

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



2023-2730

Officer Involved Critical Incident - 4312 Helena Avenue, Youngstown, OH 44512, Mahoning County

Investigative Activity:	Body Camera Review
Involves:	(S)
Date of Activity:	10/30/2023
Author:	SA John P. Tingley, #154
Narrative:	
Tingley (Tingley) reviewed (YPD) (Tingley) reviewed involved critical incident value, Youngstown, Ma	io Bureau of Criminal Investigation (BCI) Special Agent (SA) John d body-camera video footage from Youngstown Police Department . The video footage is related to the officer-which took place on October 12, 2023, in the area of 4312 Helena honing County, Ohio. The incident involved Ricco Acevedo and resulted in the death of Acevedo.
s body camera a most relevant. Furthermo of and the coword-for-word translation members of the YPD. It is	ynopsis of the activities and conversations recorded on and only document those activities which the author deems to be the are, the narrative does not cover all of the activities or conversations other members of the YPD which were recorded. Nor is the synopsis an of the conversations or comments made by for other suggested that the full recordings be reviewed to clarify any content egarding the information documented in the narrative.
SA Tingley reviewed the violation following:	rideo recordings listed as AXON Body 3 X60A4997K and noted the
The video is 0:30:16 in lethere is no audio.	ength and begins at 09:20:40 as <b>Exercise</b> is driving. Initially,
At 09:21:02,	stops.
At 09:21:07,	exits his cruiser.
At 09:21:10,	activates the audio on his body camera.
	contacts Julie Woods (Woods) who is standing in her driveway at abeth Cuevas (Cuevas) can be seen sitting in her vehicle which is ear the residence.

At 09:21:28, contacts Cuevas who has exited her vehicle and walked to meet him in the driveway. Cuevas advises that she is the mother of the property owner (Ernesto Cuevas) of 4312 Helena Avenue. Cuevas tells that she observed a bald male wearing a black coat at the residence.

At 09:22:07, says to Cuevas, there is a guy in the house and you don't know who he is? Cuevas responds "No."

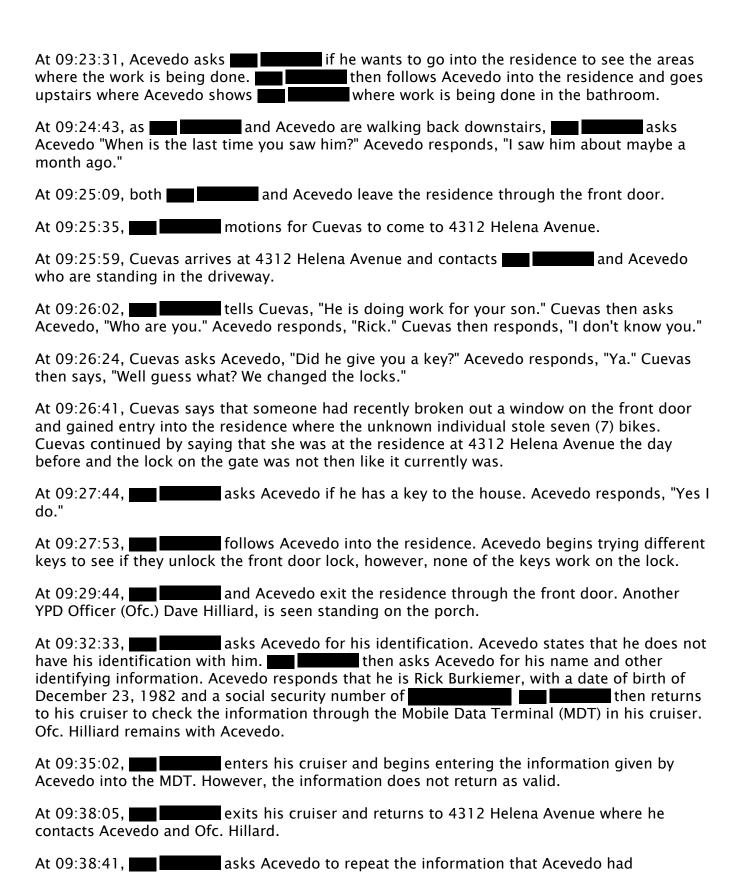
At 09:22:15, begins walking towards the residence at 4312 Helena Avenue.

At 09:22:39, arrives at 4312 Helena Avenue and contacts Ricco Acevedo (Acevedo) who is standing in the driveway holding a broom and a trash bag.



At 09:22:46, asks Acevedo, "Whose house is this?" Acevedo answers, "A dude named Cuevas."

At 09:23:12, says "You don't live here though?" Acevedo responds "No." then asks Acevedo, "Do you work for him?" Acevedo responds "Ya."



previously given him. Acevedo repeats the same information. The theorem that there is a problem as the provided information does not return to anyone.

