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

2022-1782
Officer Involved Critical Incident -3295 Sullivant Avenue, Apt. H, Columbus OH 43204 (L)

Investigative Activity:	Interview with Officer, Document Review
Involves:	K9 Ofc. Ricky Anderson (S)
Date of Activity:	10/20/2022
Author:	SA Todd Fortner, #93

Narrative:

On August 30, 2022, BCI was requested by the Columbus Division of Police (CPD) to investigate an Officer-Involved Critical Incident at 3295 Sullivant Avenue, Apartment H, in Columbus. CPD officers were at the apartment attempting to serve an arrest warrant on the resident of apartment H, Donovan Lewis (Lewis). During the incident, an officer fired a single shot, striking Lewis. Lewis was transported to the hospital where he died.

On November 15, 2022, Special Agent Todd Fortner (SA Fortner) received a written statement from CPD Officer Ricky Anderson (Ofc. Anderson) through his attorney, Mark Collins. Following is a summary of the statement. The statement is attached to this report and should be referred to for further details.

In his statement, Ofc. Anderson stated that he had been a CPD officer since 1991. He is assigned to uniform patrol as a K-9 handler. On August 30, 2022, he said he was called on the radio by officers at 3295 Sullivant Ave., to respond as they had an individual with a felony warrant refusing to come out. He said it only took him 2-3 minutes to arrive.

Upon arriving, Ofc. Anderson said he was told the subject had warrants for domestic violence and improper handling of a firearm. He and his K-9 partner joined officers on the second floor balcony outside apartment H. Ofc. Anderson said he gave verbal commands to come out or he would release the dog. He said he received no response and released the dog into the apartment. He said the dog went out of view around the corner of the back wall twice and heard someone yell something at the dog. He then heard a door shut.

Ofc. Anderson said he and Sgt. Knox entered the apartment and eventually made it to the bedroom door which was closed. They gave further commands and warnings and Ofc. Anderson put the dog back on his leash. Ofc. Anderson stated he was holding the dog leash with his left hand and he opened the door with his right hand. He said he saw Lewis kneeling on the bed and believed that he had a gun in his right hand and Lewis was raising it towards him. He said he drew his weapon and fired one shot. He said other officers entered the room

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.

to secure Lewis and render aid while he took his dog back to his cruiser. He said he was then escorted from the scene and had no further involvement.

Ofc. Anderson explained why he shot Lewis. He said he knew Lewis had a felony warrant for a weapons violation. He said he saw what he thought was a gun in Lewis' hand and he thought he was about to be shot. He said he shot from a foot or two outside the bedroom door and he stated he no cover or concealment. Ofc. Anderson said he feared for his life and the lives of other officers when he decided to fire his weapon. Ofc. Anderson stated, "I did not believe I had any other choice."

Attorney Mark Collins said they would answer questions about the statement but Ofc. Anderson would not consent to an interview at this time.

Attachments:

Attachment # 01: Anderson Statement

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.

STATEMENT OF OFFICER RICKY ANDERSON, BADGE NO. 1144

This statement is in regard to my involvement with an incident that occurred between approximately 2:30 a.m. and 2:45 a.m. on Tuesday, August 30, 2022. I am making this statement voluntarily as part of the criminal investigation being conducted by the Bureau of Criminal Investigation regarding this matter.

My date of hire as a police officer with the Columbus Division of Police ("CPD") is September 15, 1991. My regular assignment is K9-3, which is also my call number. My regular duty hours are from [redacted] On the date of this incident, I was assigned cruiser K9-3, which is my take home cruiser. I was not working with a human partner but did have my police K9 (Boef) in the cruiser. I was in my black CPD K9 uniform. I was wearing my Kevlar outer vest over my shirt. I had my Body Worn Camera (BWC) mounted to the front of vest. 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 not carrying a backup weapon.

Prior to joining CPD, I worked as a police officer for Commercial Point Police Department and New Albany Police Department. I am an Ohio Peace Officer Training Academy (OPOTA) certified K9 handler. I have also completed basic Specialized Weapons and Tactics training with CPD. I do not have any military experience.

I wear contact lenses and my corrected is good. I had my contacts in at the time of this incident. I do wear a hearing aid and my corrected hearing is good. I do not take any prescription or over the counter medications that interfere with my ability to perform my duties as a Columbus Police Officer. I had not consumed any drugs or alcohol in the 24-hours prior to

my shift. 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 2:30 a.m., I was at a shooting scene that had a juvenile victim on the west side of Columbus and Officer Dorsey contacted me over the radio and asked me to come to 3295 Sullivant Avenue as they had a 50A (individual with outstanding felony warrants) refusing to come out. I stated that I told radio to send it to me and I was on my way. I was not far from that location. I got into my cruiser and activated my lights and sirens and drove to 3295 Sullivant Avenue. I would estimate that I arrived within 2-3 minutes. 3295 Sullivant Avenue is a 3-story apartment building. The apartments are flats or single level and each apartment has an individual entrance from the outside. When I pulled into the parking lot, I noticed several CPD cruisers in the lot. I parked and I got my K9 out of the back of the cruiser. As my dog and I walked through the parking lot, towards the apartment building, I noticed CPD officers on the second-floor balcony and a door to one of the apartments was opened.

