



Ohio Attorney General's Office  
Bureau of Criminal Investigation  
Prosecutor Summary

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Involves: Christopher Gorak (S), [REDACTED] (S)  
Date of Activity: 01/02/2025  
Activity Location: Ohio Bureau of Criminal Investigation – 1560 SR-56 SW, London, OH 43140  
Author: SA Steven Seitzman

To: Mr. Michael T. Gmoser, Butler County Prosecuting Attorney

CC: William Jones, Ohio BCI Special Agent Supervisor

From: Steven Seitzman, Ohio BCI Special Agent

Date: January 23, 2025

Case Title: Officer Involved Critical Incident –1004 Park Lane, Apartment A, Middletown, Ohio (Butler County)

Case Number: 2024-4066

### Investigative Request

On Tuesday, December 24, 2024, at approximately 1944 hours, the Ohio Bureau of Criminal Investigation (BCI) was requested by Deputy Chief Ryan Morgan of the Middletown Police Department to conduct an independent investigation into the facts and circumstances surrounding an officer-involved critical incident that occurred at 1004 Park Lane, Apartment A, Middletown, Butler County, Ohio.

#### *Preface:*

*This report serves as a synopsis of the investigation into the December 24, 2024, officer-involved critical incident in the city of Middletown, Butler County, Ohio. This report only summarizes the information that the investigative team determined to be the most useful in achieving an overall understanding of what occurred in this incident. Not all facts and details are presented in this summary report. Therefore, it is recommended that each individual report from which this document is derived be read in order to obtain a complete understanding of this investigation. Further, audio and/or video recordings exist for the majority of the interviews conducted, revealing further details of statements given regarding*

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*the incident.*

*This investigation was conducted with the purpose of determining, to the extent possible, the facts and circumstances surrounding this incident. As unbiased collectors of fact, the investigative team has not and will not render any opinion of the legality of officers' actions. Instead, it is anticipated that this investigation will provide the basis of information for decisions to be rendered by the appropriate authorities.*

### **Investigative Team**

BCI Special Agent Steven Seitzman was assigned as the lead Special Investigations Unit case agent. BCI Special Agent David Hornyak responded to assist SA Seitzman. Additionally, BCI Crime Scene Unit technicians Holly Ryczek and Dylan Wical responded to process the scene by documenting and collecting pertinent evidence. The investigation was supervised by Special Agent Supervisor William Jones. Additionally, personnel from the BCI Laboratory Division performed a scientific analysis on submitted items of potential physical evidence.

### **Summary of Process**

The following is a partial list of investigative activities or methods that were employed by the investigative team during the course of this investigation in an effort to thoroughly and accurately locate and document all pertinent facts and circumstances regarding this incident:

- Recorded interview of the involved Middletown police officer, [REDACTED]
- Recorded interviews of the following officers who were involved in the incident, at the scene, or otherwise deemed to potentially have relevant information:
  - Middletown Police Officer Marc Hunt, Jr.
  - Middletown Police Officer Ryun Rawlins
  - Middletown Police Officer Jacob Swanger
- Neighborhood canvass of the area surrounding the scene
- Interview of civilian witness and 911 caller, Bobbi Moland
- Special Agent attendance of post-mortem examination (autopsy) of the deceased
- Obtained and reviewed post-mortem examination (autopsy) and toxicology reports
- Obtained and reviewed open- and closed-source biographical information on the involved subject, to include criminal history reports, OHLEG, driving records, etc.
- FBI National Crime Information Center (NCIC) checks on any non-law enforcement weapons involved in the incident (to determine if reported stolen)
- Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) trace on any non-law enforcement weapons involved in the incident (to determine ownership history)
- Review of all available body camera footage involved in the incident
- Processing of the scene for potential evidence (photographing, searching, measuring, documenting, and collecting)
- 3D scans/model of incident area
- Reviewed audio communications on the radio frequencies utilized during the incident
- Review of 911/phone communications related to the incident
- Review of dispatch/CAD records pertaining to the incident
- Conducted forensic laboratory examinations to include:

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- Firearm identification testing of involved firearms, casings, and bullets
- Firearm operability testing
- Collected and reviewed the departmental personnel file of the officer involved in the shooting, to include training and disciplinary records (if any)
- Reviewed firearm qualification and training records for the involved officer
- Verified the Ohio Peace Officer Training Commission (OPOTC) certification status of the involved officer
- Obtained the department's policies and procedures regarding use of force for prosecutorial review
- Reviewed EMS records pertaining to the response and treatment administered
- Reviewed a subject work-up completed by the BCI Criminal Intelligence Unit

### Incident Summary/Overview

The following information is based on the statements of the involved law enforcement officer, witnessing officers, the statement of the 911 caller, video footage, and dispatch/CAD information.

On Tuesday, December 24, 2024, at approximately 1904 hours, Bobbi Moland, resident of 1006 Park Lane, Apartment D, Middletown, Ohio 45042, called 911 to report a physical altercation she had witnessed between her neighbors. She also reported that the smoke alarm at the involved location was sounding. She explained to the dispatcher that she did not know the exact location of the incident, but, based on her description, the dispatcher was able to determine the location was likely the 1004 Park Lane building.

Middletown police officers were dispatched at approximately 1911 hours for "two males physically fighting." Middletown police officers [REDACTED], March Hunt, Jr., Ryun Rawlins, and Jacob Swanger responded. The officers all arrived at approximately 1914 hours.

The officers entered the 1004 Park Lane building and attempted to determine which apartment the incident had occurred in. While inside the building, officers could hear an argument occurring between the occupants of Apartment A. At approximately 1917 hours, [REDACTED] [REDACTED] knocked on the apartment door and yelled, "Middletown Police." After approximately 20 seconds, [REDACTED] [REDACTED] knocked a second time and again announced, "Middletown Police." After approximately 10 more seconds, [REDACTED] [REDACTED] knocked for a third and final time.

