



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



2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)

Investigative Activity: Video Review
Involves: BearCat 1 and BearCat 2 dashboard cameras
Activity Date: 10/30/2024
Activity Location: 818 Cherryberry Drive, Columbus, OH
Authoring Agent: SA Aja Chung, #86

Narrative:

On August 1, 2024, The Ohio Bureau of Criminal Investigation (BCI) was requested by the Columbus Division of Police (CPD) for assistance in investigating an Officer Involved Critical Incident (OICI) at 818 Cherryberry Drive, Columbus, Ohio. The incident stemmed from a domestic dispute involving Benjamin Wheeler (Wheeler), who had an active felony warrant for child support. Wheeler barricaded himself inside his residence and CPD SWAT (Special Weapons and Tactics) responded to the barricade situation. After hours of unsuccessful negotiation and multiple non-lethal tactics attempts, CPD SWAT entered the residence to arrest Wheeler. An incident between Wheeler and SWAT officers ensued resulting in Wheeler's death.

On October 28, 2024, and October 30, 2024, BCI Special Agent Aja Chung (SA Chung) reviewed dash camera video recordings that were provided by CPD and are digitally saved in Evidence.com. Please review the video footage in its entirety for specific details.

On both of these dash camera recordings, Wheeler cannot be heard, and he did not comply with any orders given.

**SA Chung reviewed the video, and the following was noted within the case evidence folder, ARV, "Axon Fleet 3 Front Camera Video 2024-08-01 1812".
Footage from SWAT vehicle ARV-1 also called BearCat 1.**

- The video was 4:22:09 hours long and began with SWAT Officer Rober Vass (Ofc. Vass) driving BearCat 1 to 818 Cherryberry Drive and parking it on the front lawn. At this point in time, it is daylight.
- Throughout the footage, scene radio traffic, general conversations, commands and negotiations were heard. Some of the commands were for Wheeler to come

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



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



2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)

out of the house with nothing in his hands, and that he had a warrant for his arrest.

- Negotiations would briefly stop when SWAT officers make an attempt to arrest, entry into the house, or any other less-lethal tactical advancements (CS gas and knocker deployments).
- CS gas (gas canisters) is a form of non-lethal aerosol gas that is dispersed by a grenade. Knockers are non-metal bullets used to disorient or subdue subjects and break windows.
- Throughout the video, Wheeler's last observed positions inside the house were relayed between SWAT officers by either radio or word of mouth.
- Ofc. Vass was told Wheeler's last known position and after SWAT officers took positions around the house. Commands and announcements began at the 26:45 minutes mark.
- At the fifty-four-minute mark, radio traffic was heard advising the gas to the house was shut off and Wheeler was seen in the front bedroom when he moved the curtain.
- At 1:18:40 hour mark, SWAT officers were observed attempting to open the front door.
- At 1:25:06 mark, the ram attached to BearCat 1 was seen breaching the front door. Wheeler could be seen attempting to shut the door.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.

