



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



2021-0957

Officer-Involved Critical Incident- 3171 Legion Ln, Columbus

Investigative Activity: Interview with Officer
 Involves: CPD; Ofc. Nicholas Reardon
 Activity Date: 5/10/2021
 Activity Location: BCI
 Authoring Agent: SA Matt Collins, #151

Narrative:

On Monday, May 10, 2021, at 1312 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Matt Collins (SA Collins), SA John Butterworth (SA Butterworth) and SA Jim Mulford (SA Mulford) interviewed City of Columbus-Division of Police (CPD) Officer (Ofc.) Nicholas Reardon (Reardon), who was accompanied by his attorney, Nicole Wannemacher, from the Law Firm of Harshman and Wannemacher, Fraternal Order of Police. The interview took place at the Law Office of Harshman and Wannemacher. The interview was audio recorded.

Ofc. Reardon read, understood, and signed the BCI Criminal Investigation Notification form.

This report only summarizes the information deemed by the author to be of the most relevance to the investigation and does not purport to contain all questions and answers from the interview, nor does it contain all information provided in the written statement of Ofc. Reardon. Further, this report was placed in a chronology to aid the reader's overall understanding of the information elicited during the interview and may not be reflective of the actual sequencing of questions. It is suggested that the full recording be reviewed to clarify any content or contextual questions regarding the information from the interview. With the same suggestion related to the written statement of Ofc. Reardon.

Preliminary and Demographic Information:

Name: Nicholas Reardon	Rank: Officer (Ofc.)
Badge Number: #3188	Cruiser/Vehicle Number: R-130
Radio Call Sign: 201	Immediate Supervisor: Sgt. Serror
Radio Channel Utilized: Zone 2	Mobile Data Terminal: Present & Utilized
Cruiser Description: Marked, Ford Taurus	Occupants of Cruiser and Seating Positions: None
Assignment: 20B10	Normal Shift: 1400-2200 hours
In-Car Camera: Not Present	Spotlight: Present; Not utilized
Emergency Lights: Present; Not Utilized	Siren: Present; Not Used

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Shift Day of Incident: 1400-2200 hours	Duty Status: On-Duty
Days Off: Wednesday/Thursday	Prior Overtime or Extra Details within Preceding 48 Hours: No
Hours of Sleep Prior to Incident: 8-10	Consider Self Well Rested: Yes
Total Length as Officer: 1 yr.	Length at Current Agency: Since December 2019
Physical Disabilities (to include hearing aid): None	Corrective Lenses: Glasses
Uniform Worn: White CPD short sleeve shirt, w/patches on both sleeves, dark blue pants; Badge on front	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: fox mace, baton, taser
Ballistic Vest: Concealed Armor	Body Worn Camera: Present & Used
Other Recording Devices: None	Partner: No; other officers dispatched too
Injuries: none	Equipment Damage: none
Training or Areas of Specialty: none	OPOTC Certification: 7/2020
Military Experience/Training: 5yrs, Air Force	Use-of-Force Training: Annual
Prior Shooting Incidents: No	Prior Discipline or Use-of-Force Complaints: No
Medications, Prescriptions, or Drugs that might Impair Your Duties at Time of Incident: No	Medications, Prescriptions, or Drugs that might Impair You Now for Interview: No
Alcohol in Past 24 Hours? No	Last Consumed Alcohol Prior to Incident: No

Officer's Firearm(s):

Weapon #1

Make: Smith and Wesson	Model: M&P
Caliber/Gauge: 9 mm	
Type: Semi-Auto Handgun	Method of Carry: Hip
Magazine Capacity: 17 rounds	Total Rounds as Carried (including chamber): 17+1
Extra Magazines: 2	Number of Rounds in Extra Magazines: 17
Discharged During Incident? Yes	Primary or Backup Weapon: Primary
Rounds Remaining After Incident: 14	Number of Rounds Fired: 4

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Right/Left-Handed Carry: Right-Handed	Ownership: Department Owned
Last Qualification Date: Unk	

Narrative:

On May 10, 2021, Nicole Wannemacher (Wannemacher) provided SA Collins with the typed, written statement of Ofc. Reardon (unsigned). When SA Collins met with Ofc. Reardon, he asked follow-up questions related to the incident and introduced BCI Crime Scene Unit (CSU) photographs (6136, 6135, 6169 and 6152; Drone photos 0221, 0229) to Ofc. Reardon. While the term suspect or subject may be used in the interview with identifying the involved female subject, for clarity, knowing that female subject had been identified as Ma'Khia Bryant (Bryant), her name will be utilized in this report.

