



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



2024-2738
Officer Involved Critical Incident - 345 Lincoln Ave.,
Lancaster, OH 43130 (L)

Investigative Activity: Interview with LPD witnessing officer
Involves: Chief Wesley Jay Barton
Activity Date: 11/26/2024
Activity Location: 33 N. Market St., Lithopolis, OH
Authoring Agent: SA Aja Chung

Narrative:

On Tuesday, November 26, 2024, at 1626 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Aja Chung (SA Chung) and SA James Poole (SA Poole) interviewed Lithopolis Police Department (LPD) Chief Wesley Jay Barton (Chief Barton). The interview took place at 33 N. Market St., Lithopolis, OH. The interview was audio recorded and attached at the end of this report. Please refer to the recording for specific quotes.

Chief Barton was identified as being a police officer who witnessed and/or had some level of involvement in the September 7, 2024 officer-involved critical incident which occurred in the area of 720 W. Waterloo St., Canal Winchester, Ohio. On that incident date, Chad Evangelista (Evangelista) was arrested by the Fairfield County Sheriff's Office for disorderly conduct and obstruction of official business. The purpose of the interview was to obtain all relevant information of the incident known or observed by Chief Barton.

Chief Barton has been employed by the LPD for twenty-five (25) years and a police officer for a total of twenty-nine (29) years. Chief Barton usually works day shift with Saturday and Sunday leave days. During the incident, Chief Barton was working overtime that Saturday at the Honey Festival. During the incident, Chief Barton wore his standard police uniform that consisted of an external ballistic vest, a uniform shirt with Lithopolis PD patches on both shoulders, uniform pants and duty belt. Chief Barton advised he carries a Taser, OC spray and a BolaWrap on his person. Chief Barton explained a BolaWrap is a less lethal device that can assist in immobilizing a combative subject. Chief Barton confirmed he had a body-worn camera on, and it was activated during the incident. Chief Barton drove LPD unit #200, equipped with LPD insignia, emergency lights and sirens. Chief Barton considered himself to be well-represented as a police officer during the incident. Chief Barton was not under the influence of any substance that would impair his memory or judgment during the incident. Chief Barton confirmed he wears glasses to read.

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Chief Barton told agents he heard Fairfield County dispatch [REDACTED] to a person wandering in the street. Chief Barton confirmed he knew [REDACTED] due to the proximity of LPD and [REDACTED] assignment in the Canal Winchester area. Chief Barton explained he heard [REDACTED] over the radio and what sounded like there was a struggle. Chief Barton indicated he got into his cruiser and drove lights and sirens to [REDACTED] location. While enroute, Chief Barton heard [REDACTED] use a ten (10) code advising there was a fight.

When Chief Barton arrived at the scene, there was a Franklin County Sheriff's Office deputy already on scene. Chief Barton said he could see the Franklin County deputy and [REDACTED] having a difficult time and struggling with Evangelista. Chief Barton stated he walked to the rear driver's side door of the Franklin County cruiser and observed Evangelista on the floor of the cruiser, in handcuffs. Chief Barton said he grabbed Evangelista's upper arm/bicep area in an attempt to get Evangelista seated in the back seat of the cruiser. SA Chung asked Chief Barton to further describe Evangelista's actions that were making it difficult to seat Evangelista inside the cruiser. Chief Barton stated Evangelista was pulling away and not listening to commands.

Chief Barton explained [REDACTED] had to retrieve his cruiser and body-worn camera that was dropped during the incident. When [REDACTED] arrived back to the arresting location, Evangelista was transferred to [REDACTED] cruiser from the Franklin County cruiser. Chief Barton told agents after Evangelista transferred cruisers, he had no other interaction with Evangelista.

Chief Barton was shown a map of the location where the incident was. Chief Barton pointed out Bob Evans located at 6085 Gender Road, Canal Winchester, Ohio was closest business to Evangelista's arrest location.

Chief Barton described Evangelista as a "Pretty big guy, he had a bit of a stomach on him," weighed about 230-240 pounds and had dark hair. Chief Barton advised he thought Evangelista was possibly going through a behavioral health episode caused by drug use. Chief Barton confirmed Evangelista was asked if a medic was needed, in which Evangelista was heard saying a medic was not needed.

Chief Barton was asked if he observed any law enforcement personnel at the scene use any type of force with Evangelista. Chief Barton advised he did not observe any force applied. Chief Barton explained that paperwork would have been completed had he used force, such as strikes or less lethal equipment.

Chief Barton confirmed that he had never been in contact with Evangelista prior to the incident.

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Chief Barton stated he believed his actions, or the actions of others were not criminal in nature. Chief Barton stated he believed his actions were consistent with his training. Lastly, Chief Barton confirmed that nobody has tried to influence his statement or asked to lie to BCI agents.

The interview concluded at approximately 1641 hours.

Note: this report was placed in an order to aid the reader's overall understanding of the information elicited during the interview and may not be reflective of the actual sequencing of questions. It is suggested that the full audio recording be reviewed to clarify any content or contextual questions regarding the information from the interview.

References:

None

Attachments:

1 - Chief Barton audio interview

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