



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: 11/07/2024
Activity Location: Moraine Police Department – 4200 Dryden Road, 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 Thursday, November 07, 2024 at approximately 0957 hours, Ohio Bureau of Criminal Investigation Special Agent Steven Seitzman interviewed Montgomery County Sheriff's Office [REDACTED], who was accompanied by his Fraternal Order of Police attorney, Stew Mathews. [REDACTED] was identified as an officer who discharged his weapon during the OICI. The interview took place in a conference room at the Moraine Police Department, located at 4200 Dryden Road, Moraine, 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: [REDACTED]
Radio Call Sign: County [REDACTED]	Immediate Supervisor: Sergeant Josh Walters

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Radio Channel Utilized: South Dispatch	Mobile Data Terminal: Present & Utilized
Cruiser Description: Marked Ford Explorer	Occupants of Cruiser and Seating Positions: No
Assignment: [REDACTED]	Normal Shift: [REDACTED]
In-Car Camera: Operational & Utilized	Spotlight: Present; Not utilized
Emergency Lights: Present & Utilized	Siren: Present: Present & Utilized
Shift Day of Incident: [REDACTED]	Duty Status: On-Duty
Days Off: Rotating	Prior Overtime or Extra Details within Preceding 48 Hours: No
Hours of Sleep Prior to Incident: Approximately 6 or 7 hours	Consider Self Well Rested?: Yes
Total Length as Officer: Approximately 10 years	Length at Current Agency: Approximately 10 years
Physical Disabilities (to include hearing aid): N/A	Corrective Lenses: No Corrective Lenses
Uniform Worn: Black BDU-style uniform, black polo-style shirt with Ohio deputy sheriff shoulder patches, marked exterior ballistic vest	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: TASER and pepper spray
Ballistic Vest: Exterior	Body Worn Camera: Present & Used
Other Recording Devices: No	Partner: No
Injuries: No	Equipment Damage: No
Training or Areas of Specialty: Crime scene training, Crisis Intervention Team training, shooting reconstruction, traffic reconstruction courses	OPOTC Certification: Greene County Career Center, graduated in [REDACTED]
Military Experience/Training: No	Use-of-Force Training: Incorporated in yearly training and policy updates
Prior Shooting Incidents: Yes, January 8, 2024. Cleared. BCI Case # [REDACTED]	Prior Discipline or Use-of-Force Complaints: None related to excessive force or dishonesty.
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
Caliber/Gauge: 9 mm	Serial number: N/A
Type: Semi-Auto Handgun	Method of Carry: Holster
Magazine Capacity: 17	Total Rounds as Carried (including

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	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
Modifications/accessories: Weapon-mounted light	

Weapon #2

Make: Smith & Wesson	Model: M&P Sport
Caliber/Gauge: .223/556 caliber	Serial: As photographed
Type: Rifle; 16" barrel	Method of Carry: Rifle rack in the passenger compartment area
Magazine Capacity: Believed 30 but filled to 25	Total Rounds as Carried (including chamber): 25
Extra Magazines: Not on person.	Number of Rounds in Extra Magazines: N/A
Discharged During Incident? Yes	Primary or Backup Weapon: Primary
Rounds Remaining After Incident: 20 (The BCI Crime Scene Unit noted that the involved magazine contained 19 rounds. One round was chambered in the weapon.)	Number of Rounds Fired: 5
Right/Left-Handed Carry: Right-Handed	Ownership: Personally-owned
Last Qualification Date: Within the past 12 months	Type of Holster, if any: N/A
Modifications/accessories: Red dot optic but not used during the incident (used iron sights)	

Regarding the OICI, ██████ advised that he responded to an officer needs assistance call on Rosedale Drive. He knew that he was responding to a person with a gun. He responded from Montgomery County Sheriff's Office District 7 (555 Infirmary Road, Dayton, OH 45427). He estimated that it took him 5 to 10 minutes to arrive.

██████ advised that he parked on Rosedale Drive and walked up to the scene with his

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patrol rifle. He ended up positioning himself at the rear of a marked Dayton Police Dodge Charger. He advised that he could see the involved subject, Taylor Coleman Anthony Cotton, inside his vehicle, with his left foot sticking out. He could also see that Cotton had a long gun resting on his leg. He described the long gun as having a wooden stock and forend.

██████████ advised that Dayton police officers talked to Cotton throughout the encounter, often calling him by name. He recalled the Dayton police officers pleading with Cotton to drop the gun. He further remembered hearing them tell Cotton things to the effect of "If you just throw the gun down, we're not gonna come up. We're not gonna rush you," "We want to talk," "Nobody wants this." ██████████ stated that he did not hear or see any sort of response from Cotton.

██████████ advised that he heard some of Cotton's family members yelling throughout the encounter. He heard someone, whom he believed to be Cotton's brother, yell that the gun was unloaded. SA Seitzman asked ██████████ if he could tell from his position whether the gun was unloaded, to which he responded that he could not. He further stated that he would never assume a gun to be unloaded. He also recalled hearing an unknown female yelling that she had hoped the police would shoot Cotton.

██████████ said he was at his position for approximately 20 minutes, if not longer, at which point Cotton hopped out of the car and lowered the gun in the direction of Dayton police officers who were taking cover behind a blue car parked on Rosedale Drive. He remembered thinking that one Dayton police officer had a less lethal Pepper Ball launcher and a Dayton police sergeant, who was helping with negotiations, did not have a gun out. He felt that Cotton was going to shoot the officers. He said, "He obviously has enough rationale to lower the gun at officers with intention to obviously do physical harm, if not kill them." He said he fired his weapon at Cotton to save the lives of the police officers whom Cotton pointed his gun at. He said he also felt that he and the civilians who were present were endangered by Cotton's actions. He recalled thinking that if the shotgun was loaded with buckshot, the pellets could spray and hit people in the area. He remembered firing three to five rounds, but after he watched his body-worn camera footage, he learned that he likely fired five rounds. He said he put his iron sights on the center mass of Cotton's body. While he stated that he could not confirm whether his rounds struck Cotton, he said he had a good sight picture and sight alignment. He stated that he knew other officers fired. He believed some of the officers behind the blue car fired, as did the Moraine police officer ██████████ who was next to him.

██████████ advised that he stopped firing once he saw that Cotton was down and the gun was out of his hands. He observed Dayton police officers move up to Cotton to render medical aid. ██████████ recalled checking the car to ensure no one else was inside of it. He was aware that a medic had already been called to the scene. He recalled seeing the shotgun on the ground, and even at that point when he was closer to it, he could not tell whether the gun was loaded. He then notified his supervisor, Sergeant Joshua Walters, that he fired his weapon. He then secured his patrol rifle in the back of Sergeant Walters' vehicle. He later retrieved the rifle to take to the Dayton Safety Building for processing by the BCI Crime Scene Unit.

██████████ stated that he believed he acted within the policies and procedures of the Montgomery County Sheriff's Office.

The interview was concluded at 1022 hours. The BCI Criminal Investigation Notification form and audio recording of the interview are attached below.

Attachments:

Attachment # 01: 2024-11-07 Interview of Montgomery County Sheriff's [REDACTED] [REDACTED]

Attachment # 02: BCI Criminal Investigation Notification- MCSO [REDACTED] [REDACTED] [REDACTED]

Exhibit 1

Included as a separate file.

Exhibit 2



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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).

[Redacted]
Printed Name of Interviewee

11-7-24 0959
Date / Time

[Redacted]
Signature of Interviewee

STEVEN D. SEITZMAN
BCI Agent (Printed)

[Signature]
BCI Agent (Signature)