



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



2022-0498

Officer-Involved Critical Incident- 34 E. Fulton Ave., Columbus, 43215

Investigative Activity: Interview with Officer
 Involves: Deputy Declan Feery
 Activity Date: 6/27/2022
 Activity Location: 900 N. Hague Ave, Columbus, OH
 Authoring Agent: SA John Butterworth

Narrative:

On Monday, June 27, 2022, at 1015 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) John Butterworth (SA Butterworth) and SA Matt Collins (SA Collins) interviewed Franklin County Sheriff's Office (FCSO) Deputy (Dep.) Declan Feery (Feery), who was accompanied by his attorney, Nicole Wannemacher, from the Fraternal Order of Police. The interview took place at 900 N. Hague Ave, Columbus, OH. The interview was audio recorded.

Preliminary and Demographic Information:

Name: Declan Feery	Rank: Deputy (Dep.)
Badge Number: 802	Cruiser/Vehicle Number: N/A
Radio Call Sign: 163D	Immediate Supervisor: Sgt. Erlenwien
Radio Channel Utilized: Security Channel	Mobile Data Terminal: Not Present
Cruiser Description: N/A	Occupants of Cruiser and Seating Positions: N/A
Assignment: Facility Security Unit	Normal Shift: 1000-1800
In-Car Camera: Not Present	Spotlight: Not Present
Emergency Lights: Not Present	Siren: Not Present
Shift Day of Incident: 1000-1800	Duty Status: Off-Duty
Days Off: Saturday and Sunday	Prior Overtime or Extra Details within Preceding 48 Hours: Arnold Classic
Hours of Sleep Prior to Incident: N/A	Consider Self Well Rested?: Yes
Total Length as Officer: 22 years	Length at Current Agency: 22 years
Physical Disabilities (to include hearing aid): None	Corrective Lenses: No Corrective Lenses
Uniform Worn: FCSO Patrol Deputy Uniform, outer Deputy Sheriff jacket with sewn badge	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: Outer carrier vest and badge
Ballistic Vest: External Armor	Body Worn Camera: Not Present

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Other Recording Devices: None	Partner: None
Injuries: None	Equipment Damage: None
Training or Areas of Specialty: None	OPOTC Certification: Eastland Training Academy
Military Experience/Training: 4 years Irish Army	Use-of-Force Training: Attorney would not allow to answer.
Prior Shooting Incidents: None	Prior Discipline or Use-of-Force Complaints: None
Medications, Prescriptions, or Drugs that might Impair Your Duties at Time of Incident: None	Medications, Prescriptions, or Drugs that might Impair You Now for Interview: None
Alcohol in Past 24 Hours? No	Last Consumed Alcohol Prior to Incident: None

Officer's Firearm(s):

Weapon #1

Make: Sig Sauer	Model: 226
Caliber/Gauge: 9 mm	
Type: Semi-Auto Handgun	Method of Carry: Right hip on duty belt.
Magazine Capacity: 15	Total Rounds as Carried (including chamber): 46
Extra Magazines: 2	Number of Rounds in Extra Magazines: 15
Discharged During Incident? No	Primary or Backup Weapon: Primary
Rounds Remaining After Incident: 46	Number of Rounds Fired: 0
Right/Left-Handed Carry: Right-Handed	Ownership: Department Owned
Last Qualification Date: Unknown, but is current.	

Weapon #2

Make: Taser	Model: Unknown
Type: Less-Than-Lethal	Method of Carry: Right side of external vest

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Discharged During Incident? Yes	Primary or Backup Weapon: Choose an item.
Rounds Remaining After Incident: N?A	Number of Rounds Fired: Twice
Right/Left-Handed Carry: Right-Handed	Ownership: Department Owned

Dep. Feery read, understood, and signed the BCI Criminal Investigation Notification form.

Dep. Feery was identified as being a police officer who witnessed and/or had some level of involvement in the March 7, 2022 officer-involved shooting which occurred in the area of 34 E. Fulton Ave., Columbus, Ohio. Reportedly, Dep. Feery did not discharge a firearm during the course of the incident. The purpose of the interview was to obtain all relevant information of the incident known or observed by this officer.

Dep. Feery stated his radio call sign on March 7, 2022, was 163D. He has been employed by the FCSO for about 22 years. He has been a deputy for a total of 22 years. During the incident, Dep. Feery wore his standard deputy uniform with a metal police badge affixed to it. He also wore an external ballistic vest and duty belt. He considered himself to be well-represented as a deputy sheriff during the incident. He stated was not under the influence of any substance that would impair his memory or judgment during the incident or during the interview with BCI. He does not wear corrective lenses.

