



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



2023-1809
 Officer Involved Critical Incident – 3110 E. Livingston Avenue,
 Columbus, Ohio 43227 (L)

Investigative Activity: Body Camera Review
Involves: ██████████ (S)
Date of Activity: 12/11/2023
Author: SA Ryan D. Scheiderer, #89

Narrative:

On December 11, 2023, Ohio Bureau of Criminal Identification and Investigation (BCI) Special Agent Ryan Scheiderer (SA Scheiderer) conducted a review of the Body Worn Camera (BWC) recording (20230708_1948_BWC2-082571_1ecb62a) and the Cruiser Video System recording (20230708_1952_558_b9ca12d) for Franklin County Sheriff’s Office (FCSO) ██████████ ██████████ (██████████ ██████████) that was associated with the July 08, 2023, shooting incident at 3110 E. Livingston Avenue (3110) between Antwan Lindsey (Lindsey) and officers from the Columbus Division of Police and ██████████ ██████████ that resulted in Lindsey's death. The following is a summation of notable findings observed within the recording. *All times used to document events observed within the 20230708_1948_BWC2-082571_1ecb62a BWC recording would correspond to the time-stamp within the video footage. There is no time reference on the 20230708_1952_558_b9ca12d CVS recording.*

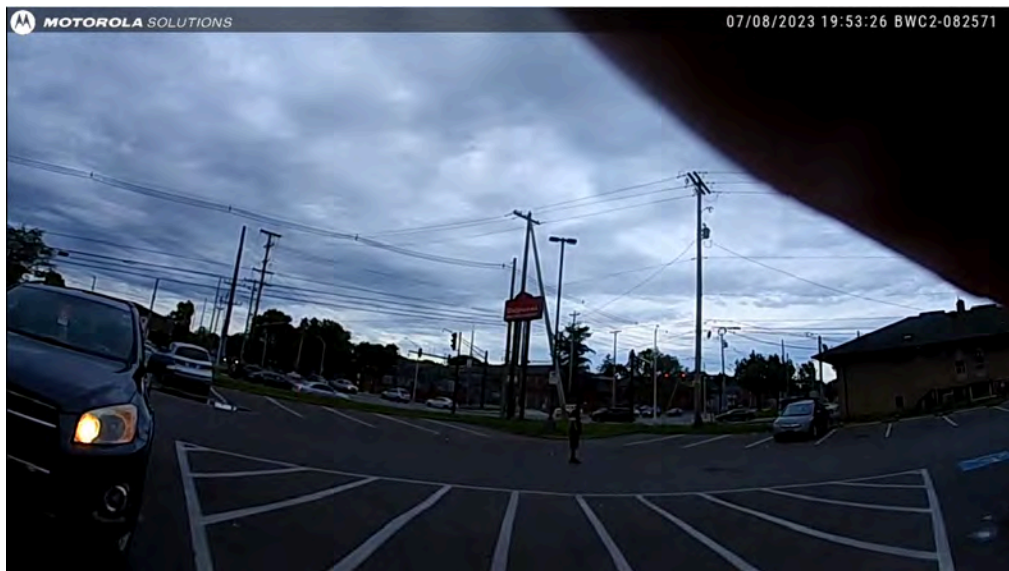
██████████ ██████████ BWC footage started at approximately 19:48:55 hours on July 8th for this incident. At that time, ██████████ ██████████ was working Special Duty inside the Walgreens on E. Livingston Avenue and his partner, ██████████ ██████████ was secured inside his cruiser. At approximately 19:52 hours, ██████████ ██████████ was approached by a subject wearing a Steeler’s #26 jersey, later identified as Steven Nida (Nida), who reported Lindsey pulled a “gun” on him and his girlfriend inside an apartment at 3110 E. Livingston Avenue (3110) over a missing vehicle (See *Photo ██████████ BWC 1*). Initially, Nida was advised to contact 911 to report the complaint to CPD, but ██████████ ██████████ did take the information and advised his Dispatch of the complaint. As ██████████ ██████████ marked Dispatch, what appeared to be 2–3 gunshots can be heard. As ██████████ ██████████ walked outside the Walgreens, additional gunfire can be heard (See *Photos ██████████ BWC 2’ & ██████████ CVS 1*). At that time, ██████████ ██████████ entered his fully-marked Chevrolet SUV cruiser (Cruiser ██████████) and responded towards 3110 with the emergency lights and siren activated.

