Dylan recalled after that had happened the ride slowed down, and he didn't know where the workers went. Dylan explained a worker from a different ride had to come over and figure out how to get the seats to unlock. He said it was scary because they didn't know what had happened. Dylan said all he saw was the part fall off and the girl that wasn't buckled in go flying.

Dylan was asked if he witnessed the worker not buckle the female passenger into her seat, and he said the worker tried to get her buckled, but it wouldn't. He said the worker left her on the ride. Dylan was asked if the female passenger was on the arm of the ride that broke off, and he said, "Yes." Dylan explained the cart the victims were in was located to his right. Dylan was asked if he heard the worker say anything prior to the ride starting, and he explained he heard the worker say "oh well you will be alright." Dylan said the worker said something like that, and it was not word for word. Dylan said he was not injured on the ride, and the ride was in motion for approximately 45 seconds to one minute before it broke. Dylan was asked how many workers he saw prior to the ride starting. He said he saw two males checking to make sure people were buckled in, and there may have been another one in the booth. He said they were two black males wearing the same uniform. This was the end of the summarized interview.

Margaret Smith

Margaret wrote how the ride started off slow, then it made it to its highest point. She explained the ride started shaking, and once they were at the high point one of the wheels fell off. She said it started to slow down, and they stopped. She explained how everyone was panicking.



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Margaret was interviewed with her sister Anonica Smith after their written statements were collected. Their interview will be summarized at the end of Anonica's interview.

Anonica Smith

Anonica wrote the ride started to slow, then it started to get fast. She said she closed her eyes, and when she opened them she observed the cart fell off. Anonica said she heard a big boom, and she observed the people on the ground. She explained she started screaming and crying, because she wanted to get off of the ride. She explained how she started telling people to come and help them get off of the ride. Anonica said it took a lot of people to get them off the ride, then the worker came back and helped let people off of the ride. She said after that everyone ran including the worker.

The following are answers given from Anonica Smith and Margaret Smith. They were asked if they saw or heard anything out of the ordinary prior to the ride starting. They explained the worker could not get a girl buckled in. They said they switched the female to a different seat, and she was still not locked all the way in. They explained she was on the cart that broke off. They were asked if they had rode Fire Ball prior to the incident, they explained they rode the ride all day. They were asked if the ride had been working properly prior to the incident compared to the previous times they rode the ride. They said the ride was going a lot faster this time than it was the previous times. They were asked where the ride was at the time the arm broke off. They said the ride was at the highest point. They were asked how many workers they observed prior to the ride starting. They said there was a worker that was actually riding the ride, and they observed two other workers that were working the ride. They were asked if both workers were checking the passengers to ensure they were buckled in, and they said the short worker with a hat was dealing with the female that didn't get buckled in. They said the other worker went to the booth to operate the machine after he checked to make sure passengers were buckled in. They explained he turned the ride up faster than what it should have been. They explained how the operator took off running after the incident happened, but he later came back and helped people get off the ride. This was the end of their summarized interview.

Alexa Finley

Alexa wrote how she and her friend were in line for the Fire Ball ride. She said she was looking down for a second, and she heard a loud noise. She said she looked up and saw the cart of four seats flying. She recalled seeing a bigger black woman fly out of her seat. Alexa said she and her friend stood in shock while everyone else started running away. Alexa explained the black woman flew really high and landed on the cement. She explained they observed workers jump over the poles to get to the people on the ground, and people on the ride were freaking out. She thought the black woman was dead, because she was not moving. Alexa said the two people stuck in the seats were also not moving.

Alexa said the ride was at its highest point when it happened, and it got to that point pretty quickly. She explained she and her friend had rode the ride two other times prior to the incident. Alexa said the ride was higher and faster than when they rode it. Alexa was asked where they were prior to the ride starting. She said they were walking up to the ride, and it had already been going for a few seconds. She said she observed one worker at the gate and another worker operating the ride. Alexa explained she didn't observe the cart break off, but she saw the female flying out of the cart. This was the end of the summarized interview.

End of Tpr. Griffith's summary.

The following documentation indicates what information Tpr. F. Applegate obtained while assisting with the amusement ride investigation:

On July 26, 2017, while on foot patrol with Trooper Lyons and Trooper Chaney, a call was received by Trooper Lyons from Sergeant Jim Schlotterbeck requesting units to respond to the south end of the Midway by the Fire Ball amusement



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ride for an unresponsive male on the ground. While responding to the area a second call was received from Lieutenant Chad Miller requesting units respond immediately to the Fire Ball ride. All units responded in an urgent manner.

Upon arriving at the Fire Ball ride a cart from the ride was observed on the ground with occupants currently harnessed, along with several persons on the ground in the immediate area being attended to by emergency personnel, Troopers, Ohio Investigative Unit officers and unknown patrons.

Trooper Chaney and I reported to the investigation's trailer located on the south end of the Buckeye Building on the Ohio State Fairgrounds to obtain a camera and notepad. Upon arriving back at the scene evidentiary photos were taken by Trooper Chaney while I began to assist in gathering names of victims involved in the incident. While doing so, I heard Lieutenant Gritter of the Columbus Fire Department state he pronounced the deceased male at 1930 hours.

During the gathering of victim information I was informed by Lieutenant Miller to gather witnesses and escort them to the investigation's trailer to obtain statements and interview persons. Several people who were in line for the Fire Ball at the time of the incident were brought back to the trailer. A patron who stated he rode the ride approximately thirty minutes prior to the incident reported there were issues with the fastening of the harness on a larger female.

An Ohio State Highway Patrol Cadet, J.E. Molina Mendez, Unit 1089, reported to the investigation's trailer to assist with translating to a few of the witnesses. The statements and interviews were conducted and are summarized below by witness name.

Yarithza Gonzalez Martinez: Ms. Martinez was in line for the ride with family when she observed the ride start and begin to spin when she heard a loud sound and a row of seats flew in the air along with small pieces and possibly screws. Ms. Martinez also observed a male being ejected from the ride. Ms. Martinez was in line for approximately one or two minutes, did not observe the operators having difficulty with the ride, was not aware of any difficulties with the harnesses and observed the ride swing four times prior to the incident.

Heriberto Gonzalez Goday: Mr. Goday was in line with family when the ride began to spin then made a loud sound like thunder and the seats separated from the ride. A black female and male were ejected from the seat and the seat fell to the ground where he observed feet sticking out. Mr. Goday was not paying attention to the operators prior to the ride malfunction and nothing appeared to be abnormal prior to the operation of the ride. All harnesses appeared to be in the locked position, however, he was unsure what they should look like properly fastened.

Yesenia Martinez Pelayo: Ms. Pelayo heard a sound like something snapped causing her to turn around to see a woman falling off the ride along with a male. Ms. Pelayo did not observe the operators working on the ride, only fastening the seat locks. She stated the ride swung back and forth three or four times prior to its malfunction and she did not notice if any harnesses were not properly fastened.

Timothy Edward Shaw: Mr. Shaw stated he rode the Fire Ball at approximately 1845 hours and at that time he witnessed the ride operators experiencing issues with fastening a larger black female into her seat (it is to be noted this is not the same female (Keziah Lewis) that was involved in the accident). He observed the operators unplugging and plugging wiring and manipulating the hinge area near the four green indicator lights. The operators worked on the issue for approximately six to eight minutes. Mr. Shaw stated the patron wanted off the ride and the harness mechanism was stuck. Several workers pushed on the harness while a third worker manipulated the equipment in the area around the arm supporting the car, in the area of the green lights. All the restraints suddenly released and the passenger and another rider exited. The restraints were pushed down and remained empty for the operation of the ride. Mr. Shaw stated the wiring was reconnected and the four green lights were illuminated at the time of operation. Mr. Shaw stated operators attempted to connect some type of cord to the ride during the time they were experiencing issues with the harness, although it was coiled up prior to the start of the ride. An operator was observed bringing a stool onto the platform of the ride to gain better access to the area they were working on.



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Trinatee Kaczmarczyk: Ms. Kaczmarczyk stated she was in line for the ride when she observed the ride reach its highest point and the row of four seats flew off. She stated two occupants were still in the row of seats and it appeared two came completely out of their seats. Ms. Kaczmarczyk stated she saw them hit the ground and the ride stopped swinging shortly afterward. An operator jumped over the gate to go attend to the thrown riders. She did not observe the ride operators working on the ride and the restraints appeared to all be fastened properly. Ms. Kaczmarczyk stated she heard the ride operators moved a larger lady to a different seat and had to push her harness into the locked position. She believed four people were in the row of detached seats, the ride was not delayed during its operation while she rode it and she believed the same operators were operating the ride as her two previous times on the ride.

End of Tpr. Applegate's summary.

Tpr. Applegate did obtain an additional written statement that he did not document on his HP-24. The written statement was obtained from Ivion Franklin on July 27, 2017, at 1536 hours. The following information was documented on that written statement:

"I went to get on the Fire Ball in the middle of the ride the harness unbuckle in mid air n I buckle it back then it went down real fast n I hit my head n black out then when I woked up it felt like the seat snaped then the ride stop then all the people that was on the ride got off then I told the man I had hit my head n my harness unbuckle in he said it was alright the I left n someone called in said the ride seat fell so I told my mom what happed and to laeve"

Tpr. Applegate asked some follow-up questions. The following is a summary of the questions Tpr. Applegate asked and the answers given by Mr. Franklin:

Mr. Franklin said when his safety harness came loose it came up about the width of a standard size piece of legal paper. Mr. Franklin said he did not see any of the ride operators working on the ride as if there was an issue with it. He did say he heard a loud train sound and a click while riding the amusement ride.

Mr. Franklin could not recall what color gondola he was riding in and could not remember the color of the gondola that was directly across from the one he was riding in.

Mr. Franklin said when they put his safety harness on it only clicked one time.

Mr. Franklin said he thought there were three ride operators working the amusement ride, and two of them were in the booth. He described the ride operator he made a comment to as having black glasses, black hair, was skinny and was Hispanic.

It is to be noted Mr. Franklin was not on the Fire Ball amusement ride when the accident occurred. He rode the Fire Ball amusement ride prior to the accident.

The following documentation indicates what assistance Tpr. Chaney provided while assisting with the amusement ride investigation:

On July 26, 2017, at approximately 7:26 p.m., I was on foot patrol with Trooper Chad Lyons and Trooper Frank Applegate near the Administration Building on the Ohio State Fairgrounds. We received notification of an incident requiring law enforcement assistance near the south side of the midway. As we responded that way we received another call stating the incident was an emergency with a male who did not have a pulse and was not breathing.

When we arrived at the area of the incident, (Fire Ball amusement ride) multiple uniformed Troopers and first aid personnel were already on scene, along with numerous civilian bystanders. It appeared there were multiple injured parties being assessed by first aid personnel. Also observed was a car from the Fire Ball that had completely detached



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from the ride laying beside of the ride. There were two people still stuck in the car. Lieutenant Chad Miller requested I retrieve a camera and begin to document the scene.

Photos were taken of the ride, detached seat, and surrounding areas during and after emergency medical treatment was occurring. Photos of the deceased were taken on a separate photo card.

Once the Reconstruction Unit arrived additional photos were taken of mapped items.

After all items had been mapped, I then collected two pairs of shoes and a bolt. I, along with Trooper John Johnson and Trooper Joe Griffith, covered the arm of the ride where the seat detached with a tarp to preserve it.

End of Tpr. Chaney's summary.

The following documentation indicates what information Tpr. J. Delong (District Six Office of Criminal Investigations) obtained while assisting with the amusement ride investigation:

On July 26, 2017, at approximately 8:20 p.m., a written statement was obtained from Austin P. Rutherford and Rodolfo Allala-Chagolla. The following is a summary of their statements.

Mr. Rutherford stated he, and his best friend Rodolfo Chagolla were riding the Fire Ball when the incident occurred. He stated they both observed a very large black female being moved from one seat to another due to issues of the seat harness locking. Mr. Rutherford stated the female was placed in a seat across from him and Mr. Chagolla. He stated the safety harness on the black female seemed abnormal. Mr. Rutherford stated the harness stuck out at least a couple of inches farther than the other riders. Both stated they never heard the safety harness lock in place on the female rider. Both stated the ride started out aggressive and seemed to be rising higher in the air before the accident. Mr. Rutherford stated he observed a rider falling out of a seat and hearing a breaking sound. Both stated they were struck in the head with debris from the missing cart. Mr. Rutherford stated after the incident the ride attendants instructed the riders to exit off of the ride quickly and stay back. Mr. Chagolla stated he attempted to assist individuals with injuries from the ride. Both stated law enforcement officers arrived and instructed them to exit the area.

End of Tpr. Delong's summary.

Tpr. Delong also obtained a written statement from Angel Campa, but did not document it in her summary. Ms. Campa's statement indicates the following:

"On July 26, 2017 around 7:20 I got on the Fire Ball with my friends. As we got on a big African American girl got on and didn't fit. The worker made her switch seats with another girl and all of the people on that section. She sits down and still didn't fit and all the people on that were kinda big too. One minute on the ride the whole ride starting making a weird noise and then the whole part of the section falls off and all the people on that part flew off. Before the ride started the big African American girl was saying to her boyfriend "ugh big tittie problems." The worker that put the girl was Luis B. They didn't care that the girl was on. They should have took her off."

End of written statement.

Follow-up questions were asked to Ms. Campa. The questions were asked and documented by Tpr. B.J. Hodson (Jackson District Headquarters Office of Criminal Investigations). The following is a summary of the follow-up questions asked by Tpr. Hodson and answered by Ms. Campa:

Tpr. Hodson confirmed with Ms. Campa that the name of the ride operator was Luis B. (described as being possibly latino). Ms. Campa was asked what type of problems she saw prior to the ride starting, and she indicated one of the



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rider's harnesses would not close down all of the way. Ms. Campa said that rider was moved to a different side of the ride. Ms. Campa also said everyone on the rider's car was moved to another car. Ms. Campa said after the rider was moved the harness still did not close all of the way, but they went ahead and started the ride.

Ms. Campa said after the ride had started it made some weird noises, like pieces rubbing together. She said the car then slowly snapped off.

Ms. Campa said there were three operators running the Fire Ball amusement ride at the time of the accident, and one of the three was actually riding on the ride during the accident.

Ms. Campa said she had actually rode the Fire Ball about five minutes prior to the accident. She advised she thought the accident was caused by a weight problem and also caused by the large, big chested black female not being properly harnessed in the car.

Ms. Campa said the accident happened between 7:15 – 7:20.

End of follow-up question summary.

Tpr. Hodson also took a written statement from Jennifer Reynolds. The statement indicates the following:

"I went out to our stock trailer to get more supplies for our booth. When I stopped I saw shoes flying through the air followed by two bodies, one of which flew down between the wheel axles and the concrete wall."

Tpr. Hodson asked some follow-up questions to Ms. Reynolds. The following is a summary of the follow-up questions asked by Tpr. Hodson and the answers given by Ms. Reynolds:

Tpr. Hodson asked Ms. Reynolds if she saw the ride moving and she advised she could hear and see it moving, however, there was a concrete wall blocking her view.

Ms. Reynolds said she did not attempt CPR on Mr. Jarrell because he appeared to be deceased. She indicated the other rider that was ejected appeared to be a male. Ms. Reynolds also said she did not notice any straps or anything from the ride on the deceased.

End of written statement.

The following documentation indicates what information Tpr. J. Johnson (General Headquarters Office of Criminal Investigations) obtained while assisting with the amusement ride investigation:

On July 26, 2017, at approximately 1924 hour, I was in the Office of Investigations trailer on the southeast side of the fairgrounds. I heard a radio transmission that a fair – goer had fallen off a ride and was unconscious. I advised Lieutenant Chad Miller, who was in the trailer also, that I was going to respond to the incident.

I went through the parking lot for the spare trailers from the fair, directly over to the rear of the Fire Ball ride that the incident had occurred. Upon arriving, several other Troopers and First Aid responders were arriving on scene. I observed the orange "ride seat" that had obviously been thrown from the ride with two individuals still in the seat. A Columbus Fireman pointed to another individual who was thrown from the ride. It was a distance from the ride. I observed concrete temporary walls (jersey barriers) and two semi – truck fifth wheel dollies backed up close to the wall. I walked over and observed a white male who was obviously injured. His body appeared to be contorted from being thrown and landing



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between the dolly and the wall. A medic came over and requested the fifth wheel dolly be moved so the victim could be treated. Myself and two others picked the fifth wheel front up and pulled it away from the wall. We repeated the same with the other dolly that was there. At that point, Lt. Miller came up to me and requested to start identifying members of the Columbus Fire, Columbus Police and Highway Patrol that were responding.

The Columbus Fire Department dispatched numerous Emergency Squads and Fire Engines to the scene. As the scene was being worked, I went back to the trailer to assist in getting statements from the different witnesses who were on the ride and nearby.

I took a written statement from Mariah Thompson, summary of statement below:

Summary – Ms. Thompson stated she was on the ride when it broke. She was sitting in the car to the right of the seat that broke off. She could only remember having her eyes closed and hearing the ride snap. As she opened her eyes, she saw a female getting thrown off the ride. I asked if she saw anything out of the ordinary and she stated the woman who was thrown from the ride had to be moved prior to the ride starting because her seat would not latch.

I took a written statement from Amya Briggs, summary of statement below:

Summary – Ms. Briggs stated she was on the ride and observed it snap and the people fall from the ride.

I took a written statement from Yadira Martinez – Pelayo, summary of statement below:

Summary – Ms. Pelayo was in line for the ride and observed it break and the occupants get thrown from the ride. She only was able to say that she heard the loud noise and observed the crash. I asked if she heard anything prior to the ride breaking and she said no.

I took a written statement from Gabriela Hever, summary of statement below:

Summary – Ms. Hever was on the ride at the time of the accident. She stated a woman of bigger size attempted to sit in one of the ride seats and the “handle bar” would not stay down so the woman and her boyfriend were moved to another seat. The second seat did not appear to latch as well, according to Ms. Hever, and the operators didn’t seem to care. Everything was normal according to Ms. Hever until the seat broke off. The people in the left side of the seat appeared to go straight to the ground while the “bigger female” and her boyfriend went hurdling in the air. She did not notice anything besides the latching issue.

After those interviews were completed, I was released for the evening.

This is the summary of the events handled by Tpr. J.A. Johnson during the Fire Ball amusement ride incident at the 2017 Ohio State Fair.

End of Tpr. Johnson’s summary.

Tpr. J. Johnson was also able to obtain a written statement from Duwan Doddy (Fire Ball amusement ride worker) following the incident, however, Tpr. Johnson did not document that statement in his summary. The following is what Mr. Dowdy wrote in his written statement:

“July 26, 2016, I had started my 1st time working the fair helping assist people on & off of the Fire Ball machine. When the disaster happened I was getting on it for the 1st time to help other 1st timers feel comfortable. The roller coaster was going



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fine all day until this happened. By the time the roller coaster hit its peak it just snapped. I don't know how or what caused it but by the time I blinked it snapped and I just seen."

End of written statement.

After providing his written statement, Mr. Dowdy became very emotionally distressed and distraught. Mr. Dowdy had to be calmed down by Tpr. Nathaniel R. Towns (OSHP Bowling Green Post). Tpr. Towns did provide a written statement summarizing his encounter with Mr. Dowdy following the amusement ride accident. The following is what Tpr. Towns wrote in his statement:

"July 26, 2017 after the ride incident I had an occasion to check on the welfare of one Duwan Dowdy. He was standing next to a van outside of the investigations trailer at the Ohio State Fair. He was yelling obscenities and being loud. I walked towards him after I found out that he was a witness. He did not have a shirt on, only sneakers and jeans. I asked if he was alright, but according to his aunt he was screaming for his mother. I asked how old he was and she said, "twenty two." I asked for his name and she said, "Duwan." I asked him to watch the language and he complied. I asked if he was ok and he said, "what you think?" He started getting loud again. He sat down inside of the van and never looked up at me. I asked him to look up at me. His aunt told him that I was there to check on him and to listen to me. He looked up at me and had a frustrated look on his face. I told him that I understand that you saw something that you never could imagine, but that is not why I am talking to you. I am concerned about you. What can I do to help?

Just then he said, "bro, I could not do anything so I put my head down." He said, "just before the ride started my sister was supposed to be on that car, but she was too scared. Man she was suppose to be on that car. She would have been dead right now. My niece was on the car with me. Man I saw that latch and the car was not fastened so I yelled to the operator again and again. He would not listen, I kept telling him that the car was not fastened, but he would not listen. My sister was supposed to be on that car. Everything just happened, bodies falling all over. I just closed my eyes. Man, my sister. I couldn't do anything....." I told him that everything was going to be ok! I asked him if he thought he did everything he could to help, and his reply was, "my sister was supposed to be on that ride, yea man, I did everything I could." I told him then you did the best you could and you have to believe that. He said, "I couldn't do anything but watch."

End of written statement.

It is to be noted that when Mr. Dowdy is talking about the "car" not being fastened he is speaking about the safety harnesses not being fastened.

The following documentation indicates what information Tpr. A. Wilson (Chillicothe Post 71) obtained while assisting with the amusement ride investigation:

On 7/26/17, I was working as a roving unit in the Midway at the Ohio State Fair. At around (7:24 PM), I was standing at the south end of the midway south of the ferris wheel facing south. I was talking with Trooper Cottrill U-591, Trooper Matt U-1917, and Trooper Miranda U-358. While we were talking, Trooper Cottrill stated that he saw someone fall off of a ride. We turned and all ran towards the ride that he pointed out.

