



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 Ryan Krishbaum (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 1122 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 Ryan Krichbaum (Officer Krichbaum) 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 Krichbaum'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 Krichbaum 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 Krichbaum was told his interview was voluntary and that he could stop answering questions at any time. Officer Krichbaum verbally confirmed he understood the contents of the form and signed the document further acknowledging his 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 Krichbaum 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 Krichbaum signed his statement provided to BCI, and he verified the statement was a true and accurate depiction of the OICI incident. Please refer to Officer Krichbaum'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 Krichbaum a few follow up questions and had him confirm where he fired his weapon based on the printed scene sketch. Officer Krichbaum's answers appeared to be consistent with his written statement.

Officer Krichbaum confirmed he and CPD Officer Andrew Howe were dispatched to the hospital to take custody of Jackson from Westerville police officers. He advised there was no discussion between CPD and WPD regarding an initial pat down of Jackson to check for weapons. Officer Krichbaum stated Jackson was compliant throughout the day until they attempted to search him prior to transport. At that time, Officer Krichbaum found what he believed to be a handgun hidden in Jackson's underwear. Jackson failed to comply with their verbal commands leading to an altercation and ultimately a shooting. Officer Krichbaum used hand strikes and a drive-stun taser technique that were both ineffective in obtaining compliance from Jackson.

Officer Krichbaum wrote in his statement, "Suddenly, I heard a gunshot and I believed the suspect had just fired at us. I quickly crawled out of the room and as I did so, I heard another gunshot or two. I immediately unholstered and drew my weapon, and I took a position outside the door of the room. Officer Houseberg took a position close to my left side and deployed her taser. I believe both darts of the taser made contact with the suspect. Within a second or two of her taser deployment, I saw the suspect's right hand come up with the gun in it and I heard a gunshot. I immediately fired my weapon at the suspect. St. Ann's security personnel also began firing at the suspect and I stepped back as their rounds were right next to my ear."

Additionally, Officer Krichbaum wrote in his statement, "At the time I fired my weapon, I was in fear for my life, as well as the lives of the other officers and security personnel in the area. The suspect had already fired at us several minutes earlier when we were trying to secure him. After he had fired at us, I could not see Officer Howe and I did not hear him and I thought he may have been shot by the suspect. The suspect was given numerous commands over several minutes to show us his right hand and repeatedly refused. Immediately before I fired my weapon at the suspect, he had raised his right hand with his gun in it and I believe he fired it. This was the first time that I actually saw the gun. I believe he was going to shoot and possibly kill me or one of the other officers in the hallway. At the moment I fired my weapon, I do not believe I had any other reasonable alternative to protect my life and the lives of the other officers and security personnel in the hallway at the time I fired my weapon."

SA Mulford asked Officer Krichbaum why he made the decision to ask another officer to tase Jackson after the situation had already escalated to deadly force. Officer Krichbaum said, "I think, just so that, if we could end up getting his compliance without having to shoot him. You know." Officer Krichbaum reported they tried everything possible to de-escalate the situation.

Officer Krichbaum had no further information.

Attachments:

Attachment # 01:05-10-21 Ryan Krichbaum Interview

Attachment # 02:Officer Ryan Krichbaum Signed CIN Form

Attachment # 03:Officer Ryan Krichbaum Signed Statement

Attachment # 04:Officer Ryan Krichbaum 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).

RYAN KRICHSAUM
Printed Name of Interviewee

5/10/21 11:24 AM
Date / Time

[Signature]
Signature of Interviewee

Jim Mulford #59
BCI Agent (Printed)

[Signature]
BCI Agent (Signature)

STATEMENT OF OFFICER RYAN KRICHBAUM, BADGE NO. 2383

This statement is in regard to my involvement with an incident that occurred between approximately 1:00 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 15, 2005. I retired from the National Guard after 22.5 years. I attained the rank of E7 Master Sergeant. I also have an associate's degree in law enforcement. I am Crisis Intervention Certified (CIT) and I am a Field Training Officer (FTO).