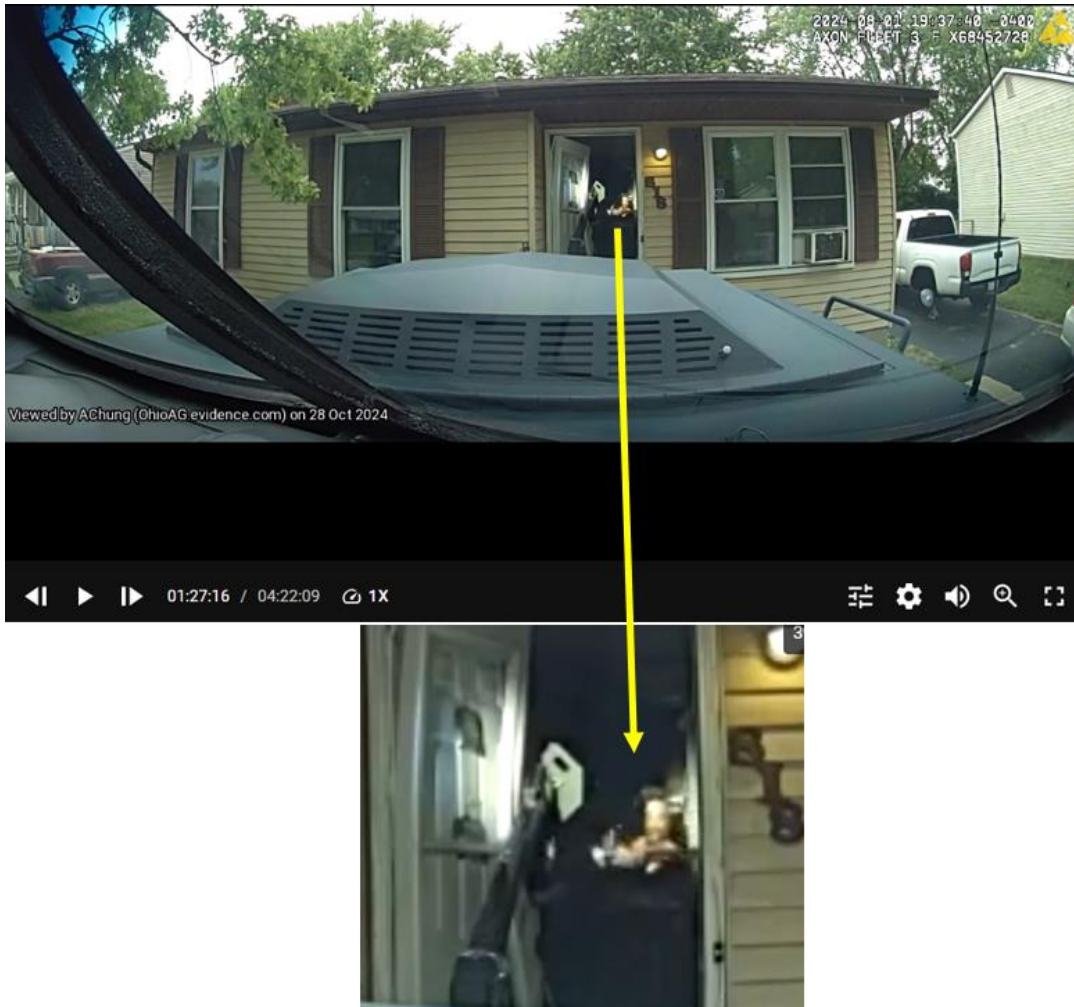


**Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report**



2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)



- At the 1:27:37 hour mark, seven SWAT officers are observed to approach the house.
- A knife was seen being thrown from the front door in the direction of the SWAT officers.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



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



2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)



- [REDACTED] was observed walking away from the front door and the remaining six SWAT officers were seen moving away from the front door.
- Wheeler was seen in the kitchen after the SWAT team retreated.
- Ofc. Vass was heard saying, "He's coming to the front door with a knife."
- At the 1:28:06 hour mark, Wheeler was seen standing at the front door and threw a knife at the windshield of BearCat 1. The windshield cracked on the knife's impact.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.

