



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



2021-0888
Officer Involved Critical Incident – 500 South Cleveland Ave.,
Westerville, Ohio 43081 (L)

Investigative Activity: Interview with Subject
Involves: Officer Dana Houseberg (S)
Date of Activity: 05/10/2021
Activity Location: Harshman, Cathrine – Business – 3360 Tremont Rd., 2nd Floor,
Columbus, OH 43221, Franklin County
Author: SA James A. Mulford, #39

Narrative:

On Monday May 10, 2021, at approximately 1028 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agents Jim Mulford (SA Mulford) and Andrew Russell (SA Russell) interviewed Columbus Division of Police (CPD) Officer Dana Houseberg (Officer Houseberg) in response to an Officer Involved Critical Incident (OICI). The purpose of the interview was to obtain all relevant information of the incident known or observed by this individual. Also present for the interview was Officer Houseberg's union attorney, Nicole Wannemacher.

On April 12, 2021, an OICI occurred at Mount Carmel St. Ann's Hospital in Westerville, OH. An altercation happened between Miles Jackson (Jackson) and officers from the Columbus Division of Police, Westerville Police, and St. Ann's Security Department. Jackson died as a result of gunshot wounds from this incident.

This interview was audio recorded, and a copy of the recording was saved electronically within the case file. Please refer to the recording for specific quotes. The following is a summation of the interview.

Prior to beginning the interview, SA Mulford provided Officer Houseberg with a BCI "Criminal Investigation Notification" form. SA Mulford advised BCI was conducting a criminal investigation separate from any internal investigation that CPD may be conducting. Officer Houseberg was told her interview was voluntary and that she could stop answering questions at any time. Officer Houseberg verbally confirmed she understood the contents of the form and signed the document further acknowledging her understanding. A copy of the signed Criminal Investigation Notification (CIN) Form is attached to this report.

Attorney Nicole Wannemacher provided SA Mulford with a written statement from Officer Houseberg regarding the OICI. Agent Mulford reviewed the statement upon receipt.

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Furthermore, SA Mulford provided a printed scene sketch of the OICI scene to reference throughout the interview. Officer Houseberg signed her statement provided to BCI, and she verified the statement was a true and accurate depiction of the OICI incident. Please refer to Officer Houseberg's statement for further details. A copy of the signed written statement and the sketch was saved within the case file and is attached to this report.

SA Mulford asked Officer Houseberg a few follow up questions and had her confirm where she fired her Taser based on the printed scene sketch. Officer Houseberg's answers appeared to be consistent with her written statement.

Officer Houseberg wrote in her statement, "Typically, our training would not be to deploy a taser in a deadly force situation. However, if we have time, distance, barrier, lethal force backup and reasonableness we may deploy the taser. In this particular instance, we wanted to try everything possible to not use lethal force on the suspect and I thought it was reasonable to deploy the taser as I had sufficient lethal force backup, distance, and it was reasonable. The suspect had been given multiple opportunities over 4-5 minutes to show us his right hand and refused. We did not know if Officer Howe had been shot and we needed to get him out of the room. At the time I deployed my taser, I was in fear for the life of Officer Howe, the other officers, and security guards and civilians in the area, as well as my own life. I knew the suspect had a gun and Officer Krichbaum told me he had already fired a round. He had been given multiple opportunities to show us his right hand and refused. When I deployed my taser, my intention was to tase the suspect to get compliance to secure him. However, within a second or two of my deployment, I heard a gunshot that I believe came from the suspect and then multiple gunshots."

SA Mulford asked Officer Houseberg if she physically witnessed Jackson have a firearm. Officer Houseberg stated she did not see Jackson have a firearm initially, but did see a small black firearm lying next to Jackson after the shooting incident. She was only told by other officers that he had a weapon and had fired shots prior to her arrival.

Officer Houseberg reported she could not see if her taser prongs contacted Jackson. She assumed the taser was not effective because shots were fired immediately thereafter.

Officer Houseberg had no further information.

