



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



2022-1480  
Officer Involved Critical Incident – 5945 SR 48, Clearcreek  
Township, OH (L)

**Investigative Activity:** Interview with Officer  
**Involves:** Sergeant Nicole Cordero (S)  
**Date of Activity:** 07/20/2022  
**Activity Location:** Warren County Sheriffs Office – Business – 822 Memorial Drive,  
Lebanon, OH 45036, Warren County  
**Author:** SA Richard Ward, #55

**Narrative:**

On Wednesday, July 20, 2022 at 1516 hours, Ohio Bureau of Criminal Investigations (BCI) Special Agents Richard Ward and Kenneth Smith met with Clearcreek Township Police Sergeant Nicole "Nikki" Cordero at the Warren County Sheriff's Office, 822 Memorial Drive, Lebanon, Ohio for the purpose of an interview. Also present was Cordero's OPBA Attorney, Joe Hegedus. While dealing with a domestic dispute between Mark Evers and his wife, Sylvia Norris on July 12, 2022, Cordero shot and killed Evers after he shot and injured Clearcreek Police Officer Eric Ney. The previous day, July 19, 2022, Agent Ward was forwarded from Hegedus an email, which contained the typed written statement prepared by Cordero.

Agent Ward read Sergeant Cordero the *Notice of Criminal Investigation Notification* provided by the standard BCI form, which Cordero acknowledged and signed. Cordero was a Road Patrol Sergeant assigned the hours of 2300-0700 and was working overtime on the day of the incident. Cordero has been employed with the Clearcreek Police Department since 2008 and was promoted to Sergeant in February of 2022. On July 12, 2022, Cordero was in uniform of the day and dawned exterior body armor with "POLICE" markings. Cordero stated she was in possession of her department issued Glock Model 17 with issued ammunition and additional magazines loaded to capacity. Cordero was in possession and had available less lethal options; ASP, OC spray and Taser. Cordero was not in possession of nor issued a Body Worn Camera, but her patrol vehicle was equipped with a dashboard camera.

Sergeant Cordero stated she and Officer Ney were at the Clearcreek Police Department eating dinner when a call for service on a "verbal domestic", which was upgraded to an "active domestic" violence [dispute]. According to Cordero, the call was upgraded because Mark Evers had repeatedly rammed her [Sylvia Norris] vehicle with a Gator. Once she arrived (5945 State Route 48) and pulled into the driveway, Cordero observed Norris crouched down, on the phone, by the front gate and appeared to be hiding. Cordero described Norris to be crying and shaken

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up as she explained Evers had rammed her unoccupied vehicle with the Gator. Cordero stated Ney observed Evers approaching their location while on the Gator, but once he observed she and Ney, Evers veered off and traveled toward the house.

Sergeant Cordero stated she placed Norris in her patrol vehicle, while Officer Ney proceeded toward the house in the same direction as Evers. Although she did not see the Gator, Cordero observed the bloom of dirt created by the Gator as Evers proceeded onto the horse track location on the property as she and Ney followed. While in the back of Cordero's patrol vehicle, Norris received a phone call from Evers who informed her if she leaves, he (Evers) will "kill himself." Cordero described Norris as "crying hysterically" while on the phone with Evers. Norris then called her cousin [Megan Cranmer] to come pick her up. Cordero brought Norris back to her house to retrieve items, including car keys. Once she obtained the items, Norris moved her vehicle to the front gate area where she eventually met her cousin. Cordero stated she followed Norris to the front gate and Ney remained near the house.

While at the front gate, Cordero had Norris complete a written statement. Agent Ward asked Cordero if she inquired about Evers having firearms available to him and she stated Norris did not see Evers retrieve any firearms, but there were firearms on the property. Cordero stated she contacted Evers via his cell phone and Evers informed her if she arrests him "it's over." When Cordero asked Evers to clarify that statement, Evers terminated the call. Cordero stated she drove back toward the house and parked between the two barns and Ney arrived shortly thereafter. Cordero and Ney spoke with David Ward, an employee and resident on the property, who described Evers's behavior. Cordero had Ward call Evers who agreed to come back and speak with officers; however, the officers needed to stay ten feet away. Within ten to fifteen minutes, Cordero stated Evers arrived to their location and remained seated inside the Gator. Prior to Evers pulling up, Cordero informed Ney that they needed to get Evers outside the Gator and she would have Evers complete a witness statement to accomplish this. Cordero stated as she talked with Evers, he was adamant she and Ney remain ten feet away and refused to exit the Gator.

