



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



2024-2255

Officer Involved Critical Incident – 818 Cherryberry Dr.,
Columbus, OH 43228 (L)

Investigative Activity: Interview with Officer
Involves: [REDACTED]
Date of Activity: 08/26/2024
Activity Location: – 2609 McKinley Ave., Columbus, OH 43204
Author: SA James Poole

Narrative:

On Monday, August 26, 2024 at 1058 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agents James Poole (SA Poole) and Aja Chung (SA Chung) interviewed Columbus Division of Police (CPD) Officer and Special Weapons and Tactics (SWAT) team member, [REDACTED]. [REDACTED] was identified as one of the SWAT officers from the [REDACTED] who responded to the Officer-Involved Critical Incident (OICI) that involved Benjamin Wheeler (Wheeler), who is now deceased. The OICI took place at 818 Cherryberry Dr., in Columbus, Ohio, on August 1, 2024. The purpose of the interview was to obtain all relevant information of the incident known or observed by [REDACTED].

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.

Prior to beginning the interview, SA Poole advised [REDACTED] that BCI was conducting a criminal investigation separate from any internal investigation that CPD may be conducting. SA Poole advised him this interview was voluntary and he could stop answering questions at any time. [REDACTED] verbally confirmed he understood and agreed to continue with the interview.

[REDACTED] reported his badge number is [REDACTED] and currently works [REDACTED] with [REDACTED] leave days. [REDACTED] affirmed he is assigned to the [REDACTED] within the SWAT Unit and his call sign is [REDACTED]. At the time of the incident, [REDACTED] was wearing his SWAT uniform that consisted of a green battle dress uniform (BDU) style pants, long-sleeve shirt with CPD and SWAT insignia, heavy kit/vest, and helmet. He was carrying his department issued Glock 17 and a taser. His body worn camera (BWC) was powered on and functional, however it was unknown if his helmet camera was turned on. [REDACTED] confirmed he was not working any special duty/overtime prior to this incident.

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██████████ explained on August 1st, 2024, the green team for CPD SWAT received a call out for a subject refusing to exit his residence, referred to as a "barricade." Once all members of the team had arrived, they provided containment. ██████████ confirmed he knew the subject had a warrant and that he was alone inside the house. ██████████ further confirmed little movement was observed by the subject, but the subject was seen shutting a window. ██████████ advised that a decision was made to breach the front door with the BearCat (SWAT armored vehicle). Once the front door was breached, Wheeler was exposed and SWAT could see the subject and his movements. ██████████ advised Wheeler was shirtless and tried to shut the door.

██████████ advised a plan was set that two SWAT members would approach with bunkers (heavy ballistic shield) and ██████████ would be positioned between said bunkers. Once Wheeler exposed himself, ██████████ would deploy his taser and take Wheeler into custody. ██████████ explained, "Once we got up to the front door, one of the guys, ██████████, was like "there he is. He's got a gun."" At this point ██████████ indicated he stuck his arm out between the two bunkers and was looking for him but never saw him. ██████████ went on to explain, "It was simultaneous when ██████████ said, "he's got a gun", then I got hit with something and honestly, at first, I thought I got shot because we have our ear pros (protection) on and they cancel out the gunshots." ██████████ said he looked at his arm, saw that he was bleeding and said "FUCK!" and moved back to the rear of the BearCat to get medical attention and eventually went to Doctors West Hospital.

SA Poole asked some follow up questions to ██████████. ██████████ was asked if he ever saw the knife or if it was the that first moment any weapons were seen (after being cut). ██████████ replied that the team knew there was at least one firearm in the house. That information was obtained from Wheeler's family members and relayed to the team by the command post.

When asked if ██████████ saw a knife during the first interaction with Wheeler, he confirmed that he never saw the knife or Wheeler. ██████████ confirmed that they were on the front porch/stoop when he stuck his arm through the two bunkers, hoping Wheeler would expose enough of himself that he ██████████ could deploy his taser effectively.

SA Poole asked ██████████ if he could see his injury due to his clothing. ██████████ indicated he pulled up his sleeve after seeing the blood pouring from his arm.

SA Poole inquired if the team retracted back to the BearCat with him and ██████████ confirmed he went by himself. ██████████ explained, "I honestly thought there was going to be a gun fight right there and I didn't want to be a liability and get in people's way at the door. I just fell back by myself. I knew I was fine, so to speak, and I could get myself back to the BearCat." ██████████ told SA Poole that the remaining team members at the front door returned to the BearCat shortly after he did.

SA Poole asked ██████████ about the decisions made (to approach) and if those decisions were made by a sergeant or a team leader. ██████████ confirmed that the team devises a plan and ultimately the supervisors approve the plan.

██████████ was asked if Wheeler was throwing anything at them prior to their first approach to the house. ██████████ said, "At that point, no. We would see him when he would come to the door, yell and cuss. He would try to slam the door on the ram."

SA Poole inquired if any commands were given to Wheeler to come outside and if there was any gas utilized. [REDACTED] confirmed that commands were given to Wheeler and that gas was not used at that point.

When asked if a “throw-bot” was used/thrown beforehand for negotiations. [REDACTED] confirmed that he had a “throw-bot” in his left hand and his taser in his right hand. [REDACTED] explained that a “throw-bot” was a robot that is roughly 12 inches long with two wheels and a camera; and it’s small enough and almost indestructible to throw it. There is usually another team member in the BearCat uses a remote to view where it was thrown.

SA Poole asked [REDACTED] if he had any questions and he did not.

The interview concluded at 1112 hours.

Attachments:

Attachment # 01: 2024-08-26 interview [REDACTED]