Dep. Feery, through his attorney, had provided a written statement about the incident and his involvement or actions during the incident. SA Butterworth requested that Dep. Feery read his prepared statement on the incident and his involvement. According to Deputy Feery, he reported for his regular shift and parked his vehicle in the parking garage between floors 7 and 8 as he normally does. Upon parking his vehicle, he was speaking with Sgt. [REDACTED] when he observed two black males swinging/throwing punches at each other and a black female running toward Officer [REDACTED]. Deputy Feery observed the female talk to Officer [REDACTED] who then moved quickly down the ramp toward the men fighting. Officer [REDACTED] separated the two men and one walked back toward the female.

Deputy Feery said the other male (that did not walk toward the female) started throwing punches at Officer [REDACTED]. At this point, he along with Sgt. [REDACTED] and Detective [REDACTED] went to assist Officer [REDACTED]. According to Deputy Feery, Sgt. [REDACTED], Detective [REDACTED] and Officer [REDACTED] all took the male to the ground and attempted to secure him. Deputy Feery recalled that Sgt. [REDACTED] was on the man's left side, Officer [REDACTED] was on the man's right side and he was near the man's head. Sgt. [REDACTED] requested Deputy Feery to tase the man, however he was unable to due to the close proximity and he wouldn't be able to obtain a good spread (on the taser



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probes). Sgt. ██████ requested the taser from Deputy Feery and used it to tase the man near the upper part of his back.

According to Deputy Feery, approximately within a second or two of the taser deployment, he heard a gunshot. He observed blood coming from the suspect's head. Deputy Feery said he saw Officer ██████ secure the gun from the suspect's hand and overheard what he believed to be Officer ██████ say "Oh shit he shot himself" or words to that effect. Deputy Feery did not recall seeing the suspect with a weapon prior to hearing the gunshot. Deputy Feery did not know how the suspect got Officer ██████ firearm.

Deputy Feery radioed to dispatch there was a shooting on the 7th floor and requested a medic. Deputy Feery overheard Sgt. ██████ tell Deputy Nicodemus to secure the other male and female. Deputy Feery stayed at the scene until medics arrived and transported the suspect. He then went to 410 S. High Street and waited for BCI investigators to arrive.

Deputy Feery closed with providing the incident happened very quickly. He did not know the suspect had a firearm until the shot was fired. Deputy Feery did not recall the suspect saying anything and said the other officers/deputies gave verbal commands, but could not recall exactly what was being said. Deputy Feery stated the man never complied and continued to struggle and fight the deputies until the gunshot. Deputy Feery did not know if the man was trying to shoot Sgt. ██████ or it if was unintentional. From Deputy Feery's vantage point, he said he could not see exactly what was occurring. Deputy Feery did not know Meeks and did not believe he had any previous contact with Meeks personally or professionally.

SA Butterworth asked Deputy Feery if he could recall if he was able to see Meeks' hands at all. Deputy Feery said he was never able to see them as his hands were under him and it looked like Meeks was holding his hands up to his chest. SA Butterworth asked Deputy Feery if he recalled observing Officer ██████ firearm on his person or if it was laying on the ground. Deputy Feery did not recall seeing the gun. Deputy Feery was asked if he saw Meeks have Officer ██████ gun and he stated that after the shot went off, he looked down and saw Officer ██████ grab the gun from Meeks' hand. Officer ██████ then secured the gun in his holster. Deputy Feery said he heard only one shot after being asked. SA Butterworth asked if he (Deputy Feery) recalled anything being said by the other officers and he did not. Deputy Feery was asked if he gave any commands during the incident and he stated he did not. Once the shot went off, SA Butterworth asked Deputy Feery if he heard the shot, if he was able to see the gun at that point and Deputy Feery said he did not.



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SA Butterworth asked Deputy Feery what his actions were after the shot. Deputy Feery marked the control center via radio about the shooting and its location. Deputy Feery requested a medic and then he saw the other officers giving first aid. Once the medics arrived on scene, that is when Deputy Feery stated he left the scene.

SA Collins asked Deputy Feery about the position of Meeks, being face down, his back or side. Deputy Feery said he initially was face down and he was resisting, trying to get off the ground. SA Collins reviewed the positions of other officers and himself during the incident and asked when Officer ██████ grabbed the gun from Meeks' hand, and asked if he recalled which hand it was in. Deputy Feery said he did not know exactly which hand it was in.

SA Butterworth completed some demographic information with Deputy Feery before finishing the interview. No further questions were asked by Deputy Feery, Attorney Wannemacher, SA Collins or SA Butterworth.

The interview concluded at approximately 1036 hours.

The interview was audio recorded. The audio recording was attached to this report. The signed BCI Criminal Investigation Notification form is also attached to this report. Please see the attachments for further details.



DAVE YOST

OHIO ATTORNEY GENERAL



Bureau of Criminal Investigation
Office (740) 845-2000
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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).