Sergeant Cordero made the determination to arrest Evers for domestic violence. When Cordero handed Evers the statement she asked if he was in possession of a firearm and Evers stated, "yes" that he was a CCW permit holder. When Cordero asked the location of the firearm, Evers pointed to the passenger dash area of the Gator; the side Cordero was standing. Cordero stated the Gator had a closed compartment and a open recessed area, which she ran her hand through. At one point while Evers was completing the written statement, he asked Cordero why she and Ney were "closing in" on him. Once Evers was done with the statement, Cordero realized Evers was not going to exit the Gator. Cordero informed Evers to exit the Gator and he was under arrest. According to Cordero, Evers placed the Gator in gear and attempted to accelerate. Cordero reached into the Gator and turned the ignition key off and immediately Evers turned the ignition back on. Once Cordero turned the ignition back off, she observed Evers standing outside the Gator, had raised his arm toward Ney with a handgun. Cordero stated she discharged her service weapon and fired between the bars on the Gator and was not sure if she shot Evers. When Evers fell to the ground, Cordero stated she did not know if Evers was still a threat; moved and shot Evers while he was on the ground. After she shot she noticed Evers did not react to the shot. Cordero stated she approached Evers, but did not observe the handgun. When asked, Cordero stated she did not know where Evers retrieved the handgun

from prior to him shooting Ney.

Sergeant Cordero stated after she approached Evers, she then tended to Officer Ney. Cordero stated her handgun remained in her holster until she released the handgun to Lieutenant Stacy at the Clearcreek Police Department. Cordero stated she did secure Ney's duty weapon in her patrol vehicle.

Agent Ward asked Sergeant Cordero how many rounds Evers fired and she stated, "no", nor does she know how many time she discharged her duty weapon. Agent Ward asked Cordero if she viewed her dashboard camera and she stated she watched a short snippet prior to the video being released to the media. Agent Ward asked Cordero if there were any other options other than the use of deadly force and Cordero stated, "no". Agent Ward asked Cordero if she complied with the Clearcreek Township Police Department Use of Force policy and she stated, "yes". Cordero signed the typed written statement provided to me, which is attached to this report. Also attached below is the Notice of Criminal Investigation and audio interview with Cordero.

Agent Ward concluded the interview with Sergeant Cordero at 1541 hours.

**Attachments:**

Attachment # 01: 2022-07-20 / Sergeant Nicole Cordero Audio Interview

Attachment # 02: Notice of Criminal Investigation-Cordero

Attachment # 03: Cordero Statement

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# **Exhibit 1**

**Included as a separate file.**

## **Exhibit 2**



# MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



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## Criminal Investigation Notification

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).

Nicole Cordero

Printed Name of Interviewee

7/20/2022 3:18 pm

Date / Time

Nicole Cordero

Signature of Interviewee

Rick Wynn

BCI Agent (Printed)

Rick Wynn

BCI Agent (Signature)

## **Exhibit 3**



On 7/12/2022 at approximately 1916 hours, Officer Ney and I were dispatched to a verbal domestic at 5945 N. St Rt 48 in Clearcreek Township. While responding, dispatch advised that the call has been upgraded to active because the wife reported her husband was ramming a vehicle with an ATV(Gator). Officer Ney and I arrived on scene and observed a white female standing behind the stone column at the gate entrance.

She disconnected with the dispatcher when I approached her at the gate. She identified herself as Sylvia Norris and informed me that her husband, Mark Evers became enraged when she did not wrap the horse's legs like he requested. She stated he was screaming at her and calling her profanities and then proceeded to ram the side of her truck with the Gator. When I was speaking with her, she was crying and physically shaking.

I observed M. Evers drive the Gator past us and up driveway toward the residence. At that time, Officer Ney went through the gate and entered onto the property following the Gator. I asked her to get in the backseat of my patrol car and I followed Officer Ney. We followed the Gator past the house and barns and onto the horse track. While on the horse track, Sylvia noticed one of the gates to the pasture was wide open, so she asked to get out of the car to close it, so the horses won't get out. When I let her out of the backseat of vehicle, I could hear the Gator driving around in the pasture where the open gate was at.

After she closed the gate, she returned to my car and her cell phone started ringing. She sat down in my car, answered her phone, and started to cry hysterically. I asked her what was going on and she stated that M. Evers told her that if she leaves, he is going to kill himself. I advised her to hang up and to not answer his calls anymore. She stated that she was going to call her cousin and stay at her house. I returned her to the house so she could collect her belongings while Officer Ney drove around the property looking for M. Evers. She entered her residence and collected some clothing and her purse and keys. She could not locate the keys to the truck in the garage, so she took the truck that had driver's side damage from the Gator.

