



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



2021-0888
Officer Involved Critical Incident – 500 South Cleveland Ave.,
Westerville, Ohio 43081 (L)

Investigative Activity: Interview with Witness
Involves: Eric Everhart (W)
Date of Activity: 04/14/2021
Activity Location: Westerville Police Department – Business – 29 South State Street,
Westerville, OH 43081
Author: SA Andrew Russell

Narrative:

On Wednesday, April 14, 2021, at approximately 1335 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agents Andy Russell (SA Russell) and Jim Mulford (SA Mulford) interviewed Westerville Police Department (WPD) Officer Eric Everhart (Officer Everhart) in response to an Officer Involved Critical Incident (OICI) that occurred on April 12, at Mount Carmel St. Ann's Hospital in Westerville, OH.

An altercation happened between Miles Jackson (Jackson) and officers from the Columbus Division of Police, Westerville Police, and St. Ann's Security Department. Jackson died as a result of gunshot wounds from this incident. The purpose of the interview was to obtain all relevant information of the incident known or observed by this individual. 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.

Officer Everhart was interviewed in a conference room at the WPD. Also present for the interview was his FOP attorney Kate Harshman. Agents introduced themselves and informed Officer Everhart that BCI was conducting a criminal investigation and his participation was voluntary and by no means an internal investigation. Officer Everhart voluntarily agreed to speak with agents and completed the BCI Criminal Investigation Notification (CIN) Form.

Officer Everhart has worked as a police officer for the City of Westerville for approximately 6 years. He is currently assigned as a patrol officer. Officer Everhart explained he was dispatched to Chase Bank with WPD Officer Lammert to a suspicious person laying on a bench. Officer Lammert arrived first and requested a medic prior to his arrival. Upon his arrival, Officer Everhart could not tell if the subject, later identified as Miles Jackson, was high, drunk, diabetic, or had a head/brain injury, but he needed to see a medic. Medics arrived and did an initial assessment on Jackson, then placed him on a cot to transport to St. Ann's hospital.

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Officer Everhart and Officer Lammert followed the medic to the hospital. At the hospital, Officer Everhart discovered Jackson had previously left the hospital against medical advice (AMA) on this date. Officer Everhart also discovered Jackson had been given Narcan in the medic prior to the arrival at St. Ann's. While at the hospital, a warrant check revealed Jackson was wanted by Columbus Police Department (CPD) for domestic violence assault, drug abuse, and weapons under disability. Officer Everhart advised Jackson of the warrants and told him he wasn't going anywhere but jail. Officer Everhart advised he had to tell Jackson four times as he was not comprehending what he was being told.

Jackson spent most of the time standing in the doorway of his emergency room and was very cooperative. Jackson was never searched or handcuffed by Westerville Police Department. A CPD officer arrived and began a search by crushing the left pocket of Jackson's pants and then handcuffed Jackson's left hand to the cot/bed in the room and the handcuffs were double locked. Jackson was watching tv and was flipping through the channels with a remote control in his right hand.

Hospital staff were still in and out of the room treating Jackson. A second CPD Officer arrived and Officer Everhart and Officer Lammert left the area. No report was written by Officer Everhart as he felt that this was a medic issue and not criminal. Officer Everhart had no idea that Jackson had a concealed firearm with him and after finding out he did have a gun, assumed that he got it in the hospital. Later Officer Everhart had just finished his shift when he heard the officer in trouble call go out via the radio. He responded in his personal truck, but never went into the hospital.

Officer Everhart had no further involvement in the incident.

The interview concluded at approximately 1403 hours.

Attachments:

Attachment # 01:2021-04-14 Interview with Officer Eric Everhart Westerville PD
Attachment # 02:Eric Everhart CIN Signed Form



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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).

Off. E. EVERHART #553
Printed Name of Interviewee

04/14/2021 1340
Date / Time

E. Everhart #553
Signature of Interviewee

[Signature]
FOR attorney

AD RUSSELL
BCI Agent (Printed)

[Signature] #46
BCI Agent (Signature)