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Approved By SA James A. Mulford on
 12/19/2023

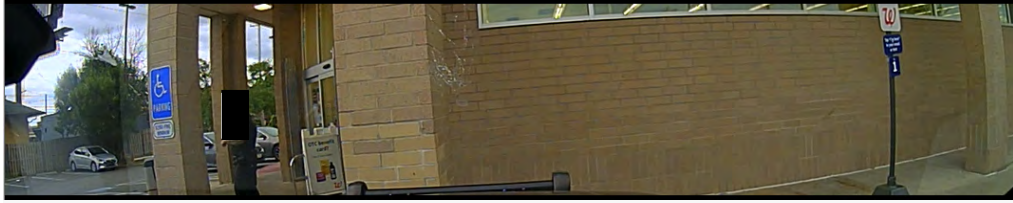


██████████ BWC 1: *Steven Nida reporting Lindsey pulled a “gun” on him and his girlfriend inside an apartment at 3110 E. Livingston Avenue (3110) over a missing vehicle*



██████████ BWC 2: ██████████ ██████████ *outside Walgreens and gunshots can be heard*

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CVS 1: ██████ ██████ outside Walgreens and gunshots can be heard

██████ ██████ parked his cruiser in the entrance of 3098 E. Livingston Avenue (west & adjacent to 3110) (See Photo ██████ CVS 2') and as he exited his cruiser, at least one (1) gunshot can be heard (See Photos ██████ BWC 3'). Through the CVS recording, Lindsey can be observed exiting the front glass door of 3110 with his right hand extended towards ██████ ██████'s location at the same time the gunshot is heard (See Photo ██████ CVS 3').



CVS 2: ██████ ██████ arriving on scene and parking at entrance to 3098 E. Livingston Avenue and no one present at front entrance of 3110 E. Livingston Avenue



BWC 3: ██████ ██████ taking gunfire as he exits his cruiser

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████████ CVS 3: Lindsey at the front entrance at the time gunshots heard on ██████████'s BWC

Lindsey then disappeared inside the door, reappeared in and out of the doorway. ██████████ ██████████ retreated to the rear of his cruiser, drew his duty pistol (See Photo ██████████ BWC 4'), advised Dispatch '████████... I'm taking fire', and began issuing the command "Let me see your hands" to Lindsey. ██████████ ██████████ yelled "Show me your hands" eleven (11) times at Lindsey before he fired his duty pistol at Lindsey at 19:55:03 hours (See Photo ██████████ BWC 5'). Prior to ██████████ ██████████ discharging his pistol, Lindsey can be observed repeatedly opening and closing the door and waiving his hands out the door in what appeared to be an attempt to taunt ██████████ ██████████.



████████ BWC 4: ██████████ ██████████ retreating to the rear of his cruiser and drawing his duty pistol

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██████████ BWC 5: Reflection of ██████████ ██████████ as he fired his first shot at Lindsey

After firing his first shot, ██████████ ██████████'s pistol malfunctioned and Lindsey fell or retreated back inside the glass door (See Photo ██████████ CVS 4'). It took ██████████ ██████████ several attempts to clear the malfunction and get his pistol back into working condition (See Photos ██████████ BWC 6'). While attempting to clear the malfunction affecting his pistol, ██████████ ██████████ racked the slide of his pistol twice causing two (2) unfired cartridges (BCI item 4) to eject from the pistol and fall to the pavement (See Photos ██████████ BWC 7' & ██████████ BWC 8').



██████████ CVS 4: Lindsey falling or retreating back inside glass doorway after ██████████ ██████████ fired his duty pistol

