



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



2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)

Investigative Activity: Body-Worn Camera review
Involves: CPD [REDACTED]
Activity Date: 10/23/2024
Activity Location: 818 Cherryberry Drive, Columbus, OH
Authoring Agent: SA Aja Chung, 86

Narrative:

On Monday, August 1, 2024, The Ohio Bureau of Criminal Investigation (BCI) was requested by the Columbus Division of Police (CPD) for assistance in investigating an Officer Involved Critical Incident (OICI) at 818 Cherryberry Drive, Columbus, Ohio. The incident stemmed from a domestic dispute involving Benjamin Wheeler (Wheeler), who had an active felony warrant for child support. Wheeler barricaded himself inside his residence and CPD Special Weapons and Tactics (CPD SWAT) responded to the barricade situation. After hours of unsuccessful negotiation and multiple non-lethal tactics attempts, CPD SWAT entered the residence to arrest Wheeler. An incident between Wheeler and SWAT officers ensued resulting in Wheeler's death.

On October 9, 2024, and several days following, SA Chung reviewed numerous video footage recordings that were provided by CPD and are digitally saved via Evidence.com. Please review the video footage in its entirety for specific details.

This report documents body-worn camera (BWC) footage from CPD [REDACTED]
[REDACTED]

SA Chung reviewed the BWC video from CPD [REDACTED] The following was noted within the case folder, Direct Involved, BWC, "Axon Body 3 Video 2024-08-01 1842 X60A7267U".

- The video was 9:43 minutes long and began with [REDACTED] walking with his bunker towards 818 Cherryberry Drive.
- Commands and announcements were heard over the loudspeaker. The announcements made consisted of, but were not limited to, ordering Wheeler to exit his house with nothing in his hands and that he had a warrant for his arrest.

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- [REDACTED] was observed taking a position behind BearCat 2. He engaged in general conversation and retrieved other SWAT officers arriving to the scene that need bunker protection to approach the BearCats.
- At the 9:25 minute mark, [REDACTED] and a SWAT officer were seen walking with bunkers to the west side of the residence and the footage ends.

SA Chung reviewed the BWC video from CPD [REDACTED]. The following was noted within the case folder, Direct Involved, BWC "Axon Body 3 Video 2024-08-01 1918 X60A7267U".

- The video was 32:16 long and starts with [REDACTED] standing near the rear of BearCat 2, parked on the lawn of 818 Cherryberry Drive.
- The negotiator was heard making announcements. The announcements made consisted of, but were not limited to, ordering Wheeler to exit his house with nothing in his hands and that he had a warrant for his arrest.
- For approximately eighteen minutes, general conversations, entry and less-lethal tactics were heard being discussed between SWAT officers.
- At the 19:18 minute mark, BearCat 1 was seen and heard breaching the front door with orders for Wheeler to exit the house continued.
- At the 21:33 minute mark, [REDACTED] and another SWAT officer are seen approaching the front door with bunkers. Part of the video is blocked due to [REDACTED] bunker.
- At the 21:36 minute mark, a male voice was heard saying, "Come on (inaudible) you motherfuckers. Come on."
- [REDACTED] was heard saying, "He's got a gun."
- At the 21:41 minute mark, CPD [REDACTED] can be seen extending his right arm with his taser between two bunkers as [REDACTED] was heard calling for Wheeler.

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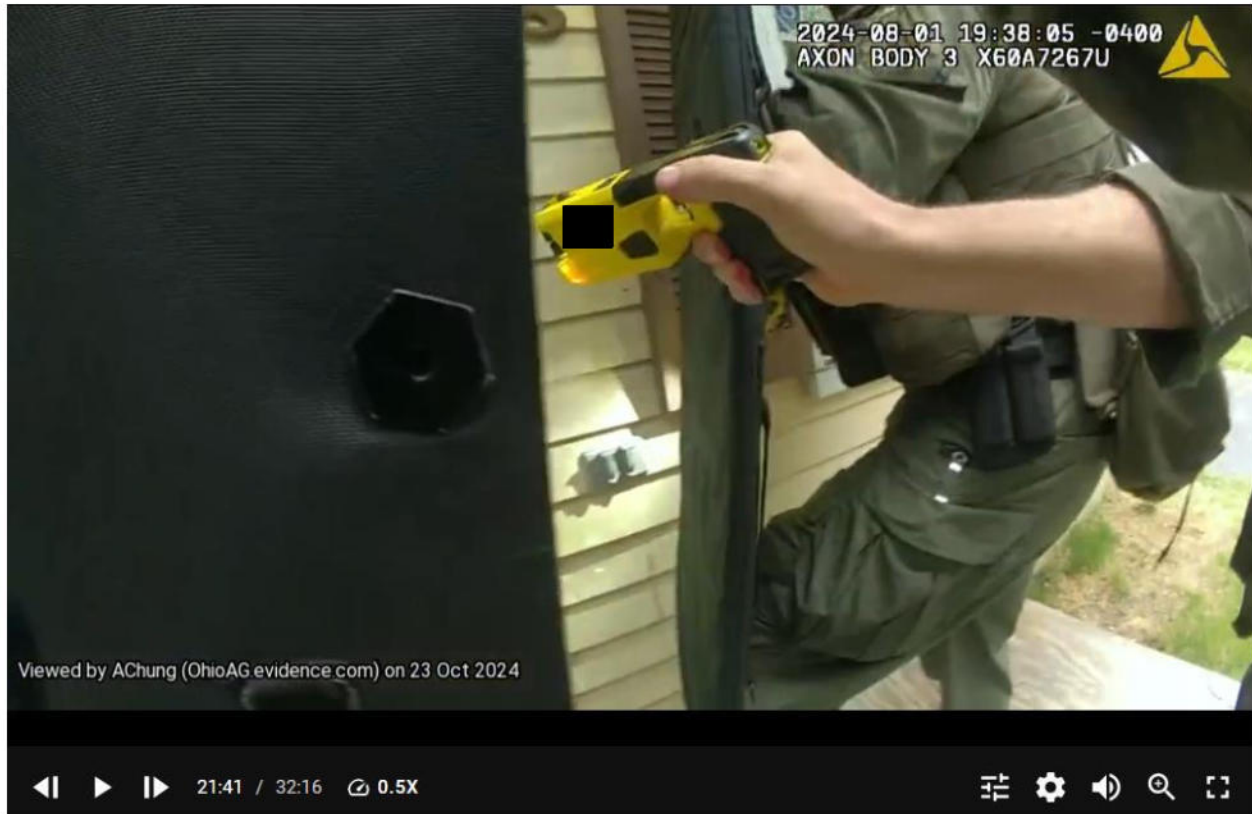


