



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



2024-1513
 Officer Involved Critical Incident – 6382 Georges Creek Drive,
 Columbus, OH 43110 (L)

Investigative Activity: Interview with Officer
Involves: ██████████
Date of Activity: 05/30/2024
Activity Location: Law Offices of Harshman, Wannemacher, Tipton & Lipperman –
 4683 Winterset Drive, Columbus, OH 43220
Author: SA Chad Holcomb, #61

Narrative:

On Thursday, May 30, 2024 at 1402 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent Chad Holcomb (SA Holcomb) and SA Matt Collins (SA Collins) interviewed Columbus Division of Police (CPD) ██████████, who was accompanied by his attorney, Nicole Wannemacher, from the Fraternal Order of Police. The interview took place at the attorney’s office located at 4683 Winterset Drive, Columbus, Ohio. The interview was audio recorded.

This report only summarizes the information deemed by the author to be of the most relevance to the investigation and does not purport to contain all questions and answers from the interview. Further, this report was placed in a chronology to aid the reader’s overall understanding of the information elicited during the interview and may not be reflective of the actual sequencing of questions. It is suggested that the full recording be reviewed to clarify any content or contextual questions regarding the information from the interview.

Narrative:

At the beginning of the interview, SA Holcomb provided ██████████ with the BCI Criminal Investigation Notification form. SA Holcomb advised BCI was conducting a criminal investigation separate from any internal investigation that CPD may be conducting. ██████████ was told his interview was voluntary and that he could stop answering questions at any time. ██████████ verbally confirmed he understood the contents of the form and signed the document, acknowledging his understanding. A copy of the signed Criminal Investigation Notification (CIN) is attached to this report.

Attorney Nicole Wannemacher provided SA Holcomb with a written statement from ██████████ regarding the OICI. SA Holcomb reviewed the statement upon receipt. ██████████ signed his

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statement provided to BCI, and he verified the statement was true and accurate depiction of the OICI incident. Please refer to [REDACTED] statement for further details. A copy of the signed written statement has been attached to this report.

[REDACTED] stated in his statement that he and other officers were wrapping up a burglary call when a male with a firearm run was dispatched. [REDACTED] and other CPD officers were assigned to the run and started traveling to the scene, approximately 3–4 minutes away.

Upon arrival, [REDACTED] parked his vehicle at the intersection, away from the scene. He then walked towards the dispatched address on foot. He looked around the rear of the apartment and heard sounds coming from the back of the building. Ofc. Brady Thomas (Ofc. Thomas) gave the male, Rafael Warfield (Warfield), commands to show his hands. [REDACTED] then repositioned to behind a vehicle to get a better view of Warfield.

[REDACTED] wrote in his statement,

"I saw the suspect walk from the backdoor to out past the end of the divider. Suddenly, the suspect raised his right arm towards me and I simultaneously saw a muzzle flash and heard a gunshot. I fired my rifle and briefly ducked behind the SUV as the suspect's muzzle flash had momentarily impaired my ability to see him. I peered up from the rear corner of the SUV and saw the suspect was still standing just north of the privacy divider with the gun pointed towards me. I fired my rifle and the suspect retreated behind the privacy divider. I stopped firing when I could no longer see the suspect."

[REDACTED] and other CPD Officers then approached Warfield and [REDACTED] kicked a firearm away from Warfield. Other officers then provided first aid to Warfield.

[REDACTED] wrote in his statement,

"I believe I fired 12–14 rounds at the suspect. I carry my rifle with 30 rounds in each magazine. I believe I fired one round immediately in response to the suspect firing at me, then there was a brief pause of roughly a second and I fired my remaining rounds in rapid succession. I do not believe I struck the suspect with my first round, as he did not appear to be hit (did not fall down, drop his weapon, yell out, etc.) and I saw smoke/dust coming from the building/shed. I believe I was 25–30 yards from the suspect when I fired at him. I fired from a standing position behind the passenger rear corner of an SUV that was parked at the east end of the building. I was trying to utilize the SUV as cover. I fired with my rifle against my right shoulder and used my Holographic sight. The direction of my shots was southwest. My backdrop was the attached shed/storage unit. My target was center mass. I stopped firing because I could no longer see the suspect."

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██████████ continued to write,

“At the time I fired my weapon, I was in fear for my life as well as the lives of the other officers in the area. Immediately prior to discharging my rifle, the suspect had fired at me and I believed he was trying to seriously injure or kill me. I do not know how many rounds the suspect fired but I know that he fired at least one round at me and that he still had his gun pointed at me when I re-engaged. I do not believe I had any other reasonable alternative to protect my life and the lives of the other officers at the time I fired my weapon”.

Agents asked additional follow up questions to ██████████ was asked if he ever gave any commands to Warfield; he said he did not. He explained that Ofc. Thomas was giving commands and that two voices yelling commands at once would be difficult to understand. ██████████ was asked if he was able to describe the firearm when he saw the muzzle flash. He said that Warfield's right arm raised and appeared to be a black handgun.