As I walked up to the second floor with my K9, Officer Dorsey yelled over the balcony railing that the suspect had warrants for domestic violence and improper handling of a firearm. When I reached the second floor, I noticed there were two individuals secured and sitting several feet to the right of the open apartment door with a CPD officer. There were two more CPD officers standing just outside the open apartment door and there were lights on inside the apartment. I reached the opened door and yelled in "Police K9" and to come out or I would send in the dog, or words to that effect. I gave Boef the command to bark (light) so that the suspect would know that there was in fact a dog on scene. There was no response, I believe I again yelled to come out now. I took Boef off his leash and told him to "find him" and let him go into the apartment while I remained outside the threshold of the door.

The apartment door appeared to open into a living room with a kitchen to the south. There was a wall obstructing the full view of the kitchen and Boef went around that wall and I heard someone yell something at the dog, I believe he said "Boo" but I am not sure, as it could have been "Boef" since his name is on his collar. Boef started to return to me (I think he was returning to me because he heard the suspect yell "Boo" or "Boef" and I think he thought that was me giving him a command to return to me) so I again gave the "find him" command. He went back around the wall and someone yelled "Boo" or something similar at the K9 again. I believe another CPD officer, I think Sgt. Knox, yelled that the dog was going to bite him if he didn't come out. Boef again began to return to me and I redirected him again and while he was returning, I heard what sounded like someone close a door.

Another CPD officer then stated we should move up. I entered the apartment with my gun drawn. CPD Sgt. Knox and I believe CPD Officer Randall entered behind me. I walked through the living room, around the wall, and to the kitchen area where the dog had been and where I heard someone yell at the dog and close a door. Sgt. Knox was to my left and I believe Officer Randall was in the living room area. There were two doors on the west wall of the kitchen. I holstered my gun, put Boef back on his leash, and pulled opened the first door which was a small closet. I closed that door. I turned the doorknob and pushed open the second door. I saw a male, looking at me, with a knee on the bed and his left arm pushing the front half of his body forward, like he was coming out of the bed. Suddenly, his right hand came out from behind his leg and I saw what I believed to be a gun in his right hand coming toward me. At that moment, I pulled my weapon from its holster and fired one round.

The suspect went completely down onto the bed. I believe Sgt. Knox was yelling "he's got something in his hands" or words to that effect. Sgt Knox gave verbal commands to the

suspect to come out but he did not. Officer Dorsey came up behind me to provide additional cover. I got Boef out of the apartment so that Officer Dorsey and Sgt. Knox (and any other first responders) could enter the bedroom, secure the suspect, and render aid. I took Boef out of the apartment and I placed him in the back of the cruiser. I saw Officer Dodrill retrieve his medical bag from his cruiser. I also saw Sgt. Knox and Officer Dorsey carry the suspect out of the apartment, and down the stairs, so that medics would be able to treat him more quickly. Medics arrived and took over rendering aid. CPD Officer Support arrived and I returned to the Columbus Police Academy where I waited for BCI Agents to arrive and provided them with my weapon. I was also willing to conduct a scene walk through but BCI did not wish to conduct one. This ended my involvement in this incident.

I fired one round at the suspect. I fired from a standing position, a foot or two outside the bedroom door. I believe that I was approximately 15-20 feet from the suspect when I fired. I fired from a standing position with a one-handed (right hand) grip while my left hand was holding Boef's leash. I do not believe I utilized my sights. The direction of my shot was south. My backdrop was the second-floor exterior wall of the apartment. My target was center mass. I did not have any cover or concealment when I fired. I only fired once because the suspect went down onto the bed.

At the time I fired my weapon, I was in fear for my life as well as the lives of the other officers in the apartment. I knew that the suspect had outstanding warrants that included a weapons violation, as well as crime of violence. I knew that the patrol officers had been trying to get him to come out for some time prior to my arrival. Once I arrived, he was given multiple opportunities to surrender peacefully and even after being warned that we would send in the dog, he did not come out of the room. Instead, he yelled at the dog twice and closed the bedroom

door. Immediately before I fired my weapon, I pushed the door open and he appeared to be coming off of the bed (my view was the east and south of the room), toward me, bringing forward his right hand that I truly believed had a gun in it. I honestly believed I was about to be shot. I did not believe I had any other choice to protect my life and the lives of the other officers in the apartment at the time I fired my weapon.

I have now had an opportunity to watch the Body Worn Camera footage of this incident. I know now that he did not have a gun but that it was a vape mod/pen in his right hand.

I know that the suspect's name is Donovan Lewis. I do not believe I have ever had any prior encounters, professional or personal, with this suspect.

This concludes my statement.

Off. R. Anderson #1144

Officer Ricky Anderson, Badge #1144