When I arrived on scene, I observed a black female laying on the ground on her back. I observed that one of her feet was separated from her leg. I also observed a part of the ride on the ground that had occupants in it. I advised dispatch of the severity of injuries and requested they send a squad and additional help as fast as possible. I went to the female lying on the ground (face up). There were several people attending to her. They had her neck stabilized. I observed that she appeared to be unconscious but that she was breathing. I told the people attending to her to continue to keep her stabilized and not to let her move. I went over to the piece of the ride with people in it. I observed a black male in the far (right) seat. His legs were twisted badly and he was bleeding from the back of his head. His head was resting on the



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metal portion above the cushion and he appeared to be unconscious. There was a black female in the seat to the left of him. There was a woman attending to the trapped women. She stated that we needed to stop the bleeding of the male. I asked people around the ride for something to help stop the bleeding. A woman standing nearby gave me her shirt. I placed the shirt under the back of his head and held his head. Another woman came up to me and stated that she was a nurse. She took over taking care of the male victim and I continued to assess the scene.

I observed that more victims had appeared in somewhat of a "triage" area near the front of the ride. I made contact with Trooper Matt who was aiding a white female victim. She stated that they were ok there and the trapped victims needed priority attention. First Aid personnel began arriving on scene and I relayed the information that I knew about the victims and their injuries. We were unable to get the victims out of the piece of ride that was on the ground as the safety restraints were locked in place. I talked to the Amusements of America personnel that were on scene and asked them to open the restraints. They stated that they were unable to due to the power being severed from the ride piece. I contacted dispatch and advised that we would need the Fire Department to respond with extraction equipment. During this period of time I observed two First Aid personnel behind concrete barriers in the area behind the ride. I went up to them and saw that they were administering CPR to another victim. I asked them if they would like me to take over for a while on compressions. They stated that they did not. I observed the victim who was a white male on his back. His legs were badly mangled and had black marks on them. There was a large pool of blood next to his head. The medics hooked up what appeared to be an Automated External Defibrillator to him and continued CPR for a while. They eventually stated that he did not have any vitals. They asked me what time it was and I observed that it was 1930. They pronounced that as time of death and I advised dispatch the same.

Emergency Medical Services and fire department personnel arrived on scene and I began to help coordinate rescue efforts. The concrete barriers needed to be removed. I was able to get in touch with a fork lift operator nearby to remove the barriers so that emergency personnel were able to access the victims.

After the victims were removed from the scene I was assigned the task of looking for witnesses in the crowd. I was able to find several and took witness statements.

End of Tpr. Wilson's summary.

As indicated in Tpr. Wilson's summary, he did obtain written statements from two witnesses. He did not document those statements in his summary. The two written statements were obtained from Christy Richardson and Richneza Luna. Ms. Richardson's statement indicates the following:

"in front of the ride and seeing it fall of and to peolp fall out of the ride."

Tpr. Wilson did ask a few follow-up questions to Ms. Richardson. The following is a summary of the questions asked by Tpr. Wilson and answered by Ms. Richardson:

Ms. Richardson said she did see the ride chair come off of the ride, but did not see what direction it was turning. Ms. Richardson said she could not remember where the ride chair was when it separated, she just indicated she saw it up in the air when it dropped. Ms. Richardson said she did see two people come out of the ride chair during the accident.

End of written statement.

Ms. Luna's statement indicates the following:

"July 26, 2017 the seat on the Fire Ball wouldn't shut on the girl that was 5'8" two seats away from me. The guy who was doing the ride tried to make it shut but it wouldn't do it all the way so he had all 4 passengers switch seats with the 4 other



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people who were also on the ride along with me. That seat wouldn't shut either so they just went on with the ride. As the speed increased and the curves on the ride started to get more sharp. The seat of 4 broke off creating a loud crack sound particals fell off the ride and as I saw her body hit the ground I couldn't see her move, I don't know where the others went."

Tpr. Wilson did ask a few follow-up questions to Ms. Luna. The following is a summary of the questions asked by Tpr. Wilson and answered by Ms. Luna:

Ms. Luna said she was sitting in the ride car to the left of the one that had broken off from the ride. She said the girl that fell out of the car had initially been sitting across from her before she was switched to the ride car that had broken off.

Ms. Luna said she did not see anyone else besides the girl come out of the ride. She also said the girl that fell out of the ride was injured.

Ms. Luna described the ride operator that tried to secure the girl that fell out of the ride as a latino male, about six feet tall, was wearing a hat and a work shirt, had sunglasses on and had a five o'clock shadow.

Ms. Luna was asked if she felt like the ride was going too fast and she replied by saying it felt like a normal ride. Ms. Luna said after the ride car broke off it took them some time to lower the ride and then they closed it. She said there was a girl with braces that tried to help them out, but she didn't know how. Ms. Luna said then the ride workers tried to help. She said one of the ride workers had gotten on the ride with them and was stuck. Ms. Luna said the ride worker then told the girl with braces how to push the button.

End of written statement.

There were several written statements taken by uniformed troopers, however, the uniformed troopers did not identify themselves on the statement forms, so it is unclear who actually took the written statements. Those written statements were taken from: Kobe Patterson, Sherrie Davey, Latrell Nixon, Kaylie Bellomy, Courtney Phillips, Rachel Vincent, Marshall Smilonich and Ginellis Mercado. The following is a summary of those written statements:

Kobe Patterson – "7/26/17 I was waiting for the ride to start. A lady picked her seat two or three seats down from me. They told her she was too big and moved her to the opposite side. Then the ride started and made about three passes before the ride fell off. As the ride was coming down it felt like it was starting to go and then it fell as it was coming up the other side. As it was falling the cart struck my foot while it was spinning."

Sherrie Davey – "As I was walking by the Fire Ball ride I watched a woman fly off the ride than part of the ride flew off than the guys running the ride took there shirts off and took off running."

Latrell Nixon – "I was in line for it and watched the lady and 2 gentleman fall out of it and I also watched the workers take their shirt off and run out of the fair. And screamed "oh shit."

Kaylie Bellomy – "As I was standing in line and a worker that was running the ride stop before it even started and two workers went to a group of four seats and messed with something and then they both walked back to the booth to start the ride, when they finally started the ride they started it slow hesitating that something wasn't right about the seats, they kept the ride going for a minute slow, then they started the ride up and it went up in the air a few times then I saw a body fall out and hit the ground right after the body hit the ground the whole row of four seats fell off and hit the ground as well."

Courtney Phillips – "July 26th/2017 my sisters and me and our friend was on the ride Fire Ball when we was up in the air. And the set of chairs snapped. Mind you before the ride started there was a female that they had troble locking the seat



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on. A boy went flying and my freind got injurged as well. All of the boys that was controlling the ride, left with the rest of us still on the ride.”

Rachel Ann Vincent – “July 26 me, my sisters and her boyfriend got on to go, but one girls seat wasn’t latched, and wouldn’t latch, they tried to push it in to get it to latch then the operators unlocked my section of the seats and had us all switch different sections. We then switched and got latched in. The girl was big breasted and they had to force the latch to lock, it then locked and the ride started. At the climax of the ride I heard a snap and saw the ride piece fly back and hit the ground.”

Marshall Smilonich – “7/26/17 around 40 minutes ago I was in line for the Fire Ball and so when it was our turn we all sat in a row which there are 5 rows of 4 and once everyone got seated the protector thing came down and everything looked good and then one of the workers went over to one of the rows of 4 and the restraint/protector didn’t fit and not to be mean but she was a bigger lady and she he couldn’t get it down so he moved the whole row to the one beside me. (Hand drawn diagram contained in statement of where witness was sitting). So they put the protectors down again and it seemed to fit better and then everything was fine. So it starts spinning and we were all pretending that we were asleep and then I opened my eyes to look at angle as we were the highest the ride goes and as it starts going down the ride snaps it sounds like a crack and that row looks like it gets sucked up downwards and rotateing backward as I see the big lady go flying out of the whole row. Hit the ground and not move at all the row is rotating and hits a red bar and the ride stops immeately and I see there’s a girl passed out across from me. Oh when the ride started it started making weird noises.”

Ginellis Mercado – “I was working in the booth across the Fire Ball and happened to be looking directly in that way. All I heard was a loud crack and saw a young boy do a flip in the air being tossed the boy had a white T shirt and grey shorts I believe. I also saw a girl get thrown not as far wearing a dark shirt. I then ran to see how I can help. Saw one kid bleeding from his nose and a girl unconcious on the floor. The ride operator reacted quickly shutting it off immediately. The police and on site paramedics also came within a few minutes.”

End of written statements.

Major G. Smith (General Headquarters – Office of Special Operations) was handed 11 inspection documents from Deputy Director Janelle Mead (Dept. of Agriculture). The documents included are inspection documents from a third party company by the name of Soil Consultants, training records for the ride operators/ride workers and the ride foreman, a permit from the Dept. of Agriculture and a standard inspection sheet for the Fire Ball amusement ride completed by the Dept. of Agriculture. Those documents were handed over to me and placed into the evidence locker.

After review of the documents it was discovered that Soil Consultants is a third party inspector that was hired by AOA to perform a required annual inspection per the manufacturer’s guidelines. The inspection includes a visual inspection and an ultrasound. The inspection was performed on October 25, 2016. The inspection documents advised no defects were found during the visual inspection. The ultrasound inspection was performed on the 24 gondola pins. The inspection documents advised no defects were found on the 24 gondola pins.

Included in those documents was the inspection report completed by the Department of Agriculture for the Fire Ball amusement ride and the permit issued for the Fire Ball amusement ride by the Department of Agriculture. The inspection report lists several areas that were checked to include: Location and installation, structural, tub and vehicle, electrical and miscellaneous. The inspection report indicates the Fire Ball amusement ride was inspected on July 26, 2017, and passed the inspection. The Fire Ball amusement ride appears to have been inspected by a Mr. Sterner, Mr. Kauffman, Mr. Dean and Mr. Head.



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Also included in those documents was the daily report for the Fire Ball amusement ride which is required to be completed by AOA. The daily report checks 24 different areas and was signed off as being completed by the ride foreman (Davis Colon Milan) on July 26, 2017.

The following was collected and preserved as evidence on 7/26/17 following the Fire Ball amusement ride accident: 11 inspection documents, one bolt, one digital media card from bystander, one audio recording of interview with Cesar Martinez, seat assembly from the Fire Ball amusement ride and the actual Fire Ball amusement ride. All of the evidence able to be physically collected was secured in the evidence locker or inside of a secured room at the OSHP Crime Laboratory. The perimeter of the Fire Ball amusement ride was secured with evidence tape and several semi-trailers were placed around the amusement ride for extra security. The amusement ride was also guarded 24 hours a day by either an OSHP trooper, police officer or cadet.

Investigators also collected a gray and black Under Armour backpack that contained the following items: Black wallet containing a social security card belonging to Tyler Jarrell, Ohio operator's license belonging to Tyler Jarrell, \$22.50 in cash, two Visa debit cards (one belonging to Tyler Jarrell and one belonging to Keziah Lewis), and misc. gift cards. Other items located in the Under Armour bag were: Black Samsung cell phone, black and silver iPhone, set of keys, and a blue and black ball cap. Those items were secured in the evidence locker pending notification of family members who may wish to retrieve the items.

July 27, 2017 1200 hours

The OSHP Public Information Office put out a media release asking that any additional witnesses who may be able to provide any information in regards to the Fire Ball amusement ride accident contact the OSHP HUB. Whenever those e-mails were received they were forwarded to either myself or Lt. Miller. The information within those e-mails was then assigned for follow-up to investigators from either the District Six Office of Criminal Investigations (Tpr. K. Fuller, Tpr. S. Frost) or to the General Headquarters Office of Criminal Investigations (Tpr. J. Boysel, Tpr. M. Keeton, Tpr. D. Bitler).

Lt. Miller advised he had been contacted by Stephanie Yoha (U.S. Consumer Product Safety Commission), who arrived at the OIS trailer and offered her department's assistance with the investigation. It was eventually decided that Ms. Yoha and her department would in fact be utilized to assist with the investigation due to them having more of a technical expertise when dealing with this sort of incident.

Once it was decided that Ms. Yoha and her department would be assisting with the investigation from the standpoint of inspecting the ride to possibly determine what had malfunctioned causing the accident, she indicated she was having three individuals from her department fly in from Maryland to inspect the Fire Ball amusement ride. Ms. Yoha said the three individuals would be arriving on 7/28/17, at approximately 1000 hours to perform the inspection.

It was later coordinated with attorneys from Reminger, Attorneys At Law, that any inspection of the amusement ride would have to be visual and non-destructive to preserve the integrity of the amusement ride for future inspections on the civil side of the investigation. The attorneys from Reminger, Attorneys At Law, also requested that at least one of them be present for any approved inspections from any requesting agency and/or their attorneys, which was agreed upon by OSHP personnel.

An autopsy of Mr. Jarrell was performed by the Franklin County Coroner's Office. They documented Mr. Jarrell sustained the following injuries as a result of the Fire Ball amusement ride accident: Compound fracture of the left and right ankle, fractured femur, multiple internal injuries to include injuries to the spleen, liver and lungs, sternum fracture near the 4th rib, several contusions, bleeding from both ears and suffered a hinge fracture (fracture occurred at the base of the skull). The coroner's office advised their preliminary cause of death for Mr. Jarrell was due to the hinge fracture.

Tpr. S. Eitel (General Headquarters Office of Criminal Investigations) did attend Mr. Jarrell's autopsy, at which time he was able to obtain the information in the above paragraph. Tpr. Eitel also obtained photographs taken during the autopsy



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which documented any visible injuries sustained by Mr. Jarrell during the Fire Ball amusement ride accident. The photographs were burned onto a compact disc and placed into the evidence locker.

I was contacted by Mr. Kasson who advised three of the four ride operators/ride workers would be willing to provide statements. He indicated they would be at the OIS trailer at approximately 1230 hours on 7/27/17. Mr. Kasson advised the three AOA employees willing to provide statements were Cesar Martinez, Luis Benitez and Juan Osorio.

1245 hours

Mr. Martinez arrived at the OIS trailer with Mr. Kasson and an audio recorded statement was obtained from him. Mr. Martinez was also read and shown the HP-70G (Constitutional Rights Waiver) prior to the interview. Mr. Martinez advised he understood his rights and agreed to provide a voluntary statement. The interview was burned onto a compact disc and placed into the evidence locker. The following is a summary of Mr. Martinez's audio recorded statement:

Mr. Martinez stated his training was on the job training and hands on. Mr. Martinez stated he signed a paper stating he received the proper training to operate the ride. Mr. Martinez stated he obtained this letter from the AOA office several months ago.

Mr. Martinez stated there was a total of three other AOA employees assisting with the ride that day. Mr. Martinez stated he thought Juan and Luis were on the deck and Duwan was on break. Mr. Martinez stated the third operator that was on break (referred to as the "gringo") was on the ride. Mr. Martinez stated he was the operator of the ride at the time and prior to starting the ride, he switched a group of four people from one gondola to another because they all wanted to sit together and he was having an issue getting one seat harness to lock because she was "big." Mr. Martinez stated when he has this issue, he has them switch to another seat and tells them to sit properly and the harness will close on its own. Mr. Martinez stated it is better to not touch the harnesses and to trust the lights. He continued by saying the only time he would manually check the harnesses is when the lights do not go off. Mr. Martinez stated once all of the lights went off indicating the harnesses were secure, he went back to the box and started the ride. Mr. Martinez stated these four individuals were moved to the orange seats because they were bigger. Mr. Martinez stated he knew the female was not secure in the original gondola because the green light on that gondola had not turned off, which is why he moved her to another gondola. Mr. Martinez stated once the green lights go off, you cannot pull on the harnesses to open them, they are secure. Mr. Martinez stated it is unnecessary to pull on each harness after the lights go out to ensure they are locked.

Mr. Martinez stated once he hits the button and presses the foot pedal to make the ride start, the floor of the ride drops and the ride proceeds to 15% power. According to Mr. Martinez, the ride then progresses to 40% then goes to 100%. Mr. Martinez stated the ride was at 100% at the time of the incident. According to Mr. Martinez, he did not feel that anything was wrong with the ride as it felt normal. Mr. Martinez stated, once you operate the ride for a long period of time, he becomes one with the ride and can feel if something isn't right.

Mr. Martinez stated he thought the gondola that came off struck the deck first prior to hitting the red bar. Mr. Martinez stated once the gondola came loose, he heard a "boom" as if it was an explosion and then saw people fly in the air. Mr. Martinez stated he then reached for the box to hit the emergency buttons and took his foot off the pedal. Mr. Martinez stated he then jumped over the fence to look for his co-worker. Mr. Martinez stated he then got back on the deck and let people off the ride. Mr. Martinez stated the ride of the floor raised on its own prior to letting the occupants exit the ride.

Mr. Martinez stated he has been operating the Fireball since February and has not had any issues with the seat harnesses. Mr. Martinez stated people always ask him if the ride is safe because they feel the harness is loose. Mr. Martinez stated that due to the safety features of the ride, it will not operate without each harness being secured. Mr. Martinez stated he gets a "thumbs-up" from his assistants telling him that all lights are off on the gondolas.

Mr. Martinez was asked if at any time he heard anything crack, break, snap or see anything bend or any other part malfunction during the ride. Mr. Martinez stated the ride is 100% everywhere they go and makes sure the ride is well inspected. Mr. Martinez stated the ride foreman, Rico, had just left prior to the incident to get something to eat.



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Mr. Martinez stated, he is not always present during the ride inspection but was present during this one. Mr. Martinez stated they were all there in attendance. Mr. Martinez stated there were about six guys present during the inspection.

Mr. Martinez stated there is usually five guys who assemble the Fire Ball and it takes four to six hours to complete. Mr. Martinez stated the ride is cycled several times to ensure its working properly before its open to the public. Mr. Martinez stated no one rides the ride during the testing period as it cycles. Mr. Martinez stated they cycle the ride at least twice a day prior to opening.

Mr. Martinez stated it is not common for employees to ride while they are working but its tradition to ride once if they have never rode the ride before. Mr. Martinez stated that's why Duwan was on the ride.

Mr. Martinez was asked how many times he operated the ride prior to the incident. Mr. Martinez stated he had no idea but they open at 10 am and the ride operates non-stop, all day.

Mr. Martinez stated that following the accident he was told to go to the AOA office with his "gringo."

Mr. Benitez arrived at the OIS trailer with Mr. Kasson on July 27, 2017, at approximately 1323 hours and an audio recorded statement was obtained from him. Present during the interview were the following individuals from the Department of Agriculture: David Hunt, Jon Kauffman and Morgan Myles. Also present from Reminger, Attorneys At Law: Patrick Kasson and Jackie Jewell. Mr. Benitez was also read and shown the HP-70G (Constitutional Rights Waiver) prior to the interview. Mr. Benitez advised he understood his rights and agreed to provide a voluntary statement. The interview was burned onto a compact disc and placed into the evidence locker. The following is a summary of Mr. Benitez's audio recorded statement:

Mr. Benitez said he operates and maintains the Fire Ball amusement ride. Mr. Benitez said he is assigned permanently to that specific amusement ride. Mr. Benitez said he has only worked on the Fire Ball amusement ride for approximately one month. Mr. Benitez said he worked for AOA four years ago and left, but then was rehired by them approximately a month and a half ago. Mr. Benitez said the Ohio State Fair is the first venue he has worked while being assigned to the Fire Ball amusement ride, but later on his statement indicated he also operated the amusement ride at a venue in the Meadowlands.

Mr. Benitez said he receives instruction from the ride foreman (Davis Milan Colon) in reference to assembling the Fire Ball amusement ride. He said Mr. Milan is the only foreman he has ever reported to. Mr. Benitez said he has not received any formal training on how to assemble and/or disassemble the amusement ride. He described it as more on the job training. Mr. Benitez said there is paperwork he had to sign off on in regards to his on the job training. Mr. Benitez said he has signed off on the required paperwork.

Mr. Benitez said he was working on the Fire Ball amusement ride on the day of the incident. Mr. Benitez said he was working the amusement ride with Mr. Martinez, Mr. Osorio (Mr. Benitez was unsure of his name) and Mr. Dowdy (Mr. Benitez was unsure of his name). Mr. Benitez said Mr. Osorio and Mr. Dowdy were new to working the Fire Ball amusement ride.

Mr. Benitez said he and Mr. Martinez are the primary ride operators of the Fire Ball amusement ride. He also indicated that he, Mr. Martinez and Mr. Milan are the individuals that primarily assemble the amusement ride. Mr. Benitez said on occasion they will have another individual help them assemble the amusement ride, but that is rare. Mr. Benitez said it takes them approximately six hours to assemble the Fire Ball amusement ride.

Mr. Benitez said once they assemble the amusement ride then it is inspected by outside inspectors. Mr. Benitez said once the amusement ride is inspected then they have to torque the bolts on a daily basis, and that must be done in front of the ride foreman. Mr. Benitez said they also have to torque the bolts in front of the outside inspectors on the opening day of the fair. Mr. Benitez said they also have to make sure there have been no tools left on the platform. Mr. Benitez



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said they also run the amusement ride prior to opening it to the public to ensure they don't hear any strange or unusual noises. Mr. Benitez said if they were to hear any strange or unusual noises then they would report it to Mr. Milan. Mr. Benitez denied ever hearing any strange or unusual noises prior to the amusement ride accident. Mr. Benitez said everything was perfect with the amusement ride on the opening day of the fair, and he doesn't know why the accident happened.

