

**Investigative Report** 

2021-0957

Officer-Involved Critical Incident- 3171 Legion Ln, Columbus



Investigative Activity: Video Review Activity Date: 5/20/2021

Activity Location: BCI

Authoring Agent: SA Matt Collins, #151

#### Narrative:

On Thursday, April 22, 2021, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Matt Collins (SA Collins) received video footage from City of Columbus-Division of Police (CPD) Sgt. Terry McConnell. SA Collins was informed that the videos contained footage from the body cameras recorded by the CPD. This report is reflective of the review of Ofc. Nicholas Reardon's, Ofc. Serge Akpalo, and Eric Channel's body worn camera (BWC). A majority of this report will be in regard to Ofc. Reardon's BWC, as it was believed to be the most useful in understanding the events during the shooting incident. SA Collins documented the portions of the audio/video he believed to be the most relevant in obtaining facts necessary to provide an understanding of the events that took place during the incident. SA Collins documented what he believed each subject was saying. For both of these reasons mentioned, the reader is encouraged to review the video in its entirety.

SA Collins had previously learned or understood that there is commonly a delay in audio upon activating a dash camera or BWC. The delay is typically due to the video recovering historical data during playback. Meaning, once the respective camera is activated, it goes back a predetermined set of time. While some cameras go back approximately thirty (30) seconds, SA Collins learned CPD's BWCs go back approximately one (1) minute.

During the review, there were non-law enforcement subjects involved or viewed. During the course of the investigation, including witness statements, the subject's names were learned. SA Collins utilized subject's names for clarity purposes and this does not suggest they were specifically identified during the video review.

SA Collins utilized *iNPUT ACE* (iA) to evaluate and work with the video files to aid in the review. SA Collins brought the following video files into iA;

- "NicholasReardon\_202104201637\_VHC2020253\_133970409.mp4"
- "EricChannel\_202104201641\_VHC2030557\_265733217.mp4"
- "SergeAkpalo\_202104201641\_VHC2016103\_241949566.mp4"



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By doing so, the program identifies the metadata included within the video. See Figure 1.



Figure 1: iNPUT Ace Metadata screenshot

SA Collins created sub-clips and marked images during the review. SA Collins marked eight (8) frames/images from Ofc. Reardon's BWC. The images were named by the frame number identified by iA (F=Frame, F####) in Reardon's BWC. SA Collins reviewed the videos and noted the following:

Reardon's video began with Reardon traveling in his patrol car, as seen in *Figure 1*. Reardon continued to travel in his patrol car until 04:55 into his recording, where Reardon appeared to stop his patrol vehicle on the roadway. The GPS automated voice in the background could be heard advising, in one-quarter (1/4) mile 3171 Legion Ln. was on the right. At 07:08 into his recording, Reardon appeared to begin traveling again.

At 07:33.792 into Reardon's video, Reardon appeared to simultaneously put his patrol vehicle in park and open the driver's side door. As he opened the door a female voice could be heard screaming. Multiple female voices could be heard yelling.

As Reardon began to approach the group of people, Tionna Bonner (Bonner) and Jhamia Towler (Towler) were standing near a silver vehicle partially-parked in the driveway of 3171 Legion Ln. In the background, Myron Hammonds (Myron) and Jeanene Hammonds (Jeanene) were seen



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standing in the driveway. Also, in the driveway was Ma'Khia Bryant (Ma'Khia) and Shai-onta Craig (Craig). In the background, behind Myron and Jeanene, was Ja'niah Bryant (Ja'niah). See Figure 2.



Figure 2: Reardon approaching group

Reardon asked Bonner, "Hold on, what's going on? Hey, what's going on?" Just as he was doing so, Ma'Khia began moving toward Craig. See Figure 3.



Figure 3: Reardon asking, "Hey, What's going on?"



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As Ma'Khia continued moving toward Craig, a female voice could be heard saying, "I'm gonna stab the fuck outta you---." Craig fell to the ground, Ma'Khia continued toward Craig and stepped over her, before going into the direction of Bonner. Reardon could be heard yelling, "Hey, hey, hey, get down, get down, get down, get down" before the first gunshot was heard at approximately 07:47.068 into his recording. The fourth and final round was heard at approximately 07:47.869. It appeared there was smoke coming from the muzzle just as the final round was heard. Reardon fired four (4) rounds in under approximately one second. *See Figures 4-9*.