Seconds after [REDACTED] final knock, at approximately 1918 hours, the involved subject, Christopher Gorak, opened the door. Gorak was holding a black pistol in his left hand. As Gorak continued to open his door, his left arm appeared to move upward, thus moving the pistol upward and in the direction of [REDACTED] [REDACTED] and Officer Swanger, who was positioned on the steps. It appeared that Gorak began to lower his pistol; however, nearly simultaneously, [REDACTED] [REDACTED] discharged his first of four rounds. [REDACTED] [REDACTED] fired four rounds over the course of approximately .8 seconds. As Gorak fell to the ground, the pistol remained in his left hand. After the shots had stopped, Gorak fell back, and his arms came to rest under a table. Officer Swanger moved down and joined Officer Rawlins. Both officers entered the apartment. Officer Rawlins moved the table, and Gorak's gun could be seen.

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Gorak's son, Michael McIntosh, appeared from the back hallway of the apartment screaming and with his hands up. Officer Ryun Rawlins assisted him out of the apartment. Officer Hunt then initiated cardiopulmonary resuscitation on Gorak. Officers continued CPR until relieved by the Middletown Fire Department personnel, who arrived at approximately 1925 hours.

Decedent

The decedent is Christopher Gorak. He was a resident at 1004 Park Lane, Apartment A, for less than one year. He resided at the apartment with his adult son, Michael McIntosh. Previous to that apartment, the two resided at 6501 Germantown Road, Unit #329, in Madison Township.

Gorak's criminal history included arrests for OVI in 2000 and 2003, disorderly conduct in 2003, failure to confine a dog in 2004, and hunting without a license/wildlife violation in 2018.

The Middletown Police Department had one prior contact with Gorak, which was a traffic stop in 2000. The Butler County Sheriff's Office had prior contacts with Gorak; however, the records were reviewed, and with the exception of a ten-day jail sentence for an operating under the influence conviction, none of the records were relevant to this investigation.

Autopsy Report

On Friday, January 24, 2025, Ohio Bureau of Criminal Investigation Steven Seitzman received the autopsy and toxicology reports related to the death of Gorak from Butler County Assistant Prosecutor Brad Burress.

SA Seitzman reviewed the reports and noted the following:

This autopsy report was authored by Gary Lee Utz, M.D., Forensic Pathologist. The "CAUSE OF DEATH" for Gorak was listed as "[REDACTED]." The "MANNER OF DEATH" was listed as "[REDACTED]."

The information deemed to be the most relevant is summarized below. However, as the author is not a healthcare professional, it is suggested that the report be viewed in its entirety.

The "Autopsy Findings" section of the report listed the following relevant information:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

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Dr. Utz authored the following conclusion:

[REDACTED]

The "TOXICOLOGY REPORT," generated by AXIS Forensic Toxicology contained the following pertinent information:

- [REDACTED]
  - [REDACTED]
    - [REDACTED]
      - [REDACTED]
  - [REDACTED]
    - [REDACTED]
- [REDACTED]
  - [REDACTED]
    - [REDACTED]

Please refer to the autopsy and toxicology reports for further details.

Physical Evidence

Scene #1:

BCI Crime Scene Technicians Holly Ryczek and Dylan Wical responded to process the scene and the involved officer. CST Ryczek responded to the scene, while CST Wical responded to the Middletown Police Department to process [REDACTED] [REDACTED].

CST Ryczek arrived at 1004 Park Lane, Apartment A, at approximately 2130 hours. Upon arrival, she was advised by Special Agent (SA) Steve Seitzman that the incident had occurred in the doorway/stairwell of Apartment A at the above address. The scene had been cordoned off by MPD with yellow crime scene tape, multiple law enforcement vehicles, and uniformed personnel. CST Ryczek utilized a BCI crime scene log to document access into the scene. Once the search warrant had been signed, the scene was documented through photography, and a Leica BLK360 3D scanner was utilized to collect measurements of the area.