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Photograph of [REDACTED] right arm between two bunkers, at the front door.

- Part of [REDACTED] body was seen quickly ducking down and back from the front door as he says, "Fuck." Wheeler was never seen during this approach.
- SWAT officers were heard saying, "Back up" and all SWAT officers were observed to fall back to the rear of BearCat 1. Footage was partially blocked by [REDACTED].
- CS gas (gas canisters) and knockers were heard being deployed into the house and commands for Wheeler to drop the knife were heard being given by the negotiator.
- CS gas is a form of non-lethal aerosol gas that is dispersed by a grenade. Knockers are non-metal bullets used to subdue subjects without causing injury.

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- At the 24:40 minute mark, [REDACTED] can be seen holding his bunker with his firearm in his right hand as he holds a position watching the front door and front window.
- At the 28-minute mark, [REDACTED] was heard re-holstering his pistol and was observed to put on his gas mask.
- [REDACTED] was seen returning to holding a bunker that blocks the camera view.
- At the 30:15 minute mark, [REDACTED] was seen holding his firearm with his right hand and bunker in his left. Gas canisters and knockers were heard being deployed into the house.
- The footage ended with [REDACTED] holding the aforementioned position.

SA Chung reviewed the BWC video from CPD [REDACTED]. The following was noted within the case folder, Direct Involved, BWC "Axon Body 3 Video 2024-08-01 2003 X60A7267U".

- This video was over two and one-half hours long and began with [REDACTED] standing near BearCat 1, holding his firearm, and bunker watching the front door and window at 818 Cherryberry Drive.
- Commands and announcements were heard over the loudspeaker. The announcements made consisted of, but were not limited to, ordering Wheeler to exit his house with nothing in his hands and that he had a warrant for his arrest.
- At the 4:23 minute mark, discussions between SWAT officers regarding the first interaction with Wheeler at the front door can be heard.
- At the 4:29 minute mark, [REDACTED] was heard stating, "I yelled gun."
- For twelve minutes, [REDACTED] was seen standing behind BearCat 1.
- At the 16-minute mark, SWAT officers were heard discussing entry tactics (throw-bot, using less-lethal resources and "stack" positions). A remote-controlled device was seen being operated but it did not work.
- CPD Officer Robert Vass (Ofc. Vass) can be heard telling SWAT officers Wheeler's position inside the house.

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- At the 23:07 minute mark, SWAT officers were observed approaching front door and seen deploying gas canisters into the house.
- At the 40:01 minute mark, [REDACTED] was observed taking taser with [REDACTED] on it. A discussion regarding Wheeler already being tased with one probe was heard.
- For forty-five minutes, general discussions can be heard between SWAT officers.
- At the 1:13:20 hour mark, the Franklin County Sheriff's Office (FCSO) drone team was on scene.
- The first drone was heard taking flight.
- A SWAT officer was heard saying Wheeler was in the kitchen and "He hit it." Nothing was recorded from the first drone.
- The second drone was heard taking flight.
- At the 1:20:30 hour mark, [REDACTED] and SWAT officers were seen lining up on the passenger side of BearCat 1.
- [REDACTED] was seen holding his bunker and taser; and the first to enter the residence.
- As [REDACTED] entered the house, the door jamb could be seen. Parts of the video were blocked from the bunker.
- At the 1:20:58 hour mark, a flash grenade was heard with a flash of light was observed.
- At the 1:21:03 hour mark, [REDACTED] was heard saying, "We gotta clear this shit."
- A taser being deployed was heard and [REDACTED] said, "I'm out, I'm out."
- Part of the camera view showed SWAT officers moving objects out of the way.
- 1:21:28 hour mark, a taser being deployed and a SWAT officer asking for another taser were heard.
- 1:21:33 hour mark, Wheeler appeared from behind the kitchen wall and [REDACTED] was heard yelling, "Ah! I'm (inaudible)."

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Photograph of Wheeler coming into view from behind the kitchen wall.

- 1:21:39 hour mark, a flash grenade was heard, as well as a taser being deployed.
- [REDACTED] was seen on the ground and Wheeler's leg was seen near the wall.

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Photograph of Wheeler's leg after [REDACTED] was injured and on the floor.

- At the 1:21:42 hour mark, five gunshots were heard.
- [REDACTED] was heard saying, "I'm hurt" and "I got stabbed in the leg." Part of the view was blocked until he is being dragged out of the house.
- [REDACTED] was heard telling medics that he was stabbed on his left leg, and "He reached underneath, and he got me."
- [REDACTED] could be heard moaning and saying, "Ow."
- [REDACTED] heavy kit with the BWC was removed from his body and medics were observed rendering aid.
- Nothing of evidentiary value was captured after the 1:24:30.

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References:

D - CPD body-worn camera (Evidence.com)

Attachments:

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

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