Mr. Benitez said the Fire Ball amusement ride is required to be inspected annually and weekly. Mr. Benitez indicated they only have to torque the bolts on a daily basis.

Mr. Benitez said he was on break when the amusement ride accident occurred. Mr. Benitez said when he went on break Mr. Martinez was there operating the amusement ride and Mr. Osorio and Mr. Dowdy were there assisting him. Mr. Benitez said he waited until the Fire Ball amusement ride had ended and came to a stop before he went on break. Mr. Benitez said he went to the bunk house for his break and did not witness the Fire Ball amusement ride accident.

Mr. Benitez said after the amusement ride accident happened he was called and told to go to AOA Headquarters. Mr. Benitez said he never went back to the amusement ride after the accident happened and said he wasn't allowed to go back.

Mr. Benitez said no one ever approached him prior to the amusement ride accident indicating they had any safety concerns in regards to the Fire Ball amusement ride.

Mr. Benitez said he didn't see anything strange or out of the ordinary prior to the Fire Ball amusement ride accident. Mr. Benitez said if he did see any issues with the amusement ride then he would contact the ride foreman (Mr. Milan), and the amusement ride could possibly be shut down. Mr. Benitez said no other AOA employees have warned him of the Fire Ball having any safety issues.

Mr. Benitez explained there are 24 seats on the Fire Ball amusement ride. Mr. Benitez said after everyone has been seated they tell the riders to raise their hands. Mr. Benitez said the worker on the platform will give the ride operator the thumbs up to lower the safety harnesses. Once the safety harnesses are lowered, there are four green lights that should be illuminated on the back of the gondola. Once all four of the safety harnesses are lowered and secured, the green lights should go out, which indicates the safety harnesses are secured.

Mr. Benitez said there is a start button in the control booth that they press and the floor drops and the pendulum starts swinging. Mr. Benitez said the amusement ride starts automatically at 15%. Mr. Benitez said after the pendulum reaches a certain limit they will press the 40% button and then when it reaches another limit they will press the 100% button. Mr. Benitez said when the amusement ride comes to a stop, they let the floor come up before they walk in. Once the floor has been raised, the workers will walk in and the workers will go to the seats and there is a switch that is pressed that unlocks all of the safety harnesses.

Mr. Benitez said it is typical for them to operate the Fire Ball amusement ride at 100%. Mr. Benitez said there is no function that will allow the amusement ride to go faster than 100%. Mr. Benitez said after a period of time the amusement ride will shut off automatically.

Mr. Benitez said he did not notice any issues with the green lights on the back of the gondolas prior to the accident. Mr. Benitez said after all of the green lights go off at least one of the workers will push against all of the safety harness to ensure they are locked. Mr. Benitez said if any of the green lights are still on and the ride operator presses the start button, the amusement will not start and the floor won't go down. Mr. Benitez said part of the on job training consists of them being told to push against the safety harnesses to ensure they are locked down. Mr. Benitez said they are required to press down on the safety harnesses before every ride starts.



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Mr. Benitez said if he ever heard a loud bang and had to stop the ride in an emergency situation, he would either press the emergency shut off switch or take his foot off of the pedal if he was actually operating the amusement ride.

Mr. Benitez said Mr. Osorio and Mr. Dowdy would not have any knowledge of the operation or assembly of the Fire Ball amusement ride.

Mr. Osorio arrived at the OIS trailer with Mr. Kasson on July 27, 2017, at approximately 1351 hours and an audio recorded statement was obtained from him. Present during the interview were the following individuals from the Department of Agriculture: David Hunt, Jon Kauffman and Morgan Myles. Also present from Reminger, Attorneys At Law: Patrick Kasson and Jackie Jewell. Mr. Osorio spoke limited English, so a Spanish speaking interpreter was provided. Cadet Jose Molina Mendez from the OSHP Academy was the interpreter assigned for Mr. Osorio's interview. Cadet Mendez advised he was born in Puerto Rico and Spanish was his primary language while growing up.

Mr. Osorio was read the HP-70G (Constitutional Rights Waiver) prior to the interview. Mr. Osorio advised he understood his rights and agreed to provide a voluntary statement. The interview was burned onto a compact disc and placed into the evidence locker. The following is a summary of Mr. Osorio's audio recorded statement:

Mr. Osorio said he has worked for AOA for approximately two years. Mr. Osorio said he normally is assigned to work in Kiddie Land. He indicated he doesn't choose where to work, he was just assigned to work the Fire Ball amusement ride that particular day. Mr. Osorio said yesterday was the first day he has ever worked on the Fire Ball amusement ride. Mr. Osorio said his primary responsibility with the amusement ride was to open and close the door for the riders to get on and off of the ride, and to make sure they are secured in their safety harnesses.

Mr. Osorio said he has never been trained to operate or assemble the Fire Ball amusement ride, and did not operate or help assemble the amusement ride for the Ohio State Fair.

Mr. Osorio said he was working on the Fire Ball amusement ride when the accident happened. He said he came back from an hour long break and when he arrived back at the amusement ride a set of riders were already strapped into their safety harnesses. Mr. Osorio said he didn't check any of the safety harnesses because he was just relieving another worker (Luis Benitez) that was headed to his break, and figured he had already checked them.

Mr. Osorio said he does go onto the platform and check the rider's safety harnesses to make sure they are secure. Mr. Osorio indicated if one of the safety harnesses is not secure then the amusement ride will not operate. Mr. Osorio also said there are a panel of green lights on the gondola that will go out indicating the safety harnesses are secured.

Mr. Osorio said he did not notice any part of amusement ride malfunctioning or any of the safety harnesses not securing prior to the amusement ride. Mr. Osorio said he did not notice any loud or suspicious noises throughout his shift and prior the amusement ride accident. Mr. Osorio said no one ever approached him expressing safety concerns over the amusement ride.

Mr. Osorio indicated everything seemed to be functioning and working properly prior to the Fire Ball amusement ride accident. Mr. Osorio said he was standing next to the control booth when the amusement ride accident occurred. Mr. Osorio said he witnessed the gondola detach and saw the two individuals get ejected from the amusement ride.

Mr. Osorio said when the gondola detached he ran away because he felt bad about the accident. Mr. Osorio said he ran to his bunk house, which was next to the Fire Ball amusement ride. Mr. Osorio said no one came and got him from his bunk house, he just went back to AOA Headquarters himself.



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Mr. Osorio said he didn't try to shut off the Fire Ball amusement ride following the accident because he was not familiar with the amusement ride and how it operates, so he wasn't sure how to shut it off.

Mr. Osorio said following the accident he saw Mr. Martinez shut off the Fire Ball amusement ride and then go towards AOA Headquarters.

Mr. Osorio denied being any part of the inspection process. Mr. Osorio said he is partially familiar how to ensure the amusement ride is functioning properly. Mr. Osorio indicated you must have the blocks that go under the amusement ride properly secured and tied up. Mr. Osorio said he is also aware that the "R-keys" have to be properly secured in their holes.

1300 hours

Prosecutor Ron O'Brien, Assistant Prosecutor James Lowe and Assistant Prosecutor Daniel Cable arrived on the Ohio State Fairgrounds to view the Fire Ball amusement ride. They were also briefed about the details of the case by personnel from the Office of Criminal Investigations.

Through the course of the investigation it was discovered the Fire Ball amusement ride is currently owned by AOA. It was manufactured by a company known as KMG in 1998, and purchased by AOA in 1999. It is known as an "aggressive thrill ride" and has a pendulum type set-up that not only swings back and forth but rotates counter clockwise as well. The metal floor drops once the ride is in motion to allow room for the pendulum to swing freely and for the safety of the riders. There are a total of six gondolas on the Fire Ball amusement ride, with each gondola having four seats. Each seat is equipped with a U – shaped safety harness that lowers over the rider's torso area and is required to lock in place prior to the ride being operable. The safety harness is there to help keep the riders secured in their seats during the course of the amusement ride. The Fire Ball amusement ride is run on a cycle and has three set speeds on the control panel. Those speeds are set at 15%, 40% and 100%. Once the ride is set by the ride operator to be at 100%, it is programmed to not go any faster. There is a pedal that the ride operator must have his/her foot on at all times for the ride to operate and function. If he/she takes their foot off of the pedal then the ride will not run. There is also an emergency shut off switch that will make the ride shut down as well. The amusement ride will stop after its cycle is complete, unless the operator takes his foot off of the pedal or the emergency shut off switch is pressed.

There are also four green lights on the back of each of the gondolas that will illuminate when the safety harnesses are being lowered and are secured in place. Once all of the safety harnesses are secured then the green lights are programmed to go off. A green light will then illuminate on the control panel in the operator's booth which will notify him/her that all 24 of the safety harnesses are secured and the amusement ride is ready for operation. The green light will not illuminate in the control booth if one of the safety harnesses is not secured. If the safety harnesses are not secured and the green lights do not go out, then the ride is programmed to not operate. There is also a horn that will sit between the rider's legs and sits upright for added security, however, there is no seat belt that connects the safety harnesses to anything.

It was also discovered that a company by the name of Tivoli manufactures gondolas for KMG. It is unclear at this time if in fact Tivoli did manufacture this particular gondola utilized on the Fire Ball amusement ride.

7/28/17 1050 hours

The following individuals from the U.S. Consumer Product Safety Commission arrived to perform an inspection of the Fire Ball amusement ride and the gondola that became detached from the amusement ride and is currently being stored at the OSHP Crime Laboratory: Thomas Caton, Mark Kumagai and Anthony Teems. The three individuals performed a visual inspection of the Fire Ball amusement ride along with a visual inspection of the gondola that detached from the ride. Reminger attorneys (Jackie Jewell and Pat Kasson), along with representatives from SEA Limited (third party company



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hired by Reminger – Jason Mattice, Salvatore Malguarnera, Robert Carbonara) were also present during both of the inspections.

Following the inspection Ms. Yoha said the inspectors from her department could not provide a definitive conclusion as to the cause of the accident, but did indicate that the inspectors said there was a good amount of rust and corrosion inside of the arm carrying the orange gondola that detached.

1130 hours

Myself and Stephanie Yoha spoke with the following owners of AOA while in their trailer: Rob Vivona, Dominic Vivona Jr. and Sr., Marco Vivona, John Vivona and also present in the room was Jerry Smithson (Risk Manager for AOA). The majority of the questions were answered by Dominic Vivona Jr., Rob Vivona and Mr. Smithson. The interview was audio recorded and the recording was burned onto a compact disc. The compact disc was then placed into the evidence locker. The following is a summary of the audio recorded statement taken:

The owners advised that AOA has been performing business operations since 1939, and has used the AOA name since 1952. They indicated they would be able to provide an employee list of all of the individuals that are working for them at the Ohio State Fair. The owners indicated they have approximately 100 employees that are seasonal (with approximately 50 of those employees being seasonal visa workers), along with approximately 50 local employees they hire temporarily to work for them at the fair.

The owners said their amusement rides will get inspected in each state that they operate in. The owners indicated the inspections take place as they are setting the amusement rides up, as well as during the set up and even when the set up is complete. They advised they get inspected every time they set their amusement rides up at a different venue.

The owners said they're contractually obligated to get a third party inspection when they're in Ohio running their amusement rides, but not every state requires a third party inspection. The owners said the third party inspection team usually works alongside the Department of Agriculture inspectors.

The owners said the inspection records are normally kept with the state agency who does the actual inspection. However, they did state that varies from state to state. They indicated they weren't sure how Ohio does it with their inspection reports, but advised their Safety Director (William Costagliola) could answer that question. The owners did say that after they've received an inspection they will be issued a permit to display on the amusement rides showing that particular amusement ride passed its inspection. They indicated that is the most visible indication provided to them showing them the amusement ride has been inspected. The owners said the third party inspectors do not provide an inspection sticker, only a report. They advised they should have a copy of the third party inspection report. The owners also advised this is the first third party inspection they have had to obtain in 2017.

The owners said they have had their amusement rides in six different states so far this year. They did advise not all of the amusement rides were utilized in every state, however, the Fire Ball amusement ride had been utilized in all six of those states.

The owners did confirm they owned the Fire Ball amusement ride and said they owned approximately 40 of the 73 amusement rides that were being operated at the Ohio State Fair. They said the remaining amusement rides are sub contracted. The owners said they bought the Fire Ball amusement ride from a company in Texas called Demas Enterprises when it was approximately a year old. They said the Fire Ball amusement ride was manufactured in Holland by a company named KMG. The Fire Ball amusement ride they operate is classified as a portable amusement ride.

The owners said if any of the inspectors have any issues or questions they will refer to Mr. Costagliola for a remedy to the issue or answer to the question. The owners advised the Fire Ball amusement ride would have the same staff working on



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the amusement ride, most of the time. They indicated on occasion they will have to move some staff around to other amusement rides.

The owners said Davis Milan Colon is the foreman of the Fire Ball amusement ride. They indicated Mr. Colon is in charge of assembling and disassembling the amusement ride, as well as the general maintenance of the amusement ride. The owners said Mr. Colon would be the highest ranking individual working on the Fire Ball amusement ride. They also indicated Mr. Colon would be in charge of signing off on the daily inspection reports for the Fire Ball amusement ride.

The owners said they encourage the foreman to either be at their assigned amusement ride, or at least close by at all times.

The owners said the daily inspection report is a document they created that mirrors the pertinent information from the manual from the manufacturer of the amusement ride. The owners said the inspectors utilize some of the same information in their reports.

The owners said they do receive safety bulletins from the manufacturer when there is a safety concern regarding a certain amusement ride. The owner said they received a safety bulletin in 2007 in regards to the Fire Ball amusement ride. The owners said once they received that particular safety bulletin they took the necessary steps to correct the issue. The owners thought 2007 was the last time a safety bulletin was issued for the Fire Ball amusement ride.

The owners verified that the Fire Ball amusement ride is set to go a certain speed and will not go faster than what it is set to go. The owners also said the ride operator must have their foot on the pedal and then push the start button in order for the amusement ride to begin. They indicated someone must always be in the control booth in order for the amusement ride to operate.

The owners indicated there isn't a weight restriction but more of a physical restriction to ride the Fire Ball amusement ride. They said someone will not be able to ride the amusement ride if they aren't physically able to fit in one of the seats and have the safety harness secure over them. They said one gondola seat is not bigger than any of the other gondola seats.

1228 hours

Myself and Stephanie Yoha spoke with William Costagliola (Safety Director for AOA) while in their trailer. Also present during that interview as Dominic Vivona Jr. and Sr., Jerry Smithson and Marco Vivona. The interview was audio recorded and the recording was burned onto a compact disc. The compact disc was placed into the evidence locker. The following is a summary of the audio recorded statement taken:

Mr. Costagliola said there are safety standards that most states have adopted and set the standards into their rules. He said the manufacturer normally gives the owners of the amusement rides an inspection criteria, will let them know if any destructive testing needs completed and then AOA will follow those recommendations. Mr. Costagliola advised the Fire Ball amusement ride has an annual requirement that the pins that hold the sweeps be tested by ultrasound and also an annual requirement that a visual inspection of the main structural welds are performed. Mr. Costagliola said they utilized Soil Consultants as their third party company in the past to perform those tests.

Any other existing inspection reports were requested and Mr. Costagliola indicated it shouldn't be a problem getting that paperwork. Mr. Costagliola did advise some states are not required to provide them with a completed inspection report, and will only provide an inspection report if there is a violation (he gave New Jersey as an example). Mr. Costagliola said if they are not provided an inspection report they will get an embossed permit to place on the amusement ride showing they passed an inspection. Mr. Costagliola said it isn't unusual for them to not receive a copy of an inspection report from some states and when they don't receive an inspection report there will be a permit placed on the amusement ride indicating it passed that specific state's inspection.



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Mr. Costagliola said there is no way to manipulate the Fire Ball amusement ride to make it go faster than it is set to go. He said the speed of the amusement ride is set through the PLC (Programmable Logic Controller).

Mr. Costagliola said the inspectors from Ohio have a reputation for being very well trained, thorough and competent.

Also, an e-mail came in from OSHP's PIO with information they discovered from a user on Reddit claiming he was on the Fire Ball amusement ride at the time of the accident. The e-mail was assigned to Tpr. Johnson to follow-up on.

Tpr. Johnson made contact with the OSHP Intelligence Unit and requested any information they could provide. The OSHP Intelligence Unit advised they were not able to positively identify who owned the Reddit account. No further information is available.

1355 hours

It was discovered that one of the patrons from the Ohio State Fair had posted a brief Snap Chat video on YouTube that documented the Fire Ball amusement ride accident. The quality was below average, but did appear to show most of the incident. It was eventually discovered the video was taken by Destiny Hambric (witness). Ms. Hambric was contacted by Tpr. Boysel, who requested she e-mail the video to him. Once received, Tpr. Boysel then sent the e-mail to me for review. The video provided to me by Tpr. Boysel is of a higher quality than the video that was posted on-line. Below is a summary of what the video provides:

The Fire Ball amusement ride is seen swinging into the air, presumably at full speed. It returns down and when it passes the platform you can hear a loud noise that sounds like metal banging together, and you notice portions of the metal platform on the side of the ride are moved upward. At that point it appears the orange gondola has detached from the ride, as you can see wires hanging down from the arm. During the course of our investigation it was determined the gondola did strike a red bar mounted on the side of the platform, but does not appear to have struck any portion of the metal platform. There did not appear to be any fresh damage to the metal platform and the red bar mounted on the side of the platform had heavy contact damage.

You can then see two of the victims have been ejected from their seats, and they begin to head towards the other side of the amusement ride while it is starting to swing upwards. Several pairs of shoes are also seen flying through the air. The gondola then comes into view and can be seen flipping through the air with two victims still secured in their seats. The gondola eventually comes to rest on the ground just beside of the amusement ride. Both of the ejected victims appear to strike the other orange gondola and then are thrown through the air and eventually come to rest on the ground outside of the amusement ride.

The video was also taken to the Department of Public Safety's Forensic Video Unit where a frame by frame analysis was performed. A copy of the video and frame by frame analysis was placed into the evidence locker.

1446 hours

Lt. R. Sellers (OSHP PIO) contacted me via telephone and advised he had received a telephone call from an ex-employee of AOA who had information he wanted to pass along to investigators in reference to the owners of AOA. It was advised the ex-employee had information in reference to allegations the owners of AOA had him falsify safety records. I was also advised the ex-employee wished to remain anonymous so he is addressed as "subject" during the interview summary.

I arrived at the Shipley Building and went up to Lt. Sellers' office. Lt. Sellers contacted the individual via telephone and put him on speaker. I was then able to obtain an audio recorded statement from the ex-employee. The recording was



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burned onto a compact disc and then placed into the evidence locker. The following is a summary of the audio recorded interview:

The subject stated he left AOA about eighteen months ago when the company was under the original ownership. The subject stated he worked with an individual named "Rico" that was the foreman for the Fire Ball. The subject stated he would help Rico set up and disassemble the Fire Ball.

Subject stated there was always weekly issues with that particular ride. Subject stated the ride has several electrical issues, bent and damaged frame and always something cracked. The subject stated AOA is known for "patch jobs" and as long as the inspectors passed it, they were okay with it. Subject gave an example of a "drop collar" that was damaged and cracked prior to an inspection. Subject stated there was not enough time to properly repair the area so a fresh coat of paint was applied to hide the cracks in order to get the inspection to pass. Subject stated the owners knew how the repairs were being made and they were okay with it as long as the ride gets a pass.

Subject stated last year in Coral Springs, Florida, Rico bypassed the safety features just so that the ride would operate. Subject stated the owners would not use the proper bolts in order to fix the issues due to the high cost of materials, in his opinion as he felt the owners like to "cut corners". Subject stated the bolts are to be replaced on a schedule and it was not being done.

Subject stated employees of AOA rarely get needed time off and if anyone would complain or ask for a day off, AOA would have their "goon squad" approach the individual and "kick their ass". Subject stated AOA is known to not pay their employees on time and when they do, they write them personal checks that may or may not have taxes deducted. Subject continued to state that when he was hired, he was initially asked if he used any drugs. Subject stated he told them no, but admitted to smoking marijuana. Subject stated he was told that as long as he didn't use any hard drugs and only marijuana, they would mark it as a clean test. Subject stated he personally felt that the ride operator at that time would have tested positive for THC, (Tetrahydrocannabinol) and that the operator's test would come back negative. Subject stated he thought 80-90% of all employees would test positive for THC. Subject stated he has been paid in the form of marijuana from Rico in the past for setting up and tearing down the ride. Subject stated anyone off the street that could carry metal or turn a wrench would be hired to assemble the rides.

Subject stated he did not receive any training on how to set up any rides. Subject stated there was no formal training for any AOA employee for the proper assembly of any ride. Subject estimated he assisted with the assembly of the Fire Ball ten to twelve times in a three month period. Subject stated there was a cover-up or issues with the ride every time it was assembled. Subject stated the electrical issues were most common with the computer and wiring. Subject stated often times safety features were bypassed in order to get the ride to operate. Subject stated when the safety features were bypassed or altered, the operators can make the ride go quicker by rewiring the unit within the box. Subject stated the rides would be "tweaked" for the fun and the excitement.

Subject stated he recalls an incident where the Fire Ball's electrical box caught on fire and the ride was shut down. After the repairs were made, the ride was reopened without being re-inspected within an hour. Subject stated that in his opinion, the Fire Ball's malfunction was with the bolts and them not being replaced when they should have been. Subject stated that he thought the owners knew about the condition of the ride.

