



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



2023-0408

Officer-Involved Critical Incident- 1680 Stringtown Rd, Grove City

Investigative Activity: Interview with Officer

Involves: CPD SWAT; Ofc. Kerry Cibulskas #1399

Activity Date: 2/12/2023

Activity Location: City of Columbus Police SWAT Substation

Authoring Agent: SA Matt Collins, #151

Narrative:

On Sunday, February 12, 2023 at 0106 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Matt Collins (SA Collins) interviewed City of Columbus-Division of Police (CPD) Officer (Ofc.) Kerry Cibulskas (Cibulskas), who was accompanied by his attorney, Kate Harshman, from the law offices of Harshman and Wannemacher consulted by the Fraternal Order of Police. The interview took place at a City of Columbus Police SWAT Substation. The interview was audio recorded.

Cibulskas was identified as being a police officer who witnessed and/or had some level of involvement in the February 11, 2023, officer-involved shooting which occurred in the area of 1680 Stringtown Rd, Grove City, Ohio. Reportedly, Cibulskas 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.

Cibulskas stated his radio call sign on February 11, 2023, was #536. He has been employed by the CPD for about twenty-three (23) years. He has been a police officer for a total of twenty-three years. Cibulskas was assigned to CPD SWAT (full-time), Gold team (for the last nine (9) months). During the incident he drove an unmarked gold, 2013 Kia Optima (four-door). While unmarked, the vehicle was still equipped with emergency lights and siren. The vehicle does not have a dash camera. Cibulskas stated he was wearing a body worn camera (BWC) and it was utilized during the incident. For clarity purposes the names of individuals will be utilized in this report. Specifically, the involved subject, Bret Andrews (Andrews).

SA Collins asked Cibulskas if he had any knowledge of the individual prior to February 11, 2023. Cibulskas stated "they" had been contacted by the Athens County Sheriff's Office (ACSO). They were made aware of Andrews having an outstanding warrant for rape. Cibulskas said they'd previously checked a couple known or identified possible locations for Andrews a couple months ago.



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Cibulskas stated he was aware Ofc. Cutshall received a call from an ACSO deputy who was working the case involving Andrews and had received information, Andrews was going to meet someone at a hotel in Grove City. Cibulskas stated there was little information, other than that. Cibulskas stated they went to the area of the hotel and set up surveillance. At some point Ofc. Liford made contact with a Grove City officer who was speaking with this unknown female. According to Cibulskas, he was aware, the female indicated Andrews was parked in the parking lot of the Home Depot.

Cibulskas stated Ofc. Cutshall aired over the radio to have units get to the Home Depot to see if they could locate Andrews. Cibulskas stated a majority of communications from that point were over their radio. Cibulskas said he arrived in the west end where the lawn and garden area was. Cibulskas described the parking lot to be dark and at one point he believed the store may have been closed. Cibulskas said he heard other units state they believed Andrews was near the contractor's entrance, where the overhang is. Cibulskas stated he heard Ofc. Liford state Andrews was talking on a cellphone, wearing a blue sweatshirt. Cibulskas stated he drove around to the front of the store and was looking for anyone matching that description.

Cibulskas said, after making a loop, he parked a few parking spaces south of the contractor's entrance and positioned his vehicle so as it was facing west. Cibulskas described seeing a white vehicle in his "10 O'clock or 11 O'clock, with a male, White, standing outside the car, passenger side. The door was open, um, and he was wearing a blue sweatshirt." Cibulskas said he witnessed Ofc. Cutshall position his vehicle, parking underneath the contractor's overhang. Cibulskas stated he (Cibulskas) aired on the radio, "hey I think I have the target. I gave his description where he was; I said he's on the phone. Dark blue sweatshirt outside the white car, passenger side door's open. Um, he's wearing blue jeans and he has a beard." Cibulskas stated he believed the other units began getting into position.

Cibulskas stated he witnessed Andrews get back into the vehicle and close the door. He stated he aired that on the radio too. He said Ofc. Cutshall said, "let's move in." Cibulskas said it was known what he meant. Cibulskas said it was already predetermined they were going to conduct a "vehicle takedown." Cibulskas described that as units converging in on the subject vehicle, position them in order to prevent the vehicle from leaving. Cibulskas knew, from his position, he was going to place his unmarked car at the rear of the subject vehicle, preventing them from backing up. He witnessed Ofc. Cutshall pass in front of him and pull up to the subject vehicle on the driver's side.



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When Cibulskas pulled up behind the subject vehicle he put it in park and began to exit. However, per his training, he put the car back into drive, in order to prevent the subject vehicle from moving his vehicle. By the time he exited his vehicle, Cibulskas said he heard, "show me your hands, show me your hands. He's reachin'." Then Cibulskas said he started hearing shots. He could not recall how many.

Cibulskas said he wears a t-shirt over his vest so it is covert. He said he couldn't get it off in time, before shots were fired. Once he stepped out of the car he removed his t-shirt and activated his camera. Cibulskas said he recalled going around to the back of his car, to the passenger side, as he continued to hear other officers issuing commands.

Cibulskas said he witnessed Ofc. Ashenhurst break out the window, as he was saying there was a gun in his hand. Ofc. Ashenhurst reached in through the window, pulled a gun out and placed it on top of the vehicle. Cibulskas said the gun was specifically lying in Andrews' lap and he could not tell if Andrews was gripping it at the time Ofc. Ashenhurst removed it. Andrews was removed from the vehicle and placed onto the ground.

Cibulskas said he and other officers began rendering aid or otherwise assessing his injuries. Cibulskas said they witnessed cartridge casings lying on the ground. Grove City officers provided cones and they began placing them around the cartridge casings to prevent them from being moved or disturbed.

The interview concluded at approximately 0122 hours.

Just as the interview had concluded, SA Collins received a message to contact CSU SA Sarah Taylor. SA Taylor inquired about a cartridge casing located inside Cibulskas' unmarked vehicle. SA Taylor indicated the cartridge casing was different from the other cartridge casings found at the scene, in terms of what was found outside of the vehicle. SA Collins told SA Taylor he would attempt to speak with Cibulskas again in order to determine if he or anyone else from inside his vehicle had fired.

SA Collins found Cibulskas before he left the building and asked him and Mrs. Harshman if he could speak with him again, in reference to an item found at the scene in his vehicle. Cibulskas agreed. SA Collins activated his recorder at 0128 hours.

SA Collins told Cibulskas there was a cartridge casing found in the cupholder of his vehicle. SA Collins asked Cibulskas if he was aware of that casing and Cibulskas stated yes. Cibulskas was asked how it got there. Cibulskas said their range is open on Sundays for them to shoot or practice. Cibulskas said when he's at the range he wears his vest and when he returned to his



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vehicle, after practicing, he removed his vest and the casing fell out. Cibulskas said he did not feel like walking all the way back inside to throw it away and he did not want to leave it lay in the parking lot, so he threw it into his cupholder.

The interview concluded at approximately 0130 hours.

The interview was audio recorded. The audio recording was attached to this report. Please see the attachments for further details.