



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] Officer Rodney Mayberry (W)

Date of Activity: 10/09/2024

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 in evidence.com. Please review the video footage in its entirety for specific details.

This report documents the body-worn cameras (BWC) of CPD Officers [REDACTED] and Rodney Mayberry (Ofc. Mayberry).

SA Chung reviewed CPD [REDACTED] BWC video. The video is located in the folder, Direct Involved, BWC with file name, "Axon Body 3 Video 2024-08-01 1827 X60A8796J". The following was noted within the footage.

- The video was just over three hours long and began with a dark screen, radio traffic and commands and announcements heard in the background.
- The video footage was dark or blocked until the 15:30 minute mark.
- Throughout the footage, Wheeler never responded or complied with orders given.
- The first hour of video footage consisted of SWAT officers discussing possible entry

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tactics and less-lethal options with continued commands and announcements heard in the background.

- The commands and announcements were made by CPD Officer Robert Vass (Ofc. Vass) until the negotiator arrived on scene and 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 indicated) were provided, and ordering Wheeler to come to the front door with his hands up and talk to the officers.
- At the 1:12:45 hour mark, six SWAT officers were seen making the first approach to the front door. [REDACTED] was observed to be fifth in the line of officers.
- CPD [REDACTED] can be heard saying, "He's got a gun."
- CPD [REDACTED] in partial camera view, can be seen crouching down with his right arm extended between two bunkers and was seen quickly moving back and away from the front door.
- Another team member was heard asking, "What was that?"



- Blood was observed running down [REDACTED] right forearm.
- SWAT officers immediately fell back to the rear of both BearCats.
- Neither a knife nor Wheeler were observed from this BWC footage as it was partially blocked by [REDACTED] bunker.
- For the next hour, more commands and announcements were heard.
- 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).

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- Gas canisters and knockers were heard being deployed into the residence.
- At the 2:34:21 hour mark, Ofc. Vass was heard telling SWAT officers the details of the pathway inside the house, and Wheeler's last observed position inside the house.
- At the 2:56:15 hour mark, [REDACTED] was seen approaching the front door with seven SWAT officers.
- A taser being deployed and [REDACTED] yelling, "I'm out" was heard.
- [REDACTED] was observed holding a flash grenade in his right hand.
- At the 2:57:25 hour mark, Wheeler was seen pulling the top of [REDACTED] bunker with his left hand.



- A flash grenade was heard detonating.
- [REDACTED] was seen transitioning to his pistol and five gunshots were heard. The view was blocked by the bunker in [REDACTED] left arm.
- Officers [REDACTED] were observed on the ground.
- [REDACTED] can be heard telling another team member he got stabbed in the leg.

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- [REDACTED] was observed walking outside, retrieving a gas canister (sometimes referred to as a tri-chamber), and later the throw-bot.
- [REDACTED] was heard telling Wheeler's position and that [REDACTED] discharged his weapon.
- [REDACTED] was seen re-entering the residence and walked into the kitchen.
- [REDACTED] exited the residence at the 3:06:11 hour mark and did not re-enter the residence.
- Nothing of investigative value occurred after [REDACTED] exited the residence.

SA Chung reviewed CPD [REDACTED] BWC video. The video is located in the folder, Direct Involved, BWC with file name, "Axon Body 3 Video 2024-08-01 1839 X60A8824E". The following was noted within the footage.

- The video was two hours and forty-seven minutes long and began with [REDACTED] walking towards 818 Cherryberry Drive and encountered a couple that identified themselves as Wheeler's parents. [REDACTED] immediately directed them to a command bus.
- The announcements were made by Ofc. Vass until the negotiator arrived on scene.
- Those announcements 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 indicated) were provided, and ordering Wheeler to come to the front door with his hands up and talk to the officers;.

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- Throughout the footage, Wheeler does not respond to any commands.
- For the first hour of the footage, [REDACTED] was heard engaging in conversation with SWAT officers, and changed positions between the rear and the driver's side door of BearCat 2.
- At the 58:55 minute mark, six SWAT officers were observed making the first approach to the front door with [REDACTED] holding his rifle.
- [REDACTED] was observed approaching the front door, positioned behind [REDACTED]
- [REDACTED] was seen crouching down and his right arm extended between two bunkers with a taser in his right hand.



