



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



2022-0535

Officer Involved Critical Incident – I-71 N. Mile Marker 123, Lewis Center, Ohio (L)

Investigative Activity: Body Camera Review, Dash Camera Review, Video Review
Involves: Columbus Division of Police (O)
Date of Activity: 03/28/2022
Author: SA Todd Fortner, #93

Narrative:

As part of the ongoing investigation of the Officer Involved Critical Incident that occurred March 11, 2022, on I-71 in the area of mile marker 123, BCI Special Agent Todd Fortner (SA Fortner) reviewed video collected from various sources. SA Fortner obtained video of the incident from the Ohio Department of Transportation (ODOT), Columbus Division of Police (CPD) and the Delaware County Sheriff's Office (DCSO). It should be noted that additional video was obtained from witnesses and was reviewed (see separate report).

Following is a list of the sources of video that was reviewed:

ODOT traffic camera video

- I-71 view south from Bale Kenyon Rd.
- I-71 view north from E. Powell Rd.
- I-71 view south from Gemini Place
- I-71 view north from Polaris Parkway

CPD in-car video

- Car R-181
- Car 10
- Car 18
- Car 20
- Car 43
- Car 51
- Car 52
- Car 9022
- Car 9051

CPD body worn camera (BWC) video

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- Officer Aaron Getzinger
- Officer Nathan Komisarek
- Officer Joseph Valiski
- Officer Gregg Hudson
- Officer Hunter Rennie
- Officer Samuel Rippey
- Officer Luke Velie

DCSO in car and BWC video

- Deputy B. Richardson car
- Deputy B. Richardson BWC

All video was saved to thumb drives and included with the case file. Following is a summary of the incident as seen from the multiple views compiled from the video. Times referenced were taken from ODOT traffic camera timestamps. Individual videos should be consulted for further details.

Video shows the silver or tan sedan northbound on I-71, in the far left lane, in the area of Polaris Parkway. The vehicle swerved sharply to the right, across all four lanes of traffic at 0952 hours. The vehicle struck the concrete barrier on the east side of the road then swerved back across all four lanes of traffic to the shoulder on the west side of the road. The vehicle continued northbound on the left shoulder north of Powell Road. The passenger door appeared to be opening. The vehicle swerved to the left, into the median, and struck the wire barrier there at 0954 hours.

A black male, wearing dark pants and a dark hoodie is seen outside of the car walking back and forth across the southbound lanes of I-71 causing traffic to slow and maneuver around him. He then returned to the median and a female is seen getting out of the vehicle. The male then walked back and forth across the northbound lanes of I-71 and traffic had to avoid him. The male seemed to be agitated at the female, grabbed her at one point and appeared to try and slap something out of her hand. At 1003 hours, the male looks south as CPD cruisers arrive on the scene. The subject turns and begins to walk northbound in the median.

Arriving officers exit their vehicles and attempt contact with the subject, giving commands and directions with their hands. The female seems to comply and walk back toward the sedan, but the male continues to walk northbound on the shoulder. The subject continues to walk northbound in the northbound lanes as CPD car R181 and multiple officers on foot follow him. He appeared to have both hands in his pockets/waistband area. The subject then began to run northbound along the left shoulder for several feet.

At 1006 hours, the subject stopped, turned abruptly, removed his hands from his waist area and took a stance pointing both hands together at the cruiser and officers. An officer at that time is heard to say "shots fired" on the radio. Officer Valiski is seen shooting through the windshield of car R181 and then performs a reload with his service pistol. The subject then ran across the northbound lanes to the shoulder on the east side of the roadway. While running, he turned and pointed his right hand back toward officers with an object in his hand. An officer was heard on the radio saying "he still has the gun in his hand." The subject then stopped

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and put his hands up briefly with the object appearing to still be in his hand. He lowered his hands and continued to move around. Officer Getzinger had a rifle and took a position south of the subject on the left shoulder on the west side of the northbound lanes. He took a knee and aimed his rifle. Officer Komisarek also had a rifle and took a position on the right shoulder south of the subject on the east side of the northbound lanes and aimed his rifle. At 1006 hours, a louder shot was heard and the subject flinched then a second louder shot was heard and the subject fell to the ground. It appeared from the videos that Officer Komisarek fired a shot from his rifle followed closely by one shot from Officer Getzinger. As the subject fell to the ground, an object could be seen falling out of his hands onto the roadway.

Officers approached and handcuffed the subject. They then called for a medic on the radio and began to assess the subject's injuries. Several other officers began arriving and helped secure the scene, provided medical aid to the subject, and identified witnesses. As officers were providing medical aid, a pistol can be seen lying on the ground just north of the subject. An officer was heard saying "yeah. stovepipe", referring to a weapons malfunction. Officers Valiski, Komisarek and Getzinger were then removed from the scene as there were several officers providing aid. Orange Township Fire Department medic 362 arrived to treat and transport the subject to Grant Medical Center.

References:

01 – ODOT video/Cruiser video/ Body worn camera video

Attachments:

Attachment # 01: I-71 at Polaris
Attachment # 02: I-71 at Gemini Pl
Attachment # 03: I-71 at E Powell Rd
Attachment # 04: I-71 at Bale Kenyon