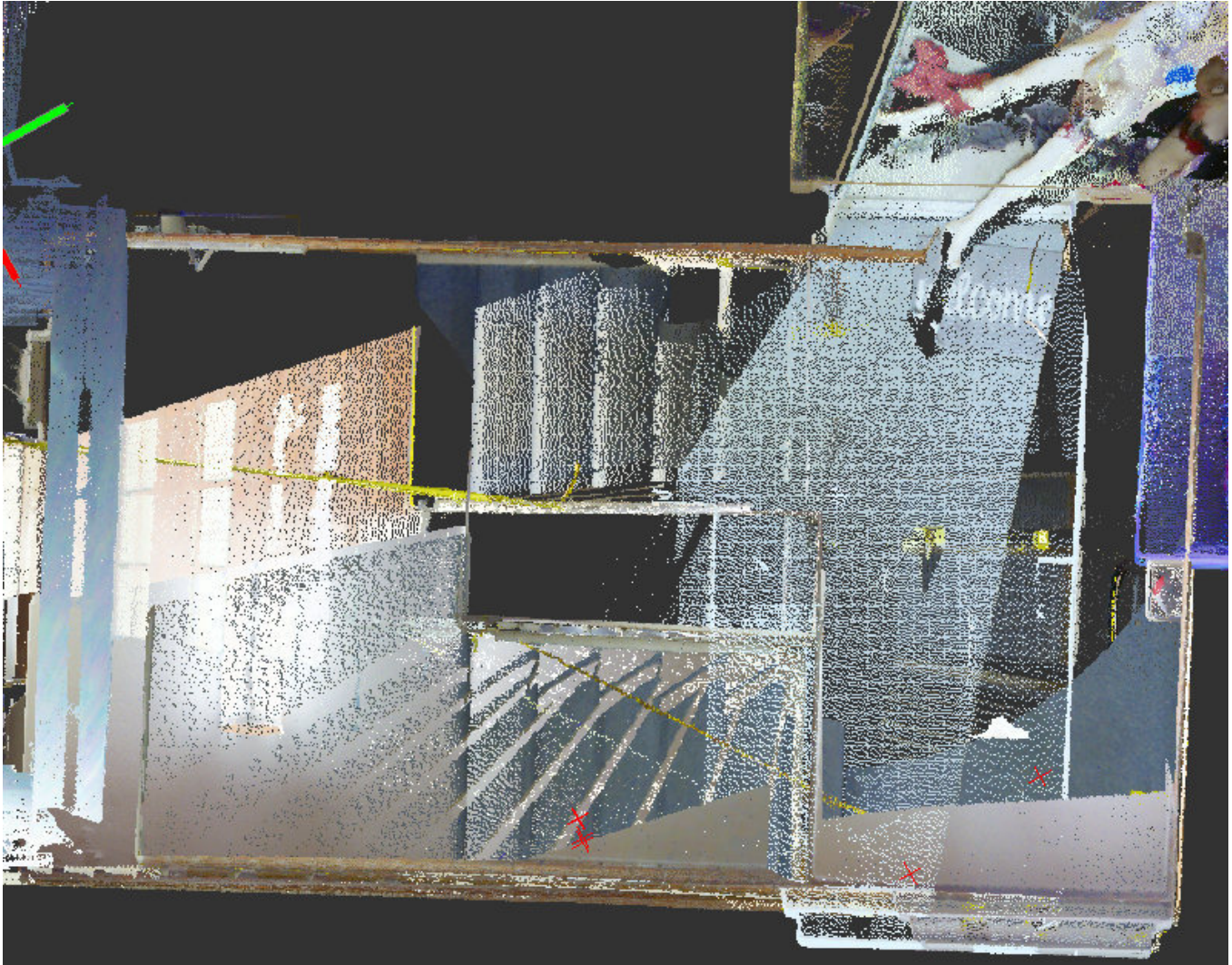
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HVR\_0015- Photograph of 1004 Park Lane entrance

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*Leica BLK360 3D Scanner Snip*

The incident had occurred inside building 1004 at the Olde Towne Apartments. After entering the shared apartment building entrance, there was a short flight of stairs that led to the second floor. At the top of the second floor, apartment A was located to the west, which was connected to apartment B by a short hallway. The scene was observed to be in the doorway of Apartment A and the short second-floor hallway. Apartment A consisted of two bedrooms, a living room, a kitchen/dining area, and two bathrooms. Prior to BCI's arrival, multiple cartridge cases and a firearm had been marked by MPD with evidence markers. CST Ryczek replaced the markers from MPD with her own evidence markers.

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HVR\_0033- Photograph of casings

Gorak was observed to be lying face-up on the floor with his head facing northwest and feet facing southeast. The majority of his body was located in the living room of Apartment A, with the exception of his left foot, which was sticking out into the second-floor hallway. His clothing appeared to be cut by medical personnel and was underneath him. He had suspected blood coming from his head, chest, and left leg. Butler County Coroner's Office (BCCO) Investigator Brian Bussell assisted with examining the decedent. He noted possible bullet wounds on Gorak's left leg, chest, and head. Investigator Bussell then cut the remaining clothing off Gorak and transferred him to a body bag with bag seal lock number 00007251. Gorak's remaining clothes were collected as item #7.

Suspected blood spatter was located on the inside of the doorframe and the wall to the north of the front door. A total of four FC 9mm Luger cartridge cases were located in the short second-floor hallway (items #1-#4).

A firearm was located in the living room underneath a green loveseat, which was located near the front door of the apartment. The firearm was a black Ruger LC9s 9mm pistol (S/N: 453-81159). The firearm contained one FC 9mm Luger cartridge in the chamber and a seated magazine that contained six FC 9mm Luger cartridges. This firearm, magazine, and cartridges were collected as item #5.

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HVR\_0106- Ruger LC9

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HVR\_0120- Ruger LC9 with round extracted from chamber and magazine with six rounds

A ballistic event (BE) was observed on the north wall of the living room to the west of the sliding glass balcony door. The BE was circular in shape and penetrated the wall with no exit due to the exterior wall being brick. This BE was labeled as BE 1.0 for documentation purposes. That ballistic event was further investigated on Tuesday, January 7, 2025, pursuant to a second search warrant. The results of the second search warrant are detailed below.

BCI personnel cleared from the shooting scene on Wednesday, December 25, at approximately 0036 hours.

