



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



2023-1809
 Officer Involved Critical Incident – 3110 E. Livingston Avenue,
 Columbus, Ohio 43227 (L)

Investigative Activity: Interview with Subject, Interview with Officer
Involves: ██████████ ██████████ (S)
Date of Activity: 08/31/2023
Activity Location: Harshman, Wannemacher, Tipton & Lipperman – 4683 Winterset Drive, Columbus, OH 43220, Franklin County
Author: SA Ryan D. Scheiderer, #89

Narrative:

On August 31, 2023 at approximately 1441 hours, Ohio Bureau of Criminal Identification and Investigation (BCI) Special Agent Ryan Scheiderer (SA Scheiderer) obtained a recorded statement from Columbus Division of Police (CPD) ██████████ ██████████ ██████████ ██████████ regarding the shooting incident involving officers from CPD, deputies from the Franklin County Sheriff’s Office (FCSO), and Antwan Lindsey (Lindsey) that occurred on July 08, 2023, at 3110 E. Livingston Avenue, Columbus, Ohio (Franklin County). Lindsey was fatally shot by officers during that incident. The contact with ██████████ ██████████ took place at his attorney’s office and his attorney, Nicole Wannemacher, was present. ██████████ ██████████ signed a Criminal Investigation Notification (CIN) form affirming his decision to provide a voluntary statement. Prior to meeting with SA Scheiderer, ██████████ ██████████ and his attorney prepared typed statement which ██████████ ██████████ signed in front of SA Scheiderer affirming that would be his official statement regarding this incident. That statement (Attachment # 01) is attached to this report and available for review. The following is a summation of the contact with ██████████ ██████████ and additional details can be found in the attached audio recording. *(It should be noted that during the interview, Lindsey was referred to as “suspect” by the officer and that verbiage may be used throughout the summary when trying to quote the officer or document what an officer stated they heard or thought regarding the incident.)*

EXCERPTS FROM STATEMENT

“At the time I fired my weapon at the suspect, I was in fear for the life of officers in the south stairway/stairwell, as well as my life and the lives of the other officers in the hallway with me. Immediately before I fired my weapon, I heard a pop that I believed was a gunshot and I believed that the suspect had just fired at the officers in the south stairwell/stairway and that

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he was turning to fire at us. I knew that prior to my arrival the suspect had fired at a Franklin County Sheriff Deputy. We gave the suspect multiple opportunities to comply and surrender but despite repeated commands; he did not. I do not believe I had any other reasonable alternative to protect the lives of the officers in the south stairway/stairwell, as well as my own life and the lives of the other officers in the hallway with me at the time I fired my weapon.”

“I now know that the suspect is Antwan Lindsey. I do not recognize this person as anyone I have ever had any prior encounters with, neither professionally nor personally.”

“I have now had the opportunity to review the footage of this incident. After doing so, it appears that the suspect had dropped his weapon on the ground on the other side of the door. I could not see that from my position in the hallway. It also appears that the pop I heard was the taser being deployed and that what I believed the suspect was turning towards us, his movement was likely due to the effects of the taser. On the footage, I can hear officers yelling taser, taser but during this incident I did not hear it. When they were yelling taser, taser, Sergeant Goodrich (who was directly behind me) was airing into the radio and the acoustics in the hallway coupled with the radio traffic made it difficult to hear what was being said. At the time, I truly believed that the pop I heard was the suspect firing at the officers.”

FOLLOW-UP QUESTIONS

SA Scheiderer asked a series of clarifying questions after receiving [REDACTED] [REDACTED] official statement. The following is a summation of the information gained from those questions.

