



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



2023-3023

Officer Involved Critical Incident - 6235 Hathaway Rd.,  
Garfield Heights, Cuyahoga County, Ohio 44125

Investigative Activity: Laboratory Results

Activity Date: December 20, 2023

Authoring Agent: Special Agent Cory Momchilov #64

On Wednesday, December 20, 2023, Special Agent (SA) Cory Momchilov (Momchilov) received the firearm laboratory results for the previously submitted items:

**Firearms**

**Recovered Taurus Revolver**

SA Momchilov previously requested that the Ohio BCI Laboratory check the recovered firearm (Taurus revolver-.38 caliber- Containing 6 unfired .38 cartridges-CS#23) for operability. That task was not completed by the Ohio BCI Laboratory.



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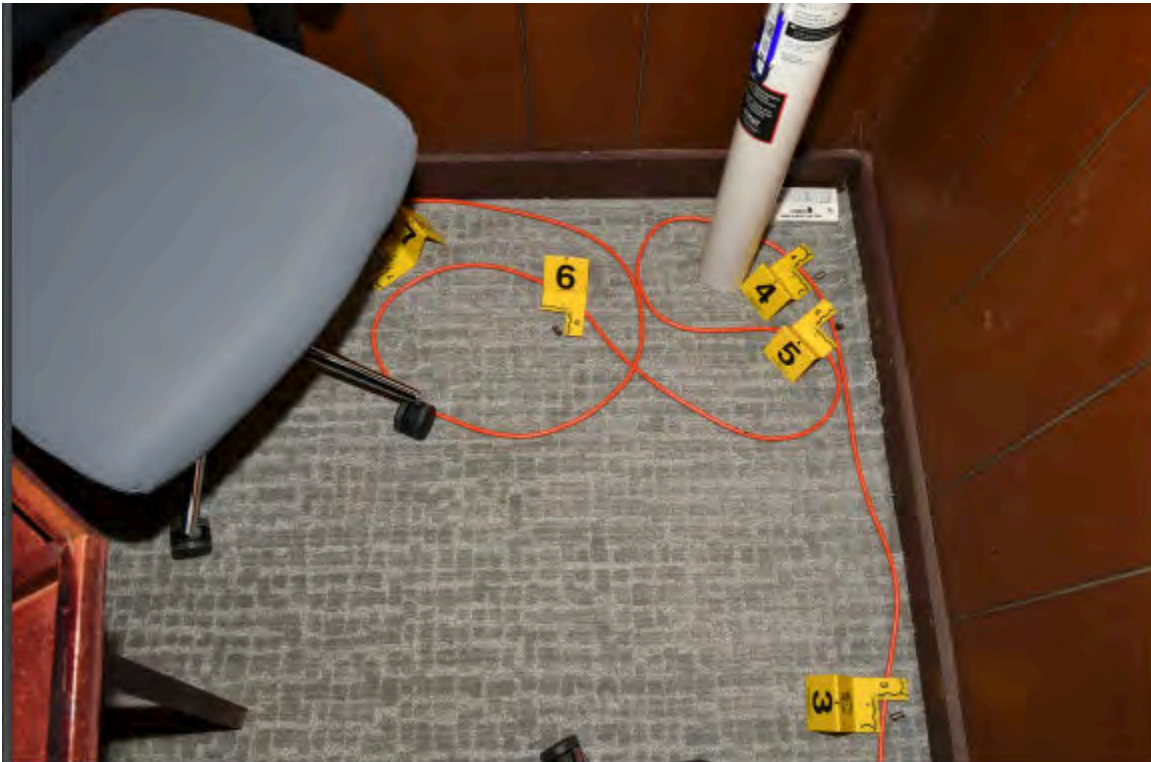
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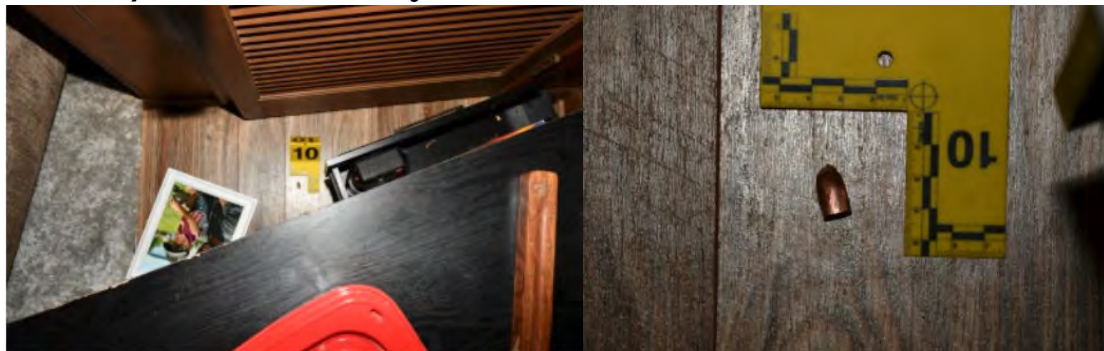
- **Laboratory Item 7:** Fired Cartridge Casing-Speer 9mm Luger-Located at northeast corner of basement floor-CS#7



