



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



2023-1809  
 Officer Involved Critical Incident – 3110 E. Livingston Avenue,  
 Columbus, Ohio 43227 (L)

**Investigative Activity:** Interview with Subject, Interview with Officer  
**Involves:** ██████████ ██████████ (S)  
**Date of Activity:** 08/31/2023  
**Activity Location:** Harshman, Wannemacher, Tipton & Lipperman – 4683 Winterset Drive, Columbus, OH 43220, Franklin County  
**Author:** SA Ryan D. Scheiderer, #89

**Narrative:**

On August 31, 2023 at approximately 1648 hours, Ohio Bureau of Criminal Identification and Investigation (BCI) Special Agent Ryan Scheiderer (SA Scheiderer) obtained a recorded statement from Columbus Division of Police (CPD) ██████████ ██████████ ██████████ ██████████ regarding the shooting incident involving officers from CPD, deputies from the Franklin County Sheriff’s Office (FCSO), and Antwan Lindsey (Lindsey), that occurred on July 08, 2023 at 3110 E. Livingston Avenue, Columbus, Ohio (Franklin County). Lindsey was fatally shot by officers during that incident. The contact with ██████████ ██████████ took place at his attorney’s office and his attorney, Kate Harshman, was present. ██████████ ██████████ signed a Criminal Investigation Notification (CIN) form affirming his decision to provide a voluntary statement. Prior to meeting with SA Scheiderer, ██████████ ██████████ and his attorney prepared typed statement which ██████████ ██████████ signed in front of SA Scheiderer affirming that would be his official statement regarding this incident. That statement (Attachment #01) is attached to this report and available for review. The following is a summation of the contact with ██████████ ██████████ and additional details can be found in the attached audio recording. *(It should be noted that during the interview, Lindsey was referred to as “suspect” by the officer and that verbiage may be used throughout the summary when trying to quote the officer or document what an officer stated they heard or thought regarding the incident.)*

**EXCERPTS FROM STATEMENT**

*“I do not remember initially seeing a gun when I came upon the suspect, but at some point early in the altercation, I saw a black pistol at the suspect's feet to his left (east). The gun was outside of the steel fire door on our side (south side) of the wall. I do not believe that the gun would have been visible to anyone on the other side of the door/wall. It appeared that the slide*

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*was drawn back, which indicated to me that there was either a malfunction or the suspect had run out of ammunition. Though I saw the weapon, we always assume plus one. In other words, the suspect can always have another weapon. The suspect was only partially visible on our side of the door, and at times I could not see either of his hands. I could hear officers on the other side of the building also giving commands, but it was difficult to make out what they were saying to the suspect. I could not see them, I did not know how far back in the hallway they were or if they were at the north entrance, or how many officers. Throughout this period of time, Officer Cook repeatedly told the suspect to put his hands up. The suspect continued to not comply.”*

*“Due to his repeated non-compliance, I decided that I was going to attempt to tase the suspect. I had lethal back-up. At the time, I only remember Officer Cook and Officer Thomas being with me on the landing, but both were armed and pointing their weapons at the suspect. We were taking cover in the stairwell that headed up to the second floor and used it as a barrier. I believed I was close enough to deploy the taser prongs and have them connect, And I believed I had the time necessary to use the non-lethal force. I notified Officer Thomas and Officer Cook that I was going nonlethal. I remember Officer Cook saying something like "go ahead". I yelled "going taser, taser, taser, taser" loudly, as did Officer Cook. I deployed the taser. The prongs appeared to connect on his left side. The taser made a loud popping sound, which was very loud due to the height of the stairwell and the fact the stairwell was enclosed. Directly after this, the suspect seemed to stiffen up and then, I immediately heard a volley of gun fire.”*

*“At the time I deployed my taser, the suspect had been continuously and repeatedly been non-compliant with officers' directions for several minutes. I had the banister of the stairway between the subject and I with what I believed was adequate distance between us. I was close enough for the prongs of the taser to connect with the suspect. Officers Cook and Thomas were backing me up with deadly force. At the time I used nonlethal force against the suspect, I could see a gun on the ground. Though it was possible that the suspect could have had another weapon, I believed that I had the time necessary to deploy my taser and I did. Considering what I knew and what I saw at the time, I believed that it was the best course of action at the moment.”*

## FOLLOW-UP QUESTIONS

SA Scheiderer asked a series of clarifying questions after receiving [REDACTED] [REDACTED] official statement. The following is a summation of the information gained from those questions.