#### **Autopsy Evidence (Scene #3):**

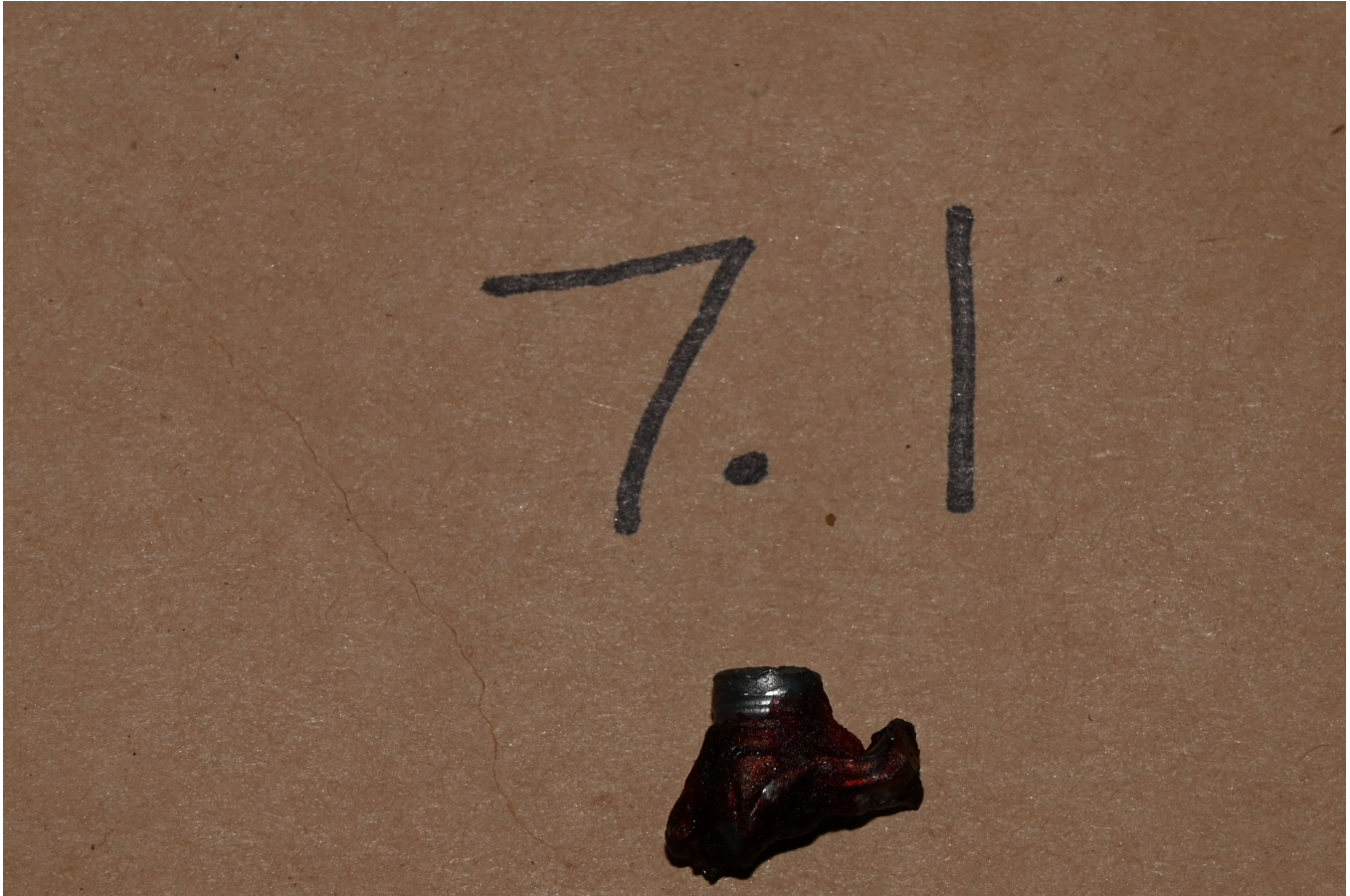
On December 26, 2024, SA Seitzman attended the autopsy of Gorak. At 0832 hours, the Buter County Coroner's Office representative Meghan Koenig turned over multiple items of evidence to SA Seitzman, including three projectiles recovered from Gorak. On December 27th, 2024, SA Seitzman transferred the evidence to CST Ryczek at approximately 0930 hours. CST Ryczek processed the items at BCI Headquarters at approximately 1030 hours.

The three projectiles were packaged separately as items #1-#3. All other items from the autopsy were packaged together as item #4. While at BCI Headquarters, CST Ryczek processed

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the clothing items (item #7) that were located at Scene #1. These items included a black t-shirt and a black pair of "Mission Ridge" size L sweatpants, both covered in suspected blood. One suspected BE was located in the t-shirt, and two suspected BEs were located in the sweatpants. Among the clothing items, a suspected projectile was recovered. The projectile was collected as item #7.1.



HVR\_0179- Evidence #7.1-Bullet core

### Second Search Warrant:

On Tuesday, January 7, 2025, a second search warrant was served at 1004 Park Lane, Apartment A. The purpose of the search warrant was to extract potential ballistic evidence from the apparent bullet hole on the north wall of the living room.

Before cutting into the wall to search for a potential projectile, a trajectory rod was placed into BE 1.0. CST Ryczek back extrapolated the flight path from BE 1.0 with the use of a laser while on scene. The trajectory indicated the muzzle was in the general area of the hallway stairwell.

The wall was cut in an attempt to locate ballistic evidence. Once the wall was cut, it was observed that the projectile perforated the drywall, perforated a stud, and penetrated the wall sheathing where it ultimately terminated. Photographs of apparent gunshot damage were

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taken. No fragments or projectiles were located.



*HVR\_0005 (2)- Cropped and Resized 200%*





*HVR\_0002 (2)- Likely flight path of projectile*

### Disposition of Evidence:

On December 27, 2024, at approximately 1315 hours, CST Ryczek submitted the following items to the BCI Laboratory for comparison:

- Scene #1 (shooting scene) Items #1–#4 (cartridge cases), #5 (Gorak's firearm), and #7.1 (projectile found in Gorak's clothing).
- Scene #2 (Processing of involved officer): Item #1 (officer's firearm)
- Scene #3 (Autopsy evidence): Items #1–3 (projectiles)

On January 8, 2025, BCI Forensic Scientist Lab Tech Alexander Salmons authored a report, finding Item #5, Gorak's Ruger pistol, was OPERABLE.

On January 15, 2025, CST Ryczek requested the BCI Laboratory review the submitted evidence to determine whether the projectiles were fully intact. Forensic Scientist Firearms Examiner Andrew McClelland responded by providing the following information:

- BCI Lab item 6 (CSU scene #1, evidence #7.1) is a lead bullet core (no jacket material visible).