[REDACTED] [REDACTED] stated that while responding to the scene, he heard radio traffic advising the involved-deputy was down, and that was followed by clarification that the deputy wasn't down, it was the suspect. The initial description of the "suspect" from Dispatch was a "male/White", but [REDACTED] [REDACTED] later learned it was actually a "male/Black". [REDACTED] [REDACTED] believed the involved-deputy was in uniform, and was never aware of his exact location at the scene. [REDACTED] [REDACTED] didn't observe anyone other than law enforcement officers at the front entrance of the apartment building when he arrived on scene. Prior to encountering Lindsey in the hallway of the lower level, [REDACTED] [REDACTED] was not aware of Lindsey's exact location at the scene. [REDACTED] [REDACTED] observed Lindsey in possession of a "jacket" that was "wrapped up" in his hand. [REDACTED] [REDACTED] never observed Lindsey in possession of a firearm, but did hear an officer that was walking in front of him, questioning if Lindsey had a "gun" in his hand. [REDACTED] [REDACTED] never observed Lindsey "drop" or "discard" a firearm, nor did anyone ever tell him Lindsey was no longer armed.

Based on [REDACTED] [REDACTED] training and experience, he did not observe any actions from Lindsey that would indicate he was ready to surrender. Had Lindsey clearly surrendered (verbally or by his actions), [REDACTED] [REDACTED] believed he could have been taken into custody without further incident. [REDACTED] [REDACTED] stated the officers didn't have any other "reasonable" means to resolve the situation due to distance, lack of cover, and their knowledge that he was still armed. [REDACTED] [REDACTED] denied knowing exactly where the officers on the south end of the building were located at the time he discharged his firearm. [REDACTED] [REDACTED] stated his actions were consistent with the training he received from CPD and his experiences as a police officer. [REDACTED] [REDACTED] denied any

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sustained disciplinary actions involving uses of force. [REDACTED] [REDACTED] didn't have any additional information.

Attachments:

- Attachment # 01: [REDACTED] [REDACTED] Statement 8.31.2023
- Attachment # 02: [REDACTED] [REDACTED] Audio Interview 8.31.2023
- Attachment # 03: [REDACTED] [REDACTED] CIN 8.31.2023

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STATEMENT OF [REDACTED], BADGE NO. [REDACTED]

This statement is regarding my involvement in an incident that occurred on Saturday, July 8, 2023, from approximately 7:50 p.m. until 8:15 p.m. I am voluntarily providing this statement as part of the investigation being conducted by the Ohio Bureau of Criminal Investigation (BCI).

My date of hire with the Columbus Division of Police ("CPD" or the "Division") is June 14, 2021. I do not have any prior law enforcement experience. I received my OPOTA certification upon my graduation from the police academy on January 14, 2022. I have never had a use of force that was determined to be outside of policy. I do not have any military experience. I have a Bachelor of Arts degree in Criminology from The Ohio State University.

My regular assignment is 13B9. My duty hours are from 2:00 p.m. until 10:00 p.m., with Tuesday and Wednesday off. I worked an overtime assignment on the morning of this incident from approximately 7:45 a.m. to 10:30 a.m. I arrived at the start of my shift well-rested.

I do not wear contacts and my uncorrected vision is good. I do not wear a hearing aid and my hearing is good. I do not suffer from any disabilities. I had not consumed alcohol in the 24-hour period prior to this incident. I did not consume any prescription or over-the-counter medication in the 24-hour period prior to this incident.

I was wearing the CPD patrol uniform consisting of navy pants, an internal vest, a navy short-sleeved shirt which displayed my badge on the front and stated "COLUMBUS POLICE" on the back. I was also equipped with a body worn camera (BWC) which was mounted to my chest and activated during the entirety of this incident. I was also wearing a blue CPD baseball hat. I was carrying my Division-issued Smith & Wesson 2.0 9mm handgun, which was loaded with Division-issued ammunition. I was current in my range qualifications with that weapon. I

was not carrying any backup firearm. I was working with a partner, Officer Corey Zachritz. We were in Cruiser [REDACTED] and I was driving.