DECLAN FEERY

Printed Name of Interviewee

6-27-22

10:18am

Date / Time

Declan Feery

Signature of Interviewee

SA JOHN BUTTENWORTH #35

BCI Agent (Printed)

SA [Signature]

BCI Agent (Signature)

#35

STATEMENT OF DEPUTY DECLAN FEERY, BADGE 802

This statement regards my involvement in an incident that occurred on Monday, March 7, 2022, between approximately 9:30 and 9:45 a.m., in the parking garage attached to 410 S. High Street. I am voluntarily providing this statement as part of the investigation being conducted by the Ohio Bureau of Criminal Investigation (BCI).

My date of hire with the Franklin County Sheriff's Office (FCSO) is September 20, 1999. I am assigned to the Facility Security Unit. My regular duty hours are 10:00 a.m. until 6:00 p.m., with Saturday and Sunday off. I have four (4) years of military experience in the Irish Army. I have never had an out of policy use of force.

At the time of this incident, I was wearing regular Franklin County Sheriff's Deputy Patrol Uniform, I had a FCSO jacket on and a backpack. I do not have a body worn camera (BWC) as the FCSO has not issued them yet. I was carrying a taser. I was carrying my FCSO issued Sig Sauer 226, loaded with FCSO issued ammunition and I am current on my qualifications with that weapon. However, I never pulled my weapon during this incident.

I was not working with a partner, but FCSO Detective [REDACTED] and FCSO Sergeant [REDACTED] and Clinton Township Officer [REDACTED] were present during this incident. Sgt. [REDACTED], Detective [REDACTED] and Officer [REDACTED] were in plainclothes.

I have glasses for reading but my uncorrected distance vision is good. I do not wear hearing aids and my hearing is good. I did not consume any alcohol or prescription medication that could affect the performance of my duties in the 24 hours before this incident. I had worked some special duty over the weekend at the Arnold Classic, but I arrived at my shift well-rested and in good spirits.

On the day of this incident, I was parked my car in the parking garage attached to 410 S. High St. I park on the downward ramp, typically between floors 7 and 8. I was getting my gear out of the car and putting my backpack on while talking to Sergeant [REDACTED] when I heard a commotion. I looked down the parking garage (down because of the angle of the parking garage and being parked on the exit side) and I saw two black males swinging/throwing punches at each other, and I saw a black female running towards Officer [REDACTED] who I believe was against a wall smoking a cigarette. I saw Officer [REDACTED] speak to the female for a moment and quickly make his way down the ramp towards the two males who were fighting. Officer [REDACTED] separated the two males, and one guy walks away back toward the female.

The other male then started throwing punches at Officer [REDACTED]. I saw a blonde female run towards them (who I now know is Detective [REDACTED]) and I began quickly walking towards them and I believe Sgt. [REDACTED] was a couple steps behind me but reached Officer [REDACTED] about the same time I did. Sgt. [REDACTED], Detective [REDACTED], and Officer [REDACTED] all took the male to the ground. The male was struggling, and they were trying to gain control and secure him. I believe that Sgt. [REDACTED] was on the suspect's left side and Officer [REDACTED] was on his right and that they were trying to get his arms out from under him. I believe I was by his head and Sgt. [REDACTED] told me to tase him. I believe I replied that I can't, because I believed with the spread that I would likely get one of them as well if I were to deploy the taser. Sgt. [REDACTED] told me to give him my taser and I handed it to him. Sgt. [REDACTED] tased him, I believe near the upper part of his back.

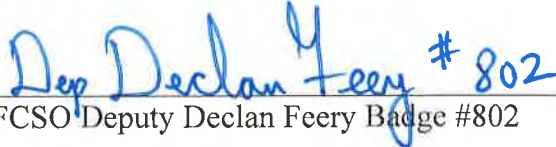
Within a second or two of the taser deployment, I heard a gunshot. I saw blood coming from the suspect's head. Officer [REDACTED] secured the gun from the suspect's hand, and I believe said, "Oh shit he shot himself" or words to that effect. I do not recall seeing the suspect with a

weapon prior to hearing the gunshot. I do not know how the suspect got Officer [REDACTED] firearm. I got on the radio and aired there was a shooting on the 7th floor and to start a medic. Deputy Nicodemus was walking down the ramp and Sgt. [REDACTED] told him to go secure the other male and female. I stayed on scene until medics arrived and transported the suspect. I went to 410 S. High Street and waited for BCI investigators to arrive. This ended my involvement in this matter.

This entire incident happened very quickly. I did not know the suspect had a firearm until the shot was fired. I do not recall the suspect saying anything. I recall the other officers/deputies giving verbal commands, but I do not recall exactly what was said. The suspect never complied and continued to struggle and fight with deputies until the gunshot. I do not know if the suspect was trying to shoot Sgt. [REDACTED] or if it was unintentional. From my vantage point towards the top of the suspect's head and with 4 people on the ground and the struggle, I could not see exactly what was occurring.

I now know that the suspect is Rayshawn Meeks. I do not believe I have had any prior encounters, professional or personal, with him.

This concludes my statement. I will answer any additional questions you may have at this time.


FCSO Deputy Declan Feery Badge #802