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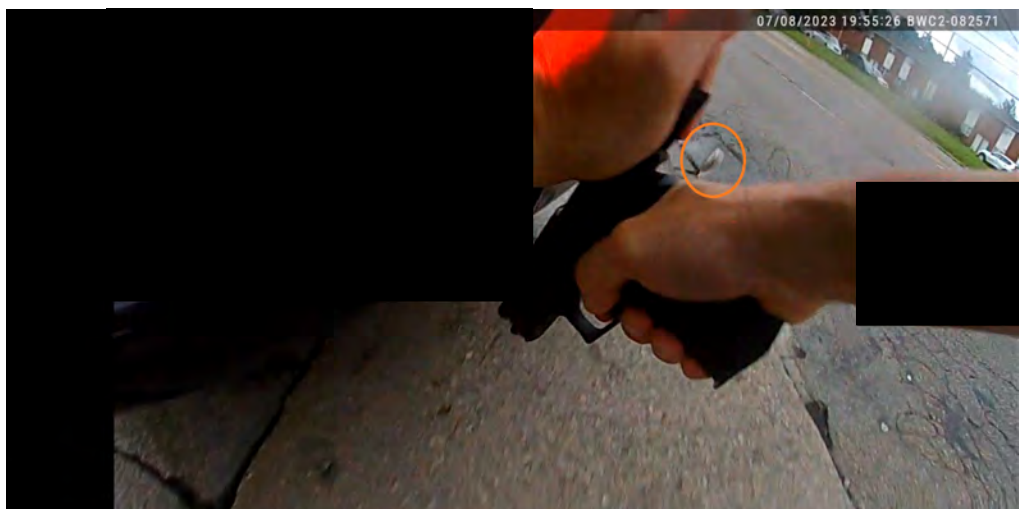


██████████ BWC 6: ██████████ attempting to fix malfunction of his duty pistol



██████████ BWC 7: ██████████ ██████████ ejecting unfired cartridge from his pistol while attempting to fix malfunction (BCI Item 4)

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██████████ BWC 8: ██████████ ██████████ ejecting second unfired cartridge from his pistol while attempting to fix malfunction (BCI Item 4)

██████████ ██████████ moved towards the driver's side door of his cruiser and updated Dispatch that Lindsey was still at the entrance door. ██████████ ██████████ then moved towards the rear of his cruiser and stripped the magazine from his pistol (See Photo ██████████ BWC 9') and left it on the ground, then moved back towards the driver's side of his cruiser, inserted a replacement magazine into his pistol (See Photo ██████████ BWC 10'), racked the slide on his pistol and caused another unfired cartridge (BCI Item 3) to eject from the pistol and fall to the ground (See Photo ██████████ BWC 11'). After racking the slide on the pistol, ██████████ ██████████'s pistol comes into view of the BWC and at that point it is observed that the magazine wasn't fully inserted into the magazine well of the pistol (See Photo ██████████ BWC 12'). ██████████ ██████████ moved back to the passenger rear corner of his cruiser and attempted to discharge (audible indications trigger pulled and hammer falling) his pistol at Lindsey. ██████████ ██████████ initiated a "Tap Rack Bang" response to the failure to fire and as he racked the slide, another unfired cartridge (BCI Item 4) is ejected from his pistol (See Photo ██████████ BWC 13'). Lindsey can be observed ducking in and out of the front door waiving a jacket (See Photo ██████████ CVS 5') and pointing towards ██████████ ██████████ (See Photo ██████████ CVS 6') in what appears to be a "taunting" manner.



██████████ BWC 9: ██████████ ██████████ removing magazine from his duty pistol and letting it fall to the ground

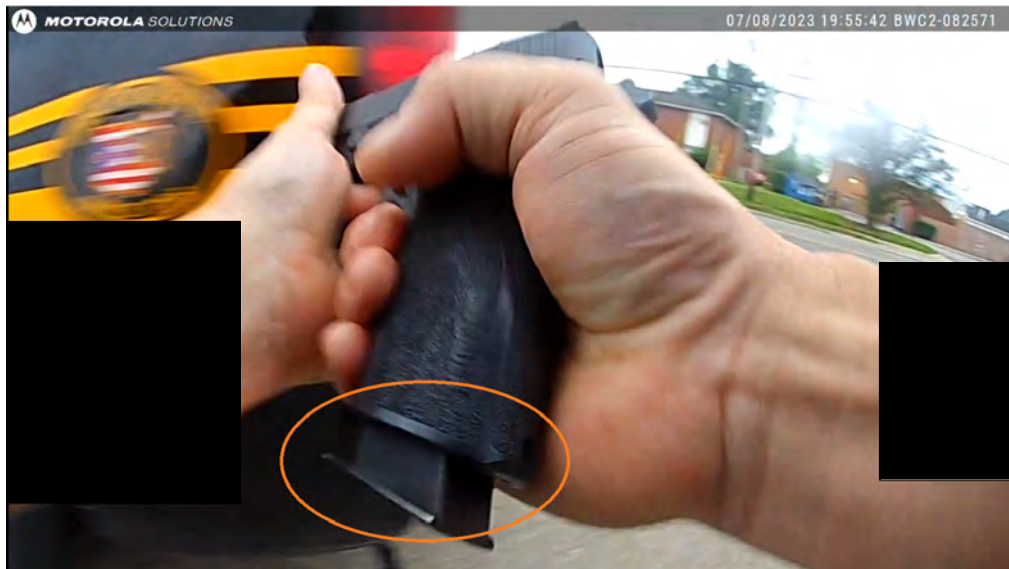


██████████ BWC 10: ██████████ ██████████ inserting new magazine into his duty pistol