Subject stated each ride is inspected by the state in which it's going to operate in. Subject stated every state has their focus on what they look for in particular. Subject gave the example that New Jersey was big in to the electrical aspect where as other states may be more focused on the mechanics. Subject stated some states do not even have state ride inspectors and the owners rely on third party inspectors or even AOA employees to inspect the rides prior to opening.

Subject stated he has witnessed firsthand the manipulation of paperwork including drug testing and daily inspections for the company's rides. Subject stated he has manipulated paperwork himself after being asked to by AOA. Subject stated that although he has not witnessed it himself, he has heard from a close friend that some state ride inspectors (New Jersey), have built a good rapport with AOA and has been paid to overlook discrepancies during the inspection due to it being an "all cash business".



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Subject stated he has never operated the Fire Ball in any state. Subject stated his primary duties with AOA besides helping set up the rides was to work in two separate food trailers and help operate two children's rides owned by AOA.

I had Tpr. Lyons follow-up with the other lead involving the ex-employee (Franklin Rictman) from AOA. The following is a summary of Tpr. Lyon's interview with Mr. Rictman:

On July 29th, 2017, at 1400 hours, I made phone contact with Franklin Rictman. Mr. Rictman's name and contact number was given by his former work associate, who requested to remain anonymous, who both were employed by Amusements of America, (AOA). The anonymous caller was interviewed on July 28th, 2017, by Sergeant (Sgt.) James Schlotterbeck. The anonymous caller advised Sgt. Schlotterbeck that Mr. Rictman should be contacted for additional information regarding several issues they both experienced while working with AOA.

Mr. Rictman agreed to be interviewed over the phone. Mr. Rictman stated he was employed by AOA for a little over two years and has been in the amusement show industry since 1991. Mr. Rictman stated he experienced several safety issues involving the mechanics of several rides that AOA owned and operated. Mr. Rictman stated he terminated his employment with AOA after a large piece of "scenery" fell from the side of a ride called the Music Express. Mr. Rictman stated he has reported numerous safety issues to management over the past two years that was overlooked and ignored. Mr. Rictman stated broken parts were welded incorrectly and painted over to mask the repair for the inspectors. Mr. Rictman stated he was often times rushed to erect a ride prior to the initial inspection knowing that the inspectors will not climb to the top and find potential issues with the ride.

Mr. Rictman stated he was told several times by AOA management to repair issues with zip-ties that needed a nut and bolt to be fixed correctly.

Mr. Rictman stated he was asked to go back and generate daily inspection sheets for three to four months at a time. Mr. Rictman stated he has taken the ride safety log to his home and fabricated the records to show that the proper daily inspections were completed.

Mr. Rictman stated AOA employees were forced to work long hours, sometimes up to 19-20 hours per day with little sleep or rest. According to Mr. Rictman, several rides were operated by individuals who did not receive the proper training until the same day that they were expected to work. Mr. Rictman stated drug and alcohol use was common among the operators due to the fact of inconsistent, random urine tests. Mr. Rictman stated that AOA would allow individuals to continue to work even with a positive marijuana test.

7/29/17 0900 hours

I was contacted via telephone by Mr. Jarrell's stepfather (Jeff Duffield) in regards to picking up some of Mr. Jarrell's belongings that had been found in the gray and black Under Armour backpack on the Fire Ball amusement ride.

Mr. Duffield was advised he and his wife (Amber Duffield) could come to the fairgrounds at his convenience and the property will be returned to them.

At approximately 1006 hours Mr. and Mrs. Duffield arrived on the fairgrounds and the following property was released to Mrs. Duffield: Gray and black Under Armour backpack, black wallet containing Tyler Jarrell's social security card, Tyler Jarrell's Ohio operator's license, \$22.50 in cash, misc. gift cards and Visa debit card. Also released to Mrs. Duffield was a black Samsung cell phone, black and blue baseball cap and a set of keys. An HP-60 was prepared and signed for release of the property.



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Mr. Duffield also advised Mr. Jarrell's 2004 black Dodge Dakota truck was still on fairgrounds property, however, he was unsure exactly where it was located. Mr. Duffield said he was told by someone from OSHP that it was parked in one of the hotel parking lots located off of the 17th Ave.

I then drove Mr. Duffield and his daughter over to the hotel parking lots, but was unsuccessful in locating the vehicle. I contacted the Fairgrounds Headquarters and had dispatch put out a BOLO for the truck. I told Mr. Duffield I would call him and let him know if we were able to locate the truck. I then drove Mr. Duffield and his daughter home in my unmarked patrol vehicle.

At approximately 1245 hours I received a telephone call from Adam Quinn (OSHP dispatch) advising they had found Mr. Jarrell's truck in the back parking lot in close proximity to the Columbus Crew stadium. I then located the truck and drove it back to the Academy parking lot to make sure it was secured and wouldn't get towed.

At approximately 1744 hours Mr. Duffield arrived at the Academy and picked up Mr. Jarrell's truck. An HP-60 was completed and signed for release of the truck.

1900 hours

Through witness statements and a video of the aftermath of the incident it was confirmed that Abdi Hussein was a rider on the Fire Ball amusement ride when the incident occurred.

I stopped by the last known address for Abdi Hussein (4207 Lincoln Park Ct. Columbus, OH 43228). No one answered the door when I knocked, so I left one of my business cards. Mr. Hussein never reached back out to me after I stopped by his residence.

I was able to acquire Hannah Sallee's (Mr. Hussein's girlfriend) number and made contact with her. She was asked if she and Mr. Hussein would be willing to provide a statement. Ms. Sallee said she wanted to talk with Mr. Hussein and her family before deciding if they were going to provide a statement. I never was contacted by either one of them again.

It is unknown what the extent of Mr. Hussein's injuries as a result of the accident are due to the fact he has failed to reach out to investigators to provide any kind of statement.

Contact was made with the OSU Medical Center and the Grant Medical Center. OSU personnel advised all three of the individuals admitted there following the accident (Tamica Dunlap, Russell Franks and Keziah Lewis) were still listed in critical condition and medically unable to provide statements.

Grant Medical Center personnel advised the only individual (Jennifer Lambert) admitted there following the accident was listed in critical condition and medically was unable to provide a statement.

7/30/17 0940 hours

The following individuals from KMG arrived to perform an inspection of the Fire Ball amusement ride and the gondola that became detached from the amusement ride and is currently being stored at the OSHP Crime Laboratory: Jim Sprague, Mike Stevenson, Albert Kroon, Ellen Wright, Tom Sheehan and Matt Keener.

The following individuals from the Ohio Attorney General's Office were on scene at both the fairgrounds and Alum Creek during the inspection: Hilary Damaser and William Becker.



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The following individuals from Reminger, Attorneys At Law were on scene at both the fairgrounds and Alum Creek during the inspection: Jackie Jewell and Pat Kasson.

The following individual from the Ohio Department of Agriculture was on scene at both the fairgrounds and Alum Creek during the inspection: Morgan Lyles and Michael Vartorella

The following individual from Dinsmore & Shohl, Attorneys At Law was on scene at both the fairgrounds and Alum Creek during the inspection: Alicia Stefanski

KMG's inspection was visual and non-destructive. OSHP/OIS personnel were on scene at both locations with everyone for the duration of the inspection process.

1431 hours

I was able to meet with Tyler Griffin (victim) and Kobe Patterson (victim) at Tyler's residence of 5782 Saranac Dr. Columbus, OH 43232 and obtain an audio recorded statement from both individuals. Present during the interview was Tyler's mother (Yolanda Prather - Griffin). The interview was audio recorded and the recording was burned onto a compact disc. The compact disc was placed into the evidence locker. The following is a summary of Mr. Griffin and Mr. Patterson's audio recorded statement:

Mr. Griffin said he and Mr. Patterson were sitting together on the Fire Ball amusement ride on the incident date. Mr. Griffin said another girl that was also on the Fire Ball at the same time he and Mr. Patterson were had to move seats because her safety harness wouldn't fasten. Mr. Griffin said all four of the occupants that were in the gondola with the girl ended up moving to the orange gondola. Mr. Griffin said he thought they moved from one orange gondola to another orange gondola. Mr. Griffin said the girl eventually got into a seat and her safety harness was secured and then the amusement ride started.

Mr. Griffin said once the Fire Ball started they went around a couple of times and nothing out of the ordinary happened. Mr. Griffin said once the ride started to go faster and they got a little higher in the air the latch that held the car on broke off and two people fell out of the ride. Mr. Griffin said one of the people that fell out of the ride was the girl who had to switch seats before the amusement ride started.

Mr. Griffin said he and Mr. Patterson were riding in one of the blue gondolas. Mr. Griffin said he was sitting in the far left seat (if standing and looking at the front of the gondola) of the blue gondola and Mr. Patterson was sitting two seats away from him. Mr. Griffin said he thought a male by the name of Austin was sitting in between them. Mr. Griffin said a Hispanic male wearing a gray polo shirt was sitting to Mr. Patterson's left, however, he said he didn't know the name of the Hispanic male. Mr. Griffin said he does remember seeing one of the Fire Ball amusement ride workers on the ride when the accident happened, he said the worker was sitting in the other blue gondola.

Mr. Griffin said he was transported to the hospital the day of the incident. Mr. Griffin said his injuries were caused by pieces of metal debris flying off of the ride after the accident occurred and hitting him in his right arm. Mr. Griffin denied he was struck by any other objects. Mr. Griffin said he suffered a sprain to his right arm. Mr. Griffin said hospital staff gave him some Motrin to take and gave him a sling to wear for his injury

Mr. Griffin said when the gondola broke off there were two people ejected. Mr. Griffin said he recalled the girl that was ejected was lying on the ground and not moving. Mr. Griffin said the guy that was ejected hit the ground face first. Mr. Griffin said he saw both of the individuals get ejected from the gondola.



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Mr. Griffin said he rode the Fire Ball amusement ride approximately five times on the incident date. He indicated the incident date was the first time he had ever ridden that particular amusement ride.

Mr. Griffin said he talked to a girl that had ridden the Fire Ball prior to the accident that told him the ride was shaking really bad when she rode it. He also said he found it weird that the girl that was ejected had trouble getting secured in the safety harness prior to the rider operators/ride workers moving her to another gondola. Mr. Griffin said besides the girl initially not being able to get secured in the safety harness, he did not see or hear anything out of the ordinary prior to the accident.

Mr. Griffin said he doesn't remember anyone who expressed any concern about their safety harness not latching correctly prior to the accident. He also said he doesn't remember hearing anyone ask the ride operator to stop the amusement ride over safety concerns.

Mr. Griffin said two girls that were initially switched from the orange gondola that detached during the accident did seem hesitant at first about switching due to the fact the ride operator/ride workers couldn't get the safety harness to secure on one of the seats. Mr. Griffin said he noticed the safety harness that wouldn't initially secure for the girl that was ejected did secure for the other girl they put in her place.

Mr. Griffin said he thought the Fire Ball was going for about three to five minutes before the accident happened.

Mr. Patterson said he injured his right ankle as a result of the gondola striking his ankle and pieces of debris coming off of the amusement ride and striking his ankle. Mr. Patterson said he used an air cast and was utilizing crutches for a brief time following the accident. He said he also took some Motrin for the pain. Mr. Patterson said he couldn't remember exactly what medical staff said was wrong with his ankle.

Mr. Patterson said he did see the girl get ejected and hit the ground. He also stated he saw one of the ride operators/ride workers press the emergency shut off switch following the accident. Mr. Patterson said eventually one of the ride operators/ride workers was able to free them from their seats after the amusement ride had come to a stop.

Mr. Patterson said there was at least three ride operators/ride workers with the Fire Ball amusement ride at the time of the accident. Mr. Patterson said one of the individuals was actually operating the ride, another individual was making sure people got on and off of the amusement ride okay and the third individual was actually riding the amusement ride when the accident happened.

Mr. Patterson said once the Fire Ball amusement ride stopped after the accident he saw at least one of the ride operators/ride workers tending to some of the injured individuals.

Mr. Patterson said he didn't initially realize he had injured his ankle and when the ride came to a stop and he was let out of the seat he jumped the gate, at which point he hurt his ankle worse.

Mr. Patterson said he didn't remember seeing any of the ride operators/ride workers running away from the scene and doesn't recall them trying to hide anyone following the accident.

Mr. Patterson said the ride operators/ride workers looked younger and were either Hispanic or African American. Mr. Patterson said he does not remember any Caucasian males helping run the amusement ride prior to the accident.

Mr. Patterson said his statement pretty much corroborates with Mr. Griffin's statement.



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Mr. Patterson said he didn't notice any strange noise, pieces of the ride being out of place or odd looking equipment on the Fire Ball. Mr. Patterson said the only thing that seemed unusual was when the accident happened all of the lights on the amusement ride went off.

Mr. Patterson said he doesn't remember anyone telling the rider operators/ride workers to stop the amusement ride due to safety concerns prior to the accident.

Mr. Patterson said he had ridden the ride close to the same amount Mr. Griffin had ridden the ride on the day of the accident.

Both Mr. Griffin and Mr. Patterson felt like the Fire Ball was traveling at its normal speed when the accident happened, and did not have any concern with their safety harnesses.

1530 hours

I was contacted via telephone by Clarissa Williams, who is the mother of Keziah Lewis. Ms. Williams was inquiring about obtaining Ms. Lewis' property that was found in Mr. Jarrell's Under Armour backpack. I asked Ms. Williams where I could meet with her and she indicated she was still at the OSU Medical Center with her daughter. I told her I would personally bring the property over to her.

At approximately 1641 hours I met with Ms. Williams in the Intensive Care Unit (ICU) at the OSU Medical Center. The following property was released to Ms. Williams: Ohio operator's license belonging to Keziah Lewis, Visa debit card and a black and silver iPhone. An HP-60 was completed and signed and the property was released to Ms. Williams.

8/1/17 0900 hours

The following individuals from SEA Limited were on fairgrounds property to perform a scan of the Fire Ball amusement ride: Jason Mattice and Savannah Horsley

The following individuals from Reminger, Attorneys At Law were on scene with SEA Limited: Jackie Jewell and Mike Britt

SEA Limited's scan was non-destructive in nature. OSHP/OIS personnel was on scene during the duration of the scan.

1340 hours

I spoke with personnel from both the OSU Medical Center and the Grant Medical Center. OSU personnel advised Russell Franks is listed in critical but stable condition, Keziah Lewis is listed in stable condition and Tamica Dunlap is listed in stable condition. They also indicated all three individuals are still medically unable to provide a statement.

Grant Medical Center personnel advised Jennifer Lambert is listed in critical but stable condition and is still medically unable to provide a statement.

8/2/17 0930 hours

Myself, Lt. Miller and Tpr. Lyons met with Ron O'Brien, James Lowe and Daniel Cable at the Franklin County Prosecutor's Office to brief them in reference to our investigation, and to allow them to view any evidence we had obtained up to this point in the investigation. At the conclusion of the meeting the three prosecuting attorneys requested we attempt to obtain statements from the Department of Agriculture inspectors and re-interview the Fire Ball amusement ride operators/ride



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workers to see if any of them may have seen what appears to be a crack in the gondola that became detached during the accident. That crack was found in photo #2310 of the photos taken by the bystander (Brian Bury).

The three prosecutors also said they didn't believe it was necessary at this time to wait and obtain statements from any victims involved that were still hospitalized due to the fact they weren't sure if they could provide any additional evidence not already obtained, or be able to remember the events from the incident date.

1051 hours

I was able to obtain an audio recorded statement from Jacob Andrews (victim) while at the OSHP Academy. Present during the interview was Tom Martello (attorney) and Mr. Andrew's mother (Sherry Andrews). The interview was audio recorded and the recording was burned onto a compact disc. The compact disc was placed into the evidence locker. The following is a summary of Mr. Andrew's audio recorded statement:

Mr. Andrews said he and his girlfriend (Jennifer Lambert – victim) had ridden the Fire Ball amusement ride one time prior, and they were getting on the amusement ride for a second time just prior to the accident. Mr. Andrews said he and Ms. Lambert rode the amusement ride for the first time approximately three to four hours prior to the accident. Mr. Andrews said everything went fine the first time they rode the Fire Ball, and he didn't notice anything unusual with the amusement ride.

Mr. Andrews said the second time they rode the Fire Ball, everyone on the amusement ride, including Ms. Lambert, was complaining that their safety harnesses were loose. Mr. Andrews said his safety harness actually felt okay and felt tight around him. Mr. Andrews said he is pretty sure someone mentioned something to the ride operators/ride workers about their safety harnesses feeling loose, but isn't 100% sure.

Mr. Andrews said he told who he thought was the ride operator that Ms. Lambert's safety harness was loose prior to the amusement ride starting. Mr. Andrews said the ride operator told them that is how it is supposed to be. Mr. Andrews described the ride operator as a black male with an afro and was unsure if he had any facial hair.

Mr. Andrews said once the amusement ride started he closed his eyes most of the time. Mr. Andrews said all that he remembers is hearing the loud crash of the car snapping off of the ride and people screaming for the ride to stop. Mr. Andrews said he started screaming because his leg was hurt as a result of the accident and was in a lot of pain.

Mr. Andrews said when the amusement ride started to slow down he opened his eyes and looked over at Ms. Lambert and she was unresponsive. He said after that he just remembers the people on the ride were screaming to let them off of the ride. He said that is pretty much all he remembers in regards to the incident.

Mr. Andrews said he couldn't remember for sure what color gondola he was in, but thought it was the other orange gondola. Mr. Andrews said he thought they were in the gondola that sat across from the orange gondola that became detached.

Mr. Andrews said he and Ms. Lambert were sitting in the middle two seats of the gondola they were in. He said if you're looking at the front of the gondola he would be sitting to the left and Ms. Lambert was in the seat beside of him to the right. Mr. Andrews said he could not recall who was sitting to his right or to Ms. Lambert's left.

Mr. Andrews said he thought he remembers hearing people on the amusement ride yelling to the ride operators/ride workers that the amusement ride was shaking and loose and they wanted to get off. Mr. Andrews couldn't say for sure who was yelling that, and did indicate it wasn't anyone that was riding in the gondola he and Ms. Lambert were in. Mr. Andrews thought it was someone in the gondolas on either side of the one they were riding in.



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Mr. Andrews said he didn't notice anything unusual or suspicious when they were walking up to the amusement ride the second time to get on it, but did admit he wasn't really paying attention to stuff like that. Mr. Andrews said that in his opinion he thought the amusement ride was safe because the time before they rode it they had no problems.

Mr. Andrews said he broke a bone in his left leg during the accident, but wasn't sure what hit his leg causing it to break. He also said he isn't sure what hit Ms. Lambert and caused her injuries.

Mr. Andrews said one of the ride operators/ride workers did get on the Fire Ball and rode it when the accident happened. Mr. Andrews said he thought the ride operator/ride worker was on the gondola that was to his left. Mr. Andrews thought the ride operator/ride worker was on the last seat on that particular gondola.

Mr. Andrews said he wasn't paying attention to how low the amusement ride was when it was in motion. He said his eyes were closed most of the time. Mr. Andrews said he didn't remember hearing any loud noises or feel any vibrations while the amusement ride was in motion.

8/4/17 1040 hours

I spoke with Mr. Kasson via telephone following the meeting with the Franklin County Prosecutor's Office and he agreed to coordinate additional interviews with Cesar Martinez, Luis Benitez, Juan Osorio and Davis Colon. Mr. Kasson indicated his office was having a hard time making contact with Duwan Dobby.

Mr. Martinez arrived at the OIS trailer with Mr. Kasson on the above date and time. Also present during the interview was Tpr. Lyons. Mr. Martinez was advised the statement he was being asked to provide was completely voluntary and he was free to leave at any point. Mr. Martinez said he understood and agreed to provide a statement. The statement was audio recorded. The following is a summary of Mr. Martinez's audio recorded statement:

Mr. Martinez confirmed an initial inspection with the Department of Agriculture is performed prior to the Fire Ball amusement ride opening for the fair. Mr. Martinez said he was with the inspectors when they inspected the Fire Ball amusement ride.

Mr. Martinez said the inspectors did inspect the amusement and even inspected underneath of the amusement ride. He indicated the inspectors checked the hydraulic system and verified the water level which maintains the balance of the amusement ride. Mr. Martinez said the water is stored in a tank underneath of the platform. Mr. Martinez said a lot of the inspection process is also making sure everything is in place and there are no oil leaks and that everything is lubricated.

Mr. Martinez said the AOA workers also perform a daily inspection of the Fire Ball amusement ride before it can be operated. Mr. Martinez said the daily inspection consists of them walking around and making sure there is nothing out of place and making sure all of the bolts have been torqued. Mr. Martinez said the daily inspections are done by him and Mr. Milan together.

Mr. Martinez said if he sees an issue with the amusement ride then he will notify Mr. Milan. Mr. Martinez said depending on what the issue is would depend on who Mr. Milan would report it to. Mr. Martinez said he did a visual inspection on the incident date along with the other inspectors that were present. Mr. Martinez said there were six total inspectors, not counting AOA employees.

Mr. Martinez said it varies on how long it takes to complete an inspection of the amusement ride. He said it can take anywhere from 45 minutes to an hour. Mr. Martinez said the only thing he could recall the inspectors had an issue with was something underneath of the platform needed to be welded. Mr. Martinez said the area that needed to be welded



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was on the trailer and didn't have anything to do with the performance of the actual Fire Ball amusement ride. Mr. Martinez could not recall who actually welded the area underneath of the trailer.

