



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 Camera Review
Involves: [REDACTED]
Date of Activity: 10/08/2024
Activity Location: – 818 Cherry Berry Drive, Columbus, OH
Author: 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 SWAT (Special Weapons and Tactics) 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 8, 2024, and several days following, BCI Special Agent (SA) Aja Chung (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 the body-worn camera (BWC) of CPD [REDACTED] and [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 1325 X60A8998E".

- The footage was not related to the OICI.

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 1841 X60A8998E".

- The video was approximately three hours and fifteen minutes long.
- Footage began with [REDACTED] standing behind BearCat 2 parked at 818 Cherryberry

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Approved By SAS James A. Mulford on
11/13/2024

- Drive.
- [REDACTED] was heard speaking with SWAT officers as announcements were heard on the loudspeaker.
 - The announcements were made by CPD Officer Robert Vass (Ofc. Vass) until the negotiator arrived on scene.
 - The announcements and commands consisted of advising Wheeler he had a warrant for his arrest, that a safe resolution was the goal, communication options (come to the window, phone call) were provided, ordering Wheeler to come to the front door with his hands up and talk to the officers; telling Wheeler CPD was not going away; they (CPD SWAT) do not want anyone to get hurt.
 - Entry tactics were heard being discussed and unrelated conversations were had.
 - CS gas (gas canisters) and knockers were heard being deployed into the house. (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), gas and knockers were deployed.
 - At the 24:45 minute mark, [REDACTED] and two to three SWAT officers were seen shutting off the gas to the house.
 - At the fifty-two minute mark, [REDACTED] was observed approaching the front door and attempted to open it.
 - At the 56:30 minute mark, the ram attached to BearCat 1 was heard breaching the front door.
 - SWAT officers can be heard giving commands to Wheeler to exit the house. Wheeler was not observed.
 - At the 58:52 minute mark, [REDACTED] and SWAT officers were seen approaching the front door with the bunker in his left arm and taser in his right hand. Part of the footage was blocked by the bunker.
 - Wheeler was heard saying, "Come on you motherfucker. Come on in."
 - [REDACTED] was observed standing to the right of the front door with his bunker when a metal clanging sound was heard.
 - [REDACTED] was heard saying, "What was that?" and was seen flinching.
 - [REDACTED] can be heard saying, "Fuck" and Wheeler was heard yelling, "Come on in here (inaudible)."
 - SWAT officers were seen immediately falling back to the rear of BearCat 1.
 - At the 59:46 minute mark, a large piece of wood appeared in view and landed on the grass in front of [REDACTED].
 - A taser was heard being deployed.
 - For the next two hours and forty minutes, knockers and gas canisters can be heard breaking windows as they were deployed into the house.
 - Ofc. Vass was heard telling SWAT officers of Wheeler's last observed position and described the pathway leading to the kitchen.
 - Commands and orders attempting to diffuse the situation were heard.
 - At the 2:42:30 hour mark, [REDACTED] was observed to first enter the front door.
 - [REDACTED], directly behind [REDACTED] was heard saying, "taser him." Part of the video was blocked by [REDACTED]'s bunker.
 - [REDACTED] was observed with his pistol in his right hand and appeared to move further into the living room due to the debris in the pathway.
 - A taser being deployed and another team member yelling, "I'm out, I'm out!" are

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- heard.
- Objects are seen being thrown in the direction of the SWAT officers from the kitchen. [REDACTED] holsters his pistol.
 - [REDACTED] was seen moving objects out of his way; the following actions nearly simultaneously occur:
 - Wheeler appeared from behind the kitchen wall, grabbed and pulled the top of CPD [REDACTED] bunker.
 - [REDACTED] was seen throwing a flash grenade into the kitchen, and a second later the flash grenade was heard and seen detonating.
 - CPD [REDACTED] can be seen deploying his taser and Wheeler was observed grabbing at the taser.
 - Wheeler was seen with a knife in his right hand and lunged towards [REDACTED] [REDACTED] who are both on the floor.



- At the 2:43:40 hour mark, [REDACTED] was seen extending his right arm holding his pistol.
- A SWAT officer blocked the BWC view and five gunshots were heard.
- [REDACTED] dropped his bunker, climbed over the couch with his taser in his right hand and headed towards the basement stairs.

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- [REDACTED] was heard requesting a bunker and heard saying that Wheeler was been struck by gunfire.
- For the remainder of the footage, [REDACTED] continued to give orders to Wheeler.
- Tactics for entering the basement were discussed amongst SWAT officers.
- The pole camera was observed being sent down to the basement to locate Wheeler.
- At the 3:02:00 hour mark, entry into the basement was made.
- Wheeler was observed on his knees, slumped over on the basement floor. Wheeler was not moving.
- [REDACTED] then placed Wheeler's left arm behind his back while another SWAT officer applied the handcuffs.
- Medics were requested via radio and shouting up the basement stairs.
- Medics were seen entering the basement.
- [REDACTED] and other SWAT officers cleared the residence and nothing of investigative value occurs after the 3:11:00 hour mark.

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 1818 X60A8960E".

- The video was approximately one and one-half hours long and began with [REDACTED] taking cover at the front passenger door of BearCat 1 at 818 Cherryberry Drive.
- Throughout the footage, Wheeler never responded or complied to orders given.
- For approximately the next one hour and twenty minutes, [REDACTED] was heard talking with SWAT officers. Negotiations and commands were heard over the loudspeaker and entry tactics were heard being discussed.
- The commands and negotiations were made by Ofc. Vass until the negotiator arrived on scene. Those commands consisted of, but were not limited to, advising Wheeler he had a warrant for his arrest, that a safe resolution was the goal, communication options (come to the window, call the phone number given) were provided, and ordering Wheeler to come to the front door with his hands up and talk to the officers.
- 1:21:30 hour mark, two SWAT officers were seen approaching the front door and come into contact with Wheeler.
- Wheeler was not observed during that approach.
- A throw-bot was observed in [REDACTED] left hand as he approached the front door.
- Due to the BWC angle, the legs of SWAT officers standing near the front door were observed.
- The front door was seen ajar, and some pieces of furniture near the doorway are seen.
- [REDACTED] was positioned between two bunkers and quickly reacted to something by moving back and away from the front door.
- [REDACTED] right arm came into view, and he was holding a taser.

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- [REDACTED] was heard saying, “Fuck”, and seen walking behind BearCat 1.
- Blood was seen running down his forearm.
- [REDACTED] later ran to Medic 26 for first aid.
- Nothing of investigative value was captured after the 1:24:00 hour mark.

References:

E – CPD body-worn camera (Evidence.com)

Attachments:

Attachment # 01: 1-[REDACTED]

Attachment # 02: 1-[REDACTED]

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2024-08-01 19:38:13 -0400
AXON BODY 3 X60A8960E



Viewed by AChung (OhioAG.evidence.com) on 15 Oct 2024

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