I escorted her to the front of the property and asked her to fill out a statement for me. When I was explaining to her what to write on the statement, her cousin arrived at the entrance of the property. The cousin informed me that she was going to take Sylvia home with her. The cousin stated that she recently worked for them up until this past week but quit because she could not handle working there anymore. She stated that Evers has serious anger issues and flies off the handle for the smallest thing that doesn't go right. I asked Sylvia to finish her statement while I returned to the property to talk with Officer Ney. She provided me with M. Evers cell phone number so I could attempt to contact him.

Officer Ney was speaking with a male that works on the property and assists with taking care of the horses. I called M. Evers and asked him to return to the property. He stated that he was not going to return to speak with us. I informed him that he was going to get charged with obstructing if he did not return to speak with us and he stated that "if we arrest him that it was over". I asked him if he was threatening to harm us or himself and he disconnected the call. I returned to the front of the property to advise Sylvia and her cousin to stay there until we got everything settled with M. Evers and she could return to get her dog.

I then drove to the barn area to speak with the worker. I parked my vehicle in between the two barns next to where the helper was standing outside speaking on the phone with M. Evers. After he hung up the phone, Officer Ney pulled up behind me. We spoke with him about M. Evers, and he informed us that he turned in his two weeks' notice yesterday because it was too stressful working there. He stated that M. Evers will become enraged over the littlest things. I asked if he could call M. Evers back and convince him to come talk to us. I told him to inform M. Evers that we cannot leave because he has made suicidal threats. He called M. Evers, and M. Evers agreed to come speak with us but stated that we must stay 10 feet away from him. I informed the worker that it was our intent to arrest M. Evers and I suggested he leave. He agreed and went inside the barn. At that time Officer Ney and I discussed how we were going to get him away from the Gator before arresting him. I told him that I was going to attempt to have him fill out a statement.

Shortly after, M. Evers pulled up in between the barns and approximately 30 feet from my patrol car. I asked M. Evers to tell us what happened, and he stated that he would only if we stay 10 feet away from him. He started to explain that he was a successful man and that he makes a large amount of money when he races his horses. He stated that he got enraged because his wife removed two of his horses from the race that they were going to this weekend after they had an argument.

I told him I understand that there was nothing physical and asked him if he would be willing to fill out a statement. He agreed to write a statement but refused to leave the Gator. I handed him a pen and a statement form from the passenger side of the vehicle. I asked him if he had a gun on him and he stated that he did. He then stated that he was allowed to carry a gun on him. I asked him where the gun was at, and he pointed to the compartment on the passenger side of the Gator. I moved in next to the passenger area and ran my hand through the open recessed area above the compartment to make sure there was not a gun in the open area.

While he was writing his statement, he asked, "why are you guys closing in on me?". I informed him that I wanted to make sure he did not get near the gun he stated was in the compartment. Once he finished the statement, I advised him to step out of the Gator because he was under arrest for domestic violence. He started to put the Gator into gear, and I reached in and turned the ignition switch off. He then reached over and attempted to turn the Gator back on. I reached over again and turned it back off. He then exited the driver's side of the Gator. When I looked up, I saw his arm fully extended and raising up with a handgun in his hand and pointed at Officer Ney, who was standing approximately 15 feet in front of the Gator.

Fearing for my life and the life of Officer Ney, I drew my firearm from my holster and fired it at him from the passenger side of the Gator. I observed M. Evers fall to the ground. I took cover behind the bed of the Gator and observed him lying on the ground. I could not locate where the firearm was at and believed he was still an active threat to me and to Officer Ney, so I fired again at him and observed my round hit his torso area. He did not respond when the bullet struck him so I walked around the back of the Gator to ensure he was unable to fire anymore rounds at us. I then radioed to dispatch "shots fired".

I walked to the front of the Gator to check on Officer Ney and observed him lying on his back and blood coming out of his mouth. I radioed to dispatch "officer down". He appeared to have a gunshot wound to his head, so I notified dispatch and attempted to locate where the blood was coming from. Officer Ney had blood large amount of blood coming from his mouth and he was choking. The

worker from inside assisted me with turning Officer Ney onto his side. I informed dispatch that the suspect was down, that Officer Ney was breathing, and requested Care Flight.

Shortly after, several police units arrived on scene. I removed Officer Ney's gun from his holster and secured it in my vehicle. The deputies on scene rendered aid to Officer Ney until the medics and Care Flight arrived. Sergeant Kuhlman with the Springboro Police Department took over the scene and checked the status of M. Evers. He advised me to sit in my patrol car and not speak to anyone.