[REDACTED] [REDACTED] did not discharge a firearm during the incident, but did deploy a Taser on Lindsey. [REDACTED] [REDACTED] explained that his understanding from the initial radio traffic it was a FCSO detective that was being shot at and the suspects was a male/White wearing a black shirt and tan pants. However, that was not an accurate description of Lindsey. [REDACTED] [REDACTED] stated when he arrived on scene, he encountered the involved-deputy near a sheriff's office cruiser, but he was not aware that deputy was the original involved detective. While responding to the scene, [REDACTED] [REDACTED] was not made aware of the deputy's location or Lindsey's. When he arrived on scene, [REDACTED] [REDACTED] did not observe anyone near the front entrance of the apartment building. [REDACTED] [REDACTED] stated that prior to that incident, CPD encountered issues with their radios which

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caused officers to be called back to their substations until the radio issues were resolved.

When [REDACTED] [REDACTED] entered the apartment building, he was not aware of Lindsey's location. [REDACTED] [REDACTED] confirmed he heard at least one (1) gunshot in the area prior to entering the building. When [REDACTED] [REDACTED] first observed Lindsey inside the apartment building, he was able to observe Lindsey's left hand, and there wasn't a firearm present. The second time [REDACTED] [REDACTED] observed Lindsey, he observed a black pistol on the floor near Lindsey that appeared to be in slide-lock (out of ammunition) or out of battery due to a malfunction. [REDACTED] [REDACTED] never witnessed Lindsey discard the pistol, but believed it was associated with Lindsey. [REDACTED] [REDACTED] stated that Lindsey never surrendered and was non-compliant the entire time. [REDACTED] [REDACTED] did not witness any behaviors from Lindsey consistent with him wanting to surrender, but [REDACTED] [REDACTED] did witness Lindsey stick his middle finger up ("flipping the bird") at officers. [REDACTED] [REDACTED] stated had Lindsey clearly surrendered, he would have been taken into custody without further incident. [REDACTED] [REDACTED] confirmed that he had experienced situations where a subject was initially non-compliant, but then surrendered and taken into custody without further incident.

Based on [REDACTED] [REDACTED]'s observations, when he and the other officers encountered Lindsey on the south end of the apartment, he felt a Taser would de-escalate the situation. [REDACTED] [REDACTED] stated that even though there was a firearm near Lindsey and his right hand wasn't visible, there was lethal coverage on Lindsey and deploying the Taser could have resolved the situation. [REDACTED] [REDACTED] had previously witnessed Tasers used against subjects that resulted in them being taken into custody and situations resolved without deadly force being used. When [REDACTED] [REDACTED] decided to deploy his Taser onto Lindsey, it was his intent to take Lindsey into custody, not cause his death. [REDACTED] [REDACTED] clarified had Lindsey surrendered and complied with officer's commands, he would have never deployed his Taser. When the gunfire occurred after he deployed his Taser, [REDACTED] [REDACTED] was uncertain if the gunfire came from officers, Lindsey or both. [REDACTED] [REDACTED] stated his actions were consistent with his training he received from CPD and his experiences as an officer. [REDACTED] [REDACTED] denied having any sustained disciplinary actions concerning uses of force. [REDACTED] [REDACTED] didn't have any additional information.

#### Attachments:

Attachment # 01: [REDACTED] [REDACTED] Statement 8.31.2023  
Attachment # 02: [REDACTED] [REDACTED] Audio Interview 8.31.2023  
Attachment # 03: [REDACTED] [REDACTED] CIN 8.31.2023

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STATEMENT OF [REDACTED] BADGE # [REDACTED]

This statement is regarding my involvement in an incident that occurred Saturday, July 8, 2023, between the hours of 7:45pm and 8:15pm.

I was hired as a police officer with the Columbus Division of Police in December of 2018. My regular assignment is Precinct 9C6. I have been in that assignment for approximately one (1) month. However, I have been assigned to 9 Precinct, which is in Zone 2, for approximately four (4) years. My regular duty hours are 10:00pm to 6:00am with Thursdays and Fridays off. On Saturday, July 8, I was on Park Special, a special duty assignment which requires officers to travel from city party to city park from 4:00pm to 10:00pm. I was then going to work my normal Saturday shift assignment from 10:00pm to 6:00am. I was assigned to Park Special in Zone 6. I was working in Cruiser [REDACTED] but I believe it was marked as [REDACTED] I had no partner.

