



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



2024-3413
Officer Involved Critical Incident - Calvin Darapheth (V)

Investigative Activity: Body Camera Footage Review
Involves: Officer Noah Burkholder
Activity Date: 11/05/2024
Activity Location: 1105 Bernard Avenue, Findlay, Ohio
Authoring Agent: SA Joshua S. Rammel

Narrative:

On November 5, 2024, Special Agent (SA) Josh Rammel (Rammel) reviewed the body worn camera (BWC) footage from Officer Noah Burkholder (Burkholder) of the Findlay Police Department (FPD) regarding the Officer Involved Critical Incident (OICI) that took place at 1105 Bernard Avenue, Findlay, Ohio, 45840 on October 28, 2024.

The BWC footage started at 18:39:39 on October 28, 2024, and the length of the footage is one (1) hour 16 minutes and 51 seconds.

The footage begins with Burkholder in his cruiser driving. At 18:40:09, the audio for the footage begins.

At 18:40:19, Burkholder arrived on scene to assist [REDACTED] at a call for service in the park at a picnic table involving alleged juveniles drinking alcohol.

At 18:40:35, Burkholder contacted [REDACTED], who was in the process of identifying three juvenile individuals Calvin Darapheth (Kalvin), Autumn Pickney (Pickney), and Sam Milledge (Sam).

Burkholder assisted [REDACTED] as [REDACTED] engaged with the three juveniles during the identification process.

At 18:42:25, Burkholder helped [REDACTED] by getting all identification information from Sam

At 18:43:55, Burkholder assisted [REDACTED] with taking possession of all the alcohol bottles and vaping pens from the juveniles.

At 18:45:29, [REDACTED] contacted Calvin's mother using a cell phone. [REDACTED] informed Calvin's mother that Calvin was going to be arrested and transported to the Findlay Police Department before the cell phone was disconnected.



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At 18:46:30, Pickney requested that she be taken to the hospital instead of the Findlay Police Department because she needed "mental health help". [REDACTED] informed Pickney that he needed to address the underage alcohol use first and then would address Pickney's request.

At 18:47:11, Calvin's mother contacted [REDACTED] again. [REDACTED] described the details of Calvin's arrest and reiterated that Calvin can be picked up from the police department.

At 18:48:10, Burkholder asked Pickney and Sam if they had anything else on them. Pickney cleared out her pockets and placed all items on the picnic table for Burkholder.

At 18:48:34, as [REDACTED] ended the conversation with Calvin's mom, Calvin took off running behind where [REDACTED] was standing. [REDACTED] began a foot chase after Calvin. Calvin can be seen with his right hand on his right hip as he runs away from [REDACTED]

At 18:48:36, Burkholder told Pickney and Sam to "stay here" as Burkholder held the position while [REDACTED] ran after Calvin.

At 18:48:38, Calvin is seen twisting his body in a way to momentarily put his right side, including shoulder and arm, towards [REDACTED] appearing as if Calvin was aiming his arm behind himself as Calvin and [REDACTED] continued to run. One (1) shot is heard, and a muzzle flash is seen.



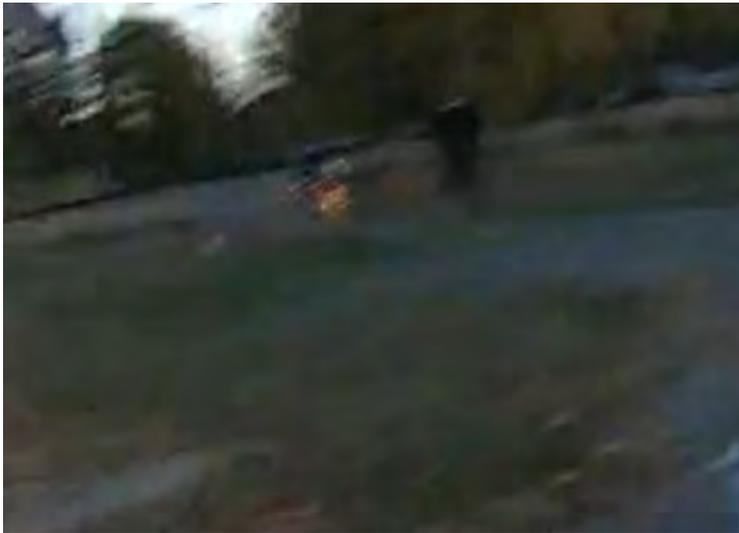


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At 18:48:39, one (1) additional shot is heard and a second muzzle flash and sparks from the round hitting the concrete ground can be seen next to Calvin as Calvin continued to run.



At 18:48:42, Burkholder leaves the other juveniles and proceeds after Calvin and [REDACTED]. Burkholder informs dispatch that shots were fired.

Between 18:48:43 and 18:48:46, eight (8) additional shots are fired from the direction of [REDACTED] and Calvin as Burkholder followed.

At 18:48:51, two (2) additional shots were heard in the direction of [REDACTED] and Calvin.