My regular assignment is Z1D2. My regular duty hours are from 9:00 a.m. to 7:00 p.m., with Thursday, Friday, and Saturdays off. On the date of this incident, I was assigned cruiser R9170 but my call number was 9011. 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 do not wear glasses or contacts and my uncorrected 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 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.

Around 1:00 p.m., I was at the Columbus Police Department 1 Precinct Substation when I was dispatched to St. Ann's Hospital because Westerville PD had an individual who had warrants from Columbus. I was told to contact Sergeant Mike Bruce with respect to the run. Sergeant Bruce told me to get the particulars and call into the 580 sergeant to have guard duty arranged and to verify the warrants.

I drove to St. Ann's Hospital and parked outside the Emergency Department. I walked to the Emergency Department and I spoke with a Westerville officer. He told me that they received a call from Chase Bank on Cleveland Avenue and that the suspect was on their property passed out. He also stated that they had been told the suspect had been transported earlier that day by Columbus Fire Department (CFD) to St. Ann's and that he left against medical advice. While we were talking, another Westerville officer pulled up and I asked him if the suspect had been positively identified. He displayed a drivers license or state ID picture with the suspect's information on his computer aided dispatch (CAD) system, and he stated that he closely resembled the suspect.

I entered the St. Ann's Emergency Department and I went to Room 9. There is a long, counter height desk/nurses' station directly across from the room that runs parallel with the hallway. I saw CPD Officer Andrew Howe was there. The suspect was eating in the bed. Once he finished eating, I handcuffed his left hand to the bed. I had the U-10 with me and had begun completing it. After approximately an hour or so, we were informed that he was going to be discharged. I contacted 580 to relay that guard duty would no longer be necessary and that we

were going to be transporting him. I asked a nurse for a bag for his personal property. I put on gloves to begin searching him and securing his personal property.

Officer Howe released the handcuff on his arm, put the rail on the side of the bed down and told him to slide his legs over to the side of the bed that Officer Howe was standing near. The suspect started messing with the food tray and empty wrappers and we told him not to worry about it. He also grabbed the blanket and he was trying to keep it over his waist. I remember grabbing it and putting it back on the bed and telling him he could not take it with him or words to that effect. Once he was standing up, I began pulling property out of his left pocket, and placed the items on a table next to me. I pulled out multiple credit cards with different names on them and I pulled out a single bullet which heightened my alert level, as people do not typically carry a bullet if they are not carrying a gun.

I continued checking the immediate area around his left pocket and I felt something hard near his groin area. I knew immediately from the shape that it was a gun. I tried to discretely alert Officer Howe to the fact that the suspect was armed. I told Officer Howe to grab him tight. The suspect started struggling and pulled his arms in tight, underneath his stomach, and leaned forward onto the bed. He refused to give us his arms and kept saying why are you touching me or something to that effect. His arms kept getting closer to his waistband (where the gun was) and he would not give us his hands. While attempting to gain control of his left arm, I delivered multiple strikes to his back with my elbow to get him to release his grasp. At some point during this struggle, I aired "10-3" over the radio to request emergency assistance. When I realized the strikes were ineffective, I pulled out my taser to drive stun him. I drive stunned him two or three times in an effort to gain compliance; however, in the struggle we all fell to the floor. I fell

towards the doorway and the suspect's head was near me, Officer Howe fell towards the back wall and he was closer to the suspects waist and feet.

Suddenly, I heard a gunshot and I believed the suspect had just fired at us. I quickly crawled out of the room and as I did so, I heard another gunshot or two. I immediately unholstered and drew my weapon, and I took a position outside the door of the room. Several St. Ann's security personnel also took positions over the nurses' station and next to me. I saw the suspect on the floor. He was leaning on his right side, with his feet towards me and had the right side of his upper body up against the wall. He was looking out the doorway at me. I yelled at him to show me his hands. I believe that the security personnel were also yelling commands at him. I yelled to Officer Howe to ask if he was ok but I did not hear any response. I continued to repeatedly yell at the suspect to show me his right hand but he did not comply. I believe he said that he couldn't because he was laying on it or something to that effect.