Immediately prior to this incident, Officer Zachritz and I were conducting routine patrol in the area of Lockbourne Road and Refugee Road when dispatch (Zone 5) aired that Zone 2 had a 10-3 (officer in trouble) and that a deputy was taking fire at 3110 E. Livingston Avenue. I activated my lights and sirens and I turned onto 104 east to 33 west, which turns into James Road. I knew James Road intersects with Livingston Avenue but I did not know exactly where 3110 E. Livingston Avenue was in comparison to James Road. I was on the main channel but since this run was on Zone 2 and I am a Zone 5 car and I was not added to the run, I could not pull up the run on the CAD. While driving to the incident, Officer Zachritz either turned his radio or the car radio to Zone 2 so we could hear the radio traffic.

I believe that radio aired the suspect description was a male white in a black shirt and khaki pants. I believe radio aired that an officer was down and then aired that a suspect was down. In approximately 5-6 minutes, I reached the intersection of James Road and E. Livingston Avenue; I saw cruisers going east on E. Livingston Avenue, so I turned east onto Livingston Avenue. I pulled the cruiser up on the north side of E. Livingston Avenue and parked in front of 3090 E. Livingston Avenue. There were multiple other cruisers and officers already on scene. I exited my cruiser and drew my weapon as I ran east towards a Franklin County Sheriff's Office cruiser while visually scanning the area. The FCSO cruiser was parked in the entrance that leads from Livingston Avenue into the parking lot directly in front of 3098 E. Livingston Avenue, which is an apartment building. 3110 E. Livingston Avenue was east of 3098. There were a few deputies behind the cruiser and their attention was focused on the south entrance of 3110 E. Livingston Avenue. It was a 3-story brick apartment building that ran north/south. The first floor

of the apartment building appeared to be below ground level, with the windows just above the ground. There was a door at both the north and south end of the building that led into the building and apartments.

I saw a CPD cruiser parked near the northwest corner of 3110 E. Livingston Avenue and I saw several CPD officers around it. I ran around the west side of the deputy's cruiser and I saw a CPD cruiser driving between 3098 and 3110 and I followed behind it. As I was running towards the moving cruiser, I heard a gunshot but I was not sure where it came from. Probably 10 seconds later, radio aired that it was an accidental discharge by an officer. I was at the north end of 3110 E. Livingston Avenue with roughly 8-10 other CPD officers, I am new to CPD so with the exception of Officer Cook, I did not know the other officers. We stacked up, with our weapons drawn due to the fact that the suspect had previously fired rounds at a deputy and entered the building from the north end. The door opened to landing with stairs to the right (west) leading down into the basement/first level apartments and stairs on the left (east) leading up. Initially I stacked up behind the officers to go upstairs, but another officer motioned for me to for me to go down.

I initially went downstairs with who I now know were [REDACTED] and [REDACTED] and [REDACTED] subsequently joined us downstairs. Once we got to the bottom of the steps, there was an additional door that opened into a long hallway with what I presume were apartment doors on each side. [REDACTED] and [REDACTED] went through the door ahead of me and were yelling, "Columbus Police!" The hallway was not very wide and I was behind them. The hallway had a few overhead lights on the ceiling which provided some lighting but with it being partially submerged in the ground, it was still somewhat dark and [REDACTED] [REDACTED] and I were using the flashlights mounted on our guns to provide additional lighting. We

approximately 20-25% of the way down the hallway and I heard [REDACTED] yell "let me see your hands!"

At the south end of the hallway was a solid door that presumably led out to the stairs (like the door we had entered into the hallway at the north end). The door swung away from the hallway and into what I presumed was the stairwell. There was a black male in khaki pants who had his left half of his body in the stairwell and his right side was towards the hallway (almost like the edge of the door was down the center of his body) and he was peering into the hallway. He had something in his hand, I believe was a jacket. [REDACTED] and [REDACTED] continued to yell for him to "put his hands up" and "let me see your hands." He did not comply. We took another step or two forward and I heard someone (I am not sure if it was [REDACTED] or [REDACTED]) say "gun, gun" or "is that a gun" or words to that effect. It appeared as though the suspect had his jacket wrapped around something.