### Projectiles

A total of 7 projectiles returned to ██████ ██████'s firearm, 6 from the scene and 1 from the body of Benard Russell.

- **Laboratory Item 10:** Fired Projectile-Located on basement floor CS#10



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- **Laboratory Item 12: Fired Projectile-Located on basement floor CS#12**



- **Laboratory Item 14: Fired Projectile from BI 3.4 (Basement Couch)-CS#17**



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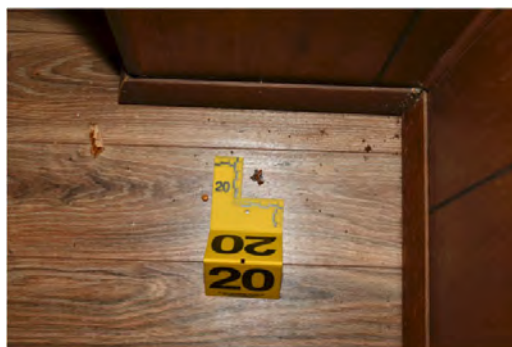
- **Laboratory Item 15:** Fired Projectile from BI 4.2-Brown chair in basement-CS#18



- **Laboratory Item 16:** Fired Projectile from BI 2.4-Basement North wall-CS#19



- **Laboratory Item 17:** Fired projectile-located on floor northwest corner of basement-CS#20



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- **Laboratory Item 22:** Fired Projectile - From right posterior thigh of Benard Russell

██████████ ██████████

A total of 3 fired cartridge cases returned to ██████████ ██████████'s firearm:

- **Laboratory Item 8:** Fired Cartridge Casing-Speer 9mm Luger-Located on pantry room floor of basement-CS#8



- **Laboratory Item 9:** Fired Cartridge Casing-Speer 9mm Luger-Located on pantry room floor of basement-CS#9



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- **Laboratory Item 13:** Fired Cartridge Casing-Speer 9mm Luger-Located at northeast corner of basement floor-CS#16



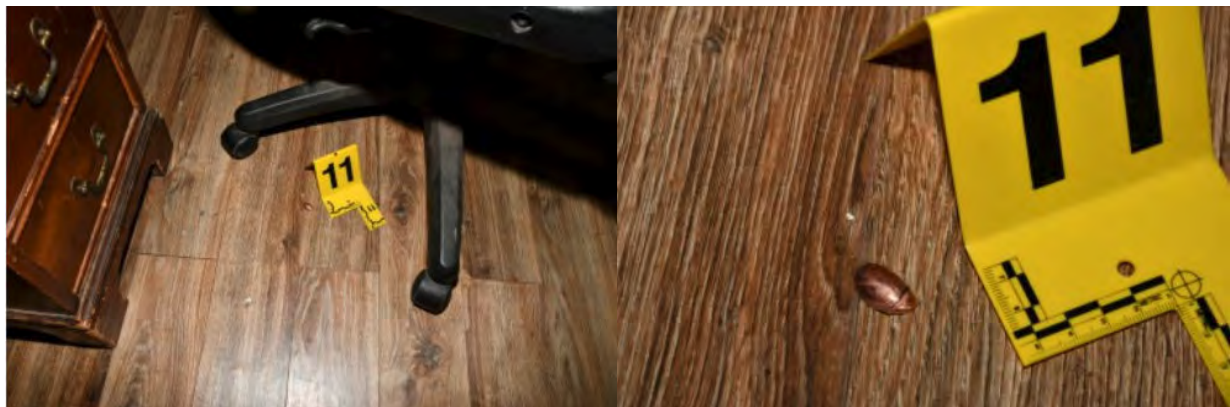
### Projectiles

A total of 3 projectiles returned to ██████████'s firearm, all 3 were from the body of Benard Russell.