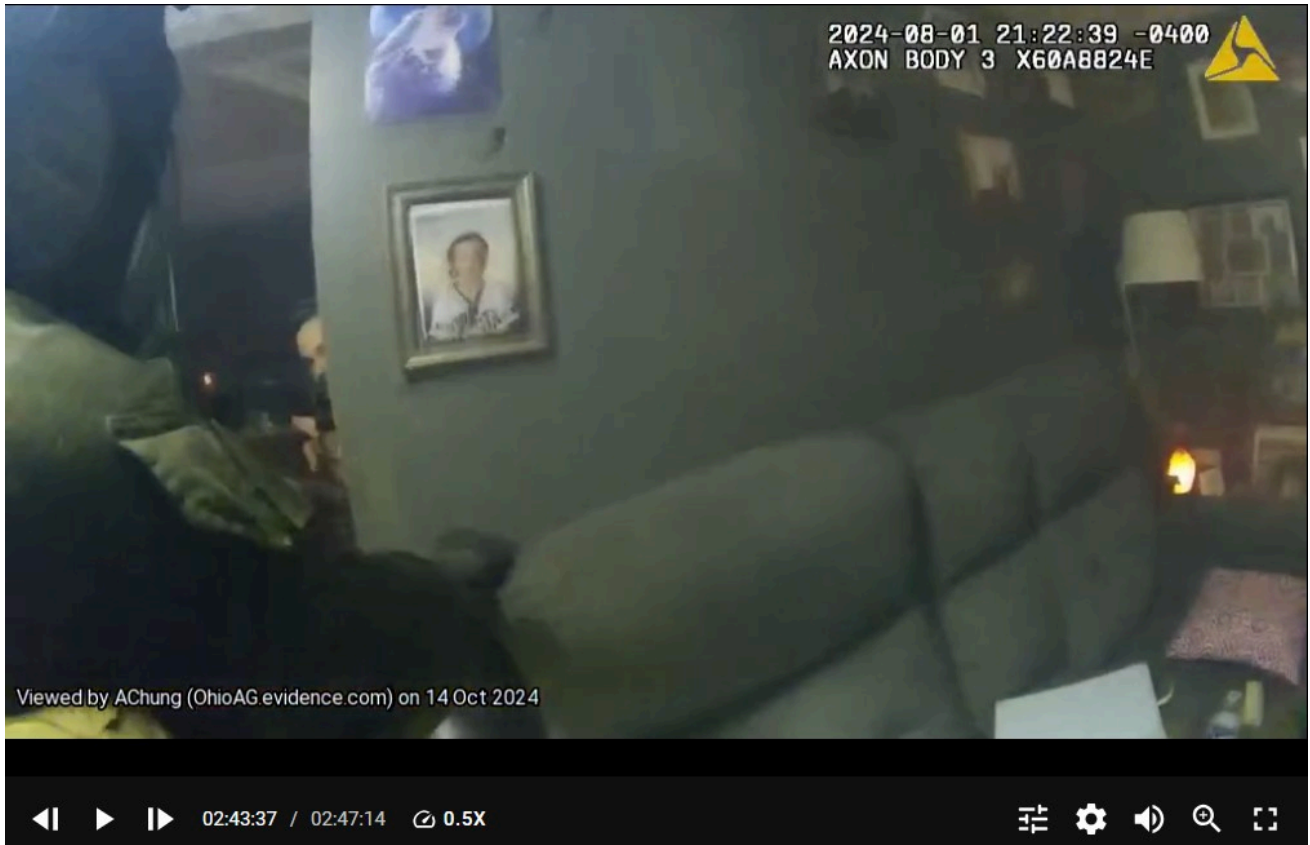
- [REDACTED] was observed to quickly duck down and away from the front door as a knife with a red handle was seen flying through the air in the direction of the SWAT officers.