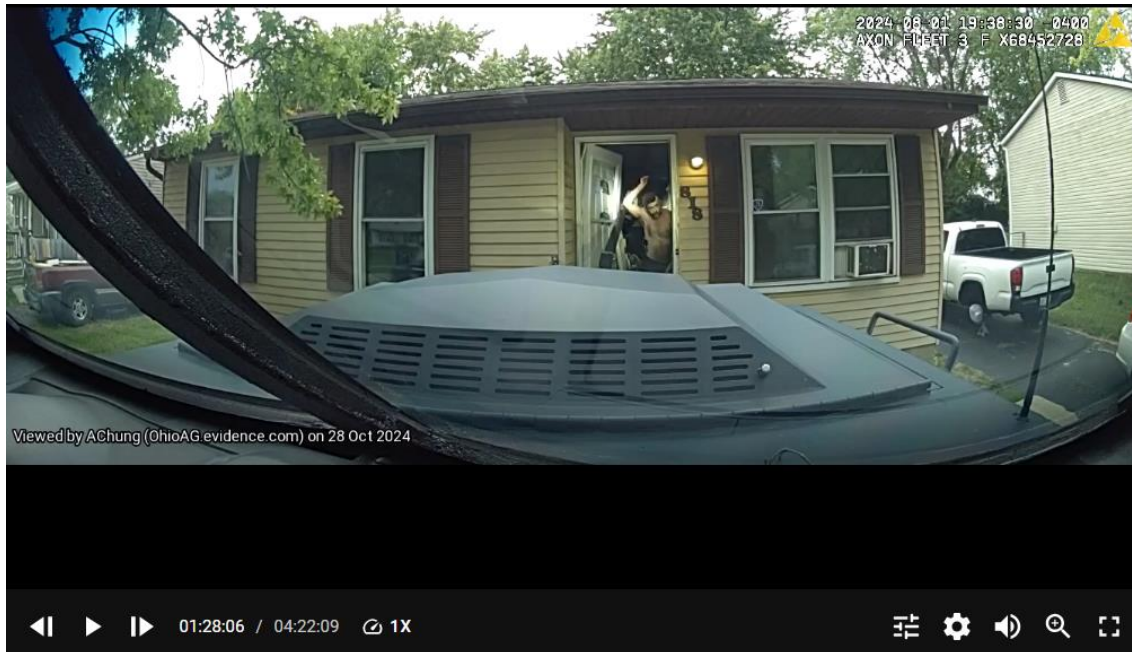


**Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report**



2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)



- Wheeler was observed throwing items at and to the passenger side of BearCat 1.
- Ofc. Vass was heard telling SWAT officers Wheeler's movements as knockers and gas were heard being deployed into the house.
- At the 1:34:20 hour mark, four SWAT officers were seen approaching the front door and deploying gas into the house.
- A SWAT officer was heard on the radio saying that Wheeler threw the gas canister outside "from the 3 side" (a number designated with a side of the structure).
- Negotiations were heard to continue as knockers and gas were heard being deployed for roughly forty-five minutes.
- At the 2:13:56 hour mark, additional gas canisters were seen being deployed into the house.
- Ofc. Vass was heard saying Wheeler threw a gas canister back towards the front door and a gas canister was observed flying through the air towards the front door.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.

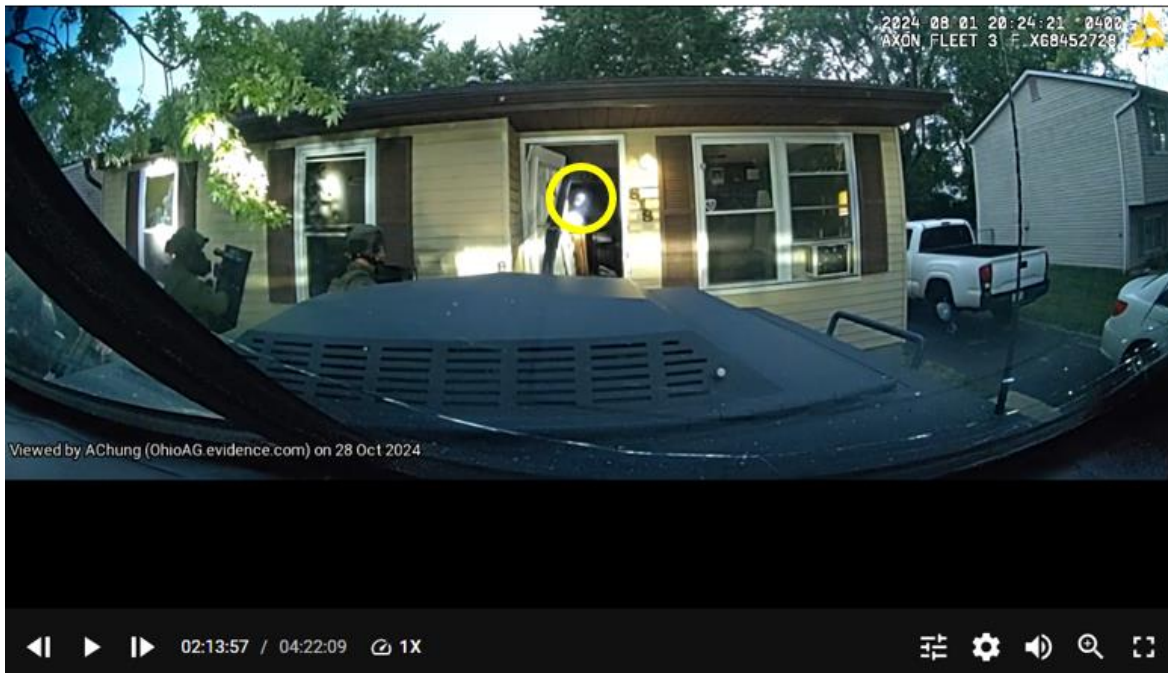


**Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report**



2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)