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- BCI Lab item 8 (CSU scene #3, evidence #1) is a fired bullet jacket (no lead core material visible).
- BCI Lab item 9 (CSU scene #3, evidence #2) is a fired jacketed bullet (jacket and core intact).
- BCI Lab item 10 (CSU scene #3, evidence #3) is a fired jacketed bullet (jacket and core intact).

On Monday, January 28, 2025, Ohio Bureau of Criminal Investigation Special Agent Steven Seitzman received the Ohio BCI Laboratory report for items of evidence submitted on Friday, December 27, 2024, for scientific analysis (laboratory case number 24-127340). The report originated from the Firearms section of the laboratory and was authored by forensic scientist Andrew McClelland.

SA Seitzman reviewed the laboratory report and noted the following:

- Middletown Police [REDACTED] Glock 45 duty pistol was determined to be operable.
- [REDACTED] duty pistol was identified as the source of the four fired 9mm Luger cartridge casings located at the scene (BCI 1-4, scene 1).
- [REDACTED] duty pistol was also identified as the source of the two fired jacketed bullets recovered during the autopsy (BCI 1 and 2; scene 3).
- The lead bullet core recovered from the involved subject's clothing was unsuitable for testing.
- The involved subject's Ruger LC9 pistol was determined to be operable.

Please refer to the BCI Laboratory report for further details.

### Interview of 911 Caller

Ms. Moland was identified by the Middletown Police Department (MPD) as the 911 caller who reported the original domestic disturbance at the incident location. During the 911 call, she explained that her apartment was located behind the building where the incident had occurred. When contacted by BCI SA Hornyak, Ms. Moland agreed to speak with the investigators at her apartment.

During the BCI interview, Ms. Moland stated that earlier in the evening she was outside walking her dog when she heard smoke alarms going off, followed by hearing two males arguing at a second-story apartment in an adjacent building. The males were on an exterior balcony where she could see them. It appeared to be a father and a son arguing, and the father was "cussing" at his son and, "...really laying into him." Ms. Moland said she "could tell" that the father was "...really drunk." She described him as slurring his words and stumbling.

Minutes later, Ms. Moland saw the older male smack the younger male in the face. The younger male then struck the older male in the face. The older male was heard saying, "You just want me to suffer and die." Ms. Moland also heard the older male just repeating, "Die. Die. Die."

Ms. Moland yelled up asking if they were okay. They responded that they were. Still being

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concerned, Ms. Moland called 911 to report the incident. Ms. Moland said she believed the altercation had been going on for approximately 15 minutes before she called.

Shortly thereafter, she heard gunshots and called again to MPD to learn that the police were already at the apartment. Ms. Moland said she did not hear the officers arrive but did hear "banging" on the incident apartment's door prior to hearing the gunshots. She did not hear anything being said.

### Interview of Michael McIntosh

On December 24, 2024, at 2222 hours, BCI Special Agents Steven Seitzman and Dave Hornyak interviewed Mr. McIntosh in an interview room in the Investigations section of the Middletown Police Department. The interview was recorded by video and audio. The following synopsis is a brief summary of the interview.

Mr. McIntosh explained to the agents that his father was depressed and has had "...a really awful year." He said that his father was having a particularly bad day and described an argument his father had with a United Dairy Farmers employee. He also stated that, when they got back to their apartment, he smelled smoke inside the residence and discovered that his father had started a fire in the apartment's fireplace, causing the apartment to become filled with smoke. He confronted his father about the smoke, and he recalled him repeatedly saying, "Everybody hates me. Everybody hates me. I should die. Everybody hates me."

Mr. McIntosh said he grabbed a fan and put the fire out. He said that he yelled at his father, which enraged him. He said his father eventually backed him into a corner and pointed his finger at him. He said he moved his father's hand away from him, at which point his father slapped his hand. He said he then punched his father in the face out of instinct. He said his father screamed at him and threatened to "beat the shit out of him" if he ever did that again. He recalled seeing a woman outside who asked him if she should call someone. He believed she was the person who later called the police.

From his bedroom, Mr. McIntosh later heard knocking at the front door followed by gunshots. He then came out of his bedroom to find police officers pointing their guns at him. He raised his hands in response and saw his father lying on the ground.

Mr. McIntosh said his father owned a pistol. He speculates that the police may have opened the apartment door, and his father may have pulled a gun in response. Mr. McIntosh recalled an incident where he came home unexpectedly, and his father told him he thought he was an intruder. He remembered his father saying to him, "I was about to pull a gun out and shoot ya." Mr. McIntosh said that his father often carried the pistol in his back pocket.

### Witnessing Officer Interviews

#### MPD Officer Marc Hunt, Jr.

Regarding the critical moments of the incident, Officer Hunt stated that he positioned himself on the first-floor landing behind his field training officer, Officer Ryun Rawlins. He stated he had a clear line of sight of Apartment A's door. He recalled [REDACTED] [REDACTED] knocking on the

door and announcing "Middletown Police" multiple times. He stated that he saw the subject [Gorak] open the apartment door with a gun in his hand and his arm coming up. He said that [REDACTED] [REDACTED] announced, "Gun! Gun! Gun!" and then shot the subject three times. The subject fell to the floor.

Officer Hunt began chest compressions on Gorak while other officers performed a safety sweep of the apartment. He continued with chest compressions while other officers assisted with first aid efforts. He reported seeing a bullet hole in Gorak's left leg, right upper chest, and a significant amount of blood coming from the back of his head.