Attachments:

- Attachment # 01:05-10-21 Dana Houseberg Interview
- Attachment # 02:Officer Dana Houseberg Signed CIN Form
- Attachment # 03:Officer Dana Houseberg Signed Statement
- Attachment # 04:Officer Dana Houseberg Scene Sketch



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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).

DANA HOUSEBERG
Printed Name of Interviewee

5.10.21
Date / Time

Dana Houseberg
Signature of Interviewee

Jim Mudi
BCI Agent (Printed)

[Signature] #39
BCI Agent (Signature)

STATEMENT OF OFFICER DANA HOUSEBERG, BADGE NO. 2120

This statement is in regard to my involvement with an incident that occurred between approximately 2:20 p.m. and 2:35 p.m. on Monday, April 12, 2021 at St. Ann's Hospital. I am making this statement voluntarily as part of the criminal investigation being conducted by the Bureau of Criminal Investigation (BCI) regarding this matter.

My date of hire as a police officer with the Columbus Division of Police ("CPD") is December 20, 2004. I do not have any law enforcement experience prior to joining CPD. I do not have any military experience. I have a Master's Degree in Criminal Justice.

My regular assignment is 1A7. My regular duty hours are from 7:00 a.m. to 3:00 p.m., with Friday and Saturday off. On the date of this incident, I was assigned cruiser R11 but my call number was 14. I was not working with a partner. I was in my regular CPD uniform consisting of a white CPD shirt with patches on both sides and my blue CPD pants. I was wearing my Kevlar vest under my shirt. I had my Body Worn Camera (BWC) mounted to the front of my shirt. My badge was clearly visible on the front. I was not wearing gloves. I was carrying my Division-issued, Smith & Wesson M&P 2.0 9mm caliber semi-automatic pistol. It was loaded with Division-issued ammunition. I was current in my range qualifications with this weapon. I was also carrying my Division-issued taser and I am current in my qualifications with the taser. I was not carrying a backup weapon.

I wear glasses for reading only and I did not have them on at the time of this incident as my uncorrected distance vision is good. I do not wear a hearing aid and I do not have any problems with my hearing. I do not take any prescription or over-the-counter medications that interfere with my ability to perform my duties as a Columbus Police Officer. I was in good health at the time of this incident and I do not suffer from any disabilities that would impair my

ability to perform my duties. In the twenty-four hours before this incident, I had not consumed any drugs or alcohol. I had not worked any special duty in the 24 hours prior to this incident. I arrived at the start of my shift well-rested.

A little after 2:20 p.m., I was in the area of Schrock Road and Schrock Court when a 10-3 (officer in trouble) went out at St. Ann's Hospital. I immediately activated my lights and sirens to respond. As I was driving, I heard radio air that the suspect had a gun and that 9060 was being held hostage in the room. I knew that 9060 was CPD Officer Andrew Howe. I believe I arrived within a minute or two. I parked outside the Emergency Department and I quickly exited my cruiser. As I was running to the entrance, several hospital employees were exiting and they were yelling "Room 9" to me.

Once I entered the hospital, I did not know where room 9 was but I heard people yelling and ran towards the noise. I opened a set of double doors and saw several St. Ann's security personnel and CPD Officer Ryan Krichbaum with their guns drawn and pointed at the doorway of a room. Officer Krichbaum immediately informed me that the suspect had already fired a round. I had my service weapon out, although I do not recall if I drew it when I exited my cruiser or once I was inside the hospital. I asked one of the St. Ann's security personnel if he would like me to take his position and he did. I then also switched with another member of their security team so that I was next to Officer Krichbaum on the front line. There was a nurses' station directly behind us that was at least counter height and several other security guards had their weapons drawn over the top of the desk and pointed at the doorway.

Inside the doorway, I saw a black male on the floor. He was laying on his right side with his right shoulder and the right side of his head close to the wall. His feet were pointed out towards the hallway. The way he was positioned had his legs, left side and most of his back

visible to us. He also had his head turned and he was looking at us. His left hand was visible and Officer Krichbaum was ordering him to get his right hand up. I could not see Officer Howe. I ordered the suspect to get his right hand up. I believe he said he couldn't that he was laying on it or something to that effect. It was difficult to hear what he was saying with all the noise and commotion. Officer Krichbaum asked me if I had my taser and I responded that I did. I pulled my taser out but then put it back as I did not think we had sufficient lethal force cover for a taser deployment.