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- [REDACTED] was seen retreating back to BearCat 2 and SWAT officers retreat back immediately.
- For the next two hours, more commands and announcements were heard.
- In those two hours negotiation attempts were made, multiple gas canisters, and knockers could be heard and seen being deployed into the residence.
- At the 2:42:35 hour mark, seven SWAT officers were observed making entry into the house.
- [REDACTED] came to a stop as he reached the front door due to debris blocking the pathway of the SWAT officers in front of him.
- A taser being deployed was heard and Wheeler can be seen throwing objects as Wheeler stood behind the kitchen wall.
- At the 2:43:36 hour mark, [REDACTED] approached the kitchen, he yelled, "Ah!".
- Wheeler appeared from behind the wall holding a knife in his right hand while pulling [REDACTED] bunker down.

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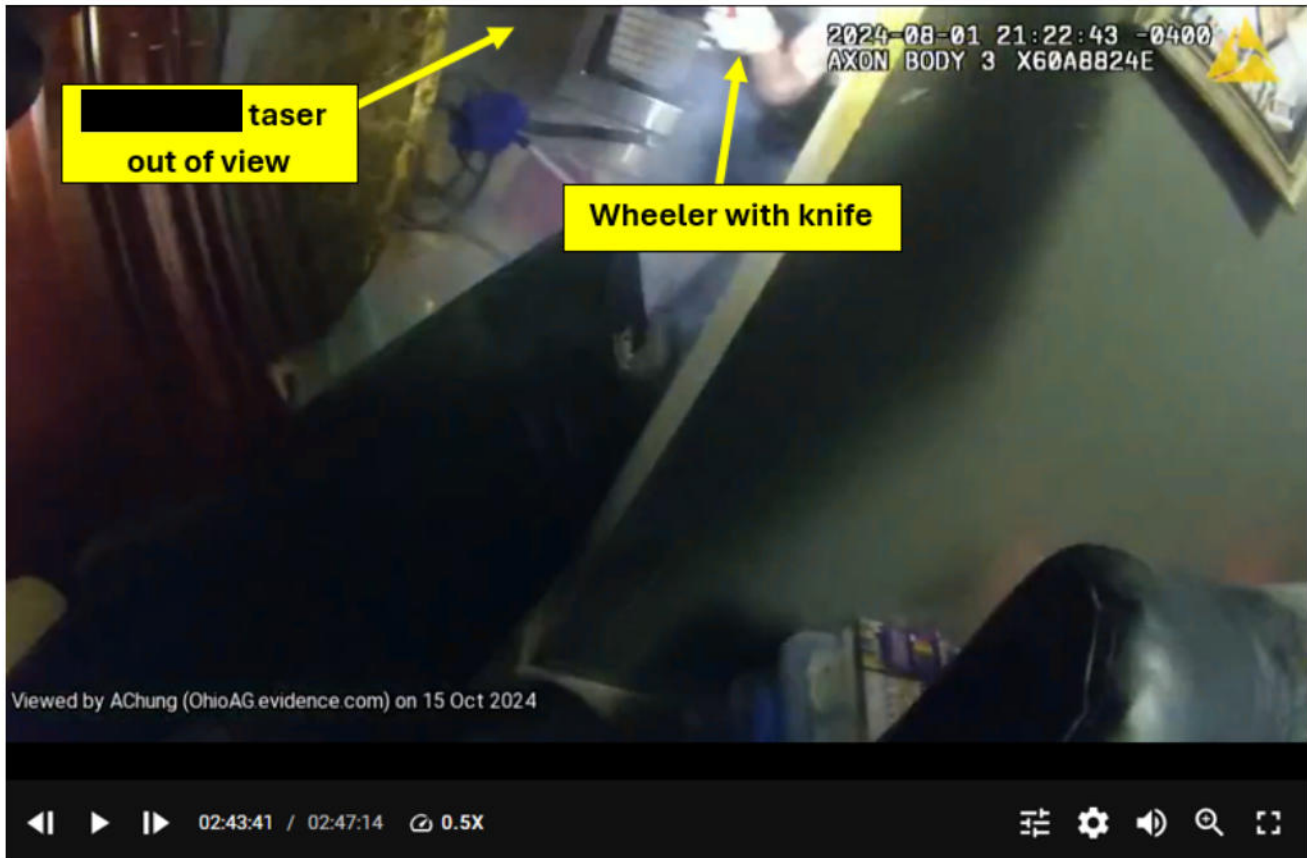


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- Simultaneously, [REDACTED] was seen stepping over [REDACTED], with his left arm extended as he deployed his taser and falls to the floor.
- Wheeler made a quick stabbing motion towards [REDACTED] hand holding his taser.
- Wheeler was seen with a knife in his right-hand lunging towards [REDACTED] and [REDACTED].