SA Holcomb asked that with the commands being given and the uniform that ██████████ was wearing, if he believed himself and officers on scene were accurately represented as law enforcement. ██████████ said yes. ██████████ was asked if he followed CPD policy and procedures during the incident; he said he did.

The interview concluded at approximately 1411 hours.

The interview was audio recorded. The audio recording was attached to this report. The signed BCI Criminal Investigation Notification form and ██████████ signed statement is also attached to this report. Please see the attachments for further details.

Attachments:

Attachment # 01: 2024-05-30 - ██████████ Interview (2024-1513)
Attachment # 02: ██████████
Attachment # 03: ██████████ CIN

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STATEMENT OF OFFICER [REDACTED]

This statement is regarding my involvement in an incident that occurred on Thursday, May 16, 2024, between approximately 4:00 a.m. and 4:15 a.m. in the area of Georges Creek Drive. I am voluntarily providing this statement as part of the investigation being conducted by the Bureau of Criminal Investigation (BCI) into this matter.

My date of hire with the Columbus Division of Police (CPD or the Division) is [REDACTED]

[REDACTED] My regular assignment is [REDACTED] My regular duty hours are [REDACTED] My regular days off are [REDACTED] I was working my regular assignment at the time of this incident. I do not have any prior law enforcement experience. I do not have any [REDACTED] experience. I do not currently have any uses of force that have been found outside of policy.

I was wearing the CPD patrol uniform consisting of navy pants and short sleeved shirt that has CPD patches on both shoulders. I was also wearing an external ballistic vest which displays my badge on the front and Columbus Police on the back. I had my body worn camera (BWC) mounted on the outside of my vest and it was activated during this incident. I was carrying my Division-issued Smith & Wesson 2.0 9mm service weapon which was loaded with division-issued ammunition. I am current in my range qualifications with this weapon. I did not fire my handgun during this incident. I was also carrying my personally owned BCM Recce 16 Rifle which was loaded with division-issued ammunition and is equipped with an EOTech EXPS2 Holographic sight which is the weapon I discharged during this incident. I am current on my qualifications with this firearm and I am a Certified Rifle Operator. I was not working with a partner. I was in marked Columbus Police cruiser [REDACTED] Cruiser [REDACTED] is equipped with a Cruiser Video System (CVS) but I do not know if it captured any of this incident.

I wear contacts which were in during this incident and my corrected vision is good. I do not wear hearing aids and my hearing is good. I do not suffer from any disabilities. I was not taking any medication, prescription or over the counter, which could affect the performance of my duties. I had not consumed any alcohol in the 24 hours before this incident. I did not work any overtime or special duty in the twenty-four (24) hours prior to my shift and I arrived at the start of my shift well-rested.

Immediately before this incident, I was on an 8A (burglar alarm) at the Dollar General. There was a suspect who had run from the building when other officers arrived responded to assist. When I arrived, I located the suspect in a nearby creek and made the apprehension. I was waiting for detectives to arrive when radio aired that there was a 33 (gun) run with a suspect who is potentially suicidal and homicidal at Georges Creek Apartments. This location was straight down Gender Road, only 3-4 minutes from my location. I got into my cruiser and read the information provided on the MDC (Mobile Digital Computer) which indicated that an individual named Rafael was threatening to kill everyone in the dispatched address and himself and that he had a gun to his head. I believe the call for service also gave a description of a male black in a white shirt. I told dispatch to add me to the run. I believe several other officers who had been on the 8A also added themselves to the run. At some point, I believe as I was driving to the location, radio updated that the individual went outside. While I was driving, I pulled the rifle from the rifle storage rack located between the driver's seat and the passenger seat and held it next to me as I drove to the location which was only 2-3 miles from us. As we were getting close to the complex, I passed [REDACTED] as I know the area better than he does as he is a newer officer and new to the area. As I approached Georges Creek Drive, I slowed down before and asked over the air whether everyone behind me was

ready to go in and they responded affirmatively. I turned onto Georges Creek Drive. I stopped at the tree line and parked a couple buildings down the street, so not to alert the suspect to our location as the radio had indicated that he was outside with a gun. [REDACTED] Cale, and Thomas turned in behind me.

I exited my cruiser and walked west into the apartment complex on foot. I believe the other officers were behind me. Based on the MDC map of the dispatched location, I believed the caller's apartment was in the second building on the north side of Georges Creek Drive from Gender Rd. I walked down the front of the first building and did not see or hear anyone. There is about 20-25 feet between the first and second buildings. I looked between them and did not see anyone. I went to the east side of the second building and walked north, to the back of the building. I looked down the back (north) side and did not see anyone. I was going to walk back to the front of the building when I heard sounds (not sure if he was talking/moaning) come from the back of the building.

