



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



2021-2286

Officer-Involved Critical Incident- 2469 Kimberly Pkwy

Investigative Activity: Video Review

Activity Date: 1/10/2022

Activity Location: BCI

Authoring Agent: SA Matt Collins, #151

Narrative:

On Thursday, October 14, 2021, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Matt Collins (SA Collins) received video footage from The Flats on Kimberly (Apartment Manager, Rebecca Burke). SA Collins was informed that the videos contained footage from the surveillance cameras recorded by the apartment complex.

SA Collins utilized *iNPUT ACE* (iA) to evaluate and work with the video files to aid in the review. SA Collins brought the following video files into iA; There were three (3) different working cameras on the property. They were titled, *Interior Hallway Office*, containing three (3) files; *Exterior Office*, containing two (2) files; *Exterior Trash*, containing four (4) files.

SA Collins created sub-clips and marked images during the review. SA Collins marked a total of six (6) frames/images from the respective cameras. The images were named by the frame number identified by iA (F=Frame, F####). SA Collins reviewed the videos and noted the following:



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Exterior Office Camera-

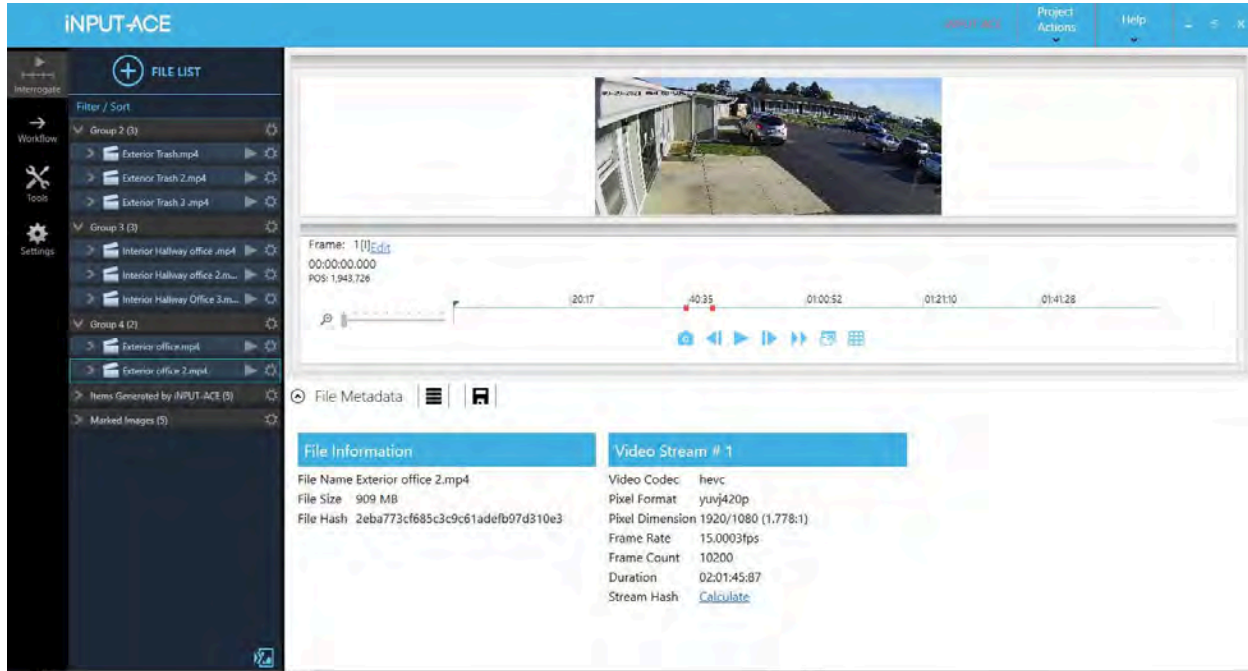


Figure 1: Screenshot of INPUT ACE playing the Exterior Office Camera, with Metadata included.