#### MPD Officer Jacob Swanger

Regarding the critical moments of the incident, Officer Swanger stated that he positioned himself on the stairway leading up to the third floor. He observed [REDACTED] [REDACTED] knock on the door more than once and announce something to the effect of "Police" or "Middletown Police." He heard a male yell from inside the apartment, "Who is it?" Officer Swanger saw the apartment door open. Officer Swanger said, "I seen a white male in the doorway... he had a black object in his left hand. I clearly remember seeing a black barrel in my direction." Officer Swanger realized the object was a firearm, and due to having no cover, he repositioned himself so as to not be in the subject's direct line of fire. At that point, [REDACTED] [REDACTED] fired three or four rounds at the subject, causing him to fall inward.

Officer Swanger stated that officers initiated life-saving measures on the subject, and he stated that he believed Middletown police officers made all possible efforts to save his life.

#### MPD Officer Ryun Rawlins

Regarding the critical portion of the incident, he stated that he positioned himself behind [REDACTED] [REDACTED]. He saw [REDACTED] [REDACTED] knock multiple times and announce, "Middletown Police!" He said that his view of the door was blocked by [REDACTED] however, he heard the door "crack open," and then a couple of seconds went by before [REDACTED] [REDACTED] reached for his weapon and fired four or five rounds.

Once Officer Rawlins saw the downed subject, he sequestered [REDACTED] [REDACTED] away from the area of the shooting. Officer Swanger stated to the other officers that there was a gun on the ground under a coffee table. Another male [Michael McIntosh] was then encountered in the apartment and complied with orders to remain where he was. Officer Rawlins moved the found gun away from the fallen subject and directed Officer Hunt to initiate CPR on the subject while Officers Rawlins and Swanger cleared the apartment. Once the apartment was cleared, Officer Rawlins went outside to check on [REDACTED] and then reentered to assist other officers with life-saving measures. Officer Rawlins said he believed that MPD officers did everything in their power in attempting to save the subject's life.

#### Officer Interview

On Thursday, January 9, 2025 [REDACTED] [REDACTED] was interviewed by BCI Special Agents Steven Seitzman and Dave Hornyak at the Middletown Police Department. [REDACTED] [REDACTED] was represented by Front Line Advisors, LLC, attorneys Jennifer Knight and Robb Stokar.

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Throughout the investigation and during the interview, BCI agents learned that [REDACTED] [REDACTED] graduated from the Greene County Career Center Basic Peace Officer Academy on [REDACTED] He was appointed as a Middletown police officer on [REDACTED] He was also [REDACTED]

During the interview, [REDACTED] [REDACTED] read a prepared statement, which stated in relevant part:

*"When the door opened, I immediately observed an adult male subject holding a black, semi-automatic handgun in his left hand. The subject had the handgun positioned torso level, and his left arm was at an approximate 90-degree angle. The barrel of the man's weapon was pointing at Officer Swanger, who was positioned opposite the man's door, one or two stairs up from the second floor landing. Officer Swanger was positioned directly in line with the subject as he opened the door. The muzzle of the firearm appeared to be in a position to immediately fire upon Officer Swanger, myself and the other officers in the stairwell.*

*I believed Officer Swanger's life was in imminent danger, as were the lives of Officer Hunt, Officer Rawlins, and mine if I did [not] act immediately. I was aware we were positioned in a confined, well-lighted stairwell without the benefit of cover or concealment. Based on my training and experience, the use of deadly force was a proportional and appropriate response to the man answering the door with a firearm and pointing the muzzle of his pistol at another officer. I had a fraction of a second to visually identify the weapon and respond to the threat. There was no time to provide verbal commands to drop the gun, as it was already pointed in the direction of Officer Swanger and was an imminent lethal threat. At the time I fired rounds from my weapon, I fired in response to the subject's deadly threat to protect other officers, namely Officer Swanger who was in the direct line of fire, and to stop the threat of serious physical harm from the subject.*

*I drew my firearm with my right hand, pointing it at the subject, and discharging it four times in a fast, rapid succession. I stopped firing when I observed the subject fell to the ground. When I fired my weapon at the suspect, he had failed to respond to repeated loud knocks on the door and several loud announcements that Middletown Police were at the door. I was aware there was a Dispatch call for police to respond to an active physical disturbance at an unknown apartment at 1004 Park Lane. I clearly observed the suspect answer the door to the apartment, after notification that police were outside, with a black semi-automatic handgun in his left hand at torso level and positioned at approximately a 90-degree angle. When I fired my weapon at the suspect, I clearly observed the suspect had the weapon pointed towards Officer Swanger. I fired my weapon to stop the threat.*

*At the time I fired my weapon, the suspect was standing approximately 2-4 feet from my position outside the open doorway of the apartment on the second floor of building 1004. I believe I fired four shots in rapid succession. My target was the suspect's center mass. The backdrop for my shots was the interior of his apartment. I was in a standing position when I fired my duty weapon. At the time I fired my weapon, I was responding to an immediate and deadly threat of serious physical harm. I fired my weapon to protect others and believed that an immediate response was the only means to stop an imminent threat of death or serious injury to officers or civilians.*

*Officer Rawlins and I both attempted to advise Dispatch of the "Shots Fired" and to have Dispatch activate an emergency response, including medical assistance, to the location. I then informed the other officers in the hallway that the subject still had the gun, indicating the subject remained a threat and the weapon needed to be secured.*



*Officer Rawlins informed me that they would handle securing the scene and stated I should go outside. I re-holstered my duty weapon and exited the building. After exiting the building, I did not re-enter the building and was eventually transported to the police station by Officer Renner."*

## Dispatch-Related Information

### 911 Call

The audio file began with a computerized voice indicating that the 911 call occurred on December 24, 2024, at 1904 hours. The dispatcher then answered the phone, "911, what's the location of your emergency?" The caller explained that she did not know the exact location of the incident, but she reported that there were two men fighting on the second floor of the apartment building in front of hers. She further reported that the smoke alarm was going off at the location of the disturbance. The caller said she was calling from 1006 Park Lane in the Olde Towne Apartment complex. The caller identified herself as Bobbi Moland.