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██████████ BWC 11: ██████████ ██████████ racked the slide after inserting new magazine causing third unfired cartridge to be ejected onto ground (BCI Item 3)



██████████ BWC 12: New magazine not fully inserted into ██████████ ██████████'s duty pistol

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██████████ BWC 13: ██████████ ██████████ initiated a "Tap Rack Bang" response to the failure to fire and as he racked the slide, a fourth unfired cartridge is ejected from his pistol (BCI Item 4)



██████████ CVS 5: Lindsey can be observed ducking in and out of the front door waving a jacket



██████████ CVS 6: Lindsey pointing towards ██████████ ██████████ just prior to ██████████ ██████████ firing his second shot at Lindsey

At 19:55:59 hours, ██████████ ██████████ fired another shot at Lindsey and afterward advised Dispatch he believed the "suspect" (Lindsey) was "down". From the CVS recording, Lindsey can be observed with a distinct change in behavior immediately following ██████████ ██████████'s second shot (See Photo ██████████ CVS 7'). Lindsey appeared to have fallen into the building after being struck, but then reached outside the door with one of his arms.

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████████ CVS 7: *Distinct change in behavior of Lindsey following ██████████ second shot that appears to consistent with Lindsey being struck by a bullet*

At approximately 19:56:28 hours, the first CPD cruiser arrived on scene and Lindsey is observed standing in the glass doorway with his left leg on the cement step and he can be heard yelling “Fuck you” several times and other “inaudible” communications (See Photo ██████████ CVS 8’). ██████████ ██████████ can be heard yelling twenty-one (21) additional commands to Lindsey about showing his hands as officers from CPD arrived on scene. CPD officers can also be heard yelling similar commands at Lindsey. At 19:57:24 hours, ██████████ ██████████ advised Dispatch that CPD was on scene and “He’s back inside the apartment” referring to Lindsey. ██████████ ██████████ then requested Dispatch have a FCSO supervisor respond to his location. Communications are not as clear at this point due to the multiple sirens present and numerous subjects yelling. As additional CPD officers arrived on scene, Lindsey can be observed pushing the front door open with his hand and it appears he is on the ground inside the building (See Photo ██████████ CVS 9’).



████████ CVS 8: *As the first CPD cruiser arrived on scene, Lindsey is observed standing partially out of the doorway and is yelling "Fuck you" and other "inaudible" communications at ██████████ ██████████*



████████ CVS 9: *It appeared that Lindsey was Laying on the ground as he pushed open the front door with his hand as additional CDP officers arrived on scene.*

At 19:58:49 hours, CPD Sergeant Jonathan Goodrich (Sgt. Goodrich) and CPD ██████████ ██████████ (████████ ██████████) arrived on scene and pulled in behind ██████████ ██████████ Sgt.

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Goodrich exited his vehicle and checked on ██████████ ██████████ who was able to communicate to Sgt. Goodrich where CPD officers were positioned (See Photo ██████████ BWC 14'). At 20:00:05 hours, ██████████ ██████████ is heard telling CPD officers "There he is on the ground... yup", he then followed that up by clarifying Lindsey was wearing a black shirt. At 20:00:32 hours, a single gunshot can be heard and that is believed to have been a negligent discharge from CPD Officer Joseph Whitehead (Officer Whitehead), who was running towards the scene and stepped into a hole facilitating the discharge. Someone off camera can be heard asking who is shooting.



