



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



2023-2941

Officer Involved Critical Incident - 5230 Douglas Drive,
North Olmsted, Ohio 44070

Investigative Activity: BWC Video Review
Involves: [REDACTED] (S), [REDACTED] (S), Kyle Wilson (W)
Activity Date: 04/16/2024
Activity Location: BCI Richfield
Authoring Agent: SA Matthew Armstrong #146

Narrative:

On April 16, 2024, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Matt Armstrong completed a review of video file recorded on the body worn cameras (BWC) from the following officers:

- North Olmsted [REDACTED]
 - file 234320 Bodycam Media
- North Olmsted Officer Kyle Wilson
 - file 00_1d_96_1f_15_ec-0008155166_0008292811_0008296160_video0
- Westlake [REDACTED]
 - file Video_Recall_-_Axon_Body_3_Video_2023-11-04_0126_X60A6850C

The video was recorded during the shooting incident on November 4, 2023, in North Olmsted, Ohio. North Olmsted Sergeant Matt Beck (Beck) provided the North Olmsted BWC video files most relevant to the shooting portion of the event. Two Westlake Police Officers, [REDACTED] and [REDACTED], were present when the shooting incident occurred. [REDACTED] was not equipped with a BWC at the time of the shooting incident. [REDACTED] was equipped with a BWC and activated it moments after the shooting incident. However, the recording did not capture the actual shooting incident. Westlake Police Sergeant Richard Lea utilized Axon software to recall video footage recorded on [REDACTED]'s BWC prior to the shooting incident. For details regarding the recall of [REDACTED]'s BWC footage refer to the investigative report titled *2023-11-09: Video Extracted and BWC Returned to Agency*.

Disclaimer and Additional Factors to Consider When Evaluating Video

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 or listening to the audio recording.

Video and audio 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 and audio recording devices rarely record an event from the This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



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same perspective of the officer or subjects involved. 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.

Video and audio recording devices record within the video and sound capabilities available, and they record objectively. Video and audio 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 and audio recordings are only components of an investigation and should not be the only evidence relied upon. All available evidence, statements and other information must be evaluated alongside the video recordings available.

Due to audio recording limitations, the speed at which sound travels, the distance of the recording device from the originating location of the sound, the size and density of objects positioned between the recording device and the location of a sound, and various other environmental factors, sounds heard on a recording may not be definitively identified.

Throughout this report the percussion sounds consistent with the sound of gunfire may be referred to as gunshots or gunfire. It should be noted that those references are based on the totality of corroborating information and evidence gathered throughout this investigation. It in no way suggests that the percussion sounds referenced could not have originated from some other unknown source.

Video Review

██████████ BWC - 234320 Bodycam Media

This video file was 14 minutes and 33 seconds in length. The date and time stamp in the upper right corner at the start of the video was 11/04/2023 01:43:36. The first 30 seconds of the video did not have an audio component.

The video began with ██████████ ██████████ at the passenger side of his cruiser. His cruiser appeared to be parked on ██████████ west of ██████████. The BWC captured what appeared to be the initial fire before ██████████ became fully engulfed (██████████ BWC - Image 1).

At 01:44:40, a percussion sound was captured. ██████████ ██████████ who sounded as though he was transmitting on his radio said the following:

01:44:42 - "Did you just hear that?"

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01:45:00 – “Yeah, did you hear it too?”

01:45:12 – “Sounded like gunshot. I can’t tell if it came from that house or somewhere further uhh north.”

01:46:40 – “Hey, 19. You see all that smoke coming out the front door?”

As ██████████ finished the statement, it sounded like a cartridge was chambered into his firearm. A male voice can be heard yelling in the distance, but the statement was unintelligible on ██████████’s BWC video.

At 01:46:54, ██████████ began running away from his cruiser in what appeared to be a northly direction. It appeared he ran along the west side of 28480 Alden Drive. As he reached the back yard of the residence, it appeared he slowed down, momentarily turned on a flashlight, and then began running again.

At 01:47:15, ██████████ said “Hey I just think I saw someone running west, There’s someone running. Someone’s running west bound. Someone’s running west bound. We’re on Berkshire cutting through yards.” ██████████ likely mistakenly said Berkshire when he was actually on Douglas Drive).