- At the 2:43:30 hour mark, it was observed that Ofc. Vass used the BearCat 1 ram and cleared furniture away from the front door.
- At the 3:06:10 hour mark, the first drone was seen making entry into the house. Ofc. Vass was heard telling SWAT officers that Wheeler could be seen moving on the kitchen floor.
- Wheeler was observed throwing furniture in front of the front door. It is now nighttime.
- At the 3:10:18 hour mark, the second drone was seen flying into the house, and eight SWAT officers were observed to follow behind.
- As [REDACTED] reached the front door. A frying pan was observed to come from the front door. It was seen flying in the air towards BearCat 1.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.

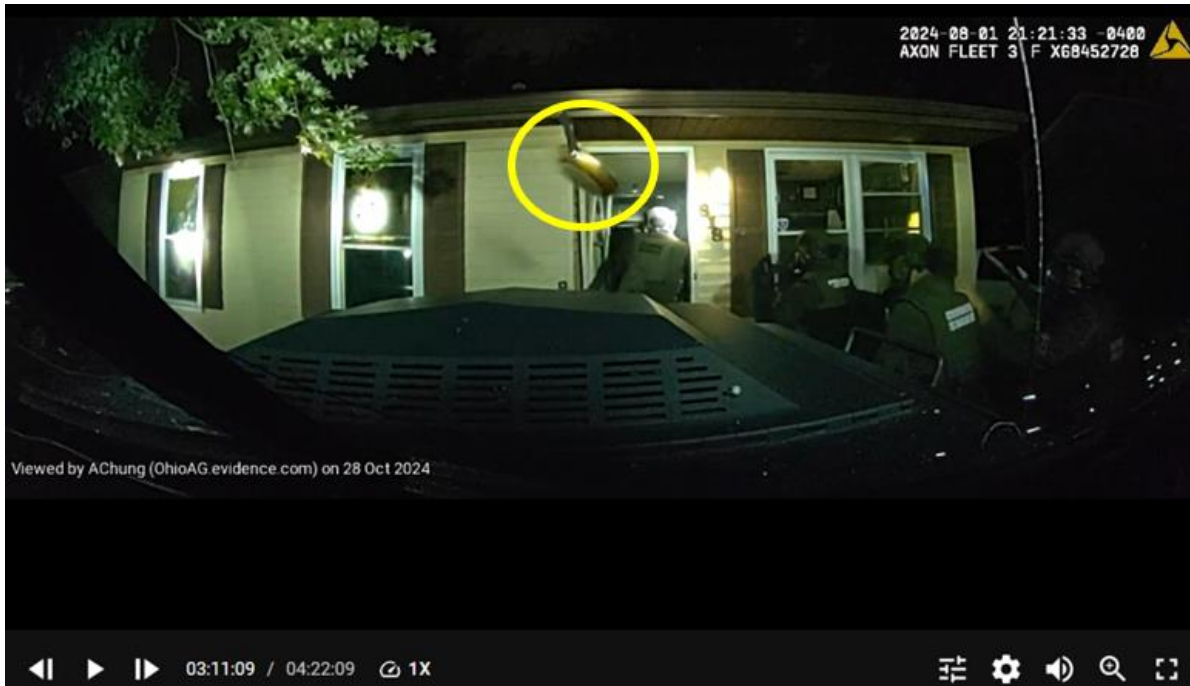


**Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report**



2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)



- Upon entry to the house, SWAT officers were seen briefly stopping and then continued into the house.
- At the 3:12:19 hour mark, SWAT officers were seen inside the living room, and a flash grenade was heard and seen detonating.
- At the 3:12:22 hour mark, five gunshots were heard.
- The negotiator was heard saying she could see a SWAT officer was down.
- Ofc. Vass was heard opening the door and seen walking in front of BearCat 1.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.