#### Butler Logger-1

Sequential export of 1 track(s) as Mu-Law

ID	START TIME	DURATION	CALLER ID	DTMF	AGENT NAME	ADDRESS
278_8COM1_	2024-12-24 19:04:49 -05:00	03:59	[REDACTED]	5135553801	8_aliciab	4200 E UNIVERSITY BLVD - NW SECTOR

### Call Detail Record

### Radio Traffic Recording

The audio file began with a computerized voice indicating that the recording began on December 24, 2024, at 1911 hours. A dispatcher dispatched police officers to 1004 Park Lane for "two males physically fighting." Officers arrived at the scene, and the dispatcher announced the time as "1914" hours. The dispatcher responded, "1916" in response to an officer who had just acknowledged he was clear on information provided by the dispatcher. Shortly after, an officer broadcast, "Shots fired. Shots fired. 1-0-4 Park Lane." The dispatcher said, "1923," in response to an officer indicating that a tourniquet was applied.

According to the call for service record, the shots fired announcement was entered by the dispatcher at 1918 hours. 1918 hours is also listed as the time Officer Rawlins activated his radio to announce shots had been fired. [REDACTED] then activated his radio to announce shots had been fired.

COMMENT	SHOTS FIRED	Jennifer Holland	12/24/24 19:18:33
COMMENT	1004 PARK LANE	Jennifer Holland	12/24/24 19:18:51
COMMENT	EMERGENCY TRAFFIC ONLY	Jennifer Holland	12/24/24 19:19:10

### Call for Service Log snip

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1627_09-8L_MAIN	2024-12-24 19:18:16 -05:00	00:03	09MD-RawliRy	09-8L_MAIN
1628_09-8L_MAIN	2024-12-24 19:18:21 -05:00	00:02	09 8COM3	09-8L_MAIN
1629_09-8L_MAIN	2024-12-24 19:18:22 -05:00	00:01	09MD-████████	09-8L_MAIN
1630_09-8L_MAIN	2024-12-24 19:18:26 -05:00	00:02	09 8COM3	09-8L_MAIN
1631_09-8L_MAIN	2024-12-24 19:18:59 -05:00	00:01	09 8COM3	09-8L_MAIN

*Radio identifier and activation time snip*

**Video Recordings**

**Officer Jacob Swanger's Footage**

Officer Swanger's video began as he was elevated on the steps looking at Apartment A. The embedded timestamp read 1916 hours. ██████████ ██████████ was standing in front of the apartment door, apparently trying to listen for noise coming from the apartment. The audio began at approximately twenty-three seconds into the video.

At approximately frame 1048 ██████████ knocked on the apartment door and announced, "Middletown Police." He then moved to the left side of the door so as to not stand in front of it. At approximately frame 1685, he used what appeared to be a flashlight to knock on the door a second time. He once again announced, "Middletown Police." At approximately frame 2157, he knocked for a third time.

At approximately frame 2299, the door began to open. The involved subject, Christopher Gorak, can first be seen at approximately frame 2310. He was holding a black pistol in his left hand. At that point, the pistol appeared to be pointed to the ground. See Figure 1 below.





*Figure 1- Arrow annotation added- frame 2311*

From approximately frames 2310 to 2336, Gorak continued to open the door. His arm also appeared to move up, thus pointing the pistol in the direction of [REDACTED] and Officer Swanger. See Figure 2 below.