We continued giving verbal commands to the suspect to show us his right hand. I believe St. Ann security was also giving verbal commands. This went on for several minutes and the suspect was ordered at least fifty times to show us his right hand. During this entire time, I did not see or hear Officer Howe and I was concerned that he was injured in the room. I saw the double doors to my right open and CPD Officer Davey Jones was there. I told him to come take my spot so that I could deploy the taser, as I thought I had sufficient lethal force back-up with Officer Jones and Krichbaum. Officer Krichbaum said he would provide cover and I holstered my weapon and drew my taser.

I positioned myself close to Officer Krichbaum's left side. I had my taser in my left hand (I am left-handed). I outstretched my left arm, aimed for the suspect's left side, and deployed my taser. Since I knew the suspect was armed and I had to holster my firearm to deploy the taser, I immediately retreated back and behind Officer Krichbaum. Within a second or two of my deployment of the taser, and as I was retreating back, I heard a gunshot that sounded as if it came from the suspect. I then heard multiple gunshots. After several seconds someone yelled "cease fire!"

Once the gunshots stopped, several Westerville Police Officers and St. Ann's security guards entered the room to secure the suspect. Once he was secured, they yelled for a medic. I motioned for a nurse who was down the hallway to come to the room. He ran to the room and immediately began rendering aid to the suspect and took him to a trauma room. Officer Krichbaum and I made sure that we had not been struck in the gunfire. I then had CPD Officer Support Team Member Haller take Krichbaum from the scene since I knew he had fired his weapon. I then went to the suspect's room where Officer Howe was sitting and I told him to come out of the room and CPD Officer Rich Schritzinger took him out of the hospital.

I then began making sure the integrity of the scene was maintained. I asked other officers to get crime scene tape up. I also asked which other officers had fired their weapons and I requested officer support for the security guards. CPD Sergeant Mike Bruce arrived and instructed me to turn off my BWC. CPD Officer Support Team Member Alex Mottinger arrived and drove me back to the FOP Lodge.

I waited at the FOP Lodge for BCI agents to arrive. My taser was still at the scene so I was not able to provide that to them but they did photograph me for the investigation. I was willing to provide a scene walk through; however, the BCI investigators declined.

I believe that I was approximately 12-15 feet from the suspect when I deployed my taser. Typically, our training would not be to deploy a taser in a deadly force situation. However, if we have time, distance, barrier, lethal force backup and reasonableness we may deploy the taser. In this particular instance, we wanted to try everything possible to not use lethal force on the suspect and I thought it was reasonable to deploy the taser as I had sufficient lethal force backup, distance and it was reasonable. The suspect had been given multiple opportunities over 4-5


minutes to show us his right hand and refused. We did not know if Officer Howe had been shot and we needed to get him out of the room.

At the time I deployed my taser, I was in fear for the life of Officer Howe, the other officers and security guards and civilians in the area, as well as my own life. I knew the suspect had a gun and Officer Krichbaum told me he had already fired a round. He had been given multiple opportunities to show us his right hand and refused. When I deployed my taser, my intention was to tase the suspect to get compliance to secure him. However, within a second or two of my deployment, I heard a gunshot that I believe came from the suspect and then multiple gunshots.

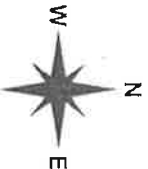
I have now had an opportunity to watch the Body Worn Camera video footage of this incident. After reviewing this footage, it appears that after the rounds were fired, I immediately asked a Westerville Officer if our partner was ok and he affirmed that he was. In reviewing Officer Howe's footage, it appears he was also giving verbal commands to the suspect but I do not recall ever hearing him during the incident.

I know now that the individuals name is Miles Jackson. I do not believe I have ever had any prior encounters, personal or professional with him.