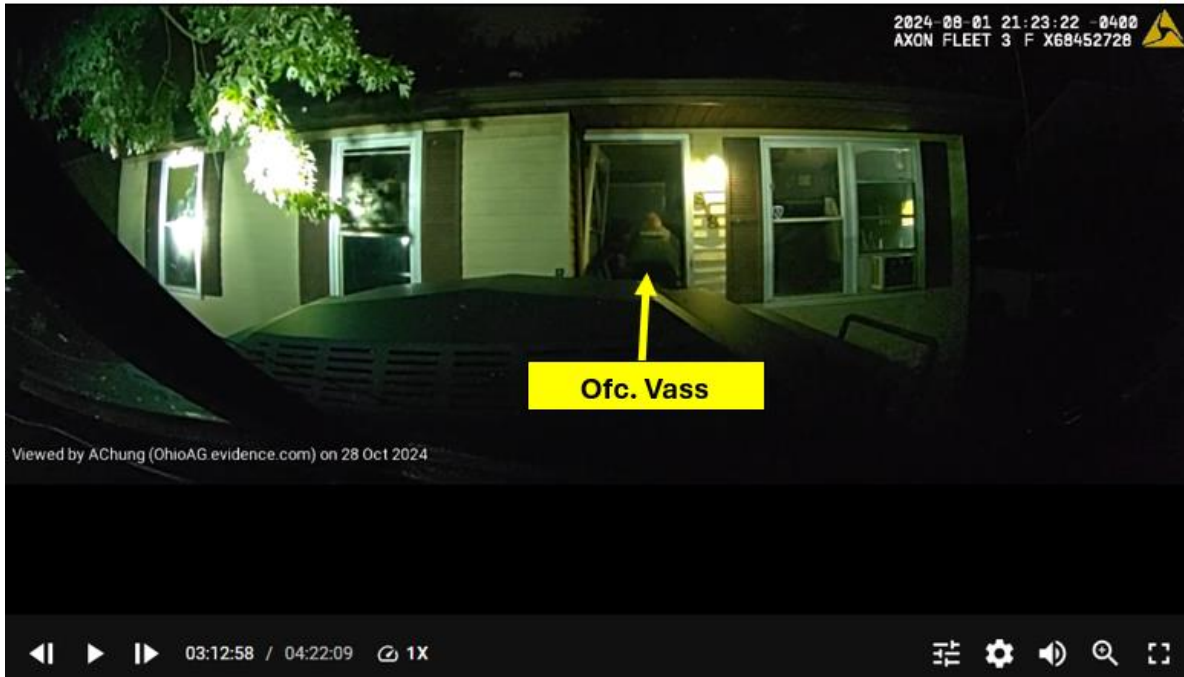


**Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report**



2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)



- At the 3:13:09 hour mark, Ofc. Vass was seen walking backwards from the front door.
- Radio traffic was heard saying, "We got an officer down (inaudible). We're trying to get him out (inaudible)".
- Conversations were heard regarding the injured officers and radio traffic was heard repeating that officers were down.
- A SWAT officer was heard requesting a gas canister (referred to as a tri-chamber) and later a throw-bot.
- [REDACTED] was heard telling Wheeler's position and that he discharged his weapon.
- Radio traffic was heard updating Wheeler's position and further requests for equipment.
- At the 3:30:46 hour mark, radio traffic can be heard that entry into the basement was made.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



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



2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)

- At the 3:32:25 hour mark, medics were heard being requested over the radio and were observed to enter the house.
- At the 3:35:26 hour mark, radio traffic was heard that medics pronounced Wheeler deceased.
- Nothing of investigatory value occurs after 3:38:00 hour mark.

SA Chung reviewed the video, and the following was noted within the case evidence folder, ARV, "Axon Fleet 3 Front Camera Video 2024-08-01 1814". Footage was captured from BearCat 2.