At 01:47:25, ██████████ began running across a sidewalk and then a residential street which appeared to be Douglas Drive. ██████████ appeared to be carrying a rifle style firearm as he ran across the street. As he ran along the north side of 5212 Douglas Drive, he yelled “Police Stop! Police Stop!” As he neared the backyard, he again yelled “Police Stop! Police Stop! Do not move! I said stop! Police Stop! He made his way to a hedge of shrubbery and a white fence at what appeared to be the southwest corner of 5212 and the northwest corner of 5230 Douglas Drive.

At 01:47:52, ██████████ stopped running and said, “Police stop it.” The following exchange took place:

Thomas Nock - “I’m clear. I’m clear. I’m clear”

██████████ - “Do not move!”

Thomas Nock – “I’m stuck.”

██████████ - “I know your stuck.”

Thomas Nock – “Hold on. Hold on.”

██████████ – “Don’t, don’t move.”

Thomas Nock – “I’m not moving. I’m not moving.”

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██████████ – “You’re moving! Stop moving!”

Thomas Nock – “I’m not moving.”

██████████ – “Stay right where you are!”

Thomas Nock – “Ok. Ok. Ok.” At this moment (01:48:13) a right hand with a blue glove raised out of the bushes in a manner consistent with surrendering ██████████ *BWC - Image 2*). It remained visible for less than a second and then lowered back into the bush.

██████████ – “I got him at gun point.”

Unidentified male voice - “Right here.”

██████████ – He’s in the, he’s stuck in the bushes right here

Thomas Nock – “Help me.”

Unidentified male voice – “Unintelligible...probably want to circle around this thing.”

At 01:48:29, the first gunshot was heard ██████████ *BWC - Image 3*). ██████████ screamed and appeared to fire his weapon multiple times. During the actual shooting, the image in the video was dark and blurry. A total of 4 separate cartridge cases were depicted traveling through the air ██████████ *BWC - Image 4, image 5, Image 6 and Image 7*). Each cartridge case was visible in multiple frames of the video.

At 01:48:39, ██████████ yelled “Ohh Fuck! Shots fired! Shots fired! I’m hit. I’m hit!”

At 01:48:53, ██████████ again said “Shots fired. I’m hit.” It appeared he began applying a tourniquet on himself. He then began yelling at other officers, “I’m over here! I’m over here!”

At 01:49:42, ██████████ said “I’m right here. I’m right here. I’m, I’m hit in the arm. I put my tourniquet on.”

Other officers helped walk ██████████ out onto the street. As they were walking, ██████████ said “I got hit in the vest too.”

Another officer asked ██████████ if his rifle was loaded. At 01:51:25, ██████████ said: “Yea I was locked and loaded running after him. I don’t know how many

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rounds are left in the cha, in the, the mag. As soon as he hit me, I just started laying rounds."

██████████ entered the front passenger seat of a cruiser and was driven to St. John Westshore Hospital by a Westlake officer. Another officer rode in the back seat of the cruiser during the transport.

At 01:53:23 as they drove away from the scene, one of the officers said, "Fuck they're still shooting." ██████████ replied saying "He wouldn't fucking show me his hands."

██████████ BWC - Video Recall - Axon Body 3 Video 2023-11-04_0126_X60A6850C

This video file was 24 minutes and 07 seconds in length. The date and time stamp in the upper right corner at the start of the video was 2023-11-04 01:26:45. The video did not have an audio component. During the first 12 minutes, the camera appeared to be positioned on the driver's door of the cruiser, which was unoccupied.

At 01:38:49, the driver's door began to open. Two officers entered the cruiser. The driver could be identified as Westlake Police ██████████ and the passenger could be identified as Westlake ██████████

At 01:41:56, ██████████ picked up the BWC and affixed it himself.

At 01:47:00, ██████████ placed the cruiser in park and rolled up the driver's window. He then placed the cruiser back in drive and moved forward before placing the cruiser back in park and exiting it at 01:47:40.

The cruiser appeared to be parked on ██████████ near the rear yard of 5230 Douglas Drive. As ██████████ moved north into the backyard of 5230 Douglas Drive, he had his pistol in his left hand ██████████ BWC - Image 8). He continued north between a picket style fence and a light-colored shed ██████████ BWC - Image 9).