At the time of the incident, I was dressed in the patrol uniform of the day, which included the standard uniform ball cap. I was armed with a department-issued Smith and Wesson M&P 9mm 2.0 with standard department-issued ammunition and with light. I was carrying my weapon holstered on my right hip. I am right-hand dominate. I was current in my range qualification with my weapon and light. I was not carrying any backup weapons. I did not fire my weapon during the course of this incident. I was also carrying my department-issued taser on my left front side. I believe the taser is a X26P model. It is bright yellow in color. I deployed my taser during the course of the incident.

I was in good health at the time of this incident. I was not taking any medication that would in any way affect my ability to carry out my responsibilities and duties as a police officer. I had consumed no alcohol or drugs in the twenty-four (24) hour time period prior to this incident. I was

not under any unusual stress. I do not wear a hearing aid, nor do I have any problems with my hearing. I do not wear glass or contacts, nor do I have any problems with my sight.

On Saturday, July 8 at approximately 5:45pm, I was patrolling Nelsen Park, located at 430 N. Nelson Road, Columbus, OH 43219 in Zone 6. There was an issue with radio traffic being offline. I returned to Substation 9 in Zone 2, located at 3022 Winchester Pike, Columbus, OH 43232, until the problem was fixed. I was finishing up a meal just before 8:00pm at the Substation when the radio began to work. It was then aired that a detective was taking fire at 3110 E Livingston Avenue, which is in 9 Precinct not far from where I was. The description aired was male white with a black shirt and tan pants. I responded.

The address is a brick apartment building with three (3) floors. The "first floor" is more like an elevated basement. The building is orange/brown brick and sits on the north side of Livingston Avenue. The main door faces south towards the street. The front door is glass and has an awning over top of it. In front of the door are a few concrete steps. The building has a parking lot to the immediate east. When I arrived, I pulled up behind a Franklin County Sherriff's K-9 vehicle that was west and south of the main entrance in front of 3098 Livingston Avenue. The Deputy's cruiser was pointed towards the front entrance of 3110 to the northeast. The Deputy, who I now know was [REDACTED] was taking cover behind the rear passenger side of his vehicle with his gun raised towards the entrance of 3110. As I moved to the driver's side of his vehicle behind cover, the Deputy told me that other officers had gone to the north side of the building. Sergeant Scott Goodrich, who had also responded, and the Deputy had a further conversation, but I did not hear everything that was said because I was yelling at civilians to get inside due to the danger. I did hear Sergeant Goodrich ask if the Deputy was ok, and he stated that he was.

I initially moved up the west side of the building between 3098 and 3110 following Sergeant Goodrich. Several of us entered the north door at the back of the building, which was also glass but much smaller than the main entrance. We entered the back door onto a small landing. There is a half flight of stairs going down to the first floor/basement level to the right (west) and a half of flight going up to the second/middle floor to the left (east). A few officers went downstairs, but I followed Sergeant Goodrich up to the second/middle floor. On the landing of the second/middle floor, there was a steel fire door to enter the hallway for the apartments. I was told to follow Officer Cook, who was a rifleman, down the hallway of the second/middle floor. While we were in the hallway of the second/middle floor, I asked Officer Cook if he had a description of the suspect. Officer Cook radioed to ask for a description, and it was aired that the suspect was a male white with black shirt and tan pants.

We cleared the hallway and moved to the second/middle floor landing on the south side of the building. We were on our way up to the third floor when I heard officers yelling from the first floor/basement. I do not remember or could not hear what they were yelling specifically. I took the stairs towards the first-floor landing at the front entrance on the south side of the building. Officer Cook accompanied me. This stairwell is about a story and a half high. The stairs to the second floor are on the west side of the stairwell and the stairs down to first floor/basement are on the east. As I came around the corner of the steps from the second story with my weapon drawn, I saw a man coming out of the steel fire door that stood at the beginning of the first/basement floor hallway coming towards me. The man was below me because I stood on the above landing, which required going down half a flight of stairs to get to the steel door where the suspect stood.

When the man saw me, he headed back (north) through the door, giving Officer Cook and I the finger. I could only see the left-hand side of the suspect's body. He was a male black wearing

a black shirt and tan pants. His left hand was on the edge of the steel fire door, which swung out towards us- the handle on the east side of the door (right-hand when facing). The right side of his body was behind the door. He was mostly facing us.

At some point early on, Officer Brady Thomas joined us. I believed I told the suspect that we were Columbus Police. The suspect was ordered to get his hands up many times. He would not comply. Officer Cook moved from my left-hand to my right-hand side. I was standing up on the first or second stair going up towards the second floor. Officer Cook was to my right-hand side on the landing with his rifle and I believe that Officer Thomas was right of him with his pistol.

