



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



2024-3258

Officer Involved Critical Incident – 1273 Rosedale Drive, Dayton,
OH (Montgomery Co.) (L)

Investigative Activity: Interview with Officer
Involves: [REDACTED] (S)
Date of Activity: 11/04/2024
Activity Location: Doll, Jansen & Ford – 111 West First Street, Suite 1100, Dayton, OH 45402
Author: SA Steven Seitzman

Narrative:

On Saturday, October 19, 2024, the Dayton Police Department requested the assistance of the Ohio Bureau of Criminal Investigation in investigating the facts and circumstances surrounding an Officer-Involved Critical Incident (OICI) that occurred on the same date on Access Road near Rosedale Drive in the city of Dayton.

On Monday, November 04, 2024 at approximately 1320 hours, Ohio Bureau of Criminal Investigation Special Agent Steven Seitzman interviewed Dayton Police [REDACTED], who was accompanied by his Fraternal Order of Police attorney, Joshua Engel. [REDACTED] was identified as an officer who discharged his weapon during the OICI. The interview took place in a conference room at the law office of Doll, Jansen & Ford, located at 111 West First Street, Suite 1100, Dayton, Ohio. The interview was audio recorded.

The details below summarize what the author believed to be the pertinent portions of the recorded interview and are not a verbatim account. Further, this report was placed in a chronology 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.

[REDACTED] read, understood, and signed the BCI Criminal Investigation Notification form.

Preliminary and Demographic Information:

Name: [REDACTED]	Rank: [REDACTED]
Badge Number: [REDACTED]	Cruiser/Vehicle Number: Did not recall
Radio Call Sign: [REDACTED]	Immediate Supervisor: Sergeant Savage

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Radio Channel Utilized: Dayton West (primary); in-car Tac 2-West (talk around)	Mobile Data Terminal: Present & Utilized
Cruiser Description: Marked Dodge Durango	Occupants of Cruiser and Seating Positions: No
Assignment: Traffic (Patrol Operations Division)	Normal Shift: [REDACTED]
In-Car Camera: Operational & Utilized	Spotlight: Present; Not utilized
Emergency Lights: Present; Not Utilized	Siren: Present; Not Used
Shift Day of Incident: [REDACTED]	Duty Status: On-Duty
Days Off: [REDACTED]	Prior Overtime or Extra Details within Preceding 48 Hours: No
Hours of Sleep Prior to Incident: Approximately 7.5 hours	Consider Self Well Rested?: Yes
Total Length as Officer: Approximately 12 years	Length at Current Agency: Approximately 12 years
Physical Disabilities (to include hearing aid): N/A	Corrective Lenses: No Corrective Lenses
Uniform Worn: Class B, navy shirt with Dayton Police patches, navy cargo-style pants, concealed ballistic vest, jacket with embroidered badge and name	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: Collapsible baton and TASER conducted energy weapon
Ballistic Vest: Concealed Armor	Body Worn Camera: Present & Used
Other Recording Devices: No	Partner: No
Injuries: No	Equipment Damage: No
Training or Areas of Specialty: CIT, Advanced CIT, hostage negotiation basic, riot control team, bicycle team, riot control on bicycle, patrol rifle, honor guard, field training officer, and other training	OPOTC Certification: Dayton Police Academy, graduated in [REDACTED]
Military Experience/Training: No	Use-of-Force Training: Annual
Prior Shooting Incidents: No	Prior Discipline or Use-of-Force Complaints: No
Medications, Prescriptions, or Drugs that might Impair Your Duties at Time of Incident: No	Medications, Prescriptions, or Drugs that might Impair You Now for Interview: No
Alcohol in Past 24 Hours? No	Last Consumed Alcohol Prior to Incident: No

Officer's Firearm(s):

Weapon #1

Make: Glock	Model: 17
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Caliber/Gauge: 9 mm	Serial: N/A
Type: Semi-Auto Handgun	Method of Carry: Holster
Magazine Capacity: 17	Total Rounds as Carried (including chamber): 17 + 1
Extra Magazines: 2	Number of Rounds in Extra Magazines: 17
Discharged During Incident? No	Primary or Backup Weapon: Primary
Rounds Remaining After Incident: 18	Number of Rounds Fired: 0 (with primary weapon)
Right/Left-Handed Carry: Right-Handed	Ownership: Department Owned
Last Qualification Date: Within the past 12 months	Type of Holster, if any: Issued holster