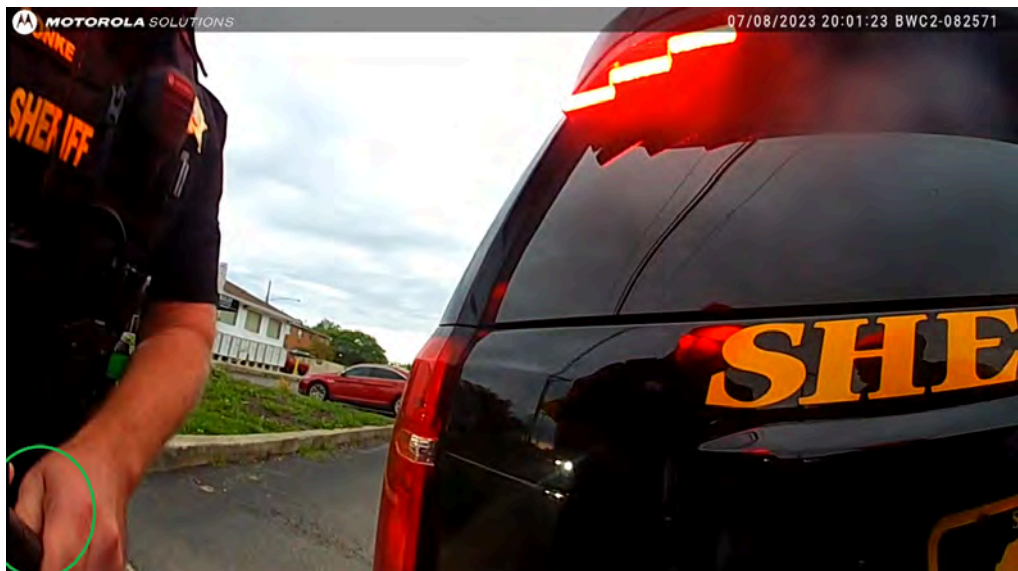
██████████ BWC 14: CPD Officer ██████████ arriving on scene directly behind ██████████ ██████████

At 20:01:19 hours, ██████████ ██████████ is heard advising he is going to pick up the magazine he previously removed from his pistol. FCSO Sergeant Robert Conkel (Sgt. Conkel) can be seen bending down to retrieve ██████████ ██████████'s magazine and then hand it to ██████████ ██████████. See Photos ██████████ BWC 15' & ██████████ WC 16'). Sgt. Conkel can be heard asking ██████████ ██████████ "You believe you hit him?" and ██████████ ██████████ answered "I think so, he went down." ██████████ ██████████ then advised "I pulled up and he shot at me. I don't know if he hit my car at all. Let me check my dog." ██████████ ██████████ then opened the driver's side rear door and checked on his partner ██████████. At 20:02:36 hours, ██████████ ██████████ and several other law enforcement officers made their way to the front of the apartment building at 3110. ██████████ ██████████ positioned himself at the southwest exterior corner of the building and maintained security until it was announced that Lindsey had been shot and medics were summoned. Afterward, ██████████ ██████████ and several deputies checked his cruiser for any bullet strikes. At 20:06:23 hours, ██████████ ██████████ advised the officers present that the original complainant wearing a "Steeler's Jersey... number 26" needed located. At 20:07:30 hours, ██████████ ██████████ was speaking with CPD Officer "Hicks 2916" and advised "Yeah, my gun hit the car and stove-piped". ██████████ ██████████ was then led away and his BWC footage concluded at 20:07:36.

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██████████ BWC 15: FCSO Sgt. Conkel retrieving ██████████'s pistol magazine from the pavement



██████████ BWC 16: FCSO Sgt. Conkel handing ██████████ ██████████ the pistol magazine he retrieved from the pavement

From the review of ██████████'s BWC and CVS videos, there was approximately forty-five (45) seconds between the time when Lindsey shot at ██████████ upon his arrival, and when ██████████ fired his first shot at Lindsey. ██████████ fired his second shot at Lindsey approximately fifty-six (56) seconds after the first shot. From the time ██████████ arrived at 3110 and came under fire, it was approximately one-and-a-half (1 ½) minutes until the

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first CPD officer arrived on scene to assist. [REDACTED] [REDACTED] and other officers yelled numerous commands at Lindsey during the encounter. Lindsey was visible at the front glass entryway throughout the incident and was observed acting erratically and yelling at officers. Due to distance and environmental sounds ([REDACTED] [REDACTED] [REDACTED] sirens, and passing traffic), it was difficult to make out what Lindsey was yelling towards officers. Additionally, due to the distance between [REDACTED] [REDACTED] and Lindsey, it wasn't clear if Lindsey possessed anything in his hands other than his jacket throughout the encounter. This will conclude the review of the video recordings for [REDACTED] [REDACTED]

References:

FCSO Command Central BWC & CVS Videos

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