I do not remember initially seeing a gun when I came upon the suspect, but at some point early in the altercation, I saw a black pistol at the suspect's feet to his left (east). The gun was outside of the steel fire door on our side (south side) of the wall. I do not believe that the gun would have been visible to anyone on the other side of the door/wall. It appeared that the slide was drawn back, which indicated to me that there was either a malfunction or the suspect had run out of ammunition. Though I saw the weapon, we always assume plus one. In other words, the suspect can always have another weapon. The suspect was only partially visible on our side of the door, and at times I could not see either of his hands. I could hear officers on the other side of the building also giving commands, but it was difficult to make out what they were saying to the suspect. I could not see them, I did not know how far back in the hallway they were or if they were at the north entrance, or how many officers. Throughout this period of time, Officer Cook repeatedly told the suspect to put his hands up. The suspect continued to not comply.

Due to his repeated non-compliance, I decided that I was going to attempt to tase the suspect. I had lethal back-up. At the time, I only remember Officer Cook and Officer Thomas being with me on the landing, but both were armed and pointing their weapons at the suspect. We

were taking cover in the stairwell that headed up to the second floor and used it as a barrier. I believed I was close enough to deploy the taser prongs and have them connect. And I believed I had the time necessary to use the non-lethal force. I notified Officer Thomas and Officer Cook that I was going nonlethal. I remember Officer Cook saying something like "go ahead". I yelled "going taser, taser, taser, taser" loudly, as did Officer Cook. I deployed the taser. The prongs appeared to connect on his left side. The taser made a loud popping sound, which was very loud due to the height of the stairwell and the fact the stairwell was enclosed. Directly after this, the suspect seemed to stiffen up and then, I immediately heard a volley of gun fire.

We shifted further west towards the wall of the upward stairs to get out of the way of fire. It was not until then that I realized that Officer McGinty was also in the stairwell with us. I am unsure when he arrived. Once the firing ceased, I made my way back around to the suspect. Officers were coming up towards the suspect from the north. The prongs of my taser were still connected to the suspect. I released the cartridge and holstered my taser. I saw officers providing aid to the suspect. I had no further involvement in the incident. Officer Steven Foe came to the scene as my Officer Support and drove me to Substation 9 to await FOP representation.

At the time I deployed my taser, the suspect had been continuously and repeatedly been non-compliant with officers' directions for several minutes. I had the barrier of the stairway between the subject and I with what I believed was adequate distance between us. I was close enough for the prongs of the taser to connect with the suspect. Officers Cook and Thomas were backing me up with deadly force. At the time I used nonlethal force against the suspect, I could see a gun on the ground. Though it was possible that the suspect could have had another weapon, I believed that I had the time necessary to deploy my taser and I did. Considering what I knew and what I saw at the time, I believed that it was the best course of action at the moment.

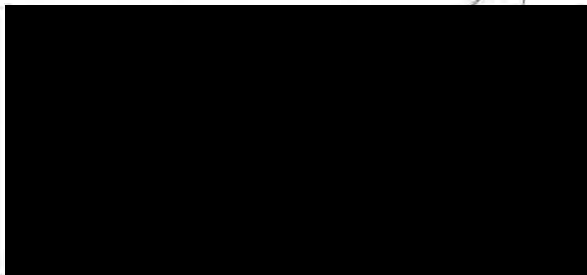




I now know that the suspect's name was Antwan Lindsey. I do not recall ever having any prior interactions with the suspect, either professional or personal.

After review of video of the incident, I can now tell that the officers yelling on the first/basement floor were yelling for the suspect to put up his hands when Officer Cook and I made our way down from the second floor. I also now know that Officer Thomas came into the stairwell landing with Officer Cook and I from the outside, and Officer McGinty was in the stairwell prior to deploying my taser. Review of the video footage did not materially alter my recollection of what occurred.

This statement consists of six (6) pages.





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**Criminal Investigation Notification**

1. This investigation is being conducted in order to determine whether any criminal laws have been violated on the part of those involved in this incident. Specifically, to collect facts and information to be provided to the prosecutor and/or grand jury in order for them to determine whether the conduct involved is authorized or prohibited by criminal statutes.
2. Your participation in this interview is voluntary and you may decline to answer or cease the interview at any time. You are entitled to have an attorney present if you wish.
3. The criminal investigation is separate from any internal, administrative investigation which your employer may or may not be independently conducting. You are not being compelled to give any statement or answer any questions. This is not a "Garrity" interview (where you could be required to answer).

[Redacted]

8/31/2023 4:49 PM  
Date / Time

[Redacted]

FRAN SCHERER  
BCI Agent (Printed)

[Signature]  
BCI Agent (Signature)