



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



2024-1780

Officer Involved Critical Incident - [REDACTED]
Youngstown, Ohio

Investigative Activity: Review of YPD Officer Nico Rodriguez's BWC video
Involves: Officer Nico Rodriguez (O)
Activity Date: 07/30/2024
Activity Location: BCI Richfield
Authoring Agent: SA Jon Lieber #50

Narrative:

On July 5, 2024, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Jon Lieber (Lieber) received records previously requested from the Youngstown Police Department (YPD). The records received included the body-worn camera (BWC) videos of the YPD officers that were on scene at [REDACTED], Youngstown, OH at the time of the officer-involved critical incident on June 13, 2024. This report will detail Officer Nico Rodriguez's (Rodriguez) BWC video.

Note that the video times referenced in this report will refer to the elapsed time of the video.

Officer Rodriguez's BWC video is 41 minutes and 29 seconds in duration. The video begins showing Rodriguez sitting in a vehicle. At 00:13, Rodriguez exited the vehicle.

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No sound can be heard until 00:29. At 00:29, Rodriguez was walking on the sidewalk in front of [REDACTED], Youngstown, OH. At that same time, Officer Tony Kaleugher (Kaleugher) can be seen walking up the driveway toward the front porch. Also, at 00:29, when sound is first heard, gunshots are noted. The screenshot below is taken as the first gunshot was heard on this BWC.



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Additional gunshots are heard along with yelling. It is believed that [REDACTED] yelled "Fuck, down, down, down" [00:30]. At 00:36, Rodriguez radioed "207 shots fired, 207 shots fired." At 00:41, Rodriguez began to walk up the steps leading to the porch. The legs and feet of [REDACTED] and Officer Kaleugher can be seen at the doorway area. See screenshot below taken at 00:41.



Kaleugher and Rodriguez moved off of the porch. Kaleugher asked "Is he down?" [00:46]. [REDACTED] responded, "I don't know." Rodriguez radioed "207 [REDACTED] we got shots fired (unintelligible)." At 00:53, Kaleugher said "Ok, he's down." At 00:56, Rodriguez radioed, "He's down, he's down, I need a 55, I need a 55." It should be noted that a 55 is the YPD radio code for ambulance.

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At 01:04, Rodriguez entered the residence. See screenshot below showing [REDACTED] and [REDACTED] on the left of the image while [REDACTED] was in the dark area of the hallway near the bedroom where Mathue O'Malley (O'Malley) was located. Kaleugher was behind [REDACTED].



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At 01:09, [REDACTED] said "He's still breathing, still breathing." At 01:11, Rodriguez radioed, "Still breathing, I need a 55. Step it up." At 01:19, as Rodriguez approached the back bedroom, Kaleugher can be seen holding a pistol (O'Malley's pistol) at the base of the grip. See screenshot below.



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Rodriguez followed Kaleugher outside. Rodriguez said that she had a med bag in her car. At 01:29, Kaleugher said "I got the gun." Rodriguez retrieved a medical bag from a police cruiser and then re-entered the residence and proceeded to the back bedroom. At 02:30, Rodriguez checked O'Malley's neck for a pulse. At 02:47, Rodriguez stated that he (O'Malley) has a shallow pulse. Officers provided aid to O'Malley.

While another officer provided aid to O'Malley, Rodriguez walked to the living room where [REDACTED] showed Rodriguez the wound to her left thigh area. See screenshot below taken at 07:29 showing [REDACTED] wound.



Rodriguez asked [REDACTED] if she wanted a bandage. [REDACTED] replied, "No, I'm ok" [07:31]. At 8:30, EMS personnel arrived on scene. At 09:06, as [REDACTED] was being brought outside to a police vehicle, [REDACTED] said "She was telling me, she was telling me about something that he did." [REDACTED] continued saying that O'Malley is the father of the baby but not of [REDACTED] was telling [REDACTED] "some stuff" [09:38] and [REDACTED] called the police. [REDACTED] said that she didn't want O'Malley intimidating them so that [REDACTED] would stop telling her what was going on. [REDACTED] said that O'Malley didn't want to let [REDACTED] finish telling [REDACTED]. When [REDACTED] tried to call the police,

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O'Malley took the phone. [REDACTED] said that they were in the house for about an hour "going back and forth with him" [10:08]. [REDACTED] said that she told O'Malley that he can take the phone but tomorrow when she gets her phone the first thing she is going to do is call police. [REDACTED] said that she wasn't just going to let what O'Malley did go. It should be noted that [REDACTED] did not say specifically what [REDACTED] was trying to tell her. [REDACTED] said that she heard the police knock on her door and O'Malley ran into the bedroom. [REDACTED] said "I don't know what the fuck made him do that, I don't even know what the fuck he was thinking, like why" [10:29].

At 11:56, while Rodriguez was standing with a group of officers, she muted her BWC. At 17:16, the BWC is unmuted. At 23:31, the BWC is muted. The BWC remains muted through the remainder of the video.

At 41:29, the video ends.

References:

Item E - DVD - BWC videos of YPD [REDACTED], Ofc. Rodriguez, Ofc. Kaleugher

Attachments:

None

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