Mr. Martinez said when he did his visual inspection of the Fire Ball amusement ride prior to it being opened for the fair, he did not notice any unusual rust or cracks on the amusement ride. Mr. Martinez said they had three days to prepare the Fire Ball amusement ride for the fair. He said they started from the bottom up and even washed it down, and said if you went on that ride you wouldn't even get dirty because they had cleaned it so well.

Mr. Martinez denied having to use paint to touch up anything on the Fire Ball amusement ride prior to it opening for the fair. Mr. Martinez again said he did not see any rust related issues or cracks during his visual inspection. Mr. Martinez said if he did see any rust related issues or cracks on the amusement ride then he would report it to Mr. Milan.

Mr. Martinez was then shown a photograph taken by a bystander (labeled #2310 from bystander photos) that appears to show a crack on the arm that connected the orange gondola that became detached. Mr. Martinez denied seeing what appears to be a crack in the bystander photograph labeled #2310 during his visual inspection on July 26, 2017, and prior to the accident. Mr. Martinez said if he did see that crack he would have reported it to Mr. Milan. Mr. Martinez also denied using any kind of paint to cover what appears to be a crack in the bystander photograph labeled #2310.

Mr. Martinez did explain that it's hard to tell just from a photograph of what exactly that photograph shows, as opposed to actually being there and present to see for yourself what is contained in the photograph. Mr. Martinez did state that if he did in fact see rust bubbling up on the Fire Ball amusement ride then he would've reported it.

Mr. Benitez arrived at the OIS trailer with Mr. Kasson at approximately 1054 hours on the above date. Also present during the interview was Tpr. Lyons. Mr. Benitez was advised the statement he was being asked to provide was completely voluntary and he was free to leave at any point. Mr. Benitez said he understood and agreed to provide a statement. The statement was audio recorded. The following is a summary of Mr. Benitez's audio recorded statement:

Mr. Benitez said he was responsible for helping to set up the Fire Ball amusement ride and helped make sure all of the bolts were clean and tightened. Mr. Benitez said he helped to start putting up the amusement ride about a week prior to the state fair starting. Ms. Benitez said that Mr. Martinez and Mr. Milan were the other two individuals that helped to assemble the amusement ride.

Mr. Benitez said he was there when the inspectors showed up to inspect the Fire Ball amusement ride. He said the inspectors would come every day. Mr. Benitez said the first thing they did was bring the two trailers in, then they assembled the "down part" and then power washed the amusement ride on the first day. Mr. Benitez said on the second day they power washed some more of the amusement ride. Mr. Benitez said they didn't work on the third day because it rained, and on the fourth day they finished assembling the amusement ride completely. Mr. Benitez said the inspectors didn't actually inspect the ride until it was completely assembled.

Mr. Benitez wasn't completely familiar with the inspection process used by any outside inspectors. He did state he noticed the inspectors normally check all of the bolts, they look around the seats, check the "down part" and look to see if there are too many straps on the amusement ride.

Mr. Benitez said he does assist with the daily inspection of the Fire Ball amusement ride. Mr. Benitez indicated the only thing they do on their daily inspection is to make sure all of the bolts are tightened, make sure they don't leave any tools lying around on the platform and then they operate the amusement ride at 100% to make sure they don't hear any strange or unusual noises. Mr. Benitez indicated they did perform a daily inspection on the day of the incident and did not notice anything out of the ordinary.

Mr. Benitez said he does not go around and look for any cracks or rust during this daily inspection, but did indicate Mr. Milan does. Mr. Benitez said he just makes sure the bolts are tightened and allows the amusement ride to operate to



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ensure there are no unusual noises or sounds. Mr. Benitez said Mr. Milan and Mr. Martinez were with him when they were having the Fire Ball amusement ride inspected.

Mr. Benitez said if he did see any cracks or rust he would report it. Mr. Benitez said the only thing he noticed out of the ordinary was that there was what appeared to be rubber chipping off of some of the safety harnesses. He said he wasn't sure if it was rubber, but it felt like rubber. He said there wasn't anything actually wrong with the safety harness besides that.

Mr. Benitez said for as long as he has worked on the Fire Ball amusement ride he has not noticed any cracks, rust or excessive wear on the amusement ride. Mr. Benitez said he has been working on that particular amusement ride for approximately one month.

Mr. Benitez was then shown a photograph taken by a bystander (labeled #2310 from bystander photos) that appears to show a crack on the arm that connected the orange gondola that became detached. Mr. Benitez denied ever seeing what appears to be a crack in the bystander photograph labeled #2310 prior to the accident. Mr. Benitez also said Mr. Martinez and Mr. Milan never mentioned any cracks, excessive wear or rust to him.

Mr. Benitez denied that at any time any of the AOA workers saw what appeared to be a crack and then tried to touch it up with paint. Mr. Benitez did advise if he were to see a crack or any kind of scratch he would report it to Mr. Milan.

Mr. Osorio arrived at the OIS trailer with Mr. Kasson at approximately 1112 hours on the above date. Also present during the interview was Tpr. Lyons. Mr. Osorio was advised the statement he was being asked to provide was completely voluntary and he was free to leave at any point. Mr. Osorio said he understood and agreed to provide a statement. The statement was audio recorded. It is to be noted Cadet Jose Molina Mendez was utilized to interpret for Mr. Osorio. The following is a summary of Mr. Osorio's audio recorded statement:

Ms. Osorio said his primary duty with the Fire Ball amusement ride was to open and close the doors and make sure all of the riders were secure in their seats. Mr. Osorio advised this was the first time he has ever worked on the Fire Ball amusement ride.

Mr. Osorio said he did not participate in any aspect of the inspection process of the Fire Ball amusement ride. He also indicated he was not there when anyone performed any of the inspections on the amusement ride.

Mr. Osorio denied during his time working on the Fire Ball amusement ride that he ever saw any excessive rust, cracks or chipped paint. Mr. Osorio said he did not see anything out of the ordinary during his time while working on the amusement ride.

Mr. Osorio said none of the other operators expressed any concern to him or mentioned to him any rust marks or cracks that may have been on the Fire Ball amusement ride.

Mr. Osorio was then shown a photograph taken by a bystander (labeled #2310 from bystander photos) that appears to show a crack on the arm that connected the orange gondola that became detached. Mr. Osorio denied ever seeing what appears to be a crack in the bystander photograph labeled #2310 prior to the accident.

Mr. Osorio said this was the first time working on this particular amusement ride and he came in a bit ignorant about the actual ride itself.

Mr. Colon arrived at the OIS trailer with Mr. Kasson at approximately 1130 hours on the above date. Also present during the interview was Tpr. Lyons and Cadet Jose Molina Mendez. Mr. Colon was advised the statement he was being asked



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to provide was completely voluntary and he was free to leave at any point. Mr. Colon said he understood and agreed to provide a statement. The statement was audio recorded. The following is a summary of Mr. Colon's audio recorded statement:

Mr. Colon said he has been working for AOA for almost 31 years. Mr. Colon said part of the process they go through when putting the Fire Ball amusement ride together is tightening all of the bolts, greasing the amusement ride, checking the electrical system (to include the back – up system) and making sure the amusement ride is level. Mr. Colon said they do that every day approximately one hour before the amusement ride is opened.

Mr. Colon said he does visually inspect the Fire Ball amusement ride daily before it is opened according to the manufacturer's specification, however, he indicated checking the back of the gondola in the area where it became detached was not part of his visual inspection. Mr. Colon said the outside inspectors would be looking more for something like that.

Mr. Colon said he was present when the outside inspectors (Department of Agriculture and Comspeq) were there to inspect the Fire Ball amusement ride, but he couldn't remember how many outside inspectors were there. He said he thought there were four to five outside inspectors present for the inspection.

Mr. Colon said the outside inspectors look for cracks on the amusement ride, safety issues (such as one of the safety harnesses not securing), they check to make sure the emergency shut off switch is functional, and anything else that would make the Fire Ball amusement ride unsafe to operate. Mr. Colon said the outside inspectors did not report any issues to him prior to them opening the amusement ride to the public and said according to the outside inspectors everything was fine and the amusement ride passed their inspection.

Mr. Colon said he did perform one of his daily inspections on July 26, 2017, and it was with the outside inspectors.

Mr. Colon said he did not notice any cracks, rust or excessive wear prior to the Fire Ball amusement being opened on July 26, 2017. Mr. Colon said if he had noticed any of those things then the amusement ride would've been shut down. Mr. Colon said he would report the issue to his supervisor and then get the manufacturer's recommendation on how to fix the issue. Mr. Colon said the amusement ride wouldn't have been opened back up until the issue was fixed.

Mr. Colon was then shown a photograph taken by a bystander (labeled #2310 from bystander photos) that appears to show a crack on the arm that connected the orange gondola that became detached. Mr. Colon denied ever seeing what appears to be a crack in the bystander photograph labeled #2310 prior to the accident.

Mr. Colon said no one reported any crack, rust or excessive wear to him at any time prior to the Fire Ball amusement ride being opened. Mr. Colon advised if he were to have seen what bystander photograph labeled #2310 portrayed (possible crack on the gondola arm) then he would've reported it to his supervisor.

Mr. Colon said he has been working on the Fire Ball amusement ride for approximately 13 years. Mr. Colon said he does not recall any issues they have ever had with that particular ride.

During the course of the above interviews Mr. Kasson brought up that there was a third party inspector that inspected the Fire Ball amusement ride alongside of the Department of Agriculture. This was new information that investigators were not provided up until this point. The third party inspector was identified as being a company called Comspeq. It is unknown at this point in time the names of the actual inspectors that inspected the Fire Ball amusement ride that were from Comspeq.



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Contact was also made with the OSHP's Legal Department in reference to setting up a date and time to meet with the Department of Agriculture inspectors. It was eventually decided that we would meet with them to obtain statements at the Academy at 1030 hours on August 6, 2017.

1045 hours

The following individual from Tripos, at the request of the Ohio Attorney General's Office, was on fairgrounds property to perform a non-destructive and visual test of the Fire Ball amusement ride and also went out to Alum Creek: Marc Zupan

The following individuals from the Ohio Attorney General's Office were on scene to observe Tripos' inspection: Jeanna Jacobs, Stacy Hannan, Hilary Damaser, Pete DeMario and William Becker

The following individuals from Dinsmore & Shohl, Attorneys At Law were on scene to observe Tripos' inspection: Alicia Stefanski and Barbara Jordan

The following individual from Reminger, Attorneys At Law was on scene to observed Tripos' inspection: Mike Britt

Tripos' inspection was non-destructive and visual. OSHP/OIS personnel was on scene during the duration of the inspection.

Lt. Miller advised he had spoken with Hilary Damaser (Ohio Attorney General's Office) following the inspection and she had indicated Mr. Zupan told her he had found what appeared to be a paint can containing orange paint, with a brush on top of the can underneath of the Fire Ball amusement ride.

Investigators went over to the Fire Ball amusement ride later in the day and found the paint can underneath of the Fire Ball amusement ride. The paint on the can was red in color, which matched the trailer which the Fire Ball amusement ride was mounted on. Also, the paint can was opened and found to contain red paint. No other paint cans were located anywhere near the amusement ride.

Tpr. Chaney went underneath of the platform and took photographs of the paint can and paint brush. He also discovered an area underneath of the platform that appeared to have been freshly welded and then painted with red paint. Tpr. Chaney also advised there were red paint speckles on the ground underneath of the weld area. Photographs of the area, the paint can and the paint inside of the paint can were taken.

8/5/17 2015 hours

Several inspection documents were received from AOA and the Department Agriculture. The inspection reports were placed into the evidence locker.

I was also provided any safety bulletin(s) from Ms. Yoha that she had obtained up to this point in the investigation. Upon review of the safety bulletins it was discovered the problem of excessive corrosion in the gondola arm of the Fire Ball amusement ride had not been an issue addressed in the past. Since the accident, KMG and Tivoli have put out a safety bulletin addressing that issue and all Fire Ball amusement rides and similar rides to the Fire Ball amusement ride were ordered to be shut down and placed out of service.

The safety bulletin I did obtain from Ms. Yoha contained the following information: KMG put out a safety bulletin on August 8, 2007, regarding NDT testing of swing arm weld area. No other safety bulletins have been received.



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Ms. Yoha also provided me with additional inspection reports she received from AOA. The inspection reports are from previous venues AOA attended and inspections completed at those venues. The Fire Ball amusement ride was in operations at some of the venues.

There are a total of three reports. The first report is from Mt. Pleasant, SC, and is dated April 6, 2017. The inspection report indicates the Fire Ball amusement ride was inspected and passed its inspection. The two issues listed on the inspection report were the electrical box was unsecured and a repair of the operator present switch and label controls was needed. The inspection report indicated both of the issues were fixed and the amusement ride was deemed operable for the event.

The second report is from Norfolk, VA, and is dated May 5, 2017. The inspection reports provided appear to show that the Fire Ball amusement ride was not in operation at the time of this event.

The third report is from Chesapeake, VA, and is dated May 18, 2017. The inspection report indicates the Fire Ball amusement ride was inspected and passed its inspection. The one issue listed on the inspection report states "R-keys missing." A google search was performed for the term "R-key" and it was discovered that it is a cotter pin. That issue appeared to have been fixed and the amusement ride was deemed operable for the event.

Copies of all of the inspection reports were placed into the evidence locker.

8/6/17 1100 hours

All four of the Department of Agriculture inspectors arrived at the Academy to provide statements. The four inspectors were identified as Jon Kauffman, Ron Dean, Eric Head and Chad Sterner. Upon their arrival they decided they did not want to provide statements at this time until they had an opportunity to talk with criminal counsel.

Upon speaking with some of the inspectors they were able to identify the Comspeq inspectors as John Dodson (Pickerington, OH) and Tom Jones (Chagrin Falls, OH).

I did speak with Michael Vartorella (Chief Inspector – Department of Agriculture). Mr. Vartorella agreed to provide a voluntary statement. Present during the interview was Tpr. Lyons, Dustin Calhoun (Chief Legal Counsel – Department of Agriculture) and William Becker (Counsel – Ohio Attorney General's Office). The interview was audio recorded and a copy of the recording was burned onto a compact disc. The compact disc was placed into the evidence locker. The following is a summary of Mr. Vartorella's audio recorded statement:

Mr. Vartorella said he is the Assistant Division Chief – Chief Inspector for Amusement Ride Safety with the Department of Agriculture. Mr. Vartorella said prior to the start of the fair his department will receive documentation from AOA of what amusement rides they plan on bringing to the fair that year. He said AOA will put a few of their amusement rides at the Fayette County Fair just prior to the State Fair, but did not take the Fire Ball to that particular county fair. Mr. Vartorella said once his department is notified of the amusement rides that will be at the Ohio State Fair then it is their job to set up a date and time to have one of their inspectors inspect those amusement rides before being operated at the fair.

Mr. Vartorella said he was not actually a part of the inspection process for the Fire Ball amusement ride. Mr. Vartorella said he did step up onto the platform of the Fire Ball amusement ride prior to the accident and during the inspection process. He indicated he was only up on the platform for approximately 10 – 15 minutes. Mr. Vartorella said none of his inspectors expressed any safety concerns to him in regards to the Fire Ball amusement ride. Mr. Vartorella said the inspectors from his department inspected the Fire Ball and did pass it and clear it to operate for the 2017 Ohio State Fair.



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Mr. Vartorella said the inspection process they go through is done in two stages. He indicated the Fire Ball is actually brought in on two trucks. Mr. Vartorella said they will start to look at it from the bottom up as it is being set up. He said they will take a look at the structure of the amusement ride and the blocking of the amusement ride to make sure it is level. Mr. Vartorella said once the amusement ride is set up they will do their normal inspection per the manufacturer's specifications. Mr. Vartorella said once the amusement ride is in operating mode they will do a safety check and make sure all of the safety equipment is functioning properly. Mr. Vartorella said they will do both a visual inspection and an operational inspection.

Mr. Vartorella said they will run the amusement ride in a couple of different modes. He indicated they check to make sure all of the different steps work, such as checking to make sure emergency shut off switch is functioning correctly. Mr. Vartorella said they will check all of the safety harnesses one by one and even have someone standing in the operator's booth with their foot on the pedal to make sure that functions correctly and to make sure the ride doesn't operator if one of the safety harnesses isn't secured properly. Mr. Vartorella said it is a vigorous and long process.

Mr. Vartorella said the only way to change the amusement ride to make it go faster would be to put a computer to the PLC (Programmable Logic Control) to actually change the program. Mr. Vartorella said the computer system that runs the Fire Ball amusement ride is actually set to time the ride out when it is supposed to stop. Mr. Vartorella said there are three ways to stop the amusement ride. It can be stopped by the timer running it out, it can be stopped by pressing the emergency shut off switch or it can be stopped if the operator takes his foot off of the pedal.

Mr. Vartorella said when he was up on the platform of the Fire Ball amusement ride he did not notice any cracks, rust or excessive wear anywhere on the amusement ride. Mr. Vartorella was then shown a picture obtained from a bystander (photo #2310 from bystander photos) which appeared to show a crack in the arm of the gondola that had detached from the amusement ride. Mr. Vartorella said he did not remember seeing that crack at any time prior to the accident.

Mr. Vartorella said if one of his inspectors did see any rust marks or excessive wear then they would scrape it to see if there was any indications. Mr. Vartorella said if there is an indication then they would notify the owner of the amusement ride who in turn should then be contacting the manufacturer of the amusement ride for further guidance on how to repair the issue. Mr. Vartorella said there has been occasion when one of his inspectors will also contact the manufacturer for an issue with an amusement ride.

Mr. Vartorella said their inspection report includes recommendations from the manufactures, along with issues that may have been addressed in past safety bulletins. That is on top of what they also require for an amusement ride to pass an inspection.

Mr. Vartorella said they usually have 99% of the safety bulletins issued for the amusement rides.

Mr. Vartorella said he couldn't answer just from the photograph he was shown if that issue would have caused the Fire Ball to fail their inspection.

Mr. Vartorella confirmed Comspeq was the third party inspection team that inspected the Fire Ball amusement ride alongside of his inspectors.

8/9/17 1600 hours

I contacted Comspeq's main telephone number in Florida and spoke with Connie. I told Connie I was trying to make contact with John Dodson and Tom Jones to clarify some issues involving the Fire Ball amusement ride. She said both individuals were currently very busy and traveling from state to state and even out of the country for work related events. Connie said she would send them both an e-mail with my name and contact information and request they contact me as soon as possible.



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1606 hours

I received an e-mail from Major Smith advising that any attorneys for any potential plaintiffs involved in the civil side of this case will not be given access to the Fire Ball amusement ride while the criminal case is still open.

1615 hours

I was contacted by Dustin Calhoun (Chief Legal Counsel for the Department of Agriculture) who advised Eric Head was in training at the time of the Fire Ball amusement ride inspection and does not wish to provide a statement at this time.

8/10/17 0830 hours

I was contacted by John Dodson (Comspeq) via telephone. I did not have time to retrieve my audio recorder so our conversation was not recorded. A face to face interview with Mr. Dodson was not practical due to his current work and travel schedule. Mr. Dodson agreed to speak with me and the following is a summary of our conversation.

Mr. Dodson advised he is one of the owners of Comspeq. He said he retired after working 20 plus years with the Department of Agriculture in Ohio. Mr. Dodson confirmed he was hired by AOA as part of their contract with the Ohio Expo Center to inspect the amusement rides at the Ohio State Fair.

Mr. Dodson said he did inspect the Fire Ball amusement ride on July 26, 2017, alongside of his associate Tom Jones and the Department of Agriculture. He said his company's inspection is 100% visual and they are checking on the safety and operational parts of the amusement ride. Mr. Dodson indicated they are checking for loose bolts, bolts to be in their proper place, loose safety harnesses, cracks and things along those lines. Mr. Dodson indicated they do check to ensure the ride does not operate without the safety harnesses being fastened and secured during their inspection.

Mr. Dodson said he did not notice any cracks, excessive wear or rust on the Fire Ball amusement ride during his inspection. He advised if he did notice any of those issues then he would report it to AOA's Safety Director who would then seek a recommendation from the manufacturer on how to fix the issue. Mr. Dodson did state the only thing he noted in his report was there was some loose seat back padding that needed attention.

Mr. Dodson said his inspection report is normally released to AOA within ten days of the inspection, however, due to the unusual circumstances his agencies insurance company wants to review the report before it is released. Mr. Dodson indicated once the report has been reviewed by his agencies insurance company he would be able to provide me with a copy of it.

0910 hours

I was contacted by Tom Jones (Comspeq) via telephone. I did not have time to retrieve my audio recorder so our conversation was not recorded. A face to face interview with Mr. Jones was not practical due to his current work and travel schedule. Mr. Jones agreed to speak with me and the following is a summary of our conversation.

Mr. Jones said he is an Associate (Sub-contractor) with Comspeq and has been working with them since 2007. Mr. Jones said prior to Comspeq, he worked for Cedar Fair (Cedar Point) and Fun Time (Wyandot and Geauga Lake).

Mr. Jones confirmed their inspection is 100% visual. He provided that they perform an operational and visual check of the amusement rides. Mr. Jones did indicate he inspected the Fire Ball amusement ride alongside of Mr. Dodson and the Department of Agriculture on July 26, 2017.