According to Ofc. Reardon's statement, he had been dispatched to a 10-16 (disturbance), along with CPD Officer Ewing. However, Officers Serge Akpalo (Akpalo) and Eric Channel (Channel), who were a two-man unit, put themselves on the call. Reardon approximated his response time between five and seven minutes. SA Collins asked Reardon if he had positioned himself somewhere just before arrival. Reardon stated yes. He continued by stating he had pulled onto the street and knew the address (incident location) was towards the end of the street. Reardon stated he waited until the other unit (Channel and Akpalo) got in behind him and then they proceeded to the residence. SA Collins asked Reardon what the purpose was behind that. Reardon stated, "It sounded like it was a high priority call, I wasn't going to go in by myself." SA Collins began to ask, "Is that, um—," Reardon replied, "That's per division policy." SA Collins asked if it was a directive or officer discretion. Reardon stated, "Uh, directive. So, that's a minimum, two-officer run." SA Collins was asking Reardon about the specific location he'd parked and Reardon could not recall where at specifically, but stated he knew, based on his GPS that it was all the way at the end of the street on the right-hand side. Reardon further stated from where he was positioned, he could not see any activity at the address.

SA Collins asked Reardon about where he was, when he'd first seen any individuals near or around 3171. SA Collins was utilizing CSU drone photo #0221 and Reardon indicated it was further to the right than what was visible in the photograph. Reardon stated he knew right where to go first based on his GPS, but secondly due to seeing people either in the driveway or yard.

SA Collins asked who, if anyone/anything, first drew his attention. Reardon stated it was probably the girl in the pink, because she just stood out more than the rest of the group.



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Reardon further explained there was quite a bit of yelling going on and the girl in the pink was the closest one to him. SA Collins asked, "Then as you're, you know, interacting with her, you already, you, as you said, there's other people there. Did you see any other actions going on?" Reardon replied, "I was just hearing yelling and screaming and then out of nowhere, like I saw someone out of-- run at someone and then, I just saw a tackle, like right there next to me."

SA Collins asked Reardon, based on his statement where he'd indicated there was a female with a knife, if he recalled where he first saw her. Reardon stated he did not recall seeing her "until that tackle happened." SA Collins asked if Reardon could indicate where the tackle occurred in one of the provided photographs. Reardon marked on CSU drone photo #0229 where he recalled the approximate location of the tackle, or where he first saw Bryant (MB1). He further marked on the same photograph, where he was approximately positioned (NR1) when he first saw Bryant. Reardon was asked if he could indicate where he was located when he discharged his firearm. Reardon indicated it was the same approximate location (NR1). Reardon was asked where Bryant was, when he discharged his firearm and he indicated with an "MB2" on the same photograph.

SA Collins asked Reardon if, when he arrived, could he identify the age of the individuals involved and Reardon stated, "No." Reardon was asked if it looked like children in the street, or adults. Reardon replied, "I perceived it as like some twenty some year old's. People in their twenties." Reardon was asked if age played a factor in his decision making. Reardon responded, "No." Reardon was asked when he did learn the age of Bryant. Reardon stated, "That night." SA Collins further asked, if it was at the scene or after the scene. Reardon replied, "Oh, well after the scene."

SA Mulford asked Reardon about information related to what dispatch had provided in the call record. Specifically, SA Mulford asked if there was any other information provided other than, "Call for service at that address, um and there's a female there, trying to stab them." Reardon replied, "That's literally it. Literally, that is it... no clothing description. No, ages." SA Mulford asked if a female trying to stab someone, made it a priority two. Reardon stated, "I think, due to lack of knowledge of weapons when they asked for weapons, that made it a priority two versus a priority one."

SA Collins asked Reardon when he exited his vehicle and approached the individuals, what steps did he take to de-escalate the situation. Reardon stated, "Uh, I asked female, pink, hey, what's going on? And then I just see people, like I see the tackle and I just start yelling, hey, like to get their attention, 'Like hey, talk to me. Stop doing what you're doing.' And then as I see, there's



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later identified as Ma'Khia Bryant, go to charge the other girl, I'm yellin' get down, as in lik-- I wanted everyone to just get down and on—in my mind I wanted everyone to get down on the ground and just let me figure out what was going on.”