Figure 4: F13856, Ma'Khia with object in right hand, moving toward Craig



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Figure 5: F13921, Reardon drawing firearm

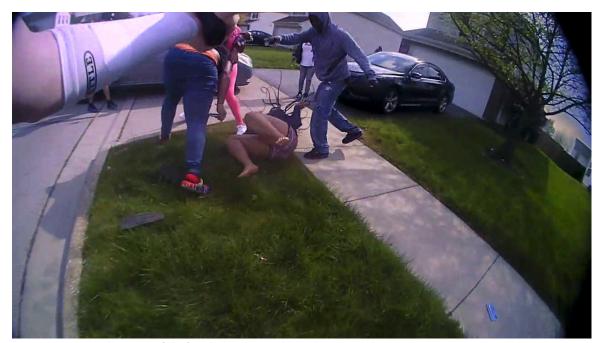


Figure 6: F13945, Object in Ma'Khia's right hand. Reardon with gun raised



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Figure 7: F13969, Object in Ma'Khia's right hand. Reardon with gun raised



Figure 8: F14003, First shot fired by Reardon



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Figure 9: F14021, appeared to be smoke coming from the muzzle of Reardon's weapon during final shot.

Ofc. Channel almost immediately began assessing Ma'Khia's injuries and performed first aid.

At 08:18 into Reardon's video, Jeanene was believed to be heard saying something to the effect, "Hold on, I told her to put the knife up."

SA Collins reviewed the BWC's of Officers Reardon, Channel and Akpalo and created a "canvas editor" or otherwise synced up the three videos which were playable from a single video (Figure 10). The syncing was done so by identifying the time Bonner's right foot stepped down in each of the officer's respective BWCs, upon shots being fired. While the sync done so by SA Collins is not exact (Channel and Akpalo's videos were playing slightly ahead), the intent is to allow the viewer to see what each BWC was capturing or otherwise show each officer's approximate positioning during the shooting incident. SA Collins' notes to accomplish this were:

- Reardon's camera- 1<sup>st</sup> shot occurred in frame #14003
  - Bonner's right foot stepped down in frame #14019 @ 7:47.602 into his recording
- Akpalo's camera- 1st shot occurred in frame #7894
  - o Bonner's right foot stepped down in frame #7910 @ 4:23.817 into his recording
- Channel's camera- 1<sup>st</sup> shot occurred in frame #7914



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o Bonner's right foot stepped down in frame #7929 @ 4:24.457 into his recording



Figure 10: Positioning of officers during the shooting incident. SA Collins' canvas editor



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Ohio Organized Crime Investigation Commission (OCIC), Video Analyst David Loomis created a more precise video synchronization, utilizing the BWC videos of Reardon, Channel and the surveillance video from 3160 Legion Ln. *See Figure 11*. The OCIC report is also attached to this report.



Figure 11: Screenshot from OCIC video presentation

The thumb drive containing the video footage was submitted to the physical BCI case file as item #2 for reference only.



# **Ohio Organized Crime Investigations Commission**



Submission Date	Priority Code	Due Date
04/26/2021		
OOCIC Case Number	Shelf Location	
21-00060		
,	nce Tech will comple	

Submitted By: SAS Justin Root

**Evidence Tech:** 

Nissa Low



# **Ohio Organized Crime Investigations Commission**

P.O. Box 968

Grove City, OH 43123 Telephone: (614) 277-1000 Facsimile: (614) 277-1010

# **Chain of Custody Report**

Lab Case

21-00060

**Department Name:** 

Ohio Bureau of Criminal Investigation

**Incident Number** 

Item #1 Description: DVD - Video DVD labeled "BCI 2021-0957 Columbus OICI"

Date	Time	Custody Of	Location / Person	Transaction By
04/26/2021	9:25	Clerical/Evidence	Matt S. Hilbert	Nissa Low
04/26/2021	9:45	Analyst	David F. Loomis	Nissa Low
04/29/2021	8:50	Clerical/Evidence	Nissa Low	Nissa Low
04/29/2021	9:48	Analyst	David F. Loomis	Nissa Low
05/14/2021	13:31	Clerical/Evidence	Nissa Low	Nissa Low
05/14/2021	13:31	Evidence Storage	Shelf C1	Nissa Low

Item # W.P. 1.1

Description: Data CD 3 CDs.