I took a position at the northeast corner of the building and looked west trying to get a visual. Officer Thomas to a position behind me. We heard what sounded like knocking coming from the west. It was dark outside and while there were some lights in the parking lot, it was not a lot. I shined my rifle light down the back of the building but could not see anything. Each apartment had an attached storage/shed area and a wooden privacy wall dividing the backdoors. I moved north and took a position behind an SUV that was parked at the east end of the building. Officer Thomas remained at the northeast corner of the building and yelled that it was Columbus Police and to come out with his hands up or words to that effect. The suspect responded but I do not know what he said, it just sounded like yelling. Officer Thomas continued to try to talk him into coming out and I aired for radio to hold the air since we had located him. I saw the suspect

on the west side of the wooden privacy divider (it was wooden with boards going vertical and gaps between them) and he was facing the door of the apartment and appeared to be banging some part of his body on the door. Officer Thomas continued to try and convince him to come out with nothing in his hands and I kept my rifle light on the suspect. The wooden privacy divider was approximately 6-8 feet wide. I saw the suspect walk from the backdoor to out past the end of the divider.

Suddenly, the suspect raised his right arm towards me and I simultaneously saw a muzzle flash and heard a gunshot. I fired my rifle and briefly ducked behind the SUV as the suspect's muzzle flash had momentarily impaired my ability to see him. I peered up from the rear corner of the SUV and saw the suspect was still standing just north of the privacy divider with the gun pointed towards me. I fired my rifle and the suspect retreated behind the privacy divider. I stopped firing when I could no longer see the suspect.

Officer Thomas asked if I could see the suspect and I said no, as there was smoke coming from the attached shed that was behind the suspect. I fired shots. I told Officer Thomas to cover me and I moved north from behind the SUV to a dumpster to try and get a better visual on the suspect. Officer Thomas asked where he was at and I said I think he is on the ground behind the fence. Officer Thomas and I approached the suspect at the same time. He approached from the east and I approached from the north. The suspect was on the ground against the southwest corner of the privacy divider and the apartment building with a black handgun on the ground against his body. Using my foot, I stepped on the firearm and moved it away from the suspect, advising all officers not to touch the firearm. Multiple other officers arrived, rendered aid to the suspect, and secured the scene.

I left my rifle in cruiser [REDACTED] and I returned to the 20 precinct CPD substation and waited for BCI Agents to arrive. There they photographed me and my service weapon/magazines that I still had with me. This ended my involvement in this incident.

I believe I fired 12-14 rounds at the suspect. I carry my rifle with 30 rounds in each magazine. I believe I fired one round immediately in response to the suspect firing at me, then there was a brief pause of roughly a second and I fired my remaining rounds in rapid succession. I do not believe I struck the suspect with my first round, as he did not appear to be hit (did not fall down, drop his weapon, yell out, etc.) and I saw smoke/dust coming from the building/shed. I believe I was 25-30 yards from the suspect when I fired at him. I fired from a standing position behind the passenger rear corner of an SUV that was parked at the east end of the building. I was trying to utilize the SUV as cover. I fired with my rifle against my right shoulder and used my Holographic sight. The direction of my shots was southwest. My backdrop was the attached shed/storage unit. My target was center mass. I stopped firing because I could no longer see the suspect.

At the time I fired my weapon, I was in fear for my life as well as the lives of the other officers in the area. Immediately prior to discharging my rifle, the suspect had fired at me and I believed he was trying to seriously injure or kill me. I do not know how many rounds the suspect fired but I know that he fired at least one round at me and that he still had his gun pointed at me when I re-engaged. I do not believe I had any other reasonable alternative to protect my life and the lives of the other officers at the time I fired my weapon.

This entire incident happened in a matter of seconds. From the time I took a position at the rear of the SUV until the suspect fire at me was less than a minute. Officer Thomas repeatedly announced that we were Columbus Police and to come out with his hands up. Instead

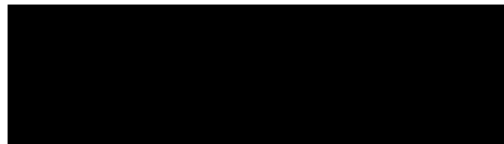
of coming out with his hands up, the suspect came out from behind the privacy divider and fired his weapon at me.

At the time of this incident, I did have a taser on my duty belt. However, I did not use my taser as the use of a taser requires time, distance, barrier, lethal force backup and reasonableness. The suspect was too far away to utilize the taser and initially there was a privacy divider between us. Once the suspect emerged from the privacy divider, he immediately fired his weapon at me. It would not have been reasonable to counter his lethal force with less lethal force. I believe that my actions during this incident were consistent with my training as a police officer.

I have also now had an opportunity to review the body worn camera footage of this incident. After reviewing the footage, it appears that I may have fired two rounds immediately after the suspect fired at me. My recall was that I only fired one round, had a brief pause and then re-engaged.

I now know that the name of the suspect is Rafael Warfield. However, I did not recognize him and do not believe I have ever had any prior encounters, personal or professional, with him.

This concludes my statement, and I will now answer any additional questions you may have at this time.





DAVE YOST
OHIO ATTORNEY GENERAL



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Criminal Investigation Notification

BCI Case # 2024-1513

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).

[Redacted] _____
Printed Name of Interviewee

5/30/24 @ 01409

Date / Time

[Redacted] _____

SA Chad Holcomb

BCI Agent (Printed)

SACB

BCI Agent (Signature)