- **Laboratory Item 21:** Fired Projectile - From left chest of Benard Russell
- **Laboratory Item 23:** Fired Projectile - From anterior right thigh of Benard Russell
- **Laboratory Item 24:** Fired Projectile - From pelvis of Benard Russell

### Inconclusive:

**Laboratory Item 24:** Fired Projectile-Located on basement floor CS#11



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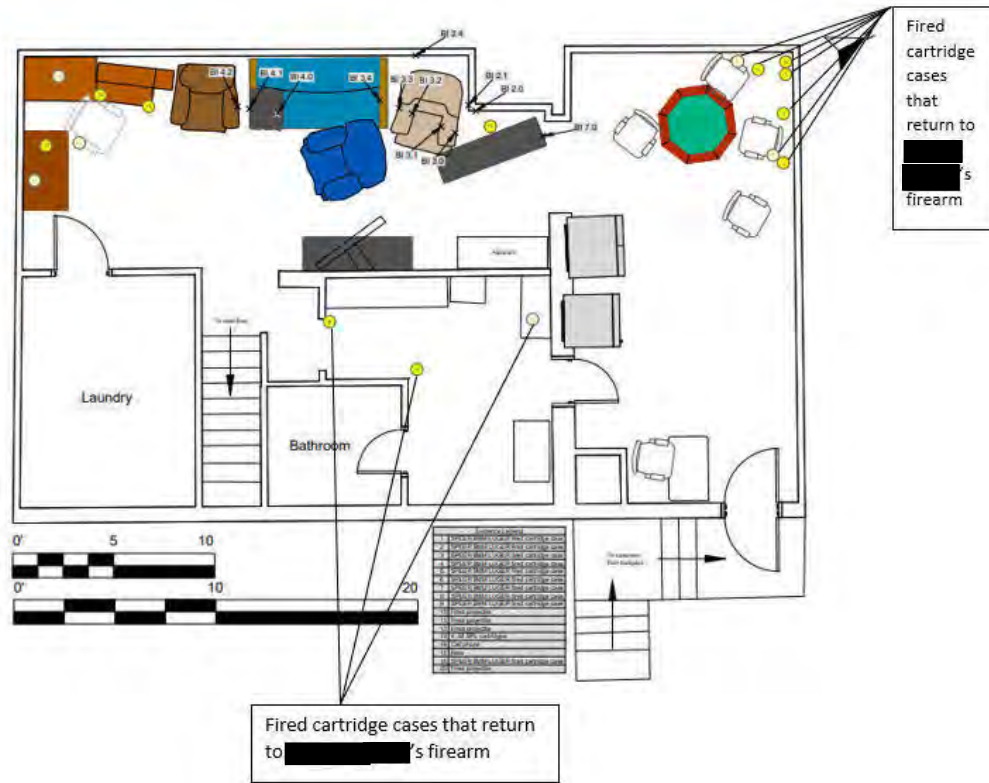


Diagram illustrating the location of the recovered fired cartridge cases

**DNA**

The recovered Taurus firearm was swabbed for possible DNA analysis in the future, if needed.

Item	Conclusions
20 Firearm and cartridges	
20.1 Swab from trigger and trigger guard	Sample collected for DNA analysis
20.2 Swab from grip	Sample collected for DNA analysis
20.3 Swab from cylinder, buttons, and hammer	Sample collected for DNA analysis
20.4 Swab from front sight area	Sample collected for DNA analysis
20.5 Swab from cartridges (6)	Sample collected for DNA analysis

A copy of the Ohio BCI Laboratory reports are attached to this investigative report.

**Attachments:**

**Ohio BCI Laboratory Reports**

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# DAVE YOST

OHIO ATTORNEY GENERAL

**Bureau of Criminal Investigation**

**Laboratory Report  
Firearms**

To: Ohio Attorney General's Office  
S/A Joseph Goudy  
30 E. Broad Street  
Columbus, OH 43215

BCI Laboratory Number: 23-39875

Analysis Date:  
December 02, 2023

Issue Date:  
December 13, 2023

Agency Case Number:

2023-3023

BCI Agent:

Cory Momchilov

Offense: Shooting Involving an Officer

Subject(s):

Victim(s):