- The video was 4 hours and 11 minutes long. The footage began in daylight hours and with BearCat 2 parked on a sub-division roadway.
- Roughly 1:45 minutes in, BearCat 2 drove to 818 Cherryberry Drive where BearCat 1 can be seen already parked on the front lawn of the residence.
- The driver can be heard speaking to another person inside BearCat 2.
- General discussion was heard between SWAT officers that occurred throughout the footage.
- BearCat 2 initially parked in the driveway, on the east side of the residence and repositioned twenty-two minutes later on the west side of the residence. BearCat 2 does not move from this position for the remainder of the scene.
- At the 46-minute mark, Ofc. Vass was heard on the loudspeaker ordering Wheeler to come to the front door with nothing in his hands and that Wheeler had a warrant for his arrest.
- Commands would briefly cease when any tactical advancement (approach to the house, gas canister deployment, first arrest attempt) took place. Commands were heard upon completion of said tactical advancements.
- At the 52:27-minute mark, Wheeler appeared in the southwest bedroom window. Wheeler moved the curtain and shut the window.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



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

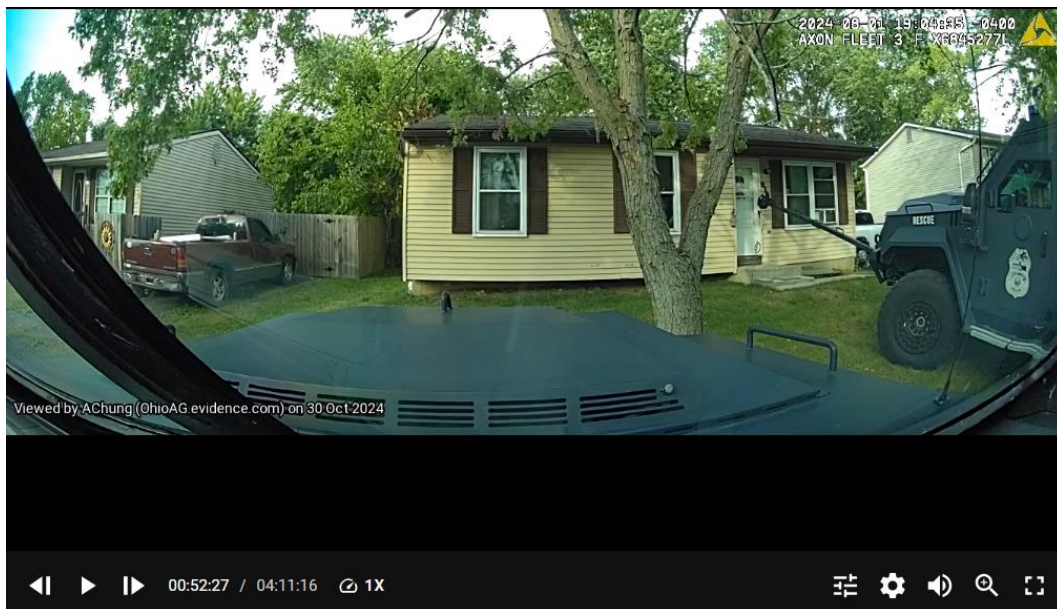


2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)



Screenshot showing the window open before Wheeler shuts it.



Screenshot showing the window closed after Wheeler shuts it.

- A SWAT officer in the front portion of BearCat 2 was heard telling nearby SWAT officers Wheeler actions and was observed to have a mustache.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