Date	Time	Custody Of	Location / Person	Transaction By	
05/14/2021	13:25	Analyst	David F. Loomis	Nissa Low	
05/14/2021	13:31	Clerical/Evidence	Nissa Low	Nissa Low	
05/14/2021	13:31	Evidence Storage	Shelf C1	Nissa Low	

\AGOBCILIMSPRD0 6/3/2021 Page 1 of 1



Written May 27th, 2021

To:

Ohio Bureau of Criminal

OCIC Case Number:

21-00060

Investigation 740-845-2000

1560 State Route 56 SW London, OH 43140

Agency Case Number:

Type of Offense: Location of Offense: Officer Involved Shooting Columbus, Franklin County

On April 26<sup>th</sup>, 2021, Special Agent Supervisor Justin Root of BCI submitted one DVD for the purpose of forensic video analysis. Special Agent Root requested synchronized video presentations be created from video files contained on the DVD. The item submitted will be referred to as ITEM ONE throughout the body of this report. The process, as it pertains to this case, is as follows:

- Inspect ITEM ONE to ascertain that no physical damage exists
- Generate and save a working copy of the contents of ITEM ONE
- Utilize software to create synchronized video presentations and PDF image sequence
- Produce a data CD of synchronized video presentations and PDF image sequence

On April 26<sup>th</sup>, 2021, Senior Analyst David Loomis Received custody of ITEM ONE. ITEM ONE was an HP DVD+R labeled:

"BCI 2021-0957

Columbus OICI"

ITEM ONE Was inspected for damage and no damage was found. The contents of ITEM ONE were copied and verified via SHA256 hash using Quick Hash 3.0.4

ITEM ONE contained four folders of video files with the following resolutions/codecs:

"3171":

6b4ddaba-7f55-4691-86b0-c0885f8278a4.mp4

1920 x 1080 h264, 48kHz mp4a

clipsVideo1.mov

1280x720 h264, no audio detected

clipsVideo2.mov

1280 x 720 h264, no audio detected

e559556c-f1b5-4fe7-80c3-3e2870f7dadb.mp4

1920 x 1080 h264, 48kHz mp4a

"BWC":



# Written May 27th, 2021

EricChannel\_202104201641\_VHC2030557\_265733217.mp4 h264, 48kHz mp4a

1280 x 720

NicholasReardon\_202104201637\_VHC2020253\_133970409.mp4 1280 x 720 h264, 48kHz mp4a

SergeAkpalo\_202104201641\_VHC2016103\_241949566.mp4 h264, 48kHz mp4a

1280 x 720

"DVD\_1-of-2":

VTS\_01\_1.VOB

720 x 480 mpeg2, 48kHz ac3

"DVD\_2-of-2":

1618950798727.mp4	1920 x 1072 h264, 16kHz mp4a
1618950850726.mp4	1920 x 1072 h264, 16kHz mp4a
1618950952725.mp4	1920 x 1072 h264, 16kHz mp4a
1618950997730.mp4	1920 x 1072 h264, 16kHz mp4a
1618951063737.mp4	1920 x 1072 h264, 16kHz mp4a
1618951173735.mp4	1920 x 1072 h264, 16kHz mp4a
1618951235724.mp4	1920 x 1072 h264, 16kHz mp4a
1618951269715.mp4	1920 x 1072 h264, 16kHz mp4a
1618951353723.mp4	1920 x 1072 h264, 16kHz mp4a
1618951395731.mp4	1920 x 1072 h264, 16kHz mp4a
1618951515651.mp4	1920 x 1072 h264, 16kHz mp4a
1618951645662.mp4	1920 x 1072 h264, 16kHz mp4a
1618951789705.mp4	1920 x 1072 h264, 16kHz mp4a
1618952014660.mp4	1920 x 1072 h264, 16kHz mp4a
1618952044651.mp4	1920 x 1072 h264, 16kHz mp4a
1618952132663.mp4	1920 x 1072 h264, 16kHz mp4a
1618952152684.mp4	1920 x 1072 h264, 16kHz mp4a