At 01:48:16, ██████████ appeared to use the light mounted on his pistol to illuminate the area of bushes along the fence. What appeared to be another officer (likely ██████████ with a light was captured on the right side of the camera view (██████████ BWC - Image 10 and Image 11).

At 01:48:30, ██████████ moved his right hand, which was also holding a flashlight, up to his gun ██████████ BWC - Image 12). As he did so, the silhouette of another officer (likely ██████████ was captured on the upper right portion of the camera view. ██████████ moved backward, and it appeared he was firing his pistol due to the

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sudden presence of particles captured in the light emitted from his flashlight [REDACTED] BWC - Image 13).

[REDACTED] [REDACTED] moved backwards and then moved to his left behind a fence. At that time, the video ended.

Officer Wilson BWC - 00_1d_96_1f_15_ec-0008155166_0008292811_0008296160_video0

This video file was 27 minutes and 54 seconds in length. The date and time stamp in the upper right corner at the start of the video was 11/04/2023 01:39:47. The first 30 seconds of the video did not have an audio component. Officer Wilson was not present at the precise location of the shooting. Therefore, the video did not visually capture the shooting incident. It did audibly record the sound of the shooting.

The video began with Officer Wilson outside his cruiser. He had retrieved his rifle and appeared to chamber a cartridge into the chamber. His cruiser was parked on [REDACTED] and appeared to be facing west. At 01:40:29, he radioed his location as Evergreen Drive and [REDACTED]

At 01:44:55, Officer Wilson radioed, "hey did you hear that noise whoever's down there? The discussion, previously documented on [REDACTED] [REDACTED] s BWC video, then occurred. Officer Wilson then radioed "Fifty-two, nineteen. Be advised, it sounded like a gunshot in the area."

Officer Wilson then moved into the south side yard of 5220 Evergreen Drive. It was one residence east of [REDACTED]

At 01:46:26, Officer Wilson radioed that there was some noise coming from the backyard.

At 01:46:39, the silhouette of a subject can be seen moving across the lighting (likely the fire) emitted from [REDACTED] (Officer Wilson BWC - Image 14). The subject moved from left to right as he moved out of view.

At 01:46:42, Officer Wilson began yelling "Hey! Police! Don't Move! Police Don't Move!" At the same time, an officer can be heard saying on the radio "[Unintelligible] smoke coming out the front door?"

Officer Wilson then radioed "Hey, this house might be on fire. [REDACTED] can you see flames?"

At 01:47:23, [REDACTED] [REDACTED] radioed "Someone's running westbound. We're on Berkshire cutting through yards."

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Officer Wilson then ran to his cruiser, entered it, and drove west on [REDACTED]

At 01:48:16, [REDACTED] [REDACTED] radioed "Got him at gunpoint." Officer Wilson radioed "Where are you?" as his cruiser came to a stop. Another male voice then said, "Where the fuck's he at?" Officer Wilson then sped off.

At 01:48:28, while Officer Wilson drove in his cruiser, a series of gunshots could be heard. Officer Willson parked, exited his cruiser, and made his way to the area of the shed where the shooting occurred.

Officer Wilson then assisted other officers in retrieving the involved subject from the bushes. The officers then administered CPR and EMS personnel arrived. Officer Wilson then left the scene to retrieve a camera and the video concluded.

Images



[REDACTED] [REDACTED] *BWC - Image 1*
[REDACTED] in the distance)