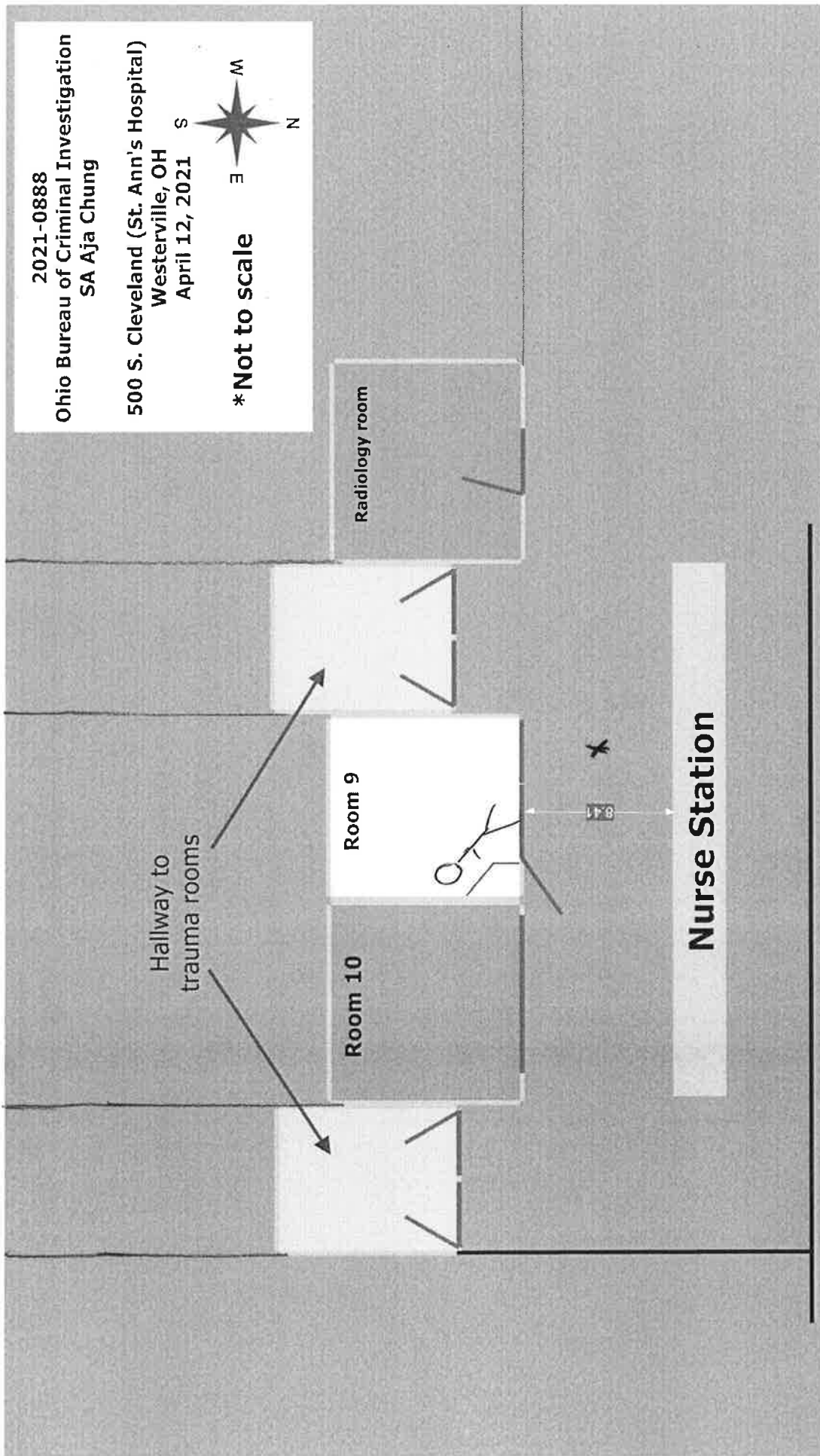
This concludes my statement. I am now prepared to answer any additional questions you may have at this time.


Officer Dana Houseberg, Badge #2120

2021-0888
Ohio Bureau of Criminal Investigation
SA Aja Chung
500 S. Cleveland (St. Ann's Hospital)
Westerville, OH
April 12, 2021



***Not to scale**



Dennis 2/20