Written May 27th, 2021

1618952327636.mp4	1920 x 1072 h264, 16kHz mp4a
1618952350634.mp4	1920 x 1072 h264, 16kHz mp4a
1618952389643.mp4	1920 x 1072 h264, 16kHz mp4a
1618952425651.mp4	1920 x 1072 h264, 16kHz mp4a
1618952853653.mp4	1920 x 1072 h264, 16kHz mp4a
1618953765839.mp4	1920 x 1072 h264, 16kHz mp4a
1618953816629.mp4	1920 x 1072 h264, 16kHz mp4a

The video files from ITEM ONE were brought into the Adobe Premiere CC 2021 Video analysis software for review and the creation of the video timeline. The Body Worn Camera (BWC) videos of Eric Channel and Nicholas Reardon were synchronized on the video timeline, along with the file "1618951515651.mp4", based upon audio/video cues. The BWC of Serge Akpalo would not synchronize within the Premiere timeline. Serge Akpalo's BWC video is still available to view separately from the synchronized video timeline. The video timeline was edited to the scope of the event described by Special Agent Root.

The synchronized video timeline from ITEM ONE was brought into the Adobe After Effects CC 2021 video analysis and compositing software for the creation of the composite video presentations. A new three-camera view composition was created. Frame counters were added to the lower-left corner of each video clip. Audio waveform effects were added below each video clip. A timecode effect was added to the upper-right portion of the composition. Title slates were added. A duplicate presentation was created, showing the timeline in both ½ speed and original speed views. The two video presentations were rendered out as universal .mp4 video files for demonstrative purposes.

Four-hundred video frames of Nicholas Reardon's BWC video were rendered out as still images and placed into a PDF image sequence file for frame-by-frame review.

The two .mp4 video presentations and the .pdf image sequence were placed onto a data CD. A total of three copies of the CD were created.

On May 14<sup>th</sup>, 2021, the three CDs were returned to the evidence room, along with ITEM ONE. Special Agent Justin Root of BCI was notified that his submission was complete and ready to be picked up.



Written May 27th, 2021

David F. Loomis Senior Forensic Analyst

614-277-1000

David.Loomis@OhioAGO.gov

Matt S. Hilbert

Supervisor Approval

Mat Hilber

#### DAVID F. LOOMIS - CURRICULUM VITAE

The Ohio Organized Crime Investigations Commission
P.O. Box 968, Grove City, Ohio 43123
(614) 277-1000 / (614) 277-1010 fax / David.Loomis@OhioAttorneyGeneral.gov

#### Professional Experience

#### Senior Forensic Audio/Video Analyst

The Ohio Organized Crime Investigations Commission

Office of the Ohio Attorney General

- Provides general supervision of the OOCIC Audio/Video laboratory
- Implements policy and procedures
- Reviews case files and lab testing practices
- Responsible for reviewing and approving lab reports
- Provides recommendations on training and equipment
- Assists in the hiring process of new Analysts
- Performs all other duties of Forensic Audio/Video Analyst (as listed below)

#### Forensic Audio/Video Analyst

August 2014 - March 2019

The Ohio Organized Crime Investigations Commission

Office of the Ohio Attorney General

Columbus, Ohio

March 2019 - Present

Columbus, Ohio

- Performs forensic analysis of audio, video, photographic, and other evidence, whether analog or digital in nature, for investigation and court presentation
- Attends training, workshops, and seminars to maintain current working knowledge of trends and developments in the Forensic Audio/Video field
- Conducts testing and preparation of audio, video, and photographic evidence
- Clarification of evidentiary audio and video recordings
- Clarification of digital images
- Performs audio and video transcoding
- Forensic 2D and 3D animation
- Extraction of video from Digital Video Recorders
- Carves video data from various digital sources
- Duplication and digitization of audio and video recordings
- Repairs damaged audio and video tapes for evidentiary purposes
- Makes presentations to task force investigators and law enforcement agencies