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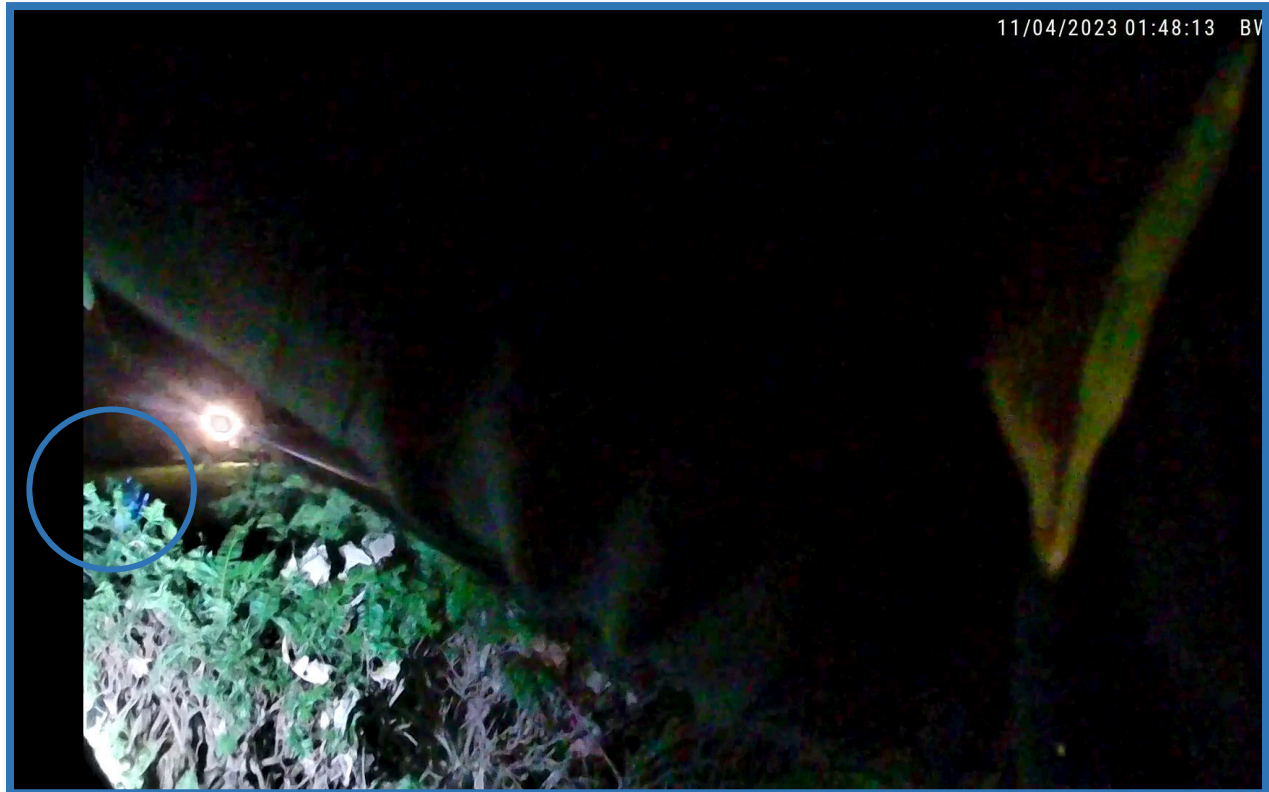


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██████████ BWC - Image 2
(Right hand with blue glove raised out of bush)

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██████████ BWC - Image 3
(View when first gunshot was heard)

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██████████ BWC - Image 4
(First visible cartridge case)

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██████████ BWC - Image 5
(Second visible cartridge case)

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██████████ BWC - Image 6
(Third visible cartridge case)

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██████████ BWC - Image 7
(Fourth visible cartridge case)

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██████████ BWC - Image 8
(██████████'s pistol in his left hand)

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██████████ BWC - Image 9
(██████████ moving to his position between the fence [left] and the shed [right])

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██████████ ██████████ BWC - Image 10
(Another officer [likely ██████████ ██████████] with a light)

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██████████ BWC - Image 11
(Another officer [likely ██████████] with a light on)

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██████████ BWC - Image 12

██████████ moved right hand to his gun and silhouette of another officer - likely
██████████

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██████████ ██████████ BWC - Image 13
(Particles captured when ██████████ ██████████ appeared to be firing his pistol)

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Officer Wilson BWC - Image 14

(Silhouette of subject moving across the lighting [likely the fire] at [REDACTED])

References:

1. Item C - BWC and In Car Camera Video

Attachments:

1. BWC Images 1 through 14

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2023-11-04 01:47:53 -0400
AXON BODY 3 X60A6850C
VIDEO RECALL



2023-11-04 01:48:05 -0400
AXON BODY 3 X60A6850C
VIDEO RECALL





2023-11-04 01:48:19 -0400
AXON BODY 3 X60A6850C
VIDEO RECALL



2023-11-04 01:48:30 -0400
AXON BODY 3 X60A6850C
VIDEO RECALL



2023-11-04 01:48:32 -0400
AXON BODY 3 X60A6850C
VIDEO RECALL