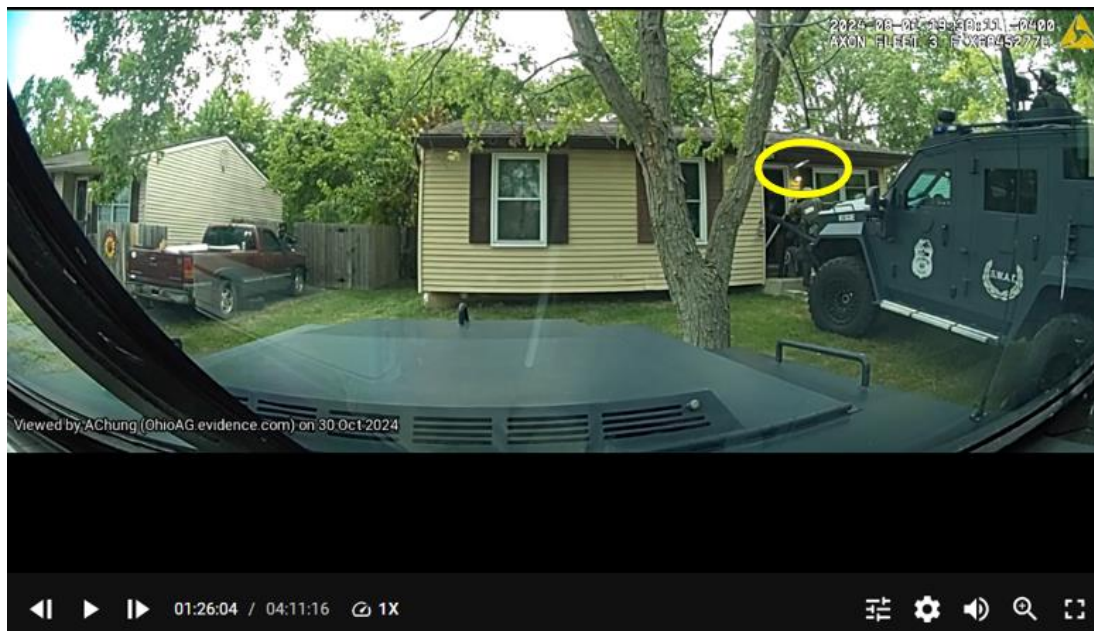
Ohio Attorney General's Office Bureau of Criminal Investigation Investigative Report



2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)

- A SWAT officer was observed in the driveway of 812 Cherryberry Drive, taking a position inside the enclosed backyard.
- At the 1:18:53 hour mark, four SWAT officers were seen tactically approaching the front door and attempted to open the front door. A SWAT officer was heard stating the front door was locked.
- At the 1:23:26 hour mark, BearCat 1 was seen breaching the front door and Wheeler's position was heard over the radio.
- SWAT officers were heard shouting orders to Wheeler to exit the house, but he did not comply.
- At the 1:25:54 hour mark, the first approach to the house was observed and a SWAT officer could be seen in the turret of BearCat 1.
- At the 1:26:04 minute mark, a knife was observed flying in the air towards the SWAT officers from the front door. SWAT officers were seen immediately moving away from the front door.



- Wheeler was seen at the front door with his right arm raised and his lips were seen moving.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



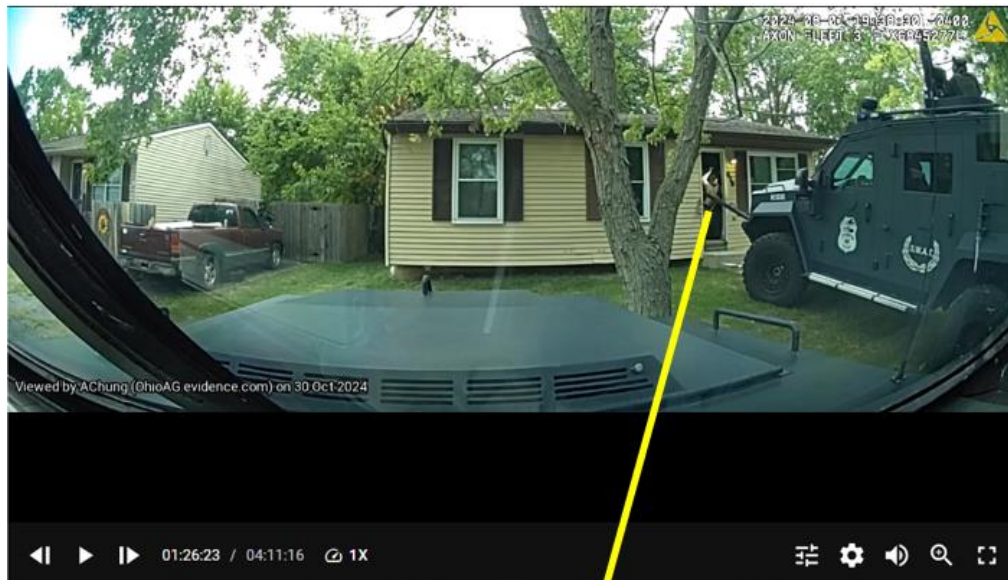
**Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report**



2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)

- Wheeler remained at the door for approximately one minute and threw objects at SWAT officers and BearCat 1.