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Mr. Jones said part of their inspection process is checking to make sure the amusement ride does not operate without the safety harnesses being fastened and secured. He said they also check for loose bolts, bolts out of place, electrical issues (loose or bare wires) and cracks on the amusement ride. Mr. Jones said he did not notice any cracks or excessive wear or rust on the Fire Ball amusement ride during his inspection. He indicated that if he did notice any cracks or excessive wear or rust, then he would notify the owner/operator of the amusement ride who would then seek the manufacturer's recommendation on how to fix the issue.

Mr. Jones said he did not complete the inspection report for this particular amusement ride. He also indicated he did not have any notes marked down stating there were any problems and/or issues with the Fire Ball amusement ride during his inspection.

1400 hours

Investigators from District Six and General Headquarters Office of Criminal Investigations were able to complete all requested interviews and documented all action taken for this case on an HP-24. The following is the information documented and provided by Tpr. K. Fuller:

On July 28, 2017, at 11:15 A.M. contact was made with Mr. Altburger via telephone reference the incident that occurred at the Ohio State Fair. Mr. Altburger reported his three (3) daughters participated on the ride just before it malfunctioned. Mr. Altburger advised his daughters all sat together while they were on the ride. He did not participate on the ride. Mr. Altburger advised he watched his daughters get on the ride, but did not watch them become secured in their seats as he made a telephone call. Mr. Altburger recalls approximately three (3) operators working the Fire Ball at the time his daughters participated. Mr. Altburger stated he did not watch his daughters participate in the ride as he was on the telephone. Mr. Altburger denied seeing the operators move people from one cart to another. Mr. Altburger admitted he would have allowed his daughters to ride the Fire Ball again.

After the ride his daughters approached him and requested to ride another ride which was directly next to the Fire Ball. Mr. Altburger stated his daughters expressed interest in riding the Fire Ball again before leaving the fair for the evening. Mr. Altburger stated his daughters did not express anything abnormal to him about the Fire Ball.

Mr. Altburger stated he sat on a park bench facing the Fire Ball and was speaking to his wife when he heard a loud crash. At that time he looked towards the Fire Ball and observed the cart separate from the arm and an individual become ejected. Mr. Altburger explained he rushed to the cart to ensure the victims were not his daughters as he was worried they may have changed their mind and decided to ride the Fire Ball.

Mr. Altburger described the cart on the ground and he observed a female on the ground next to the cart. Mr. Altburger added there was one female and one male still harnessed inside the cart. Mr. Altburger stated he began waving his arms trying to locate State Troopers to render assistance. Mr. Altburger stated he did not speak to any of the victims and does not have any photographs or video surveillance to aid in the investigation.

Mr. Altburger stated he would allow Brianna (Mr. Altburger's daughter) to provide an interview with the Ohio State Highway Patrol in regards to participation on the ride. That interview will occur on Monday July 31, 2017 at 10:00 A.M. via telephone.

On July 28, 2017, at 12:49 P.M. contact was made with Ms. Darcie Dunlap of Zanesville, Ohio. Ms. Dunlap stated she walked past the Fire Ball to the Alien Abduction. While walking past the Fire Ball, Ms. Dunlap stated she observed approximately two (2) operators on the deck of the Fire Ball. Ms. Dunlap explained they were checking the safety harnesses of the patrons who were on the ride. Ms. Dunlap denied seeing anything odd about how they were checking the harnesses, but stated they appeared to be in a hurry.

Ms. Dunlap stated she was on the Alien Abduction when she heard a loud noise and parts of the Fire Ball struck the ride. Ms. Dunlap stated she felt the Alien Abduction shake as the parts struck. Ms. Dunlap explained she did not observe the cart separate and did not actually observe the incident occur.



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Once Ms. Dunlap exited the Alien Abduction she observed a female on the Fire Ball pass out and her friend carried her to where other victims were located. Ms. Dunlap explained she observed the cart on the ground where a female and male were still harnessed inside. There was an additional female outside the cart and male victim furthest from the cart.

Ms. Dunlap denied speaking to any of the victims and does not have any photographs or video surveillance to aid in the investigation. Ms. Dunlap stated the Fire Ball was going to be their next ride after the Alien Abduction.

On July 31, 2017, at 10:00 A.M. contact was made with Mr. Altburger's daughter, Brianna. Brianna is fourteen (14) years old and her father was present for the interview. Ms. Altburger explained the Fire Ball was a fun ride and she rode it several times with her sisters. Ms. Altburger stated she rode it three times that day. Ms. Altburger explained the last time she rode it they allowed everyone on the ride to go once more without exiting the ride. Ms. Altburger stated there was a worker who rode the ride with them. Ms. Altburger explained she knew they allowed them to ride it twice because when the ride starts the floor drops and when the ride is over the floor rises back up. Ms. Altburger explained when the floor came up it immediately dropped again and they went one more time.

Ms. Altburger stated they were not guided where to sit when they started the ride. Ms. Altburger said they were told to put their arms up, the harness would come down and then the operators would walk around and push down on the harnesses to ensure they were locked. Afterwards, they would push a button and the safety harnesses would release. Ms. Altburger stated there were definitely three (3) operators and possibly four (4).

Ms. Altburger stated she did observe the operators switch heavier people with lighter people. Ms. Altburger observed a bigger lady whose safety harness would not latch. The safety harness continued to "pop up" so the operators switched her seats with someone smaller. Ms. Altburger explained once she switched seats that harness would continually pop up until operators finally latched it. Once the harness was latched the operators started the ride.

Ms. Altburger advised she did not observe any problems with the ride during her participation.

On July 31, 2017, at 1:30 P.M. contact was made with Mr. John G. Shaw at the Department of Veteran Affairs located at 420 North James Road, Columbus, Ohio 43219. A written statement was obtained from Mr. Shaw reference the incident that occurred at the Ohio State Fair. Below is a summary of his statement.

Mr. Shaw stated he was facing the "Fire Ball" while his daughter and her friend were on the "Alien Abduction". While facing the "Fire Ball", Mr. Shaw heard a "metallic crack" as the pendulum was swinging from his right to his left. Immediately after the crack, Mr. Shaw described the orange cart separated from the arm of the ride and he observed two individuals ejected from the cart. Mr. Shaw explained one victim in dark clothing reached a height of approximately 25-30 feet in the air before falling back to the ground. Mr. Shaw stated the other victim, wearing a white shirt, reached a height of approximately 50-60 feet before falling back to the ground.

Mr. Shaw stated he checked to ensure his daughter and her friend were okay and called 9-1-1. Mr. Shaw denied speaking to any of the victims or hearing any discussions amongst the operators. Mr. Shaw stated he believes there were at least two operators working the "Fire Ball" and he did not notice anything odd or unusual with the ride prior to hearing the crack. Mr. Shaw said his daughter and her friend did not actually ride the Fire Ball on the incident date. Mr. Shaw also denied having photographs or video footage to aid in the investigation.

On July 31, 2017, at 3:00 P.M. contact was made with Mr. James (Jim) Pfirsch at the Gillie Senior Recreation Center located at 2100 Morse Road, Columbus, Ohio 43229. A written statement was obtained from Mr. Pfirsch and below is a summary of his statement.

Mr. Pfirsch explained he currently works at the Lowes Home Improvement store located at 2345 Silver Drive, Columbus, Ohio 43211. Mr. Pfirsch stated either Monday or Sunday (July 23 or July 24) an individual came to his register to



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purchase items. Mr. Pfirsch stated he observed the individual had a bag of bolts and he questioned the patron in regards to the bolts as they are large bolts and are not purchased on a regular basis by customers. The patron advised he was putting together the "Fire Bomb" or "Fire Ball" ride for the Ohio State Fair. Mr. Pfirsch explained he had never heard of the ride before and the patron replied, "It is a pendulum ride and it's very popular."

While assisting the patron with purchasing the items, Mr. Pfirsch stated he noticed the patron did not have any nuts to go with the bolts and inquired if he would need some. The patron stated he already had enough nuts for the bolts back at the fair. Mr. Pfirsch stated the patron paid with cash saying, "I'll get into the bosses' money."

Mr. Pfirsch advised the bolts were possibly "5/8" and he believes the patron purchased six to eight of them. Mr. Pfirsch described the patron as being 5'10"-5'11" weighing approximately 190-200 pounds with a longer, uncombed, reddish-blond mustache. Mr. Pfirsch believes the patron might have been balding and wore a dirty, worn T-shirt. Mr. Pfirsch stated he thinks he would be able to identify the patron if he saw him again.

Mr. Pfirsch believes the patron came into the store around 08:15 – 09:00 A.M. Mr. Pfirsch could not recall what other items the patron purchased.

It is to be noted the video surveillance was reviewed and a search was performed for all types of bolts purchased during the specified time frame. There was nothing found that matched what Mr. Pfirsch said occurred.

On August 3, 2017, at 11:56 A.M. an audio recorded interview took place with Ms. Courtney Phillips at her place of residence of 5464 Rustling Way, Galloway Ohio. Those present were Ms. Phillips, Tpr. Kaitlin Fuller and Sgt. Cassie Robinson. Below is a summary of the interview.

Ms. Phillips explained she was on the "Fire Ball" when it malfunctioned. Ms. Phillips stated she was with three friends (identified as Rachel Vincent, Hannah Sallee and Abdi Hussein). While waiting in the line, Ms. Phillips observed the operators, three of them, operating the ride. Ms. Phillips explained the operators were laughing at a patron on the ride who was scared and she heard them say to allow the ride to go around once more. Ms. Phillips believed it was because the patron was scared. Once the ride stopped, Ms. Phillips stated she and her friends walked onto the ride and sat down in the cart.

While sitting in the cart, Ms. Phillips described a "big breasted" girl was sitting down and the operators were "forcing" the safety harness down on her in attempts to get it locked. After numerous attempts the safety harness would not lock. At this time Ms. Phillips explained the operator approached her and requested she switch seats with the other woman. Ms. Phillips told the operator she wanted to ride the "Fire Ball" with her friends so they allowed everyone in her group to switch with the other four riders.

Once the ride began Ms. Phillips stated she remembers seeing the cart separate from the arm and two operators flee on foot. Ms. Phillips stated everyone was stuck on the ride for approximately fifteen (15) minutes until an individual operated the ride to allow them to exit.

Upon follow up questioning, Ms. Phillips stated when the ride first started she believed it was "shaky", however, once it "got going" the ride seemed "normal". Ms. Phillips stated all the operators checked to ensure the safety harnesses were locked but were having difficulty locking the woman's safety harness. Ms. Phillips explained that was when they approached her requesting she switch.

Ms. Phillips stated one operator rode the ride with them because there was an empty seat. Ms. Phillips stated the operator on the ride was "shocked just like the rest of us" and he did not appear to think anything was wrong with the ride prior to it starting.



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Ms. Phillips stated the "Fire Ball" was the only ride they rode that day. Ms. Phillips stated the seating position was (from left to right) Abdi, Hannah, Courtney, and Rachel. Ms. Phillips denied any injury sustained from the ride.

End of Tpr. Fuller's summary.

The following is the information documented and provided by Tpr. S. Frost:

July 28, 2017 at 11:23 AM

On July 28, 2017, at 11:23 AM, I interviewed Aidan W. Sweet as a witness to the Fire Ball amusement ride malfunction at the Ohio State Fair on July 26, 2017. Mr. Sweet was attending the Ohio State Fair with a drug prevention group, and a few of them decided to ride Fire Ball once they arrived. Mr. Sweet and his friends rode on the Fire Ball approximately one hour before the incident occurred, and were on their way back to the ride when it malfunctioned.

Mr. Sweet stated the first time they rode on the Fire Ball there was a long delay to get the ride started. Mr. Sweet stated the Fire Ball workers were having an issue getting the safety harnesses secure for two female riders on the row of seats across from him. Mr. Sweet stated he observed the workers unplugging and plugging in cables where the row of seats joined with the above beam. Mr. Sweet stated after approximately 10 – 15 minutes, the workers plugged the original cable back into its original place. Mr. Sweet stated the workers had the two female occupants exit the ride, and the ride proceeded as normal with those two seats empty. Mr. Sweet could not recall hearing any strange noises, or any other incidents with the ride.

Approximately forty minutes to an hour later, Mr. Sweet and a couple of his friends were walking towards the Fire Ball to ride it once more. Mr. Sweet stated as they approached the ride, he heard a "pop" sound, and immediately saw two people ejected from one of the row of seats. Mr. Sweet stated he stood there in disbelief for a few seconds, not believing what his eyes just observed. After a few seconds passed, Mr. Sweet stated he began walking towards the area he observed the two people ejected. Mr. Sweet stated he became overwhelmed once he saw the two people still trapped in the row of seats, and decided to walk away.

July 28, 2017 at 11:23 AM

On July 28, 2017, at 11:23 AM, I interviewed Christiane M. Boulos as a witness to the Fire Ball amusement ride malfunction at the Ohio State Fair on July 26, 2017. This interview was taken over the phone due to Ms. Boulos being on vacation in New Jersey. Ms. Boulos is currently employed as a nurse for Ohio Health.

Ms. Boulos stated on the day the incident occurred, she was approximately one hundred feet north of the Fire Ball amusement ride when she saw two people ejected from the ride. Ms. Boulos recalled hearing a sound of "banging metal" seconds before seeing the two people ejected. Ms. Boulos stated she immediately ran towards the area the two people were ejected to assist with any possible injuries.

Upon arriving at the scene, Ms. Boulos stated she saw a woman lying on the ground approximately twenty feet northeast of the ride. Ms. Boulos stated two people were attempting to render aide to the woman, so she turned her attention to the two people still trapped in the row of seats lying on the ground. As Ms. Boulos approached the row of seats, she advised she observed a man with severe leg and head injuries, and a woman badly injured sitting next to him. Ms. Boulos stated the woman sitting next to him was already being assisted by two other women, so she immediately started assessing the male victim (later identified as Russell).

Ms. Boulos stated Russell had a large amount of blood coming from his head, and severe injuries to his lower extremities. Ms. Boulos held a towel she received from an unknown Trooper to the back of Russell's head, in an attempt to stop the



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bleeding. Ms. Boulos stated "Russell was definitely in shock. He was attempting to sit up, and kept saying he would pay us if we stopped hurting him. He truly had no idea what had happened, or what was going on." Once emergency medical staff arrived on the scene, Ms. Boulos advised she stepped back out of the way. Ms. Boulos stated she gave her contact information to a Trooper, and left the fairgrounds.

July 28, 2017 at 12:40 PM

On July 28, 2017, at 11:23 AM, I interviewed Jennifer L. Dye as a witness to the Fire Ball amusement ride malfunction at the Ohio State Fair on July 26, 2017. Mrs. Dye and her family were at the fair showing swine for their daughter's 4-H group. Mrs. Dye was fifty feet from the Fire Ball when it malfunctioned. Mrs. Dye is currently employed as a nurse in Montpelier, Ohio.

Mrs. Dye stated on the day the incident occurred, her youngest daughter asked her if they could walk over to the Fire Ball to observe the ride. As the Dye family approached the Fire Ball, Mrs. Dye stated she heard a sound of "crunching metal", and suddenly saw two people ejected from the ride. Mrs. Dye stated she immediately ran in the direction she saw the people ejected, while her husband attended to their children. Mrs. Dye stated she ran past the woman lying on the ground, and straight to the two people she could observe trapped in the row of seats on the ground. Mrs. Dye stated she couldn't recall why she ran by the woman lying on the ground, but felt compelled to assist the two people trapped in the seats.

Mrs. Dye stated as she approached the two victims in the row of seats, she thought the male victim had passed "due to blood coming from his mouth, and his eyes were rolled back in his head." Due to Mrs. Dye's initial observation, she attended to the female victim (later identified as Tamica). Mrs. Dye stated as she held a C-spine on Tamika, she observed the male victim (later identified as Russell), was moving his eyes and head. Mrs. Dye stated she asked a Trooper standing by to find someone to apply pressure to Russell's head after she observed blood was pouring out of the back of it. Mrs. Dye stated two other nurses arrived at her side prior to EMS arriving on the scene, and assisted her with Tamica and Russell. Once EMS arrived, Mrs. Dye gave her contact information to a Trooper, and she along with her family left.

Three attempts were made to contact Grace Farmer (witness who contacted OSHP HUB), and a message was left each time. On the fourth attempt, a man answered the phone and advised I had the wrong number, nor did he know a Grace Farmer. The phone number used to contact Grace Farmer was the following, (817) 371-0558. This is a Texas area code, and no other information was available.

August 4, 2017 2:30 PM

On August 4, 2017, at 2:30 PM, I interviewed Dontez Jones as a witness to the Fire Ball amusement ride malfunction at the Ohio State Fair on July 26, 2017. This interview was taken over the phone with Dontez's mother (Kisha Jones DOB: 12/9/86), who was present during the interview, due to Mr. Jones being a juvenile. Ms. Jones advised Dontez had to spend two days in Children's Hospital for injuries sustained from the incident. Mr. Jones was a passenger on the Fire Ball at the time the ride malfunctioned.

Mr. Jones stated as he was preparing to take his seat on the Fire Ball, he overheard a man exiting the ride talking about how bad his seat was shaking. Mr. Jones stated the unknown man approached one of the Fire Ball workers, and addressed his concern with the safety of the ride. Mr. Jones stated other people entering the ride overheard the conversation between the unknown man and the worker, and began asking questions themselves. Mr. Jones stated the Fire Ball workers told the oncoming passengers the ride was safe, and they could either take their seats or be replaced by someone else.



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Mr. Jones stated he had no reason to doubt the Fire Ball workers, so he took his seat. Mr. Jones stated he recalled the row of seats the passengers were addressing their concern about were either orange or red. Mr. Jones went on to say the Fire Ball worker the unknown man was speaking to was a younger Hispanic male.

Mr. Jones stated once the ride started everything seemed to be going fine, and he couldn't recall hearing any unusual noises. Mr. Jones advised he was seated in the row of blue seats, which was to the left of the row of seats that broke free. Mr. Jones stated shortly after the ride started, he saw the row of seats fall from the ride, and two people ejected from the ride. Mr. Jones stated the people on the ride were screaming, and he could see that other people still on the ride were injured.

Mr. Jones stated when the ride finally came to a stop, he remembers seeing a white lady laying on the ground, and the two injured people trapped in the seats on the ground. Mr. Jones stated after several minutes passed, people standing around the ride started helping everyone get off the ride.

Kisha Jones advised she took Mr. Jones to Children's Hospital following the incident, after he was complaining of neck and shoulder pain. Ms. Jones stated Mr. Jones was found to have whiplash, and strained tendons in his shoulder. Ms. Jones stated Mr. Jones was admitted into the hospital for his injuries, and released after 48 hours. Ms. Jones stated Mr. Jones has a follow up appointment the week of August 14, 2017.

End of Tpr. Frost's summary.

The following is the information documented and provided by Tpr. D. Bitler:

Personal contact was made with Patricia Morgan on July 28, 2017, at 221 Dakota Avenue Columbus, Ohio. Ms. Morgan said nobody at the residence attended the 2017 Ohio State Fair. She said her grandson Jaden Arrowood had video of the Fire Ball accident. I viewed the Facebook videos Mr. Arrowood had on his iPad. The Facebook videos were already received by the Ohio State Highway Patrol.

Telephone message were left with Mercedes Howard at 614-551-9969 on July 28, 2017, and August 3, 2017. Ms. Howard has not returned any calls.

On July 28, 2017, at 1:17 P.M. I interviewed Duwan J. Dowdy at Post 96, on the grounds of the Ohio Expo Center. Mr. Dowdy's mother, Nicole Rhodes was also present during the interview. The interview of Mr. Dowdy summarizes as follows:

Mr. Dowdy said he was hired by Amusements of America to work on the Fire Ball ride four member crew. It was his first day working for Amusements of America. He reported for work at 10:00 A.M. He met the members of the crew and received his instructions for his job responsibilities the same morning. The ride requires one person to operate the controls. Other members of the crew assist passengers onto and off the ride.

Mr. Dowdy said he was given the responsibility of loading and unloading the ride passengers. He described the process as asking the riders to take a seat in the four seat car and instructing them to put their hands up into the air. After the riders had their hands in the air, the ride operator would push a button which would activate the shoulder restraints to lower over the rider's shoulders. In most cases the restraint would automatically go all of the way down and lock over the rider's shoulders. Some of the restraints may require a crew member to manually assist it to lock by applying pressure to the restraint until you hear it click. Mr. Dowdy said there was a set of four green lights on each car for each seat in that particular car. The lights would light up when the shoulder restraints for the seats were secure. When the lights went out, the ride was ready to start.



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Mr. Dowdy said when the ride was over he would unlock the shoulder restraint release button and the ride passengers would push the restraints up over their heads and get out of the seats. Mr. Dowdy would open the door (gate) for the passengers to exit the ride.

Mr. Dowdy rode the Fire Ball for the first time at about 11:00 A.M. He said he was on a blue car with two other individuals in his car. A car was completely empty. He estimated 14 of the total 24 seats were occupied. He didn't notice anything he thought was unusual during the ride.

The second time he rode the Fire Ball was at approximately 7:00 P.M. He said he felt the ride was faster than the first time he rode it. The ride was completely full of riders. Mr. Dowdy was seated in a blue car in the far left seat. He felt the ride swung to a higher peak than in his first ride. When the ride swung to its' peak, it struck something and rattled. The ride swung down and struck something else. He was kicked in the face by a girl who flew out of her seat. The ride came to a stop and everyone was panicking. The Fire Ball operator ran away. Another crew worker let Mr. Dowdy out of his seat. Mr. Dowdy then released other riders from their seats before he ran away.

