



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



2022-0826

Officer-Involved Critical Incident - W. 46th Street, between Collins Blvd. and Valley View Blvd.

Investigative Activity: Interview with Officer
 Involves: APD Ofc. Cody Caruso
 Activity Date: 7/26/2022
 Activity Location: Diemert & Associates, 1360 SOM Center Road, Mayfield Heights, Ohio 44124
 Authoring Agent: SA Jon Lieber #50

Narrative:

On Tuesday, July 26, 2022, at 1005 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Jon Lieber (Lieber) interviewed Ashtabula Police Department (APD) Officer (Ofc.) Cody Caruso (Caruso), who was accompanied by his attorney, Tom Hanculak, from the Fraternal Order of Police. The interview took place at Diemert & Associates, 1360 SOM Center Road, Mayfield Heights, Ohio 44124. The interview was audio recorded.

Caruso was identified as being a police officer who witnessed and/or had some level of involvement in the April 13, 2022, officer-involved shooting which occurred in the area of W. 46th Street between Collins Blvd. and Valley View Blvd., Ashtabula, Ohio. Reportedly, Caruso did not discharge a firearm during the course of the incident. The purpose of the interview was to obtain all relevant information of the incident known or observed by this officer.

Caruso stated his radio call sign on April 13, 2022, was P25. He has been employed by the Ashtabula Police Department for about six years. He has been a police officer for a total of six years. During the incident, Caruso wore his standard police uniform with a metal police badge affixed to it. He also wore an external ballistic vest and duty belt. He drove APD unit #P25, a marked vehicle with APD emblems and emergency lights. He considered himself to be well-represented as a police officer during the incident. He stated he was not under the influence of any substance that would impair his memory or judgment during the incident or during the interview with BCI. He does wear corrective lenses. Caruso was wearing a body camera during the incident and it was activated.

Caruso stated that he and Ofc. Sheri Allen (Allen) were on another call located in the harbor area. The officers heard radio traffic that there was a suicidal male, armed with a gun and walking down the street. When Caruso and Allen cleared the call they were on, they headed toward the call involving the suicidal male. Caruso estimated that it was around midnight at this time. While en route to the call, Lieutenant [REDACTED] ([REDACTED]) told Caruso and Allen to go to the eastside of the bridge to stop traffic. Caruso stated that he went to East 46th Street, east of

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Topper Ave., while Allen went to East 45th and Topper Ave. After some time, a couple of Ashtabula County Sheriff's Office deputies arrived on scene and assisted in blocking traffic.

Caruso stated that when he first arrived on scene, he could see the subject on the north side of the bridge about 50 feet from the east side entrance to the bridge. Caruso stated that he did not have his emergency lights activated because he was told that the subject said that he would shoot at law enforcement if he saw them. Caruso said that he parked in the middle of the street but it was dark, as there were no street lights near him. Caruso said that he didn't see or hear anything from the subject that would have indicated that the subject was aware that Caruso was there.

Caruso said that he could hear the subject [David Ward (Ward)] on the phone but he could not hear what Ward was saying. Caruso stated that he could hear Ward yelling and he saw the subject rack the shotgun. As time passed, Ward walked westbound on the bridge. Ward stopped and set the shotgun down and put his hands in his pockets. Caruso said that it appeared as though Ward may have been intoxicated because he would stumble when he walked. Ward stood in this area while on the phone.

Eventually, Ward continued to walk westbound, past the middle of the bridge. Caruso heard a single gunshot and then Ward fell. SA Lieber asked what Ward was doing in the moments before he was shot; Caruso stated that he couldn't see because Ward was a long distance away and Ward was facing away from Caruso at that time. SA Lieber asked about the lighting conditions. Caruso said that the bridge is lit. SA Lieber asked Caruso what he meant when he said that Ward was racking the shotgun. Caruso said Ward was pumping or racking the shotgun like you would on a standard pump-action shotgun. SA Lieber asked if Caruso used the radio to provide updates to any other officers on scene. Caruso stated that he did not.

SA Lieber stated that upon reviewing Caruso's body camera video, at 12:55 AM, Caruso says, "Oh, oh, I thought, he cocked it a co, like twice, something tells me that thing ain't, is empty. I don't think it's going to be loaded." SA Lieber asked Caruso if he remembered saying that. Caruso indicated that he did. Caruso said that at that time, Ward was pumping or racking the shotgun multiple times. Caruso stated that he assumed that the shotgun wasn't loaded, based on the number of times that Ward pumped it. Caruso said that normally each time you pump a shotgun, a shell would be ejected. SA Lieber asked if he radioed this information to any other officers on scene. Caruso stated that he did not. SA Lieber asked if there was any reason that he didn't radio that information. Caruso said, "No, uh mainly cause I can't be the judge if it's loaded or not cause he could easily, easily load it, even racking it so."

SA Lieber asked if when he heard the gunshot was he aware of who had fired. Caruso said that he originally thought that Ward shot himself because he heard a single shot and then he fell.

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Caruso said that the deputies that were with him thought that he committed suicide. Caruso said that once he approached Ward, he realized that Ward has a single shot in his chest. SA Lieber asked if, even though approximately 25 minutes earlier Caruso may have thought that at that time the shotgun was empty, was he surprised by Ward possibly shooting himself. Caruso indicated that he wasn't surprised and that he assumed that Ward had shot himself.

Caruso stated that Allen was talking on the phone with Ward at various times. Caruso could not hear Allen's conversation; but, he was aware that Ward believed that Allen was the only officer on scene because Ward did not see any of the other officers until the end of the incident.

The interview concluded at approximately 1017 hours.

The interview was audio recorded. The audio recording was attached to this report. Please see the attachment for further details.