#### **Graphic Artist**

**Educational Outfitters** 

April 2010 – June 2014 Pittsburgh, Pennsylvania

- Created various designs for email marketing campaigns, customer logos, t-shirts, store signage, and fliers
- Prepared media for use in email marketing campaigns, various printing and production processes
- Responsible for installation and maintenance of design software packages
- Designed and digitized artwork for embroidery

# Freelance Photographer / Videographer

Self-Employed

• Family and portrait photography

Sept 2003 – April 2010

Denver, CO and Pittsburgh, PA

- Digital photo editing and digital photo restoration
- Video recording, editing, and DVD presentations

#### Forensic Animation Intern

July 2003 - Sept 2003

Knott Laboratory

Denver, Colorado

- Assisted a team of animators and engineers to create accident reconstruction animations for legal proceedings
- 3D modeling, animation, compositing, and video editing
- Use of photogrammetry and camera matching to reconstruct scenes
- 3D cut-away views of mechanical processes

#### Lead Network Transport Planner

Nov 2000 - Nov 2001

Qwest Communications International, Inc.

Denver, Colorado

- Quarterly planning of nationwide wavelength services network (10 gigabit and 2.5 gigabit line system)
- Optimized the network plan using various equipment vendor and third-party software tools
- Calculated budgetary requirements for entire planned wavelength services network over various time periods
- Conducted studies of new nationwide network architectures, impacts of large customer deals, and potential fiber optic routes
- Utilized knowledge of various equipment interfaces (Nortel Preside / Ciena Wavewatcher) along with internal databases and the Microsoft Office suite to constantly improve processes, monitor planning progress, and analyze trends
- Tested and evaluated various vendor-specific and third party planning software
- Supported deployment planning of network transport technologies

#### Senior Network Transport Planner

June 1999 - Nov 2000

Denver, Colorado

- Owest Communications international, Inc.
  - Assisted with development of and updates to quarterly SONET network plans
  - Actively supported planning efforts concerning new, changes to, and life cycle management / retirement of currently deployed network transport technologies
  - Supported deployment planning of newly installed network assets
  - Involved with scenario analysis concerning plan assumption changes / timing
  - Utilized knowledge of Visual Basic for Excel to streamline current network data extraction from several weeks by many planners to minutes by a solo planner
  - Awarded Letter of Recognition from VP for outstanding work in streamlining operations

#### Space Communications Systems Controller

June 1995 - June 1999 Schriever AFB, Colorado

United States Air Force

22d Space Operations Squadron

50th Space Communications Squadron

Responsible for operating and troubleshooting communication and computer resources valued at over \$440 million to support the Air Force Satellite Control Network (AFSCN)

- Directed and implemented fault isolation, testing, troubleshooting, and analysis of transmission links, including T1 through T3, to ensure proper operations
- Provided worldwide connectivity across seven Department of Defense space programs, NASA, and NOAA
- Maintained a 99% efficiency rating on over 4,000 satellite communications mission supports, directly contributing to work center's 93.3% success rate on satellite mission contacts

- Handpicked to assist contractors with implementation and test procedures on a \$7 million project to link new satellite operations center with resources located at Schriever Air Force Base
- Awarded Senior Airman Below the Zone (promoted to E-4 six months early)
- Awarded the National Defense Service Medal and Air Force Good Conduct Medal
- Decorated Awarded the Air Force Achievement Medal for Meritorious Service

### Education

#### Bachelor of Arts

Media Arts and Animation

The Art Institute of Colorado Denver, Colorado

- Instruction in animation, video production, editing, and compositing, and audio production and editing
- 3.9 GPA
- Alpha Beta Kappa National Honor Society
- Portfolio Voted "Best Book" by AiC instructors at graduation

Journeyman USAF Technical Training School

Communications, Computer Systems Operations

• Honor Graduate (98% average)