The exterior office camera is located on the east side of the office building and faces in a northern direction. The roadway, Kimberly Parkway E, is partially seen in the upper right of the screen. The camera does not capture the specific events of the incident involving members of the City of Columbus-Division of Police (CPD) and Kyle Veyon. However, for timing purposes, SA Collins noted a couple instances which may assist in establishing an understanding of potential simultaneous events. All times referenced are those of the time-stamps within the video. SA Collins did not verify or otherwise establish the differentials (if any).



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When reviewing the exterior office camera, a CPD marked patrol vehicle was seen coming into the area (on Kimberly) at 09:38:32. See Figure 2.



Figure 2: F36229_Ext. Office2_CPD vehicle on roadway. Yellow box added by SA Collins. Cropped area in lower right of photo.

At 09:38:57, a CPD Marked patrol vehicle (9091) was seen pulling through the parking lot. See Figure 3.



Figure 3: F36603_Ext. Office_CPD vehicle pulls through parking lot.

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At 09:43:11, a dark colored SUV was seen traveling south on Kimberly Pkwy before parking on the west side of the roadway. A subject was seen exiting the driver's side of the vehicle, walking around the front of the vehicle and then appeared to respond to something as they quickly began running northwest behind an apartment building (09:43:31). See Figures 4 and 5.



Figure 4: F40415_Ext. Office2_SUV parks on Kimberly



Figure 5: F40720_Ext. Office2_Subject in gray shirt began running (yellow arrow) from SUV (red arrow). Arrows added by SA Collins.

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Please refer to the interview with Jose Rodriguez for further, related to the relevance of the subject seen running. All other activity appeared to be related to law enforcement and medical responses to the scene.

As previously mentioned, the Exterior Office camera consisted of two (2) files. The first file contained footage from 07:00:00 to 08:58:16. While the second file contained footage from 08:58:16 to 11:00:02.