**Submitted on November 17, 2023 by S/A Cory Momchilov:**

1. Envelope containing cartridge case (CS#1)  
*-One (1) fired 9mm Luger cartridge case.*
2. Envelope containing cartridge case (CS#2)  
*-One (1) fired 9mm Luger cartridge case.*
3. Envelope containing cartridge case (CS#3)  
*-One (1) fired 9mm Luger cartridge case.*
4. Envelope containing cartridge case (CS#4)  
*-One (1) fired 9mm Luger cartridge case.*
5. Envelope containing cartridge case (CS#5)  
*-One (1) fired 9mm Luger cartridge case.*
6. Envelope containing cartridge case (CS#6)  
*-One (1) fired 9mm Luger cartridge case.*
7. Envelope containing cartridge case (CS#7)  
*-One (1) fired 9mm Luger cartridge case.*
8. Envelope containing cartridge case (CS#8)  
*-One (1) fired 9mm Luger cartridge case.*
9. Envelope containing cartridge case (CS#9)  
*-One (1) fired 9mm Luger cartridge case.*
10. Envelope containing bullet (CS#10)

Please address inquiries to the office indicated, using the BCI case number.

BCI -Bowling Green Office  
750 North College Drive  
Bowling Green, OH 43402  
Phone:(419)353-5603

BCI -London Office  
1560 St Rt 56 SW P.O. Box 365  
London, OH 43140  
Phone:(740)845-2000

BCI -Richfield Office  
4055 Highlander Pkwy. Suite A  
Richfield, OH 44286  
Phone:(330)659-4600



- One (1) fired bullet.
- 11. Envelope containing bullet (CS#11)  
 -One (1) fired bullet.
- 12. Envelope containing bullet (CS#12)  
 -One (1) fired bullet.
- 13. Envelope containing cartridge case (CS#16)  
 -One (1) fired 9mm Luger cartridge case.
- 14. Envelope containing bullet (CS#17)  
 -One (1) fired bullet.
- 15. Envelope containing bullet (CS#18)  
 -One (1) fired bullet.
- 16. Envelope containing bullet (CS#19)  
 -One (1) fired bullet.
- 17. Envelope containing bullet (CS#20)  
 -One (1) fired bullet.
- 18. One cardboard box containing firearm (SN [REDACTED] with magazine and cartridges (CS#21)  
 -One (1) Smith & Wesson 9mm Luger semi-automatic pistol, model M&P9 M 2.0, serial number [REDACTED] three (3) magazines and forty-five (45) cartridges.
- 19. One cardboard box containing firearm (SN [REDACTED] with magazine and cartridges (CS#22)  
 -One (1) Smith & Wesson 9mm Luger semi-automatic pistol, model M&P9 M 2.0, serial number [REDACTED] three (3) magazines and forty-seven (47) cartridges.
- 20. One cardboard box containing firearm (serial# 1143654) cartridges recovered from the scene (CS#23)  
 -One (1) Taurus 38 Special double action revolver, model 80, serial number 1143654 and six (6) cartridges.

**Submitted on December 05, 2023 by S/A Cory Momchilov:**

- 21. Envelope containing bullet (Matrix Item 36)  
 -One (1) fired bullet.
- 22. Envelope containing bullet (Matrix Item 37)  
 -One (1) fired bullet.
- 23. Envelope containing bullet (Matrix Item 38)  
 -One (1) fired bullet.
- 24. Envelope containing bullet (Matrix 39)  
 -One (1) fired bullet.

**Findings**

Item Description	Comparison	Conclusion
	N/A	Operable
Item #18: One (1) Smith & Wesson pistol (SN: [REDACTED])	Items #1-7: each containing one (1) fired 9mm Luger cartridge case.	Source Identification

Item Description	Comparison	Conclusion
Item #18: One (1) Smith & Wesson pistol (SN: [REDACTED])	Items #10, 12, 14-17 and 22: each containing one (1) fired 9mm Luger bullet	Source Identification
	Item #11: one (1) fired 9mm Luger bullet	Inconclusive*
Item #19: One (1) Smith & Wesson pistol (SN: [REDACTED])	N/A	Operable
	Items #8, 9 and 13: each containing one (1) fired 9mm Luger cartridge case	Source Identification
	Items #21, 23 and 24: each containing one (1) fired 9mm Luger bullet	Source Identification
	Item #11: one (1) fired 9mm Luger bullet	Inconclusive*

\*Similar class characteristics but insufficient corresponding individual characteristics to identify or exclude.

**Remarks**

Three (3) cartridges each from Items #18 and 19 along with two (2) cartridges from Item #20 were used for testing.

The magazines in Items #18 and 19 were not examined.

All evidence will be returned to the submitting agency.

**Analytical Detail**

Analytical findings offered above were determined using visual and microscopic examinations / comparisons.



