



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 1629 hours, Ohio Bureau of Criminal Investigation Special Agents Steven Seitzman and Richard Ward 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:**

<b>Name:</b> [REDACTED]	<b>Rank:</b> [REDACTED]
<b>Badge Number:</b> [REDACTED]	<b>Cruiser/Vehicle Number:</b> [REDACTED]

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Radio Call Sign: [REDACTED]	Immediate Supervisor: Lieutenant David Matthews
Radio Channel Utilized: Dayton East (portable radio); TAC West Channel 6 (in car)	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	Spotlight: Present; Not utilized
Emergency Lights: Present & Utilized	Siren: Present & Utilized
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: Since October 9, 2023	Length at Current Agency: Since [REDACTED]
Physical Disabilities (to include hearing aid): N/A	Corrective Lenses: No Corrective Lenses
Uniform Worn: Navy blue shirt with Dayton Police patches. Navy Blue cargo-style pants. Black exterior ballistic vest with badge and name on the front and police written on the back.	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: Collapsible baton and TASER conducted energy weapon
Ballistic Vest: Exterior	Body Worn Camera: Present & Used; Reviewed prior to BCI interview
Other Recording Devices: No	Partner: No
Injuries: No	Equipment Damage: No
Training or Areas of Specialty: None	OPOTC Certification: Graduated from the Sinclair Police Academy in [REDACTED]. Also graduated from a 10 week Dayton Police Academy program in [REDACTED].
Military Experience/Training: No	Use-of-Force Training: Annual during firearms qualifications. He had recent use of force training at both of the academies he attended.
Prior Shooting Incidents: No	Prior Discipline or Use-of-Force Complaints: None related to use of 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

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**Officer's Firearm(s):****Weapon #1**

<b>Make:</b> Glock	<b>Model:</b> 17
<b>Caliber/Gauge:</b> 9 mm	<b>Serial number:</b> N/A
<b>Type:</b> Semi-Auto Handgun	<b>Method of Carry:</b> Holster
<b>Magazine Capacity:</b> 17	<b>Total Rounds as Carried (including chamber):</b> 17 + 1
<b>Extra Magazines:</b> 2	<b>Number of Rounds in Extra Magazines:</b> 17
<b>Discharged During Incident?</b> No	<b>Primary or Backup Weapon:</b> Primary
<b>Rounds Remaining After Incident:</b> 18	<b>Number of Rounds Fired:</b> 0
<b>Right/Left-Handed Carry:</b> Right-Handed	<b>Ownership:</b> Department Owned
<b>Last Qualification Date:</b> Within the past 12 months	<b>Type of Holster, if any:</b> Issued holster
<b>Modifications/accessories:</b> None noted	

**Weapon #2**

<b>Make:</b> LWRC	<b>Model:</b> DI
<b>Caliber/Gauge:</b> .223	<b>Serial number:</b> N/A
<b>Type:</b> Rifle; 16" barrel	<b>Method of Carry:</b> Gun rack in passenger compartment
<b>Magazine Capacity:</b> 30	<b>Total Rounds as Carried (including chamber):</b> 28
<b>Extra Magazines:</b> 2	<b>Number of Rounds in Extra Magazines:</b> 28
<b>Discharged During Incident?</b> Yes	<b>Primary or Backup Weapon:</b> Primary
<b>Rounds Remaining After Incident:</b> Stated unknown  (The BCI Crime Scene Unit noted that the involved magazine contained 17 rounds plus one round chambered in the weapon.)	<b>Number of Rounds Fired:</b> Believed 4 or 5 rounds
<b>Right/Left-Handed Carry:</b> Right-Handed	<b>Ownership:</b> Department Owned
<b>Last Qualification Date:</b> Within the past 12 months	<b>Type of Holster, if any:</b> N/A
<b>Modifications/accessories:</b> Red dot optic	



██████████ 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.

██████████ read his statement into the record. He explained that he responded to the scene after a county-wide call for an officer needing assistance was broadcast. While traveling to the scene, he learned that the involved subject, later identified as Taylor Coleman Anthony Cotton, had a firearm. Regarding the critical moments of the incident, he wrote:

*"I parked my vehicle about half a block from the scene. I observed ██████████ and Kloos behind a vehicle. They had their weapons pointed at the suspect and were engaging in a dialogue. I could not hear exactly what was being said at the time. I observed that the suspect was in a tan Buick and had a long gun pointed up in the air.*

*I had my rifle in my hand. I placed my weapon on the hood of a cruiser and maintained cover on the suspect. ██████████ spoke to the suspect in an effort to diffuse the situation. He, along with others, gave the suspect verbal commands to drop the weapon and leave his vehicle.*