Undergraduate Studies Ohio University
Fine Art, Liberal Arts, Mathematics Athens, Ohio

Certifications

LEVA Certified Forensic Video Technician

June 2016 - Present

Biloxi, Mississippi

**Training** 

LEVA Level 1 – Forensic Video Analysis and the Law (40 Hours)

April 2015

- Principles of CCTV Systems
- Non-Linear Editing
- Data Authentication and Integrity
- Video Compression
- Scientific Method
- Video and the Law
- Infrared Light

Issues of Bias in Forensic Science (8 Hours)

May 2015

- Defining Bias as it Applies to Scientific Fields
- Overview of Decision Making and How We Think
- Discussion of Methods to Counter-act Bias

Introduction to Forensic Audio Analysis (24 Hours)

September 2015

- Science and Physics of Sound
- Fundamentals of Recording and Playback Devices
- Audio Processing Techniques

<ul><li>Critical Listening</li><li>Best Practices</li></ul>	
Hands-on Audio Clarification	
LEVA Level 2 – Processing Digital Multimedia Evidence (40 Hours)  Compression Theory Digital Video Acquisition Screen Capture Utilities Video File Formats and Video Containers Integrating Hashing into Workflow Technical Report Writing Legal Aspects of Digital Multimedia Evidence TCP/IP Networking Analytical Report Writing	June 2016
<ul> <li>NW3C CI 100 – Identifying and Seizing Electronic Evidence (2.5 Hours)</li> <li>Identifying sources of electronic evidence</li> <li>Preserving electronic evidence for analysis</li> <li>Best practices for seizure of electronic evidence</li> </ul>	July 2016
NW3C CS 100 – Introduction to Computer Networks (2.75 Hours)  Networking overview  OSI Model TCP/IP	August 2016
NW3C CI 102 – How Computers Work and Store Data (3 Hours)  • Hardware and storage configurations  • Number systems (Decimal, Hexadecimal, Binary)  • Partitioning drives  • Identifying volumes  • File systems	July 2018
<ul> <li>U.S. Department of Homeland Security - Cyber Security Investigations (9 Hours)</li> <li>Overview of cybersecurity incident response and forensic analysis</li> <li>Digital forensic concepts, forensic media preparation</li> <li>Digital evidence collection</li> <li>Triage process and analysis</li> <li>Suspicious trace analysis</li> <li>Data carving</li> </ul>	August 2018
LEVA Level 3 – Video Contrast and Comparison (40 Hours)  • Philosophy and principles of video contrast and comparison	September 201

• Scientific method

Analytical report writing

• Class Characteristics vs Individual Characteristics

Effects of lighting, aspect ratio, resolution, and compression on video analysis

Types of bias in forensic video analysis and how to reduce them

LEVA Courtroom Testimony for Expert Witnesses (24 Hours)

May 2019

- Trial procedure
- Report writing techniques
- Effects of bias
- Moot court

#### **Court Testimony**

#### State of Ohio vs Thaddeus Bumgardner

Common Pleas Court of Meigs County

14 CR 117

June 29th, 2016

- Expert Witness Qualification
- Testified concerning forensic audio analysis of evidence in a felonious assault trial

#### State of Ohio vs Tony Cohen

December 1st, 2017

2016-11-3966

Common Pleas Court of Summit County

- Expert Witness Qualification
- Testified concerning forensic video analysis of evidence in an aggravated robbery trial

#### State of Ohio vs Mark Mabry

October 16th, 2018

Common Pleas Court of Richland County

2018-CR-0255R

- Expert Witness Qualification
  - Testified concerning deleted file recovery and forensic video analysis of evidence in an aggravated assault trial

#### State of Ohio vs Warriayre Armond Roundtree

December 11th, 2019

Franklin County Common Pleas Court

18-CR-01669

- Expert Witness Qualification
- Testified concerning forensic video analysis of evidence in an aggravated murder trial

#### **Professional Memberships**

Law Enforcement and Emergency Services Video Association

August 2014 - Present

High Technology Crime Investigation Association

August 2018 - Present