He said prior to this ride a female in a car next to his car had a shoulder restraint which failed to latch. Mr. Dowdy noticed the car had three green lights lit and one light was out. He said the ride began to slowly start when Mr. Dowdy shouted to get the attention of the ride operator to stop the ride. The operator stopped the ride and the restraint was secured.

Mr. Dowdy shared his observations of a shoulder restraint on an orange car jamming or sticking while over the shoulders of a female with a larger build at approximately 6 or 7 o'clock that evening. This occurred about five or six rides before the accident. He said a crew member pushed the button to release the shoulder restraint, but it wouldn't come up. He said the crew member unplugged a cord from the electrical box where the green lights are located and attempted to plug in another cord which wouldn't fit.

Mr. Dowdy said his lower back and his right leg have been hurting him since the accident.

On July 31, 2017, at approximately 9:15 A.M. I arrived at 3493 Meldrake Street in Gahanna, Ohio to interview Margaret Smith, D.O.B. 11/27/2002, and Anonica Smith, D.O.B. 03/14/2001. The two girls are sisters who were passengers on the Fire Ball ride at the Ohio State Fair on July 26, 2017. Their mother, Monica Ross was present during the interviews. The interview with Margaret Smith summarizes as follows:

Margaret Smith and her sister were on the Fire Ball ride. Prior to their ride, Ms. Smith's cousin, Duwan Dowdy, told the other workers a black female passenger was not all of the way strapped in. He told the other workers that the light to her seat was not on. The ride was just starting in motion and had to be stopped. The black female was switched to a different set of seats because she wouldn't fit in her original seat. The black female who switched seats was in the car which broke off in the accident. Ms. Smith said the white male who passed away in the accident was in a different set of seats. Ms. Smith said she was seated almost directly across from the car which fell off in the accident. She was in far left seat in the car.

Margaret Smith said she rode the Fire Ball ride about 8 or 9 times on July 26, 2017. She always sat in the same far left seat when getting into a car. She didn't notice any unusual sounds during the rides which preceded the accident. Margaret said she has experienced leg pain since the accident.

I interviewed Anonica Smith separately from her sister Margaret. The interview with Anonica Smith summarizes as follows:

Anonica was seated on the Fire Ball ride when a bigger girl was attempting to get seated into the ride. The girl was not fitting so the workers asked her to suck her stomach in to get her to fit. The workers made her get up and move to a different seat with some other people who were involved in the accident. The girl was still having difficulty fitting into the



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seat after switching seats. The workers lifted the shoulder restraint up and then put it back down again in an attempt to get her strapped in. The green light for her seat didn't come on. The workers allowed the ride to start. Someone told the ride operator the bigger girl wasn't strapped in. They stopped the ride, and tried again to strap her in. Her light still didn't come on. The ride started off slow before becoming fast. Ms. Smith said the ride started shaking on the last swing as the ride was reaching its' peak before starting down. The ride swung about two times before the car came off as they were coming down. Ms. Smith believes the girl came out of her seat before the car broke off.

Anonica was seated in the same car as her sister Margaret. She was seated in the far right end seat. The car she was seated in was almost directly across from the orange car which broke off of the ride. Anonica was not sure of the color of the car she was riding in. Anonica said she has been experiencing leg and neck pain since the accident.

End of Tpr. Bitler's summary.

The following is the information documented and provided by Tpr. J. Boysel:

Witness – Rachel Vincent

July 28, 2017

1056 Hours – I attempted to call Rachel Vincent at 614-754-9236 and there was no available voice mail or answering service.

1056 Hours – I attempted to call Rachel Vincent at 614-969-9486 and a message was received that she is not accepting calls at this time.

1057 Hours – I attempted to call Rachel Vincent at 614-578-6717 and this phone number is no longer in service

1202 Hours – I attempted to send a text message to Rachel Vincent at 614-754-9236. As of July 31, 2017, at 0910 hours, I have not received a response back.

July 31, 2017

0910 Hours – I sent a text message to Rachel Vincent at 614-969-9486 to ask if she could call me.

August 2, 2017

1026 Hours - I attempted to call Rachel Vincent at 614-754-9236 and there was no available voice mail or answering service.

1027 Hours - I attempted to call Rachel Vincent at 614-969-9486 and a message was received that she is not accepting calls at this time.

1030 Hours – I spoke with Julie at the Ohio State Highway Patrol Public Information Office reference attempting to send Rachel Vincent a message on face book to contact me reference an interview. Julie advised the only way they would be able to send a message to her is if she has 'liked' the face book page for OSHP. She advised she would check and advise.



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Witness – Natalie Tudas

July 27, 2017

1106 Hours – Natalie Tudas called the Ohio State Highway Patrol HUB to advise she would like to relay information reference the fair ride incident.

July 28, 2017

1100 Hours – I called and spoke with Natalie Tudas at 614-307-1842. Mrs. Tudas advised me she and her son arrived at the Ohio State Fair on Wednesday July 26th at 9:30am. Mrs. Tudas stated while in the area of the bumper cars and fun houses she noticed the bumper cars were closed. She spoke with the ride operator about the ride and he stated they were not open because there had been no inspection yet. Mrs. Tudas stated shortly after that she noticed what she believed to be inspectors with flip note pads looking at the fun houses. She described those individuals as having a patch on the shirt sleeves with the notation of 'Inspector' on the patch. Mrs. Tudas stated they were in the area of the fun house with the mechanical steps and one of them had mirrors on them. She said one of the fun houses people were already in it and she didn't know if the inspections had been completed or not. Mrs. Tudas said it had the appearance like it wasn't ready with the overall feeling that the inspectors were following up in the rear trying to get the inspections done.

Witness – Austin Rutherford

July 28, 2017

1109 Hours – I called and spoke with Austin Rutherford at 614-906-5072. Austin advised me he was on the Fire Ball when the accident happened. Austin stated the ride had gone around and when it came back down it hit the guardrail and a guy flew out. Austin stated his seat was directly across from the seats that came off of the ride. He stated that he and his friend Rodolfo Alcola both had scratches on them from the flying debris and both of them had sore backs. Austin wanted to note that in his original statement following the accident, he thought the car broke off in mid-air, but it later registered to him that it hit the guardrail.

Austin Rutherford provided a written statement following the accident

Witness – Malik Wills Wright

July 27, 2017

1110 Hours - Malik Wills Wright called the Ohio State Highway Patrol HUB to advise he was on the Fire Ball prior to the incident.

July 28, 2017

1150 Hours – I called and spoke with Malik Wills Wright at 614-984-0088. Malik advised me he rode the Fire Ball just prior to the incident taking place. He advised me when he initially sat on the ride, the strap would not fasten correctly. He said he advised a worker but he didn't feel he was taken seriously. During the last ride, Malik told me he felt like it was really close to the wall. Malik said he rode the Fire Ball also an hour earlier and there were no issues at all. Malik agreed he would meet with me on Monday July 31, 2017, at the Shipley Building for an interview.



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July 31, 2017

1152 Hours – Malik Wills Wright arrived at the Shipley Building for an interview. Malik stated he and a friend arrived at the fair on July 26th and after their arrival, they rode the Fire Ball. Approximately an hour later, they got in line to ride the Fire Ball again around 7:00PM. Malik said they waited in line for approximately fifteen minutes before getting on the ride. He said when it was their time to ride, the guy controlling the ride had to switch him seats because it wouldn't lock. After the ride started, Malik said it felt different mainly like it was closer to the wall. Malik described the first ride as no employee had to mess with his seat. He said on the first ride, they were instructed to put their arms up, an operator pushes a button which causes the shoulder restraint to come down over your shoulders. A worker then would come by and push down until it locked. The second ride, the employees were trying to push until the seats were locked. Malik stated he didn't notice any unusual rides and he did not witness the incident take place.

Witness – Destiny Hambric

July 27, 2017

1218 Hours – Destiny Hambric made contact with the Ohio State Highway Patrol HUB to advise she was in line when the ride incident took place and she has video footage.

July 28, 2017

1157 Hours – I attempted to call Destiny Hambric at 614-843-9519 and found that her voice mail was full and would not accept any further messages.

1159 Hours – I sent a text message to the cell phone of Destiny Hambric.

1215 Hours – I received a phone call from Destiny Hambric. She stated she was approximately the third or fourth person in line waiting to get on the Fire Ball when the accident happened. She said she was talking to her friend at the time of the incident and she viewed shoes flying through the air. Destiny advised me that she had the entire incident on film. I provided Destiny with my email address and asked that she email the footage to me. Destiny stated she would be willing to provide a written statement on Monday July 31st at 1000 Hours.

1225 Hours – I received an email from Destiny containing video footage of the incident. The video was forwarded to Sergeant Schlotterbeck who is the investigating officer.

July 31, 2017

1204 Hours – Destiny Hambric arrived at the OSHP Shipley Building for an interview. Destiny advised she and Taviyana Riley arrived at the Ohio State Fair and at approximately 7:00 PM they got in line to ride the Fire Ball. They stood for approximately ten minutes when she got out her phone to record some shots of the Fire Ball. Destiny stated they did not make it on the ride because it filled up and she was approximately the fourth person in line. She said there was a delay in the ride because the operators had to look at something or someone on the ride. Destiny stated she assumed they were helping a rider strap in. She said the ride started and she began recording the ride at its highest point. She was not paying much attention when she heard a lot of screams and saw shoes flying around. Destiny stated she didn't notice anything unusual in the ride until she saw the shoes flying through the air. She said after seeing the shoe in the air, she viewed the orange cart come off the ride, do a flip and land on the ground. Once she realized what was happening she stopped recording and quickly moved in the opposite direction. Destiny stated she was familiar with one of the people on the ride at the time of the incident and she believed his name is Kim. She stated her friend Taviyana knows him and she would have her contact me to provide his information. Destiny stated she had no injuries as a result of the incident.



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Witness – Amy Wilhite

July 31, 2017

1624 Hours - I attempted to call Amy Wilhite at 614-405-5297 to speak with her reference information she has regarding the Fire Ball. Amy contacted the Ohio State Highway Patrol HUB regarding photos she had of the ride.

1843 Hours - I missed a phone call from Amy so I called her back and spoke with her. Amy advised she and her two sons rode the Fire Ball approximately 2.5 hours prior to the ride incident. She stated while on the ride, her boyfriend took a series of photos, four to be exact, of them on the ride. She stated at that time they sat in one of the orange carts.

I asked if she could forward the photos to me via email which she stated she could. I provided her with my email address at that time.

August 1, 2017

1342 Hours – I received a phone call from Amy Wilhite. She called to state she was unable to send the photos to me because of an error. I re-advised my work email address and confirmed she had it correct. I received the photos from Ms. Wilhite and forwarded them to Sgt. Schlotterbeck.

Witness – Christina Howell

July 31, 2017

1454 Hours – I attempted to call Christina Howell at 614-209-9343 and I was able to leave a voice message for her to call me back when available.

1604 Hours – I received a voice mail from Christina Howell, 614-707-9103, advising she received a voice mail from me and asked that I give her a phone call back.

1251 Hours – I called and spoke with Christina Howell. Christina stated she was in line to ride the Fire Ball on July 26th, approximately five to six people back, when she viewed one of the cars on the ride strike what she believed was the platform. She stated she rode it earlier and noticed the floor collapses downward so the ride won't hit it while in motion. She believed the floor was up during the ride. She said she then viewed the cart strike the guardrail and break apart. Christina viewed two people get ejected and watched as the lady hit the ground. She said that she and her friend Nick run over to the lady and checked for a pulse.

Christina stated she was at the fair with Chyanne Smith, Nick and Jake. She does not know the last names of Nick or Jake. Christina stated she is fourteen years old. I advised her once she spoke with a parent or guardian to have them call me to schedule a time to complete a written statement.

Witness – Rashay Williams

July 31, 2017

1621 Hours – I attempted to call Rashay Williams and I was able to leave a voice mail.



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August 2, 2017

1246 Hours – I sent a text message to Rashay Williams in an attempt to make contact with her.

1310 Hours – I attempted to call Rashay Williams and did not receive an answer.

Witness – Chyanne Smith

Cell – 614-531-7439

Monday August 7, 2017

1409 Hours – I interviewed Chyanne Smith along with her mother,Carolynn Smith at 1970 West Broad Street, Columbus, OH. The following is a summary of the interview with Chyanne Smith, for the complete interview refer to the audio recording;

Chyanne stated she was halfway through the line when she was talking to her friends when she heard a breaking sound. She described the sound as a cracking noise and she heard the sound a couple of seconds prior to hitting the pole. Chyanne said she then looked over at the ride and she viewed a set of seats strike what she described as a pole. She stated the seats then fell and she watched the girl fly up in the air and she then looked away so she didn't see her hit the ground, but she looked back and saw the girl hit the ground. After the incident, Chyanne said she initially froze, then she ran away. She said Christina went over initially to see if everyone was okay. Chyanne stated she had no injuries as a result of the incident.

Chyanne stated she was at the fair with her friends Christina Howell, Jake and Nick Sturgull.

End of Tpr. Boysel's summary.

The following is the information documented and provided by Tpr. M. Keeton:

Kobe Patterson contacted the Ohio State Highway patrol regarding the incident in question. He left his contact number 614-966-8070. Several attempts were made to contact Mr. Patterson without success. The following is a log of attempted calls:

- 07-28-2017 - 11:45 a.m. A message requesting a return call was left on voicemail
- 07-31-2017 - 10:16 a.m. A message requesting a return call was left on voicemail
- 08-02-2017 - 08:54 a.m. A message requesting a return call was left on voicemail
- 08-03-2017 – 10:49 a.m. Voice mailbox was full

On July, 28, 2017, at approximately 2:06 p.m., a written statement was obtained from witness Fiona Cobun. Ms. Cobun's mother Elizabeth Cobun was present for the interview. The following is a summary of the statement:

Ms. Cobun stated she was at the Ohio State Fairgrounds on the day of the incident. She stated she rode the Fire Ball at approximately 4:10 p.m., and approximately 6:00 p.m. Ms. Cobun said during both rides she experienced the seats shifting in the direction the ride was spinning, and she felt as if she was going to fall out of the seat. She described hearing a "popping" or "cracking" noise as she was on the ride. Ms. Cobun stated during the second ride, the issues with the seats became more "pronounced," and she did not feel safe on the ride. She stated she reported her concerns to the ride attendant after the ride was over, and was told to "keep walking," while being directed off the ride. Ms. Cobun said she heard another patron report similar concerns to a ride attendant and she was also ignored.



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Ms. Cobun did not witness the incident in question, and left the fairgrounds at approximately 6:30 p.m.

On July, 28, 2017, at approximately 10:52 a.m., phone contact was made with Cheyenne Howell. The following is a summary of her statement:

Ms. Howell contacted the Ohio State Highway Patrol regarding possible information about the incident in question. Ms. Howell stated her and her sister Sazahanna just exited the Fire Ball and new passengers were loading the ride. The ride started and she heard three booms. She described the booms as a scraping sound. After she heard the noise, she turned and saw the victims in the air.

Ms. Howell stated she heard a clicking sound throughout as she rode the Fire Ball. She said she was in the red car. Ms. Howell noted the ride attendant pushed the security bar tight and her sister got a bruise on her arm due to this.

Note: Ms. Howell was asked to give a written statement with her mother present on July 31, 2017. I was unable to make contact with Ms. Howell on the above listed date. A voicemail was left and no return call has been received as of this date.

On July, 28, 2017, at approximately 11:05 a.m., a verbal statement was obtained from Henry Stuchul via phone interview. The following is a summary of the statement:

Mr. Stuchul contacted the Ohio State Highway Patrol regarding the incident in question, to give his opinion regarding possible stress fractures on the ride in question. Mr. Stuchul suggested to x-ray the ride to determine any stress on the machine.

Mr. Stuchul did not witness the incident in question, and was not at the Ohio State Fairgrounds on the day of the incident.

On July, 31, 2017, at approximately 9:00 a.m., an interview was conducted with Britney Neal and Kiley Neal. Their father, Tom Neal contacted the Ohio State Highway Patrol regarding his two daughters witnessing the incident in question. Their grandparents were present for the interview.

The following is a summary of their written statements:

Britney Neal stated she and her sister Kiley were the next in line for the Fire Ball when the incident occurred. She said the ride was going as normal when she saw it swing to the right and one person began to fall out of their seat. As it swung by to the left, two people then fell out of their seats. Britney said when the operator saw someone fall out of the ride, he pushed the emergency stop button. She said when the stop button was activated, the floor began to rise. As the floor rose, she said the seat hit it. She said when the two hit each other, this caused the seat "fly off." Britney stated she observed the ride occupants strike the ground. She also stated the only unusual sound she heard was the car striking the floor area of the ride.

Note: Britney stated after the incident, a blonde female employee snuck another employee named "Victor" out the back of the ride. When law enforcement came looking for him, the blonde employee denied knowing anything about him. Victor was described as a dark skin male, with a nice watch.

Kiley stated she was in line for the Fire Ball when she heard the ride making "breaking" noises. She described breaking metal is what she thought she heard. She said the ride attendant activated the emergency stop button before she saw the seat of the ride break off, and hit the ground. After the incident, Kiley stated she saw the ride operator jump the fence.

Note: Kiley stated she heard an employee tell the owner to leave the fairgrounds because he would get arrested.



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On July, 31, 2017, at approximately 10:17 a.m, phone contact was made with a subject named Johnny Two. He stated his sister, Lisa Twyman may have witnessed the incident in question. He provided Ms. Tyman's phone number. Phone contact was made and a meeting was arraigned.

On July 31, 2017, at approximately 11:30 a.m., personal contact was made with Ms. Tyman. The following is a summary of her written statement:

Ms. Tyman stated she was at the Ohio State Fairgrounds on July 26, 2017. She said at approximately 3:10 p.m., she observed a black male with a wrench, working on a portion of the Fire Ball. She described the area he was working on to be the portion of the ride that came out of the platform area. Ms. Tyman stated the ride was not operating at the time.

On August 1, 2017, at approximately 8:15 a.m., phone contact was made with Ronny Melancon, who contacted the Ohio State Highway Patrol regarding the incident in question. Mr. Melancon stated he is an expert in trailer, parade and amusement safety. He feels the hitch system on the ride in question failed, and inspectors need to look at all pins and quick connects located on the ride. Mr. Melancon stated he will forward safety reports he has worked on in the past. These reports will be forwarded to Sergeant Schlotterbeck for review.

The safety websites Mr. Melancon has created is as follows:

Paradesafety.org

Dangeroustrailers.org

Dangeroushayrides.org

On August 2, 2017, at approximately 8:00 a.m., phone contact was made with Sherrie Davy. Ms. Davy stated she was at the Ohio State Fair on the day in question. She said she completed a written statement for Troopers on duty after the incident occurred. The following is a summary of her statement:

On July 26, 2017, she was walking by the Fire Ball when she heard metal making a "crackling" sound. She looked up at the Fire Ball ride and saw a piece of the ride fall off. Ms. Davy said she saw two workers "take off running" shortly after. Ms. Davy stated she had photos of the aftermath and will forward them to me via email.

The photos will be sent to Sergeant Schlotterbeck upon receipt.

On August 3, 2017, phone contact was made with Adam Heuss, who contacted the Ohio State Highway Patrol regarding the incident in question.

The following is a summary of his statement:

Mr. Heuss was walking by the Fire Ball when the incident happened. He stated he turned away when he heard a "clank." Mr. Heuss then turned toward the Fire Ball and saw people who were thrown from the ride. He stated he jumped the fence in an attempt to assist the victim's and was unable to help. He stated Troopers arrived shortly thereafter.

Mr. Heuss stated he would email a formal statement. Below is the e-mail that was sent by Heuss:



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"Hello,

Further to our phone conversation yesterday, and as per your instruction, I will summarize the incident that I witnessed on 7/26/2017.

My girlfriend and I were at the fair on 7/26 and were walking through the rides section. We talked about how if she was not pregnant that we would be riding some of them. We stopped briefly to look at several rides in operation, including the Fire Ball. It was on a corner I believe. After a minute or so of looking at the ride we took a left and proceeded away from the ride. Probably on after 35-50 ft walking away from it I heard a very loud "clank" or similar noise. I turned around to look back at the direction of the noise, and to my astonishment a section of the ride was flying through the air, along with riders and debris from right to left. I stated loudly to my girlfriend, something to the effect of, "Oh my god, did you just see that?" She said, "no, what?" I said, "The ride just broke and people went flying". She told me, "Go! Help them!" People were running away from the ride towards me and other directions, much like I would guess if a bomb went off. Because of that, and the trajectory of a rider that I clearly saw, I did not run back towards the ride. Instead I went to my left and pushed between to fence barriers. I then ran toward the victim which I now saw in front of me. The speed of my pace was quickly slowed, as I could now see the clearly see this was a really traumatic event. The victim, who I believe was an African American woman, was laying in a crumpled heap on the blacktop. There was no movement and her foot was detached from her body. It may have been still attached by skin or ligaments, but the inside of her foot joint was clearly visible. As I said, my run slowed more to a walk as I tried to asses her condition and scan around the scene for others. As I did this, a worker in a uniform of some sort was faster than me to the previously mentioned victim and I believe checked her pulse. He then ran over to the vehicle which still had passengers in it and tried to free them. It looked to me as though the harness were still locked and they could not get out. At least one of them had a severe leg injury as well. It looked as though at least one of the victims in the cars was conscious and trying to free himself from the vehicle. As I stood near the woman on the ground, I thought that maybe I would apply pressure to the leg wound. I did not have a belt on and was thinking of what I could use to apply a tourniquet or the like, but was then told to clear the scene by Highway Patrol. The response time was very fast! I stood there dumbfounded for a minute or so in some sort of fog or shock looking at the scene, then turned around and went back through the fence where I came from. There I saw my girlfriend coming back up the aisle from the direction of the Fire Ball ride crying. She said she had run back toward the ride as well, but down the aisle we had come from, not behind the scenes as I did. She noted she saw the people in the vehicles, some gruesome leg injuries and thought several people might have been killed. I told here what I saw, which was similar, but from the other side of the fence, and I don't think she saw the lady separated from the vehicle. I concurred that I thought the lady on the ground was most likely killed, but had not checked the pulse or if she was breathing as I was told to leave the scene, so I did not know for sure.