*After a bit of time, the suspect exited his vehicle and pointed his long gun 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. I took a step back to assure the scene was safe. I put my weapon on safety and approached the suspect along with other officers. I observed a shotgun near 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. "*

██████████ stated that once he arrived at the scene, he learned that the issue possibly involved a mother and son. He stated that he worked his way up to the scene and positioned himself near the hood of a parked Dayton Police Ford Explorer, which was south of the involved tan Buick. He saw Cotton in the vehicle with his left leg out of the car. He further said that Cotton had a long gun resting on his left leg with the barrel pointed straight up. He recalled hearing someone, whom he believed to be Cotton's brother, yelling that the police needed to leave and that he would "go over to his brother and kick his ass." He also remembered hearing an unknown female subject "taunting the brother and stating that she hoped something bad happened [to Cotton]."

SA Seitzman asked ██████████ if he could hear what ██████████ said to Cotton. He stated that he did not hear the specific words; however, he understood that Officer

██████████ was making efforts to de-escalate the situation. He did not hear or observe Cotton respond to ██████████ ██████████.

██████████ ██████████ advised that Cotton eventually exited his vehicle. He recalled Cotton's body initially faced in his direction. He then said Cotton pointed the barrel of the long gun in the direction of several officers beside a parked blue car on Rosedale Drive. He remembered thinking that he had to act, particularly because he knew that Sergeant Jeffery Spires, who was with the group of officers beside the blue car, did not have his firearm out. He said he was "thinking of protecting other officers and myself, because I didn't know what the gentleman was capable of, or if he was intending on firing or not. I just knew that there was a gun being pointed at officers and their safety was paramount to me." At that point, he made the decision to discharge his weapon. He said he aimed with his red dot optic. He said his red dot was initially in the center of Cotton's chest area; however, when Cotton exited his vehicle, the red dot shifted slightly lower toward the center of his torso area.

██████████ ██████████ said that he recalled firing four rounds; however, he learned that he likely fired ten rounds after the BCI Crime Scene Unit performed a round count.

██████████ ██████████ stated that he believed his actions were consistent with his training and the policies and procedures of the Dayton Police Department. He also stated that he believed the other law enforcement officers acted appropriately.

The interview concluded at 1651 hours. ██████████ ██████████'s signed statement, signed BCI Criminal Investigation Notification form, and the interview audio recording are attached below.

#### References:

No references.

#### Attachments:

Attachment # 01: 2024-11-04 Interview of Dayton Police ██████████ ██████████ ██████████

Attachment # 02: Typed Statement of ██████████ ██████████ ██████████

Attachment # 03: Criminal Investigation Notification- ██████████ ██████████ ██████████

# **Exhibit 1**

**Included as a separate file.**

## **Exhibit 2**

**STATEMENT OF [REDACTED]**

**OCTOBER 24, 2024**

I am a [REDACTED] with the Dayton Police Department. I have been employed as a law enforcement officer since 2023. I have been employed by Dayton since [REDACTED] I graduated from the Dayton Police Academy and Sinclair Police Academy in [REDACTED]

I am currently assigned as a Patrol Officer.

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 the Fall of 2024. I most recently completed my firearm qualifications for handgun in Fall 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, and the remaining 2 are carried on my belt. My firearm had 18 rounds (1 in the weapon and 17 in the magazine).

I also have a LWRC .556/.223 rifle stored in a rack in the passenger compartment in your vehicle along with three magazines. Each magazine is capable of holding up to 30 rounds; our policy 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 cool. I was aware that officers were responding to a potentially problematic call and monitoring radio traffic. I heard a "99 call," which indicates a request for assistance from an officer in distress.

I proceed to the scene.

I parked my vehicle about half a block from the scene. I observed [REDACTED] and Kloos behind a vehicle. They had

[REDACTED]



their weapons pointed at the suspect and were engaging in a dialogue. I could not hear exactly what was being said at the time. I observed that the suspect was in a tan Buick and had a long gun pointed up in the air.

I had my rifle in my hand. I placed my weapon on the hood of a cruiser and maintained cover on the suspect. [REDACTED] spoke to the suspect in an effort to diffuse the situation. He, along with others, gave the suspect verbal commands to drop the weapon and leave his vehicle.

After a bit of time, the suspect exited his vehicle and pointed his long gun 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. I took a step back to assure the scene was safe. I put my weapon on safety and approached the suspect along with other officers. I observed a shotgun near 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.

[REDACTED] 11/4/24 1632

## **Exhibit 3**



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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

11/4/24 1631  
\_\_\_\_\_  
Date / Time

[Redacted]  
\_\_\_\_\_

STEVEN D. SEITZMAN  
\_\_\_\_\_  
BCI Agent (Printed)

[Signature]  
\_\_\_\_\_  
BCI Agent (Signature)