Wannemacher asked Reardon if he could clarify the time-frame from when he exited his patrol car to when Bryant “was about to stab the female in the pink.” Reardon approximated that it was about four to five (4-5) seconds in his mind. SA Collins asked Reardon, in terms of time was there an opportunity for him to use other forms of de-escalation and he stated no. SA Collins asked Reardon specifically why mace was not used. Reardon said, “Mace was not used because uh that was, in my belief, would have been an ineffective tool, uh because she had a deadly weapon. And she was facing away from me.” SA Collins asked if “hands-on” could have been utilized and Reardon said, “No.” Reardon was asked to explain why. Reardon said, “Because she is actively trying to use a knife, a deadly weapon, um, and that would've brought myself into the fold as being exposed to the knife as well as who was already being exposed at the time to the knife. I was also, didn't immediately have any other officers around me. I was by myself. I'm 5' 5" 120lbs and I perceived that person as lot larger than I was, well am.” Reardon stated he did not know for certain there were any other officers around him until he heard Ofc. Channel say “shots fired” on the radio. According to Reardon's written statement, he specifically stated, “At the time I fired my weapon, I was in fear for the life of the female in pink. The suspect had a knife drawn back in her right hand and was starting to swing it forward to stab the female in pink.”

The interview concluded at approximately 1347 hours.

The interview was audio recorded. The audio recording was attached to this report. The signed BCI Criminal Investigation Notification form and Reardon's signed statement are also attached to this report. Including, the photographed marked by Reardon. Please see the attachments for further details.



DAVE YOST
OHIO ATTORNEY GENERAL



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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).

Printed Name of Interviewee Nicholas E REARD

Date / Time 5/10/2021

Signature of Interviewee [Handwritten Signature]

BCI Agent (Printed) Matt Collins

BCI Agent (Signature) [Handwritten Signature] #151

STATEMENT OF OFFICER NICHOLAS REARDON, BADGE NO. 3188

This statement is in regard to my involvement with an incident that occurred between approximately 4:35 p.m. and 4:50 p.m. on Tuesday, April 20, 2021, at 3171 Legion Lane in Columbus, Ohio. I am making this statement voluntarily as part of the criminal investigation being conducted by the Bureau of Criminal Investigation (BCI) regarding this matter.

My date of hire as a police officer with the Columbus Division of Police ("CPD") is December 16th, 2019. I do not have any law enforcement experience prior to joining CPD. I do have military experience. I was a member of the Air Force Security Forces for 5 years. I attained the rank of Staff Sergeant.

My regular assignment is 20B10. My regular duty hours are from 2:00 p.m. to 10:00 p.m., with Wednesdays and Thursdays off. On the date of this incident, I was assigned cruiser R130 but my call number was 201. I was not working with a partner. I was in my white CPD summer uniform which consists of a white short sleeve shirt with police patches on both sleeves and my dark blue pants. I was wearing my Kevlar vest under my shirt. I had my Body Worn Camera (BWC) mounted to the front of my shirt. My badge was clearly visible on the front of my shirt. I was not wearing gloves. I was carrying my Division-issued, Smith & Wesson M&P 2.0 9mm caliber semi-automatic pistol. It was loaded with Division-issued ammunition. I was current in my range qualifications with this weapon. I was not carrying a backup weapon.

I wear glasses and I had them on at the time of this incident. I do not wear a hearing aid and I do not have any problems with my hearing. I do not take any prescription medications that interfere with my ability to perform my duties as a Columbus Police Officer. I was in good health at the time of this incident and I do not suffer from any disabilities that would impair my ability to perform my duties. I was not under the influence of any alcohol or drugs at the time of

this incident. I had not worked any special duty in the 24 hours prior to this incident. I arrived at the start of my shift well-rested.

A little after 4:30 p.m., I was at the CPD 20th Precinct Substation when I, along with another officer, were dispatched on a call for service at 3171 Legion Lane. Dispatch stated that the caller relayed that there was a female there trying to stab them. This was dispatched as a 10-16 (disturbance) which is a priority 2 run (a priority 1 run is the highest). A priority two run does not involve the activation of lights and sirens. I also heard Officers Channel and Akpalo (who I believe were working a two-officer cruiser) mark on the run.