- Knockers were observed being deployed through the front living room window and a SWAT officer can be heard telling another SWAT officer about his equipment.
- Three SWAT officers were seen posting near the front driver wheel of BearCat 1.
- A SWAT officer armed with a rifle, was seen posted at the front driver wheel of BearCat 2.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



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



2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)

- Four SWAT officers were seen tactically approaching the front door and throwing gas inside the house. Part of this view was blocked by a SWAT officer standing in front of the dash camera.
- For nearly forty-five minutes, there was no activity observed from Wheeler. Commands and negotiations were heard being announced as well as gas and knocker deployments into the house.
- At the 2:41:48 hour mark, the ram attached to BearCat 1 was observed moving inside the front door to the house.
- Ofc. Vass was seen getting out of the driver's seat of BearCat 1 and walked back towards the street.
- At the 3:04:00 hour mark, the first FCSO drone was seen flying into the house. It was now nighttime.
- It was heard that Wheeler knocked the first drone down. Nothing was recorded from the first drone.
- A second drone was seen flying into the house and SWAT officers were observed following to enter behind it.
- At the 3:09:25 hour mark, a SWAT officer was seen approaching the front door with his bunker.
- A frying pan was observed to be thrown towards BearCat 1 from inside the house and a flash grenade detonating was heard.
- SWAT officers were seen stopping momentarily at the front door. As SWAT officers continued to make further entry, another flash grenade was heard detonating.
- At the 3:10:39 hour mark, five gunshots were heard and someone inside BearCat 2 was heard saying, "(inaudible name). He got shot."
- Ofc. Vass was seen exiting his position from BearCat 1 and entering into the residence.
- Ofc. Vass was observed walking backwards out of the house seconds later.
- Simultaneously, the SWAT officer in BearCat 2 driver's seat audibly repeated what he heard, "Officer down", and was heard opening the driver's side door.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



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



2024-2255

Officer Involved Critical Incident - 818 Cherryberry Dr.,
Columbus, OH 43228 (L)

- A SWAT officer was briefly observed walking in front of BearCat 2 and returned to his driver's seat position after he saw Ofc. Vass exiting the house.
- The drone was seen and heard flying out of the house.
- A SWAT officer was heard speaking to other SWAT officers about the incident. Some of the conversation was drowned out by other communication and radio traffic.
- At the 3:22:11 hour mark, someone near the rear of BearCat 2 was heard asking for the pole camera.
- At the 3:30:35 hour mark, "TEMS" was heard being requested over the radio and repeated inside BearCat 2.
- Nothing of investigatory value occurred after 3:40:00 hour mark.

References:

1 - ARV Dash camera (Evidence.com)

Attachments:

- 1 - BearCat 1 screenshot
- 2 - BearCat 1 screenshot
- 3 - BearCat 1 screenshot
- 4 - BearCat 1 screenshot
- 5 - BearCat 1 screenshot
- 6 - BearCat 1 screenshot
- 1 - BearCat 2 screenshot
- 2 - BearCat 2 screenshot
- 3 - BearCat 2 screenshot
- 4 - BearCat 2 screenshot

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



Viewed by AChung (OhioAG.evidence.com) on 28 Oct 2024



3



Viewed by AChung (OhioAG evidence.com) on 28 Oct 2024

◀ ▶ ⏸ 01:27:47 / 04:22:09 🔒 1X





Viewed by AChung (OhioAG.evidence.com) on 28 Oct 2024



Viewed by AChung (OhioAG.evidence.com) on 28 Oct 2024



Viewed by AChung (OhioAG.evidence.com) on 28 Oct 2024

◀ ▶ ⏮ ⏭ 03:11:09 / 04:22:09 🔒 1X





Ofc. Vass

Viewed by AChung (OhioAG.evidence.com) on 28 Oct 2024

◀ ▶ ⏸ 03:12:58 / 04:22:09 🔍 1X







Viewed by AChung (OhioAG.evidence.com) on 30 Oct 2024

2024-10-30 13:58:51 -0400
AXON FLEET 3 FOXR452774



Viewed by AChung (OhioAG.evidence.com) on 30 Oct 2024

01:26:04 / 04:11:16 1X