At 09:39:09, tells Acevedo to turn around and place his hands on the wall.

At 09:39:23, Acevedo runs into the residence at 4312 Helena Avenue through the front door. follows Acevedo into the residence after telling another YPD officer who has arrived on scene (Ofc. Robert Giovanni) to cover the rear of the residence.



Acevedo as he runs into the residence

At approximately 09:39:26, Acevedo yells out "I have a gun on me." Acevedo then repeats "I have a gun on me" and continues running up the staircase followed by who has his firearm in his hand. Acevedo reaches the top of the stairs and goes down the second floor hallway. Stops at the top of the staircase and and begins covering the hallway with his firearm. However, there is no view of the hallway as

the corner and the body camera is facing the wall and doorway at the top of the staircase.

At 09:39:38, tells Acevedo to toss the gun onto the ground.

At 09:39:45, tells Acevedo, "Toss that gun down" Acevedo responds "No."

At 09:39:49, says to Acevedo, "Toss it." Acevedo responds, "I'm not tossing it."

At 09:39:56, and again tells Acevedo, "Toss the gun."

At 09:40:22, Acevedo tells that his real name is Ricco Acevedo.

At 09:40:30, Acevedo tells that he has nothing to live for.

At 09:40:36, Acevedo says, "I'm not doing this anymore."

At 09:40:51, asks Acevedo, "Why are you doing this right now?" Acevedo replies that he does not trust the police.

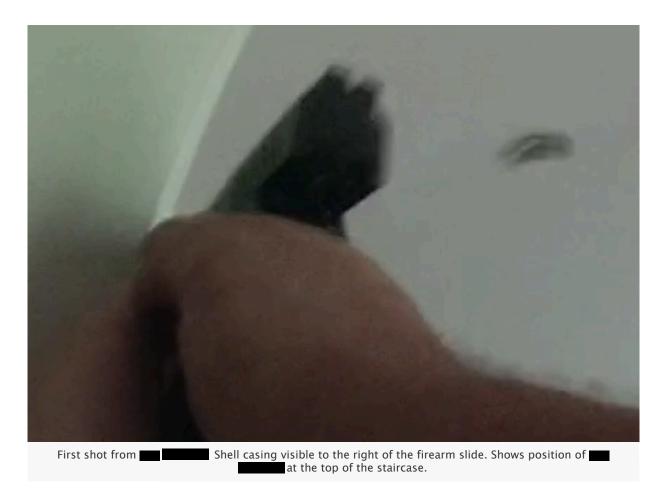
At 09:41:03, again instructs Acevedo to toss the gun down.

At 09:41:25, Acevedo asks if he has ever shot somebody. replies yes.

At 09:41:29, Acevedo says, "(unintelligible)..your going to have to shoot me because I'm not going to jail."

At 09:41:38, Acevedo then says "At least three times."

At 09:41:41, fires three (3) rounds.



At 09:41:55, instructs Ofc. Giovanni to call for an ambulance. then approaches Acevedo who has fallen to the ground.

At 09:42:05, reaches Acevedo who is laying in the hallway at the entrance to the bathroom. handcuffs and then searches Acevedo.

At 09:42:57, Ofc. Giovanni is heard telling dispatch to expedite the ambulance and verifies that shots have been fired.

At 09:43:20, moves forward and checks the other rooms in the immediate area to make sure that there is no one else present.

At 09:44:08, exits the residence through the front door.

At 09:46:41, the ambulance arrives at the residence. directs them to the front door and tells them that they will need everything.

At 09:47:21, tells YPD dispatch to notify the command staff and the shoot team.

The video then concludes as turns off his body camera while standing in the front yard of 4312 Helena Avenue.

This body camera video recording was attached as Reference Item B to this case file.

## ADDITIONAL FACTORS FOR EVALUATING THE VIDEO RECORDINGS

There are numerous other factors that need to be considered when reviewing and evaluating the videos and audio recordings of this incident. Those factors are:

- Video recording devices record within the video and sound capabilities available and they record objectively. Video recordings lack the history, perspective and interest of the people involved. The positions, angles, obstacles, lighting and distance from the incident are also factors that need serious consideration.
- Video recording devices also record more information about a particular scene or incident than the person(s) involved in the incident can process during the critical incident. Video recording devices rarely record an event from the same perspective of the officer. It captures the action but not the perception, decision making, focus or intent of the officer.
- Video recordings often miss tactile cues or other actions of a subject. The speed of the
  incident is remarkable. The speed and complexity of rapidly evolving situation(s) that
  occur during use of force encounters are difficult concepts to comprehend by only
  watching the video