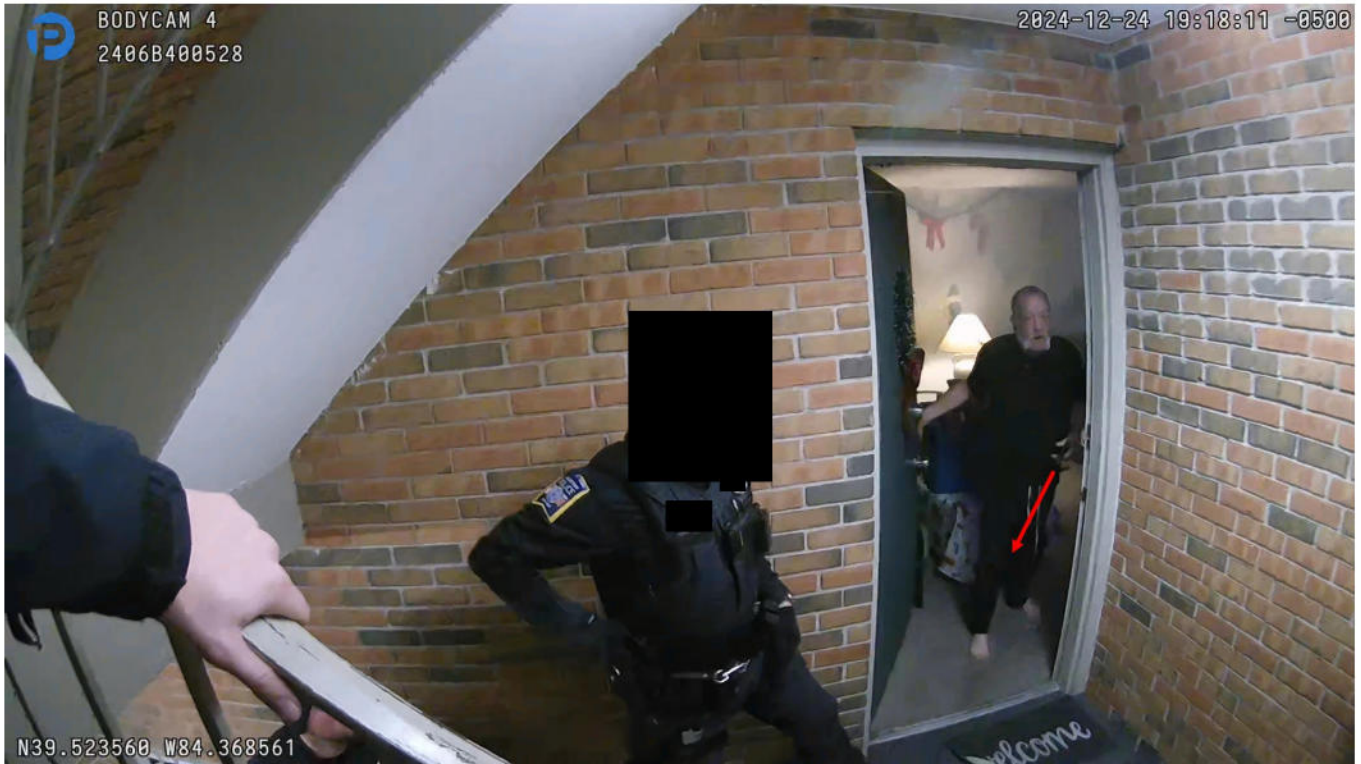


Figure 2- Arrow annotation added- frame 2333

At approximately frame 2337, it appeared that Gorak began to lower his pistol; however, about simultaneously at approximately frame 2348, [REDACTED] discharged his first shot of four. [REDACTED] fired his second shot at approximately frame 2356, his third shot at approximately frame 2365, and his final shot at approximately frame 2373. At approximately frame 2360, Gorak began to fall to the ground. He could be seen still holding onto the pistol after he fell. See Figure 3 below. From the time Gorak opened his door to [REDACTED]'s first shot was approximately 1.6 seconds (approximately frames 2299 to 2348 at 30 fps). [REDACTED] fired four shots in approximately .8 seconds (approximately frames 2348 to 2373 at 30 fps).





*Figure 3- Spotlight annotation added- frame 2372*

After the shots had stopped, Gorak fell back, and his arms came to rest under a table. Officer Swanger moved down and joined Officer Rawlins. Both officers entered the apartment. Officer Rawlins moved the table, and Gorak's gun could be seen on the floor. See Figure 4 below.



Figure 4– Spotlight annotation added– frame 3990

Gorak's son [Michael McIntosh] appeared from the back hallway of the apartment with his hands up. He was assisted out of the apartment by Officer Rawlins. Officer Hunt began CPR at approximately frame 4488, which was two minutes and twenty-nine seconds into the video [approximately 71.3 seconds after the last shot was fired]. Officers Swanger and Rawlins then conducted a protective sweep of the apartment. Officers then continued medical aid. While CPR was in progress, Officer Swanger spoke to another officer and commented, "I'm not certain if he had the gun in his hand." (frame 14658).

At approximately 8 minutes and 35 seconds into the video, the medicals arrived. After several minutes, one of the medics asked Officer Swanger what happened. Officer Swanger indicated that police were called for two males physically fighting. Once they arrived, they heard yelling inside the apartment. He said officers knocked and announced Middletown Police several times. He stated that Gorak then opened the door with a gun in his hand.

Officer Swanger deactivated his camera's audio at approximately fourteen minutes into the video. He remained inside the apartment until relieved by another officer.

#### ██████████ ██████████'s Footage

This video began with officers walking into the apartment building at 1916 hours, according to the embedded timestamp. ██████████ ██████████'s audio began at approximately 23 seconds into the video. While officers were attempting to determine the address of the disturbance they were dispatched to, noise could be heard coming from Apartment A. Though the exact

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words could not be made out in the video, it seemed as if the occupants inside the apartment were arguing.

██████████ ██████████ knocked on the door and announced, "Middletown Police." He knocked a second time and announced, "Middletown Police." ██████████ ██████████ knocks for a third time, and Gorak opens the door approximately three seconds later at frame 4441. At frame 4454, the gun can first be seen. At frame 4474, Gorak can be seen holding a gun, which was pointed in ██████████ ██████████ direction. See Figures 5, 6 and 7 below.



*Figure 5- Spotlight and text annotations added- frame 4454*

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*Figure 6- Spotlight annotation added- frame 4474*

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*Figure 7- Spotlight and arrow annotations added- frame 4483*

██████████ discharged his first round at approximately frame 4489. He first his second round at approximately frame 4496, his third round at approximately frame 4505, and his final round was obstructed by his arm; however, it likely occurred at approximately frame 4515 based on audio.

██████████ broadcast shots fired over the radio and informed the other officers that Gorak had a gun in his hand. He was instructed by other officers to remove himself from the scene. He muted his body-worn camera and remained outside until another officer drove him to the police department.

### Conclusion

All persons known to have relevant information regarding this investigation have been interviewed or attempts were made to interview them, and all known records have been obtained and reviewed. BCI has striven to conduct a thorough and impartial investigation into this OICI. BCI will continue to offer investigative assistance into any newly identified witnesses or information relative to this criminal investigation. It appears that BCI's investigation into this OICI is concluded, unless such new information or witnesses are identified through the grand jury or other processes. As always, we remain available for consultation and look forward to your assessment of this investigation and your decision as to any additional efforts, processes, or further assistance or involvement you might determine to be necessary.

### Contact Information

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The preceding information comprises only a portion of facts and circumstances collected during the investigation of the officer-involved critical incident. For further review of specific information or documentation collected during the investigation, please refer to the individual reports and documents from which this summary was derived. Any questions regarding the content or context of the information contained in this document can be directed to the attention of Special Agent Steven Seitzman. SA Seitzman can be reached via email at [Steven.Seitzman@OhioAGO.gov](mailto:Steven.Seitzman@OhioAGO.gov).

End of summary.

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