Interior Hallway Office-

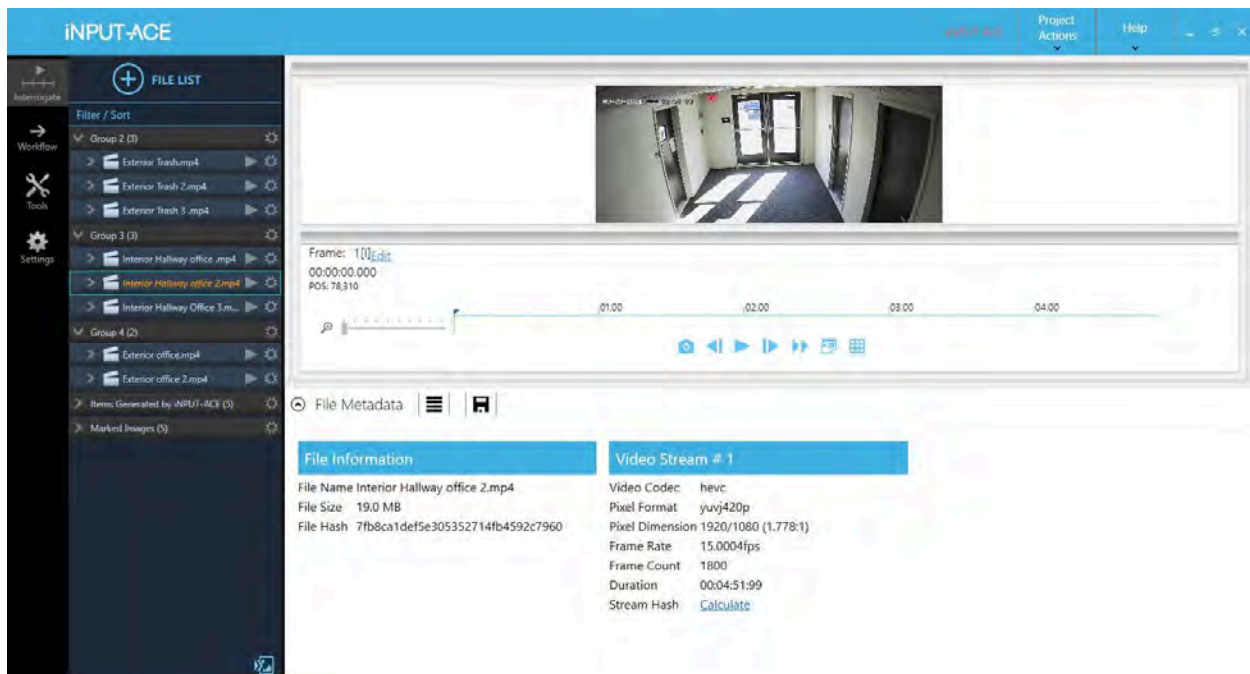


Figure 1: Screenshot of iINPUT ACE playing the Interior Office Hallway Camera, with Metadata included

The Interior Hallway Office camera is located inside the office building and faces east, toward the parking lot and/or Kimberly Pkwy. With the camera being located inside the building and focused on the front door, any view of the incident was most likely obstructed. However, at 09:40:01 in the area of the door on the right, in the glass, to the upper right, subjects could be seen moving from right to left. Based on reviewing body camera footage and witness statements, the blurry video appeared to capture the silhouettes of Veyon (dark shirt) chasing Marshall (dark shirt) and CPD officers Balmert (white shirt) and Hawkins (dark shirt) chasing Veyon and Marshall at the moment Marshall began to run east, into the roadway. See Figure 2,



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which is a marked image from a synced video created by SA Collins. The video has the area of the doorway enlarged (on the right).

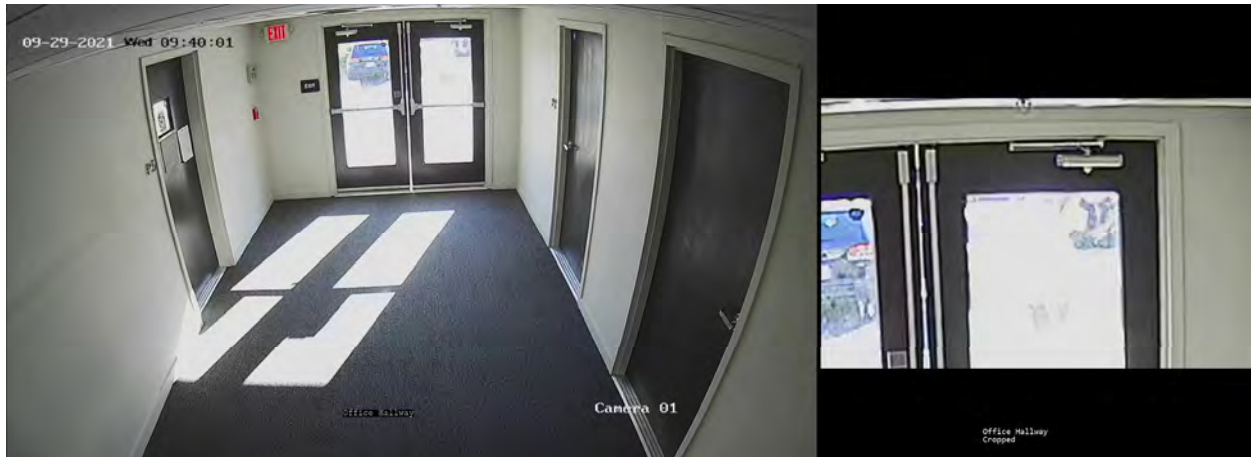


Figure 2: F251_Synced Hallway and Enlarged area of video.

Letitia Allen was witnessed exiting a door on the right and then exiting the building. Refer to her interview for further information related to her statement. There was no other significant information noted in the review.

As previously mentioned, the Interior Hallway Office camera consisted of three (3) files. The first file contained footage from 07:00:00 to 09:54:54. The second file contained footage from 09:50:03 to 09:54:54. While the third file contained footage from 09:54:54 to 11:00:03.