At 18:48:58, Burkholder arrived at an area where [REDACTED] was visible. Burkholder informed dispatch the direction they were running.

At 18:49:01, [REDACTED] can be heard giving commands to Calvin. [REDACTED] has stopped running and can be seen pointing his gun towards a line of trees near his location. [REDACTED] informed Burkholder "I [REDACTED] got him".

At 18:49:13, Burkholder arrived where Calvin can be seen on the ground. Burkholder drew his weapon as Calvin can be heard moaning and crying on the ground.



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Burkholder and [REDACTED] give several commands to Calvin to "throw out the gun" or similar statements as Calvin continued to moan and cry.

At 18:49:30, Burkholder advised dispatch that the subject had been shot and provided clear directions as to where they were located.

At 18:50:25, [REDACTED] informed dispatch that Calvin was hit with a round at least once, and that Calvin had a head wound.

At 18:50:34, as [REDACTED] and Burkholder slowly approached Calvin, Burkholder said that he could see Calvin's gun underneath him as he was lying on the ground still moaning and crying.

At 18:50:37, Burkholder secured his weapon as [REDACTED] and Burkholder approached Calvin to provide medical care.

At 18:51:03, Burkholder took possession of Calvin's gun, cleared the chamber and the gun, and placed the gun in the grass away from Calvin. Burkholder informed dispatch that additional suspects were still at the park.

At 18:51:14, [REDACTED] commented that Calvin had a "major head wound".

At 18:51:29, Burkholder ran back to the cruiser to get a chest seal for Calvin's potential wounds.

At 18:52:28, Burkholder arrived back at Calvin's location with a medical kit to utilize a chest seal.

At 18:52:50, Burkholder identified an additional injury with blood loss to Calvin's right buttocks.

At 18:53:27, Burkholder began to apply an Ace bandage to the wound on Calvin's buttocks as [REDACTED] and another unidentified Findlay Police Officer tend to the other wounds on Calvin. Calvin is heard still breathing and moaning.

At 18:54:20, an additional chest seal is applied to Calvin's upper right chest.

At 18:54:28, compression is held on Calvin's head wounds as the other wounds are already bandaged and sealed up.

At 18:54:38, both Burkholder and [REDACTED] indicated that they do not know how many shots were fired. Burkholder points out to other officers that Calvin also has an apparent gunshot wound to his buttocks.



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At 18:55:25, Burkholder leaves the scene and takes possession of Calvin's gun along with [REDACTED]. Burkholder secures the gun in a Findlay Police cruiser. Burkholder returns to assist with medical attention to Calvin.

At 18:56:54, additional medical wraps are applied to Calvin's head.

At 18:57:37, Burkholder and multiple other emergency personnel move Calvin to a gurney followed by EMS moving Calvin to an ambulance.

Burkholder remained in the ambulance with EMS as Calvin was receiving additional medical attention. During this time EMS were able to confirm multiple gunshot entrance and exit wounds on Calvin's head, chest, and hip.

At 19:05:30, Burkholder remained with the ambulance as it left the scene in route to the hospital with Calvin. EMS continued to provide medical attention to Calvin during the drive.

At 19:11:04, the ambulance arrived at the hospital and Calvin was brought into the hospital.

At 19:13:00, Burkholder described the details of the altercation to medical personnel at the hospital.

At 19:25:59, the call was made for Care Flight to transport Calvin to a hospital in Toledo.

Medical attention was provided to Calvin as Burkholder remained in the room until Calvin was transported out of the room at 19:46:00. Burkholder followed medical staff as they transported Calvin to the radiation room for additional medical attention.

At 19:51:02, a member of the nursing staff advised that Calvin's mother was at the hospital in a waiting room.

At 19:56:30, Burkholder deactivated his BWC, and no additional footage was obtained. Calvin was still in the radiation room getting x-rays.

ADDITIONAL FACTORS FOR EVALUATING THE VIDEO RECORDINGS

There are numerous other factors that need to be considered when reviewing and evaluating the videos and audio recordings of this incident. Those factors are:

A. Video recording devices record within the video and sound capabilities available, and they record objectively. Video recordings lack the history, perspective, and interest



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of the people involved. The positions, angles, obstacles, lighting, and distance from the incident are also factors that need serious consideration.

B. Video recording devices also record more information about a particular scene or incident than the person(s) involved in the incident can process during the critical incident. Video recording devices rarely record an event from the same perspective of the officer. It captures the action but not the perception, decision making, focus, or intent of the officer. Video recordings often miss tactile cues or other actions of a subject.

C. The speed of the incident is remarkable. The speed and complexity of rapidly evolving situation(s) that occur during use of force encounters are difficult concepts to comprehend by only watching the video.

Burkholder's BWC footage was stored in Axon's cloud-based storage system accessible by BCI. A link granting access to Burkholder's footage was provided to the Hancock County Prosecutor's Office (HCPO) for additional review.

The BWC footage was labeled "Reference Item B" and listed in the evidence of this investigation as a "Reference Only". See the Axon link for the full BWC details.