It was a traumatic event that I wish I could un-see. I still wake up thinking about the images of the victims and continue to wonder if and wish that I could have done more to help.

Thanks,

Adam Heuss"

End of Tpr. Keeton's summary.

Tpr. Lyons provided assistance in several areas of this case. Tpr. Lyons documented his involvement with this case on an HP-24. The following is the information documented and provided by Tpr. Lyons:

On July 31, 2017, at 1600 hours, I conducted an oral interview with Davis Millan Colon, Foreman for the Fire Ball amusement ride. In attendance representing Mr. Colon was Jackie Jewell, Esq., Patrick Kasson, Esq. from Reminger Law Firm. Also attending the interview was Trooper John Chaney, Unit 1764. The interview was conducted in the Office of Investigative Services trailer at the Ohio State Fair located at the southeastern corner of the fairgrounds. The interview was audio recorded and summarized below.



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Mr. Colon stated he has been employed by Amusements of America, (AOA) for thirty-one years, and the last thirteen years he has been assigned to supervise the Fire Ball. Mr. Colon stated his duties include to help assemble, maintain, inspect and to oversee the daily operations of the ride. Mr. Colon stated the inspections occur once a day, just prior to the ride opening for the day. Mr. Colon stated all repairs and maintenance on the Fire Ball are documented and given to his supervisor so that they can be placed in the rides file. Mr. Colon stated the ride has a check list and all items must be passed in order for the ride to operate for the day. This check list includes operating the ride without passengers three times prior to opening. Mr. Colon stated there was no issues with the Fire Ball the day of the incident. Mr. Colon stated he worked in conjunction with the Ohio Department of Agriculture's inspection team the day of the incident. Mr. Colon stated he cannot recall any issues with the Fire Ball other than general maintenance for the past thirteen years.

Mr. Colon stated that when repairs need to be made, AOA receives schematics from the manufacture, KMG, along with specific hardware in order to make the repair according to manufactures specifications. Mr. Colon stated he has not purchased any hardware from an outside source in order to make a repair on the Fire Ball.

Mr. Colon stated he was not present at the time of the incident. Mr. Colon stated he went to get something to eat and is required to eat away from the ride as AOA does not allow their employees to eat on the rides. Mr. Colon stated he noticed Troopers running toward the ride and heard there was a fight, (possibly stated fire). Mr. Colon stated he then went back to the Fire Ball and noticed what had happened.

Mr. Colon stated once he arrived at the Fire Ball, he noticed first responders were trying to remove occupants from the locked harnesses on the seats that came off the ride. Mr. Colon stated he explained to responders that there was a secondary release in order to raise the harness in a loss of power scenario. Mr. Colon stated the seats were bent and the release would not work.

Mr. Colon was specifically asked about the empty holes in the arm of the ride and what appeared to be aftermarket locking screws that were used to secure a cover plate in the area where the arm came off. Mr. Colon stated the holes and the newer looking screws had been there for the past thirteen years. Mr. Colon stated he knew nothing of what I was speaking about. Mr. Colon stated paperwork must be received from the manufacture first, prior to the repair being made. According to Mr. Colon, no holes were drilled into the ride for the last thirteen years. Mr. Colon stated he was not aware of any holes in the arm that did not have a screw or bolt in it.

Mr. Colon stated all repairs and documentation for the ride is kept in a book at the AOA office. Mr. Colon stated nothing has been repaired on the ride against manufactures specifications. Mr. Colon stated he was not sure how long the records are kept for each ride, but he thought maybe for one year.

Mr. Colon stated when the ride is taken down at the end of the show, the ride separates on two trailers. Mr. Colon stated the seats are lowered down with cables after they are unbolted. Mr. Colon stated the seats are stored on racks below, upright, just as they sit above on the arms. Mr. Colon stated there is nothing above the seats as they travel and nothing above them as they are stored. Mr. Colon stated there are no covers to the open end of the arms at any time. End of summary.

Note: Mr. Colon was offered an interpreter prior to the given statement. Mr. Colon stated he spoke English and that an interpreter was not needed. However, Mr. Colon's English was difficult to understand and at times unrecognizable.

8/1/17 1345 hours

Tip from the HUB: Phone contact with Robert Grosh, (805) 893-6667, retired 50 year mechanical engineer who once lived in Ohio but now resides in Florida. Mr. Grosh stated he analyzed the video obtained from the internet and shared his thoughts why the incident occurred. According to the video, Mr. Grosh notes that the floor of the ride shifted and raised upward while the ride was in motion suggesting a malfunction in the floor and its mechanics for lowering and raising. Mr. Grosh also stated



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an alleged safety recall for that particular ride on July 7, 2006 referencing the seats harness and its failure to remain closed while the ride is in operation. Investigators looked into Mr. Gosh's allegation regarding the safety recall for the seat harnessed, but were unable to locate any information in reference to that claim.

8/1/17 1505 hours

Tip from the HUB: Phone contact with Emmett Capito, (216) 414-5835. As an occupation, Mr. Capito stated he creates and edits music videos. Mr. Capito stated he was able to save and break-down the video he obtained from the internet involving the Fire Ball amusement ride. Mr. Capito stated he was able to see several legs hanging down as the ride was in operation and felt that the occupant's legs should have been in a more secure position. I advised Mr. Capito that by design, the occupant sits upright as if they were in a chair, causing their legs to hang below. Mr. Capito advised that he would help in any way he can.

On August 5, 2017, at 1445 hours, I made phone contact with Duwan Dowdy. Mr. Dowdy stated he has already been interviewed by Trooper Doug Bitler at an earlier time. Mr. Dowdy was advised there were a few follow-up questions to the original interview. The follow-up interview was done by phone and was not audio recorded. The interview is summarized below:

Mr. Dowdy stated that his only job on the ride was to make sure all occupants were secured in their seats and that the shoulder harness was in the down position and locked. Mr. Dowdy stated he was not responsible for any inspections, including visual inspections. Mr. Dowdy stated the job was supposed to be a "pushy" job that didn't require a lot of work. Mr. Dowdy stated he did not see any blistering paint, excessive rust or cracks in the arms of the ride.

Mr. Dowdy stated while he was on break he was riding the Fire Ball amusement ride when the incident occurred. Mr. Dowdy stated he was sitting beside the row of seats that came off and was kicked in the face by someone in the falling car. Mr. Dowdy stated he later went to the hospital for an injured right leg, lower back pain and anxiety. Mr. Dowdy stated he received medication to help him sleep and for the pain to his back and leg. Mr. Dowdy stated he was advised to follow-up with his doctor at a later date.

On August 9th, 2017, three ride Inspectors from the Ohio Department of Agriculture were offered voluntary interviews on their participation with the inspection of the Fire Ball amusement ride. These employees are Ride Safety Inspectors and performed the inspection of the ride prior to it being open for public use. State Ride Inspector John Kaufman, Ron Dean and Chad Sterner were interviewed at the Ohio State Highway Patrol Training Academy. All subjects were advised the statements they were about to give were voluntary and not required. Each subject was given the opportunity to obtain legal representation prior to the interview. All inspectors agreed to give a verbal statement. Also in attendance for each interview was Bill Becker from the Ohio Attorney General's Office, representing the Ohio Department of Agriculture and Dustin Calhoun, Chief Legal Counsel for the Ohio Department of Agriculture. Each interview was audio recorded and summarized below:

State Ride Safety Inspector Jon Kaufman Interview: August 9th, 2017, at 1316 hours

Jon Kaufman retained Attorney Michael Kaufman, to be present during the interview. Mr. Kaufman stated his duties as a state ride inspector are to inspect the rides structurally and operationally and if the ride meets "satisfactory", the ride will be issued a license to operate. Mr. Kaufman stated he has been a ride inspector since 2006. Mr. Kaufman stated when inspecting a ride, they use the manufacture's specifications and manuals to follow the procedure for the inspection.

Mr. Kaufman stated the third party inspection was completed by Comspeq, but was not certain where they are from. Mr. Kaufman stated he is familiar with the company and they have been at the Ohio State Fair for as long as he has been there.

Mr. Kaufman was asked if he noticed any excessive rust, cracks or any blistering paint during his inspection that would make him feel that the ride would be unsafe. Mr. Kaufman stated he would go to his ride inspection report where it was a "clean



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report” and everything was satisfactory. Mr. Kaufman was asked if there was anything on the inspection report to indicate excessive rust, cracks or blistering paint and Mr. Kaufman stated there was nothing on the report.

Mr. Kaufman stated the rides generally get inspected once in order to obtain the license and once after the license is obtained. They then have the right to do a supplemental inspection. Mr. Kaufman stated the only required inspection is the initial one in order to obtain the license. Mr. Kaufman stated there are several reasons why a supplemental inspection would be conducted such as it being moved to another location or if the owners requested an additional inspection. Mr. Kaufman stated there was no supplemental inspection completed on the Fire Ball. Mr. Kaufman was asked how long it typically takes to conduct the inspection on the Fire Ball. Mr. Kaufman stated it takes as long as it takes and did not feel comfortable giving a specific amount of time.

Mr. Kaufman was asked what certifications he held to become a state ride safety inspector. Mr. Kaufman stated in order to become a level II state ride inspector, you have to either have working experience in the field, worked for a ride manufacturer or be an engineer. Mr. Kaufman stated he once worked for an amusement park which met the criteria for his position.

Mr. Kaufman was shown a photograph on a laptop computer of the gondola that came off the ride prior to the incident. The photograph was a view of the backside of the gondola with what appears to be a crack where the gondola came off. Mr. Kaufman was asked, if he would have seen this crack, what if any action would he have taken. At this time, Attorney Kaufman intervenes and tells Mr. Kaufman not to answer the question. Attorney Kaufman requested he and Mr. Kaufman speak privately before answering the question and left the room to speak. Interview was paused at 1327 hours.

Interview resumed at 1329 hours. Once Mr. Kaufman and his counsel returns, Mr. Kaufman was asked the same question about what appeared to be a crack on the gondola’s arm. Mr. Kaufman stated “I would have taken a closer look, that’s all I have to say”. End of interview.

State Ride Safety Inspector Ron Dean Interview: August 9th, 2017 at 1340 hours

Mr. Dean stated his duties include licensing all amusement park rides and devices. Mr. Dean stated he inspects rides at all permanent parks which include water parks, swimming pools and travel shows. Mr. Dean stated he has been employed with the Ohio Department of Agriculture for the past thirteen years and has been present at the Ohio State Fair every year since.

Mr. Dean stated there are several steps to inspecting a ride. Mr. Dean stated some steps include administrative paperwork, assembly process according to manufacturer’s specifications, inspection of safety restraints and all safety features. Mr. Dean stated if the ride meets the criteria, the ride can be licensed and open to the public.

Mr. Dean stated all rides must have an initial inspection performed by the State of Ohio in order to operate in Ohio each year. Mr. Dean gave the example that eighteen rides came to the Ohio State Fair this year that already had been inspected by the state this year and those particular rides were not initially inspected. Mr. Dean stated these particular rides can have a supplemental inspection if time allows. Mr. Dean stated only one state inspection is required per year, per ride.

Mr. Dean was asked how long the inspection takes for a ride like the Fire Ball. Mr. Dean stated it takes the time it takes and that they don’t track time. Mr. Dean stated the inspectors are not required to be present during assembly, although they may be present from time to time.

Mr. Dean was asked if he noticed excessive rust, cracks or blistering paint on the Fire Ball amusement ride during inspection. Mr. Dean stated there was blistering paint and rust, but nothing out of the normal.

Mr. Dean stated his past employment at Geauga Lake, (abandoned/closed theme park in northeast, Ohio) gave him the necessary training and experience needed to be a state ride inspector. Mr. Dean stated he is a level III ride inspector and receives annual training and seminars.

Mr. Dean was shown a photograph on a laptop computer of the gondola that came off the ride prior to the incident. The photograph was a view of the backside of the gondola with what appears to be a crack where the gondola came off. Mr.



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Dean was asked if he would have seen this crack, what if any action would you have taken. Mr. Dean stated each situation is different and unique that would require a different plan of action. Mr. Dean stated if he thought it was serious, he would get the manufacture of the ride involved. Mr. Dean stated he cannot make an accurate decision based off a photograph. End of interview at 1350 hours.

State Ride Safety Inspector Chad Sterner Interview: August 9th, 2017 at 1355 hours

Mr. Sterner stated he has been with the Ohio Department of Agriculture for ten years as a state ride inspector. Mr. Sterner stated he is a level II safety ride inspector and CPO, (certified pool operator). Mr. Sterner stated he qualifies for his position due to his past experience working at Cedar Point for three years as a mechanic. Mr. Sterner stated some of his duties as a ride safety inspector include checking the insurance of the companies, contact the companies to verify the location of the rides and to inspect each ride according to the manufacture's specifications.

Mr. Sterner stated that during his inspections, he likes to start in the center of the ride to check all welds and fasteners according to the Ohio Department of Agriculture check list. Mr. Sterner was asked, if he noticed any excessive rust, cracks or blistered paint on the Fire Ball during the inspection. Mr. Sterner advised he was scheduled for an inspection on a different ride and arrived towards the end of the Fire Ball's inspection. Mr. Sterner stated he was present during a torque test performed by AOA, (Amusements of America) to verify the proper torque on the center boom while the ride was down. Mr. Sterner stated this aspect of the inspection took place a few days prior to the final inspection. Mr. Sterner stated once he arrived at the Fire Ball, the safety restraint test was being conducted and he observed this test from the ground, behind the fence, off the platform.

Mr. Sterner stated there are so many variables while inspecting a ride, he could not put a time on how long it would take to complete the inspection. Mr. Sterner stated it takes the time that it takes.

Mr. Sterner was shown a photograph on a laptop computer of the gondola that came off the ride prior to the incident. The photograph was a view of the backside of the gondola with what appears to be a crack where the gondola came off. Mr. Sterner was asked, if he would have seen this crack, what if any action would you have taken. Mr. Sterner stated the photograph was "out of context because it's a picture" and "would have to see it up close and in person".

Mr. Sterner stated he was not aware of any third party inspections. End of interview at 1402 hours.

End of Tpr. Lyons' summary.

Tpr. Lyons also obtained a witness statement from Edna Anderson. The statement was not documented in his HP-24. The following is the information contained in Ms. Anderson's written statement:

"I was here at the fair yesterday with my 15 grandchildren my 11 year old grandson was on the ride call Fire Ball he told me at 6pm that the ride he was on in mid air his safty harness came loose and he heard nocking behind his seat he said that when he got off he told the operator what had happen the operator said little man it's ok."

It is to be noted that some witness statements provided information that a ride operator/ride worker by the name of "Victor" was escorted away from the Fire Ball amusement ride following the accident. Through the course of the investigation there was no evidence to suggest that occurred. An employee list was obtained from AOA and there was no "Victor" listed.

Through the course of the investigation it was discovered the following individuals were found to be seated on the Fire Ball amusement ride when the accident occurred:

- 1) Duwan Doddy
- 2) Tyler Griffin
- 3) Kobe Patterson
- 4) Abdi Hussein



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- 5) Hannah Sallee
- 6) Jennifer Lambert
- 7) Jacob Andrews
- 8) Anonica Smith
- 9) Margaret Smith
- 10) Russell Franks
- 11) Tamica Dunlap
- 12) Tyler Jarrell
- 13) Keziah Lewis
- 14) Dylan Walsh
- 15) Dontez Jones
- 16) Gabriela Hever
- 17) Courtney Phillips
- 18) Rachel Vincent
- 19) Richneza Luna
- 20) Rodolfo Alcala – Chagolla
- 21) Austin Rutherford
- 22) Marshall Smilonich
- 23) Angel Campa
- 24) Mariah Thompson

Besides the gondola that detached, it is still unclear in what gondola some of the other riders were seated in.

Statements were not obtained from the following individuals due to medical reasons or due to the individuals not responding to requests to provide a statement: Abdi Hussein, Hannah Sallee, Jennifer Lambert, Russell Franks, Tamica Dunlap and Tyler Jarrell.

Summary of incident:

On July 26, 2017, at approximately 1924 hours, the Ohio State Highway Patrol received a report in reference to an accident involving the Fire Ball amusement ride at the Ohio State Fair. The initial report indicated one of the gondolas had become detached from the amusement ride, and two people had been ejected. Radio communication advised one of the victims was a male who had no pulse. Columbus EMS, the Columbus FD and Columbus PD responded to assist with the incident.

Several uniformed OSHP personnel and investigators from the Office of Criminal Investigations arrived on scene for the investigation. Once on scene it was discovered that one of the gondolas had become detached from the amusement ride and two individuals were trapped in the detached gondola and later extricated by Columbus FD, and two individuals were ejected from the detached gondola. One of the victims (Tyler Jarrell), was pronounced deceased on scene by Columbus FD as a result of the injuries suffered after being ejected from the amusement ride. He was later transported to the Franklin County Coroner's Office where an autopsy was performed. Several other victims were transported to the OSU Medical Center, Grant Medical Center and Nationwide Children's Hospital as a result of the injuries they received. Some of the victims remained in critical condition for several days following the incident.

During the course of the investigation almost 80 witness statements were obtained, numerous photographs were taken and a video of the accident was reviewed and broken down frame by frame by the DPS Forensic Video Unit. All of the information obtained helped to identify the 24 riders on the Fire Ball amusement ride when the accident occurred. Investigators were also able to determine when the two victims were ejected, possibly how they were ejected, and their route of travel after they were ejected from the evidence obtained during the investigation.



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The U.S. Consumer Product Safety Commission (CPSC) offered OSHP assistance with the investigation, and OSHP agreed. The U.S. Consumer Product Safety Commission brought several of their personnel to the scene to visually inspect the Fire Ball amusement ride and perform non – destructive testing on the amusement ride.

Several different entities, including the ride manufacture, were given the opportunity to visually inspect the Fire Ball amusement ride and perform non – destructive testing on the amusement ride. In the course of their inspection it was discovered that a possible cause of the accident was excessive corrosion of the gondola arm that became detached.

Statements were obtained from the ride operators/ride workers that were working on the Fire Ball amusement ride the day of the incident, along with three of the four inspectors from the Department of Agriculture and two inspectors from Comspeq (third party company hired by Amusements of America to inspect their amusement rides).

Based on the information obtained and reviewed during the course of this investigation it appears the ride was inspected and approved for use per established standards. In addition, it was being operated at the time of the incident within the established guidelines and there is no evidence that has been obtained to indicate the cause of the gondola breaking free was the result of negligence on the part of the individuals operating the ride at the time of the incident.

The Franklin County Prosecutor's Office was briefed on the investigation and the case will be presented to their office for any possible criminal charges.

8/21/17 1400 hours

The case was handed over to James Lowe (Franklin County Assistant Prosecutor) for review. Mr. Lowe advised he, along with Ron O'Brien (Franklin County Prosecutor) and Daniel Cable (Franklin County Assistant Prosecutor) would be reviewing the case for any possible criminal charges.

Also, I received an e-mail from Lt. Miller on August 17, 2017, at 1040 hours in reference to a question about if any investigators had followed up with an individual by the name of Jennifer Higgenbothaam. Ms. Higgenbothaam had sent an e-mail to Constituent Services advising her two daughters had ridden the Fire Ball amusement ride on the incident date about a half an hour prior to the accident. Ms. Higgenbothaam said her two daughters indicated there was an issue with a larger female getting secured into her safety harness on the Fire Ball amusement ride. Ms. Higgenbothaam indicated her two daughters told her that some of the ride workers were also messing with some of the wiring (unplugging and plugging the wiring back in) on the amusement ride, and some of the safety harnesses were even stuck. Eventually, Ms. Higgenbothaam's two daughters and the larger female exited the Fire Ball amusement ride before it began due to having safety concerns with the amusement ride.

It was discovered no investigators had spoken with Ms. Higgenbothaam, so Tpr. Keeton was asked to reach out to her to see if she could provide any additional details in reference to what she reported. Tpr. Keeton attempted to contact Ms. Higgenbothaam via telephone on the following dates and times: 8/18/17 at 0943 hours, 8/21/17 at 0804 hours and 8/22/17 at 0852 hours. The telephone number Tpr. Keeton tried to reach Ms. Higgenbothaam at was 614-374-4392 (number provided in e-mail correspondence). Tpr. Keeton provided he left voicemail messages on all three attempts and has still not heard back from Ms. Higgenbothaam.

It is to be noted that attorneys for any potential plaintiffs are now allowed to visually inspect the Fire Ball amusement ride as long as OSHP/OIS personnel are on scene to monitor the inspection.

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