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Exterior Trash-

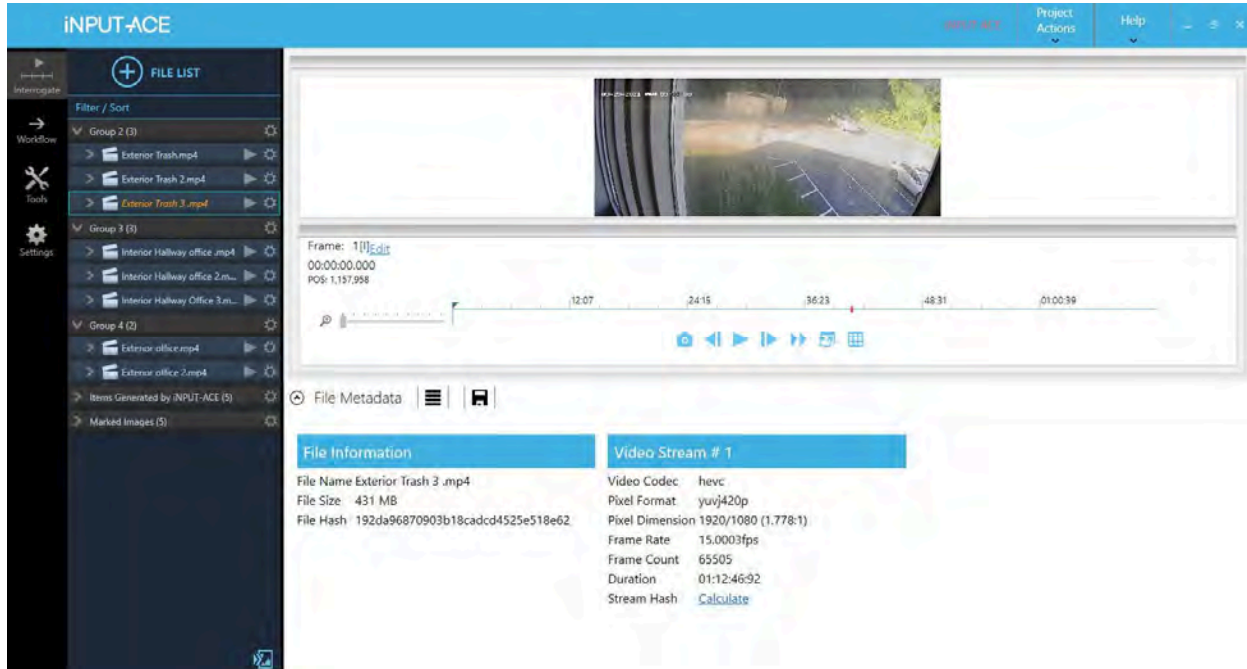


Figure 1: Screenshot of iNPUT ACE playing the Exterior Trash Camera, with Metadata included.

The exterior trash camera is actually a camera located inside a building situated on the west side of the apartment complex near the dumpster enclosure. The camera is on the west side of the building and faces to the west. The incident occurred on the east side of the apartment complex and thus the exterior trash camera did not capture any portion/s of the incident. The purpose of the review was to attempt to establish if there was any relevant information in regard to Veyon. Specifically, if there was any information as to how and when he arrived to Marshall's apartment or onto the complex grounds. In short, there was no information indicating such.



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However, based on statements and body camera review, officers Balmert and Hawkins were traveling in the area of the apartment complex looking for the potential caller on the open line. It should be noted a CPD marked patrol car was witnessed traveling past the dumpster enclosure and hit the speed bump at 09:41:25 (time-stamp on video). See Figure 2. This information is noted for approximate timing purposes related to other videos. Please refer to the body camera review, investigative report for further information.



Figure 2: F37259_Ext. Trash_CPD vehicle hits speed bump.

As previously mentioned, the Exterior Trash camera consisted of four (4) files. The first file contained footage from 07:30:00 to 07:32:57. The second file contained footage from 07:32:57 to 09:00:01. The third file contained footage from 09:00:01 to 10:12:47. While the fourth file contained footage from 10:12:47 to 11:00:00.



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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:

A. 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.

B. 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.

C. 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.

The thumb drive containing the video footage was submitted to the physical BCI case file as item #3 for reference only.