Another officer, I am not sure who, yelled for us to get back, as we had no cover or concealment. I took a few large steps backwards, as did [REDACTED] and [REDACTED]. The suspect then stepped through the cracked doorway, into the hallway but immediately turned so that his back was towards us. He kept the door cracked open and while the majority of his body was on the side of the door in the hallway, his head/face and some of his left side was through the open door and looking/angled into the stairwell. I believe there were other officers in the south stairway as I heard either [REDACTED] or [REDACTED] airing for officers to stay on the second level. I then heard officers in the south stairway yelling something at the suspect but I could not hear exactly what they were saying. [REDACTED], [REDACTED] and I dropped to a single knee because we wanted to be lower in case any of the officers in the south entrance or stairwell fired at the suspect. We all had our weapons pointed towards the suspect.

We remained in the position for several seconds and continued to give verbal commands to the suspect to put his hands up. Someone (who I now know to be Sgt. Goodrich) leaned in over us and told us that if anything happens do not stand up (I do not know when Sgt. Goodrich joined us in the hallway). The suspect still had his back towards us and I could not see his left hand. The suspect reached up towards the top frame of the door with his right hand and he was looking away from us, I believe at the officers in the south stairwell. Suddenly, I heard a pop and the suspect started to turn towards us. I believed he had just fired at the officers in the south stairwell and was turning to fire at us. It was at the moment that I began firing my weapon at the suspect.

I stopped firing when the suspect went to the floor. We moved towards the suspect, who was lying on the floor, with his head towards us (north) and his feet towards the door. I believe [REDACTED] and [REDACTED] secured the suspect and I pushed open the south door and saw the gun laying on the floor. There were numerous officers on scene and they were rendering aid to the suspect. Officer Support arrived and I returned to the 9th precinct substation. I waited at the substation until BCI Agents arrived to photograph me and take my weapon. This ended my involvement in this incident.

I now know I fired 10 shots during this incident. I fired in rapid succession and I would estimate that I fired all of my rounds in 3-4 seconds. I fired using a two-handed grip and I believe I utilized my sights. I fired from a single leg kneeling position (right knee down, left foot on the floor) at the north end of the hallway. I did not have any cover or concealment. My target was the suspect's center mass. The direction of my shots was south. My backdrop was the door behind the suspect. I would estimate that I was approximately 35-45 feet from the suspect when I fired.

At the time I fired my weapon at the suspect, I was in fear for the life of officers in the south stairway/stairwell, as well as my life and the lives of the other officers in the hallway with me. Immediately before I fired my weapon, I heard a pop that I believed was a gunshot and I believed that the suspect had just fired at the officers in the south stairwell/stairway and that he was turning to fire at us. I knew that prior to my arrival the suspect had fired at a Franklin County Sheriff Deputy. We gave the suspect multiple opportunities to comply and surrender but despite repeated commands, he did not. I do not believe I had any other reasonable alternative to protect the lives of the officers in the south stairway/stairwell, as well as my own life and the lives of the other officers in the hallway with me at the time I fired my weapon.

I now know that the suspect is Antwan Lindsey. I do not recognize this person as anyone I have ever had any prior encounters with, neither professionally nor personally.

I have now had the opportunity to review the footage of this incident. After doing so, it appears that the suspect had dropped his weapon on the ground on the other side of the door. I could not see that from my position in the hallway. It also appears that the pop I heard was the taser being deployed and that what I believed the suspect was turning towards us, his movement was likely due to the effects of the taser. On the footage, I can hear officers yelling taser, taser but during this incident I did not hear it. When they were yelling taser, taser, Sergeant Goodrich (who was directly behind me) was airing into the radio and the acoustics in the hallway coupled with the radio traffic made it difficult to hear what was being said. At the time, I truly believed that the pop I heard was the suspect firing at the officers.

This concludes my statement and I will now answer any follow-up questions you may have at this time.

[Redacted Signature] # [Redacted]
[Redacted] Badge # [Redacted]



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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

8/31/23 2:42 PM
Date / Time

Signature

Ryan Schaefer
BCI Agent (Printed)

[Signature]
BCI Agent (Signature)