I exited the substation and got into my cruiser. I programmed the address into my global positioning system (GPS). I began driving from the substation to 3171 Legion Lane. While on my way to the address, I activated my body worn camera (BWC). I would estimate that I arrived in approximately 5-7 minutes. I pulled up and parked my cruiser just north of 3171 Legion Lane on the west side of the street. 3171 is a two-story house with a drive way in front of it. As I pulled up, I noticed approximately 7-12 people standing in front of the house and in the driveway. I exited my cruiser and I walked south towards the house. There was a lot of chaos. I approached one of the females in the driveway and I asked her what was going on. Before she could respond, a black female ran from the south side of the house, across the driveway, and she charged and pushed down another black female who had been standing on the sidewalk. I yelled "hey!" or something at her, trying to get her attention. However, she completely ignored me, turned her back to me, and swung her right arm and hand towards the female she had just knocked to the ground. That is when I saw that she had a knife in her right hand. I unholstered and drew my weapon while yelling "Get Down!" She ignored me and ran towards another black

female who was dressed in pink and standing on the north side of a vehicle that was parked in the driveway.

She shoved the female in pink up against the side of the car. Suddenly, she drew her right arm back with the knife still in her hand. Just as she was swinging her right arm forward to plunge the knife into the other female, I fired my weapon at her. She fell to the ground and dropped the knife. At the same time, Officer Channel approached from my east and aired shots fired and for a medic. He approached the suspect and began rendering aid. I walked up to assist him and he asked me to pull her slightly to the north away from the vehicle so he could better access her injuries. I took her legs and pulled her down slightly. He began rendering aid and I picked up the knife and tossed it a few inches away and I then stood over the knife. A neighbor came out and was yelling at me and I tried to explain that she came after the other female with a knife. However, he just continued to yell. Officers from Brice Police Department arrived, as did additional CPD officers. Another CPD officer took me away from the scene and to a cruiser.

Eventually CPD Officer Support Team Member Pezzotti arrived and drove me back to the CPD 20th Precinct Substation. Several hours later, a BCI agent arrived and I gave him my firearm. I was willing to provide the investigators with a scene walk through; however, they declined to conduct one.

I believe that I fired four rounds at the suspect. I believe that I was approximately 3-5 feet north of the suspect, standing on the sidewalk when I fired. I fired in rapid succession and I believe I fired all my shots in less than a second. I fired from a standing position. The direction of my shots was south. My backdrop was the vehicle behind the suspect and I made sure that I lined my shots up to minimize any potential risk to the female in pink. My target was the suspect's center mass. This was my target because we are trained to shoot center mass to

neutralize the threat. We are not trained to shoot at an extremity as that is a small target and increases the probability of injury to another person. I believe I used the front sights on my weapon. I did not have any cover or concealment. I stopped firing because the suspect fell to the ground, dropped the knife, and therefore was no longer an immediate threat to the other female.

I did have a taser on my belt. However, this situation did not meet the trained test requirement as the suspect was about to stab another female. Our training is that when there is a deadly force situation a taser should not be utilized unless you have time, distance, barrier, lethal force backup and reasonableness. In this instance, I did not have time, distance, barrier, or lethal force backup and it would not have been reasonable to tase a suspect who was a second away from stabbing another person.

At the time I fired my weapon, I was in fear for the life of the female in pink. The suspect had a knife drawn back in her right hand and was starting to swing it forward to stab the female in pink. I believed she was going to seriously injure or kill her. It is at that moment that I began firing my weapon. I do not believe I had any other reasonable alternative to protect the life of the female in pink at the time I fired my weapon.

I have now had an opportunity to watch the Body Worn Camera video footage of this incident. After reviewing this footage, it appears that the suspect was in the driveway and began running towards the other female from there and did not come from the south side of the house. I also do not recall seeing the male kick the female who had been pushed onto the sidewalk in the head. Also, the female in pink was holding a puppy that I did not see during the incident. The footage from the neighbor reveals the suspect yelling, "I'm gonna stab the fuck outta you bitch!" and I do not recall hearing that as I walked up.

I know now that the suspects name is Ma'Khia Bryant. I do not believe I have ever had any prior encounters, personal or professional, with her. I also do not believe I have ever had any prior encounters at that address.

This concludes my statement and I am now prepared to answer any additional questions you may have at this time.

MNR-5005-#3188 8/10/2021

Officer Nicholas Reardon, Badge #3188

0229



mm & mr #8188 5/10/2021