



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: Interview with Officer
Involves: ██████████
Date of Activity: 08/26/2024
Activity Location: – 2609 McKinley Ave., Columbus, OH 43204
Author: SA James Poole

Narrative:

On Monday, August 26, 2024 at 1147 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agents James Poole (SA Poole) and Aja Chung (SA Chung) interviewed ██████████ ██████████ of the Columbus Division of Police (CPD) at 2609 McKinley Avenue, Columbus, Ohio. ██████████ was identified as a member of the CPD ██████████ ██████████ that responded to a barricade situation that occurred on Thursday, August 1st, 2024. The barricade situation stemmed from a domestic dispute involving Benjamin Wheeler (Wheeler), who died from his injuries. Also present during the interview was ██████████ union attorney, Nicole Wannemacher. The purpose of the interview was to obtain all relevant information of the incident known or observed by ██████████.

Prior to the start of the interview, SA Poole advised ██████████ that BCI was conducting a criminal investigation separate from any internal investigation that CPD may be conducting. ██████████ was told that this interview was voluntary, and he could stop answering questions at any time. ██████████ verbally agreed to continue with the interview.

This interview was audio recorded, and a copy of the recording was saved electronically within the case file. Please refer to the recording for specific quotes. The following is a summation of the interview.

██████████ advised that he is assigned to ██████████ (7a-3p), his badge number is ██████████ and he is a member of the CPD ██████████ ██████████. ██████████ indicated he has been employed with CPD for ██████████ years and has been a member of the ██████████ for roughly 4 years. On the night of August 1st, 2024, ██████████ confirmed that he was wearing a body worn camera and it was powered on during the incident. He was also wearing a camera on his helmet, but it was not activated to record. ██████████ confirmed he was not working special duty/overtime at the time of the call out. ██████████ advised he wears glasses to read and went on to explain what his uniform consisted of. ██████████ said he wore his green battle

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dress uniform (BDU) shirt and pants, a heavy ballistic kit and helmet. He was carrying his Glock 17; with his rifle was slung over his shoulder and his taser during the incident.

██████████ then told BCI agents what he witnessed on August 1st, 2024. ██████████ indicated CPD patrol responded to 818 Cherryberry Drive and encountered Wheeler, who had felony warrants for his arrest. Since Wheeler was not coming out of his residence, CPD SWAT was called to the scene. ██████████ went on, stating that negotiations had been going on for a while and when it was decided to conduct a “wake up” call to get the attention of Wheeler. The purpose of the “wake up” call was to get Wheeler’s attention since he was not responding to their announcements. ██████████ indicated a “wake up call” is a term used for breaching the front door.

██████████ explained after the front door was opened by the BearCat, Ofc. Vass obtained a view of Wheeler and relayed information on the subject’s actions. It was at that time, ██████████ and Sgt. Wilgus made the decision to attempt to tase Wheeler at the front door and take him into custody. ██████████ confirmed he was not part of the initial contact and that he was number 6 or 7 within the “stack” of other SWAT members.

During the first encounter with Wheeler, ██████████ said he could see ██████████ turn away from the doorway and walk back to the BearCat. When ██████████ got to the rear of the BearCat, ██████████ could see that ██████████ was injured and bleeding from his arm. Simultaneously, ██████████ saw objects being thrown from the house, to include a knife, candle, and piece of wood. ██████████ said he saw a knife thrown from the house but didn’t see what injured ██████████

██████████ went on saying that negotiations continued unsuccessfully and eventually gas was deployed into the house. A decision was made by the team that a second entry was needed to take Wheeler into custody. ██████████ confirmed that Wheeler never responded to the negotiator or showed himself to the team. ██████████ indicated that Ofc. Vass could see what Wheeler was doing and would relay Wheeler’s actions to the team. ██████████ also advised that Wheeler would yell at times, but his words were unintelligible.

██████████ indicated the (second) plan was to make entry and tase Wheeler. ██████████ explained that a drone was deployed but Wheeler was able to knock it down. When the second drone was deployed, the SWAT team shot wooden knockers into the house to distract Wheeler from the drone. ██████████ advised this was conducted so the team could make entry into the house. ██████████ stated he was 6th back in the “stack” and his job was to be the “hands on” and a taser team member. ██████████ explained that “hands on” meant that if another team member effectively tased Wheeler, he was to place handcuffs on Wheeler. ██████████ also had a taser ready in the event any of the front team members unsuccessfully deployed their taser, he would move up and deploy his taser.

██████████ went on telling BCI agents, once entry was made, Wheeler put obstacles in the pathway from the front door to the kitchen. ██████████ said, “our footing wasn’t secure, and it was difficult moving forward to where he was at.” ██████████ further said, Wheeler was throwing objects at them as they tried to maneuver through the debris. ██████████ explained how Wheeler would throw items at the team and then hide behind the wall that separated the

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kitchen from the living room to prevent being tased. [REDACTED] said after the entry was made, he heard [REDACTED] taser deploy and then heard him say "I'm out. I need another taser." At that point [REDACTED] said he moved up to the front to deploy his taser and as he got to the front, [REDACTED] fell and [REDACTED] deployed his taser. [REDACTED] said he simultaneously lost his footing, fell and he felt something hit his left hand. [REDACTED] explained that he fell on his left side and since he is left-handed, he could not unholster his pistol. [REDACTED] indicated his arm was still extended with the taser aimed at Wheeler and that is when he saw his hand was bleeding. It was at that time he saw Wheeler holding the knife coming towards [REDACTED] and himself. [REDACTED] said he thought to himself, "This isn't good" because he could not reach his pistol. Then [REDACTED] said he heard gunshots from behind him.

SA Poole asked [REDACTED] if he ever feared for his life. [REDACTED] stated, that after he fell and saw Wheeler was coming at them [REDACTED] with a knife, yes. "I thought he was going to stab [REDACTED] and I."

SA Poole asked what [REDACTED] did after he heard the gunshots. [REDACTED] stated he stayed down on the ground as he did not know if there would be more gunfire.

SA Poole asked [REDACTED] at what time did he get up. [REDACTED] said he got to his feet after another team member was moved off of him.

SA Poole inquired if [REDACTED] helped other members in the basement? [REDACTED] advised he did not because he was injured. [REDACTED] said he went out to the BearCat and assisted [REDACTED] remove his gun belt. [REDACTED] further explained that he stayed with the injured [REDACTED] per SWAT procedure, and ultimately went to Grant Hospital with him.

SA Poole asked [REDACTED] if he or any of the officers around him acted in a criminal manner. [REDACTED] said, "no."

SA Poole asked if at any point in time did [REDACTED] or any other officers violated any policies within CPD. [REDACTED] replied, "no."

The interview concluded at approximately 1209 hours.

References:

No references.

Attachments:

Attachment # 01: 2024-08-26 [REDACTED]