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- At the 2:43:43 hour mark, [REDACTED] can be seen and heard firing his weapon five times towards Wheeler.
- Wheeler was observed heading towards the basement stairs.

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- [REDACTED] stood up and walked out of the house.
- The video ends with [REDACTED] walking towards the medic.

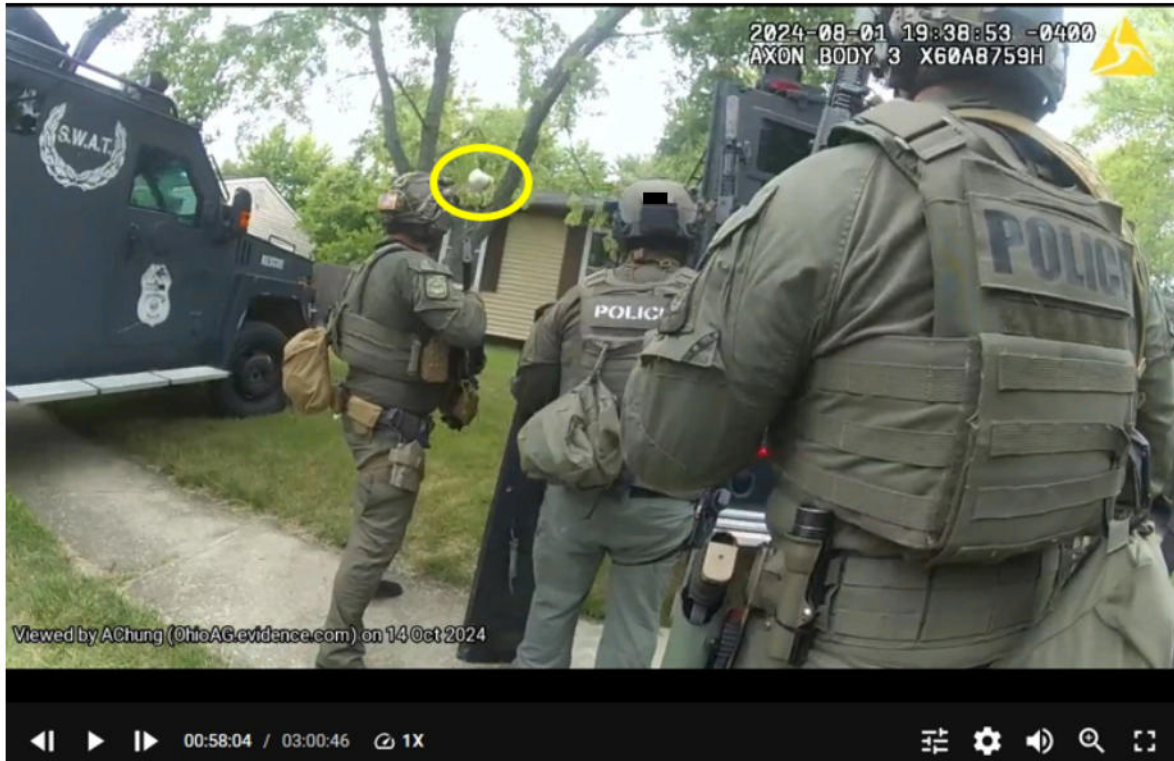
SA Chung reviewed CPD Ofc. Mayberry's BWC video. The video is located in the folder, Direct Involved, BWC with file name, "Axon Body 3 Video 2024-08-01 1840 X60A8759H". The following was noted within the footage.