Michael E. Roberts  
 Forensic Scientist  
 (234) 400-3652  
 michael.roberts@OhioAGO.gov

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Based on scientific analyses performed, this report contains opinions and interpretations by the analyst whose signature appears above. Examination documentation and any demonstrative data supporting laboratory conclusions are maintained by BCI and will be made available for review upon request.



Ohio Bureau of Criminal Investigation  
BCI&I Richfield  
Date: December 13, 2023

Lab Case: 23-39875  
Agency Case: 2023-3023

Your feedback is important to us! Please complete our Laboratory Satisfaction Survey at: <https://www.surveymonkey.com/r/Q9VQHL5>

### Comparison Conclusion Scale

The following lists the conclusions a Forensic Scientist may reach when performing comparisons. In reaching a conclusion, a Forensic Scientist considers the similarities and dissimilarities and assesses the relative support of the observations under the following two propositions: the evidence originated from the same source or from a different source.

A Forensic Scientist may utilize their knowledge, training, and experience to evaluate how much support the observed similarities or dissimilarities provide for one conclusion over another. A conclusion shall not be communicated with absolute certainty. It is an interpretation of observations made by the Forensic Scientists and shall be expressed as an expert opinion.

1	Source Identification	The observations provide extremely strong support for the proposition that the evidence originated from the same source and the likelihood for the proposition that the evidence arose from a different source is so remote as to be considered a practical impossibility.
2	Support for Same Source	The observations provide more support for the proposition that the evidence originated from the same source rather than different sources; however, there is insufficient support for a Source Identification. The degree of support may range from limited to strong or similar descriptors of the degree of support. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion.
3	Inconclusive	The observations do not provide a sufficient degree of support for one proposition over the other. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion.
4	Support for Different Source	The observations provide more support for the proposition that the evidence originated from different sources rather than the same source; however, there is insufficient support for a Source Exclusion. The degree of support may range from limited to strong or similar descriptors of the degree of support. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion.
5	Source Exclusion	The observations provide extremely strong support for the proposition that the evidence originated from a different source and the likelihood for the proposition that the evidence arose from the same source is so remote as to be considered a practical impossibility; or the evidence exhibits fundamentally different characteristics

We invite you to direct your questions to:  
Abby Schwaderer, Quality Assurance Manager  
(740) 845-2517  
[abby.schwaderer@ohioattorneygeneral.gov](mailto:abby.schwaderer@ohioattorneygeneral.gov)



# DAVE YOST

OHIO ATTORNEY GENERAL

**Bureau of Criminal Investigation**

**Laboratory Report  
DNA**

To: Ohio Attorney General's Office  
S/A Joseph Goudy  
30 E. Broad Street  
Columbus, OH 43215

BCI Laboratory Number: 23-39875  
Analysis Date: November 20, 2023  
Issue Date: November 20, 2023

Agency Case Number: 2023-3023  
BCI Agent: Cory Momchilov

Offense: Shooting Involving an Officer  
Subject(s):  
Victim(s):

**Submitted on November 17, 2023 by S/A Cory Momchilov:**

20. One cardboard box containing firearm (serial# 1143654) and cartridges recovered from the scene (CS#23)

Item	Conclusions
20 Firearm and cartridges	
20.1 Swab from trigger and trigger guard	Sample collected for DNA analysis
20.2 Swab from grip	Sample collected for DNA analysis
20.3 Swab from cylinder, buttons, and hammer	Sample collected for DNA analysis
20.4 Swab from front sight area	Sample collected for DNA analysis
20.5 Swab from cartridges (6)	Sample collected for DNA analysis

**Remarks**

All evidence will be returned to the submitting agency.

David M. Ross  
Forensic Scientist  
(234) 400-3707  
David.Ross@OhioAGO.gov



Based on visual examination and scientific analyses performed, this report contains opinions and interpretations by the analyst whose signature appears above. Examination documentation and any demonstrative data supporting laboratory conclusions are maintained by BCI and will be made available for review upon request.

Your feedback is important to us! Please complete our Laboratory Satisfaction Survey at: <https://www.surveymonkey.com/r/Q9VQHL5>

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750 North College Drive  
Bowling Green, OH 43402  
Phone:(419)353-5603

BCI -London Office  
1560 St Rt 56 SW P.O. Box 365  
London, OH 43140  
Phone:(740)845-2000

BCI -Richfield Office  
4055 Highlander Pkwy, Suite A  
Richfield, OH 44286  
Phone:(330)659-4600