After a minute or two, CPD Officer Houseberg arrived through the doors into the hallway. I immediately told her that the suspect had fired a round. She took a position to my left and also yelled at the suspect to show us his right hand. I asked Officer Houseberg if she had her taser and she said she did (my taser was down the hallway, on the floor, on the opposite side of the door). However, we did not have sufficient lethal cover for her to deploy the taser since the suspect was armed. We continued to yell at the suspect to show his right hand and he refused. This went on for several minutes. During this entire time, I could not see nor hear Officer Howe. CPD K-9 Officer Jones arrived. When he came through the doors, Officer Houseberg told him to take her spot and that she would deploy her taser on the suspect. I told her to stop waiting (as I was concerned about Officer Howe) and to go ahead and that I would provide her lethal force cover.

Officer Houseberg took a position close to my left side and deployed her taser. I believe both darts of the taser made contact with the suspect. Within a second or two of her taser deployment, I saw the suspect's right hand come up with the gun in it and I heard a gunshot. I immediately fired my weapon at the suspect. St. Ann's security personnel also began firing at the suspect and I stepped back as their rounds were right next to my ear. Someone yelled "cease fire!" Then several Westerville Police Officers and St. Ann's security personnel entered the room to secure the suspect. Once he was secured, St. Ann's medical personnel took him to the trauma room.

CPD Officer Support Team Member Haller had arrived and he drove me back to the Lodge. I remained there until BCI agents arrived to collect my firearm and take photographs. I was willing to provide a scene walk through with the investigators; however, they declined to conduct one. This ended my involvement in this incident.

I believe that I fired two rounds at the suspect. I believe that I was approximately 20-30 feet from the suspect when I fired. I fired in rapid succession and I believe I fired all my shots in less than a second. I fired from a standing position, with a two-handed grip. I was standing in the hallway to the right of the door that led into Room 9. The suspect was on his right side with his feet pointed towards the door and his upper right side and head leaning against the wall. My target was the center of the suspect's right side. I believe that Officer Howe was in the corner diagonal from the suspect. My backdrop was the wall of the room. I believe I used the front sights on my weapon. I attempted to use the hallway wall as some cover/concealment. I stopped firing because the suspect dropped the gun and was no longer an immediate threat.

I did have my Body Worn Camera on during this incident. However, it appears as if it may have inadvertently been turned off during the struggle with the suspect.

At the time I fired my weapon, I was in fear for my life, as well as the lives of the other officers and security personnel in the area. The suspect had already fired at us several minutes earlier when we were trying to secure him. After he had fired at us, I could not see Officer Howe and I did not hear him and I thought he may have been shot by the suspect. The suspect was given numerous commands over several minutes to show us his right hand and repeatedly refused. Immediately before I fired my weapon at the suspect, he had raised his right hand with his gun in it and I believe he fired it. This was the first time that I actually saw the gun. I believe he was going to shoot and possibly kill me or one of the other officers in the hallway. At the moment I fired my weapon, I do not believe I had any other reasonable alternative to protect my life and the lives of the other officers and security personnel in the hallway at the time I fired my weapon.

I have now had an opportunity to watch the Body Worn Camera video footage of this incident. After reviewing this footage, it appears that Officer Howe responded when I asked if he was ok and that he was also giving commands to the suspect. However, during this incident, I do not recall hearing anything from Officer Howe.

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

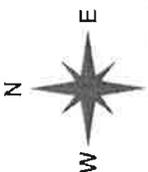
This concludes my statement and I am now prepared to answer any follow up questions you may have at this time.



Officer Ryan Krichbaum, Badge #2383

2021-0838
Ohio Bureau of Criminal Investigation
SA Aja Chung

500 S. Cleveland (St. Ann's Hospital)
Westerville, OH
April 12, 2021



*Not to scale