- The video was three hours long and began with Ofc. Mayberry putting his gear on at his personal vehicle and then tactfully making his way towards the BearCat's parked on the front lawn of 818 Cherryberry Drive.
- The announcements were made by Ofc. Vass until the negotiator arrived on scene.
- Those announcements consisted of, but 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 indicated) were provided, and ordering Wheeler to come to the front door with his hands up and talk to the officers.
- Throughout the footage, Wheeler did not respond to commands given.
- At the 54:50 minute mark, the ram on BearCat 1 was heard breaching the front door.
- Wheeler was seen by SWAT officers "running to the 2 side" (a number designated according to side of the house).
- At the 57:11 minute mark, six SWAT officers were seen approaching the front door.
- Ofc. Mayberry was observed to be the last in the line of the SWAT officers. The camera

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view of the first approach was blocked due to Ofc. Mayberry standing close to [REDACTED].

- [REDACTED] can be heard saying, "Fuck" and he was seen retreating towards the BearCat.
- SWAT officers were observed to immediately fall back as well.
- At the 58:04 minute mark, a candle was observed flying through the air near SWAT officers positioned between both BearCats.



- For the next two and one-half hours, general communication amongst SWAT officers, and throw-bot communication attempts were made. Negotiation announcements continued, entry tactics (less-lethal, hands-on, bunkers, etc.) were discussed, gas and knockers are deployed into the residence.
- At the 2:40:05 hour mark, seven SWAT officers were seen forming a line, and entry was observed to be made into the residence through the front door.
- The bunker that Ofc. Mayberry was holding blocked the camera's view until he was observed inside the house one minute later.
- The sound of a taser being deployed and a team member yelling, "I'm out! I'm out!" were heard.
- At the 2:41:55 hour mark, [REDACTED] appeared with his right arm extended, holding his pistol.
- [REDACTED] can be seen and heard discharging his weapon five times.
- Wheeler was seen lunging towards [REDACTED] who were on the ground, in front of [REDACTED].
- At the 2:41:56 hour mark, a knife could be observed in Wheeler's right hand.

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- Ofc. Mayberry was seen climbing over [REDACTED], to enter the kitchen and eventually the top of the basement stairs.
- A SWAT officer can be heard saying, "He's hit, he's shot."
- SWAT officers were heard giving orders to Wheeler, who did not respond.
- The video footage was blocked on and off from Ofc. Mayberry's bunker or SWAT officers for approximately eighteen minutes.
- A SWAT officer was heard stating that Wheeler was down after the pole camera was utilized.
- The BWC ended as Ofc. Mayberry was entering into the basement.

References:

A – CPD body-worn camera (evidence.com)

Attachments:

Attachment # 01: 1- [REDACTED]
Attachment # 02: 2- [REDACTED]
Attachment # 03: 1- [REDACTED]
Attachment # 04: 2- [REDACTED]
Attachment # 05: 3- [REDACTED]
Attachment # 06: 4- [REDACTED]
Attachment # 07: 5- [REDACTED]
Attachment # 08: 6- [REDACTED]

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Attachment # 09: 1-Mayberry
Attachment # 10: 22-Mayberry

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2024-08-01 19:38:15 -0400
AVON BODY 3 X60A8796J



Viewed by AChung (OhioAG.evidence.com) on 09 Oct 2024

2024-08-01 21:22:40 -0400
AXON BODY 3 X60A8796J



Viewed by AChung (OhioAG.evidence.com) on 10 Oct 2024

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2024-08-01 21:22:39 -0400
AXON BODY 3 X60A8824E

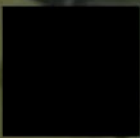


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2024-08-01 21:22:41 -0400
AXON BODY 3 X60A8824E



Viewed by AChung (OhioAG evidence.com) on 14 Oct 2024

2024-08-01 21:22:43 -0400
AXON BODY 3 X60A8824E



██████ taser
out of view

Wheeler with knife

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

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2024-08-01 21:22:46 -0400
AXON BODY 3 X60A8824E



Viewed by AChung (OhioAG.evidence.com) on 14 Oct 2024

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2024-08-01 19:38:53 -0400
AXON BODY 3 X60A8759H



Viewed by AChung (OhioAG.evidence.com) on 14 Oct 2024

00:58:04 / 03:00:46 1X



2024-08-01 21:22:45 -0400
AXON BODY 3 X60A8759H



Viewed by AChung (OhioAG.evidence.com) on 06 Nov 2024

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