Weapon #2

Make: Rock River Arms	Model: [REDACTED]
Caliber/Gauge: 5.56/.223 caliber	Serial: As photographed
Type: Rifle	Method of Carry: In a case in the trunk of cruiser
Magazine Capacity: Two 30 round magazines coupled together	Total Rounds as Carried (including chamber): 28 + 28 = 56
Extra Magazines: Rifle vest in trunk with 8 additional magazines	Number of Rounds in Extra Magazines: Approximately 28 in each magazine
Discharged During Incident? Yes	Primary or Backup Weapon: Primary
Rounds Remaining After Incident: Stated unknown (The BCI Crime Scene Unit noted that a magazine was found with 21 rounds plus one chambered in the weapon.)	Number of Rounds Fired: Unknown
Right/Left-Handed Carry: Right-Handed	Ownership: Department Owned
Last Qualification Date: Within the past 12 months	Type of Holster, if any: N/A

[REDACTED] confirmed that he prepared a typed statement prior to the interview. He reviewed the statement and confirmed it was his. He then signed the statement.

[REDACTED] read his statement into the record. He wrote the following about the critical moments of the OICI:

"██████████ spoke to the suspect in an effort to diffuse the situation. He, along others, gave the suspect verbal commands to drop the weapon and leave his vehicle.

The suspect exited his vehicle and pointed his shotgun in the direction of other officers. I believed that I was in imminent danger of death or great bodily harm and the only means of escape from danger was the use of deadly force. I did not believe that I could safely withdraw from the location and adequately protect myself, other officers, or other possibly innocent persons in the area. I remained behind the car and fired at the suspect. I believed that I had a clear line of sight on the suspect.

Other officers fired on the suspect as well. I observed the suspect fall to the ground. The shotgun was no longer in his hands. I approached the suspect. The suspect was searched and no other weapons were found. Other officers began life saving measures and a medic was called to the scene. The suspect was transported to a hospital. "

SA Seitzman asked ██████████ if he had ever dealt with the involved subject, Taylor Cotton, or any of his family members. ██████████ advised that to his knowledge, he had not had any prior encounters with Cotton or his family.

██████████ said that he learned of the dispatch to 1273 Rosedale Drive when he heard Officer K. Urekar requesting additional officers on the police radio. He then looked at the dispatch and saw that someone had threatened a shootout with the police. He responded and arrived at the same time as several other officers.

██████████ recalled seeing the involved tan Buick appear after he had been at the scene for a period of time. He recalled hearing someone say, "Get that guy out of the car." At that point, he was uncertain if or how the tan Buick was related to the call. He walked toward the car, then recalled seeing the subject, later identified as Cotton, inside with a shotgun. He then got back to a better position of cover.

SA Seitzman asked ██████████ if Cotton responded to any of the officers' commands. He answered that he did not hear Cotton verbally respond; however, he saw that Cotton appeared to be looking around as officers spoke to him. SA Seitzman asked ██████████ what that indicated to him. He replied that he believed Cotton was looking for a way out or looking for somebody closer [law enforcement officers].

SA Seitzman asked ██████████ to describe the final moments of the encounter. He said the incident happened "so fast, but so slow." He reiterated that it seemed to be happening in slow-motion but fast at the same time. He described Cotton exiting his car like a "flying superman leap." He then observed the barrel of Cotton's shotgun pointed directly at the officers taking cover beside a blue car parked on Rosedale Drive. He said he made the decision to discharge his patrol rifle once he saw Cotton pointing at the law enforcement officers. He said his patrol rifle was equipped with a red dot optic. He placed the red dot on

the center mass area of Cotton. He was uncertain how many rounds he fired, and he was unable to tell whether his rounds struck Cotton. He then said, "I couldn't tell you which way, but there was some sort of like spinning motion or something like that, because he like hit the car, and then he fell." He said that he stopped firing after he saw Cotton fall to the ground.

██████████ recalled an "eerie silence" after the shooting. He then remembered officers moving up to render aid to Cotton. He did not hear Cotton say anything as officers rendered medical aid.

SA Seitzman asked ██████████ to elaborate on what he meant in his typed statement where he said he felt that he was in imminent danger of death or great bodily harm. He stated that he saw Cotton point his gun at the other officers. He feared that Cotton was going to shoot at those officers, then turn his attention to ██████████ and the officers next to him. He recalled seeing Cotton looking around during the encounter, which would have given him the opportunity to see where officers were positioned.

SA Seitzman asked ██████████ if he believed his actions were consistent with his training and policies. He answered in the affirmative. SA Seitzman also asked him if he believed the other officers acted appropriately. He also answered that question in the affirmative.

SA Seitzman asked ██████████ if the statement he provided to BCI was true and accurate to the best of his knowledge. He said that it was. The interview concluded at 1359 hours. ██████████'s signed statement, signed BCI Criminal Investigation Notification form, and the audio recording are attached below.

References:

No references.

