



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



2023-2219
Officer Involved Critical Incident – 1389 Marion Drive Columbus,
Ohio 43207

Investigative Activity: Body Camera Review
Involves: Officer Duane Derwacter (W)
Date of Activity: 08/24/2023
Activity Location: Williams, Kyra – Home – 1389 C Marion Drive, Columbus, OH
43207
Author: SA Andrew Russell

Narrative:

On Tuesday, January 30, 2024, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Andrew Russell (SA Russell) received video footage from Sgt. Terry McConnell of Columbus Police Department SA Russell was informed that the videos contained footage from the body cameras recorded by the Columbus Police Officer Duane Derwacter.

SA Russell reviewed the video recordings and noted the following:

The video is nearly twenty-five and a half minutes long and begins with Derwacter on a vehicle patrol in his marked police vehicle (cruiser) with Officer Sean Evans (Evans) riding in the passenger seat. Derwacter is dispatched to a possible domestic violence protection order violation and attempts to make a traffic stop on a vehicle, (black Monte Carlo), later identified as being driven by Jamie Overstreet (Overstreet). The vehicle fails to stop and after five minutes of the pursuit, officers were advised to “shut it down” by a supervisor, ending the chase.

The vehicle is located a short time later by the CPD helicopter then advises that the suspect is on foot and running.

At video time marker 12:32, Derwacter arrives in the area of Marion Drive and exits the vehicle with his duty weapon in his right hand and runs towards the area where the suspect, Overstreet was last seen running. The area is poorly lit by streetlights with many shaded areas.

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Viewed by ARussell (OhioAG.evidence.com) on 12 Feb 2024

Overstreet Image from Derwacter

At video time marker 12:49 officers can be heard yelling "stop", "he's got a gun" and "get on the fucking ground" as they observe Overstreet running. Derwacter runs to the rear of a parked vehicle and activates his weapon mounted flashlight, assumes a two-handed stance and Overstreet, dressed in a black t-shirt and blue jeans, can be seen running away from the area and then five gunshots can be heard. Overstreet can be seen falling forward to the sidewalk.

The BWC shows CPD Officer Andrew Durr (Durr) to the right of Derwacter and both move forward, Derwacter moves forward and then to the left, assuming a position of cover behind a brick wall. Derwacter keep his weapon pointed in the direction of where Overstreet was last seen. The video is obscured by the wall but commands can be heard being shouted to Overstreet.

At video Time marker 13:17 Derwacter leaves his position and follows Evans, Durr and two other CPD officers identified as Kraig Gibson (Gibson), and [REDACTED] [REDACTED] approach Overstreet and place him in handcuffs then render aid as Overstreet was bleeding heavily. As officers are rendering aid they can be heard to say, "Jamie talk to us", numerous times.

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Derwacter continues to render aid, to include chest compressions, with several other officers and medics until the video time marker 24:50, when Overstreet is moved to a gurney and transported by medics off the scene.

At video time marker 25:24 the BWC video is turned off.

References:

CPD Officer BWC stored at Evidence.com

ADDITIONAL FACTORS FOR EVALUATING THE VIDEO RECORDINGS

There are numerous other factors that need to be considered when reviewing and evaluating the videos and audio recordings of this incident. Those factors are:

A. Video recording devices record within the video and sound capabilities available, and they record objectively. Video recordings lack the history, perspective, and interest of the people involved. The positions, angles, obstacles, lighting, and distance from the incident are also factors that need serious consideration.

B. Video recording devices also record more information about a particular scene or incident than the person(s) involved in the incident can process during the critical incident. Video recording devices rarely record an event from the same perspective of the officer. It captures the action but not the perception, decision making, focus, or intent of the officer. Video recordings often miss tactile cues or other actions of a subject.

C. The speed of the incident is remarkable. The speed and complexity of rapidly evolving situation(s) that occur during use of force encounters are difficult concepts to comprehend by only watching the video.

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