Attachments:

- Attachment # 01: 2024-11-04 Interview of Dayton Police ██████████
- Attachment # 02: Typed Statment of ██████████
- Attachment # 03: Criminal Investigation Notification- ██████████

Exhibit 1

Included as a separate file.

Exhibit 2

STATEMENT OF [REDACTED]

OCTOBER 25, 2024

I am a [REDACTED] with the Dayton Police Department. I have been employed as a law enforcement officer since 2012. Prior to that I worked state corrections officer. I have been employed by Dayton since [REDACTED]. I graduated from the Dayton Police Academy in [REDACTED].

I am currently assigned as a [REDACTED]

I am providing this statement voluntarily. I have prepared the statement to the best of my recollection. I have had the opportunity to review available videos of the incident. It is possible that a future review of additional materials might refresh my recollection in the future.

I am familiar with the Dayton police department policies and procedures on use of force. I most recently completed my firearm qualifications for rifle in April of 2024. I most recently completed my firearm qualifications for handgun in October 2023.

On the morning October 19, 2024, I worked a shift from [REDACTED]

[REDACTED] I was wearing my uniform and operating my patrol car during my shift.

While on duty, I carry my Glock 17 9mm pistol along with 3 magazines containing 17 rounds each. One magazine is contained in the firearm, 2 are carried on my belt. My firearm had 18 rounds (1 in the weapon and 17 in the magazine).

I also have a Rock River .223 rifle stored in a rifle bag in the rear compartment of my vehicle along with one double stacked magazine. There are nine additional rifle magazines in a vest in my vehicle. Each magazine is capable of holding up to 30 rounds; our practice is to load only 28 rounds.

I became aware of a call from Dispatch at approximately 0845 on October 19, 2024. The weather that morning was clear and chilly.

I was located near the Dayton Art Institute. [REDACTED] stated on the radio that she was responding to a call for a "welfare check" on Rosedale Drive. She requested that additional units add to the call. I was informed that an

[REDACTED]

individual at the scene had threatened to have a shootout with police.

I proceed to a staging location at the intersection of Oxford and Rosedale. I parked my vehicle and retrieved my rifle. I chambered a round and kept the rifle with me. [REDACTED] joined me.

I parked my vehicle facing the scene from a different direction than other officers so I could maintain visual on the back of the residence. I exited my vehicle with my rifle and used my car to maintained cover. Other officers asked dispatch to call the residence; no response was received.

I observed a tan Buick turn on to Access Road from Rosedale. [REDACTED] and I started to approach the vehicle. The suspect opened the door. I observed the suspect holding a shotgun. He was pointing the shotgun in the air; I could not see his hands. I heard other officers ordering the suspect to drop the gun. [REDACTED] and I took a few steps back and took cover behind the driver's door of my car.

A family member appeared at the scene and appeared to be agitated. We were able to remove the family member from the scene; he later returned and we had to ask him to leave again before he remained with the suspect's family.

I covered the suspect for a few minutes. I discussed with [REDACTED] about whether we had an adequate backdrop and informed other officers how to avoid potential crossfire. [REDACTED] retrieved stop sticks from the back of my car and deployed them to prevent the suspect from leaving the scene. We moved to the passenger side of my vehicle and maintained cover on the suspect. We were subsequently joined at the location by [REDACTED]

[REDACTED] spoke to the suspect in an effort to diffuse the situation. He, along others, gave the suspect verbal commands to drop the weapon and leave his vehicle.

The suspect exited his vehicle and pointed his shotgun in the direction of other officers. I believed that I was in imminent danger of death or great bodily harm and the only means of escape from danger was the use of deadly force. I did not believe that I could safely withdraw from the location and adequately protect myself, other officers, or other possibly innocent persons in the area. I remained behind the car and

[REDACTED]

fired at the suspect. I believed that I had a clear line of sight on the suspect.

Other officers fired on the suspect as well. I observed the suspect fall to the ground. The shotgun was no longer in his hands. I approached the suspect. The suspect was searched and no other weapons were found. Other officers began life saving measures and a medic was called to the scene. The suspect was transported to a hospital.

I remained on the scene for a period of time. I left my vehicle at the scene. I, along with other officers at the scene, was transported to the Safety Building. I remained in my uniform until an evidence tech from BCI arrived. BCI photographed me and secured my firearm. I did not receive any injuries as a result of this incident.



11/4/24

Exhibit 3



Ohio Attorney General's Office
Bureau of Criminal Investigation



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).

[Redacted Name]

Printed Name of Interviewee

11/4/2024
Date / Time

[Redacted Signature]

Signature of Interviewee

STEVEN D. SEITZMAN
BCI Agent (Printed)

[Signature]
BCI Agent (Signature)