Ohio Attorney General's Office
Bureau of Criminal Investigation
Prosecutor Summary

Officer-Involved Critical Incident – 2022-1782

To:	G. Gary Tyack, Franklin County Prosecutor
From:	Todd Fortner #93, Special Agent, Ohio BCI
Date:	December 5, 2022
Involves:	CPD Officer Ricky Anderson
BCI Case Numbers:	2022-1782
	BCI Laboratory: 22-18208

Investigative Request

On Tuesday, August 30, 2022, Sgt. Terry McConnell of the Columbus Division of Police requested the assistance of the Ohio Bureau of Criminal Investigation's (BCI) Special Investigations Unit (SIU) and Crime Scene Unit (CSU) in conducting an independent investigation into the facts and circumstances surrounding an officer-involved shooting incident. The incident reportedly occurred on August 30, 2022 in the area of 3295 Sullivant Ave., Apt. H, Columbus, Ohio 43204, and resulted in the death of Donovan Latrell Lewis.

Preface:

This report serves as a synopsis of the investigation into the August 30, 2022 officer-involved shooting in Franklin County, Ohio. This report only summarizes the information that the investigative team determined to be the most useful in achieving an overall understanding of what occurred in this incident. Every fact and detail is not presented in this summary report. Therefore, it is recommended that each individual report from which this document is derived be read in order to obtain a complete understanding of this investigation. Further, audio and/or video recordings exist for the majority of the interviews conducted, revealing further details of statements given regarding the incident.

This investigation was conducted with the purpose of determining, to the extent possible, the facts and circumstances surrounding this incident. As unbiased collectors of fact, the investigative team has not and will not render any opinion of the legality of officers' actions. Instead, it is anticipated that this investigation will provide the basis of information for decisions to be rendered by the appropriate authorities.

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Investigative Team

Lead BCI Special Agent:

- SA Todd Fortner

Assisting Investigative BCI Special Agents:

- SA James Poole
- SA Matthew Collins

BCI Crime Scene Special Agents:

- SA Chad Holcomb
- SA Sarah Taylor

BCI Investigative Supervisors:

- Special Agent Supervisor Kevin Barbeau
- Special Agent Supervisor Josh Durst

Summary of Process

The following is a partial list of investigative activities or methods which were employed during the course of this investigation by the investigative team in an effort to thoroughly and accurately locate and document all pertinent facts and circumstances regarding this incident:

- Review of written statement of the one officer who discharged his weapon
- Recorded interviews of four officers who were involved in the incident, at the scene, or otherwise deemed to potentially have relevant information
- Neighborhood canvass of the area surrounding the scene
- Interviews of four civilian witnesses
- Interviews of family members or associates of the decedent
- Obtained and reviewed EMS and hospital records.
- Obtained and reviewed post mortem examination (autopsy) and toxicology reports
- Obtained and reviewed police reports of prior law enforcement contacts with the subject
- Obtained and reviewed open and closed-source biographical information on the involved subjects, to include criminal history reports, OHLEG, driving records, etc.
- Review of all available body cameras involved in the incident
- Review of all available surveillance video which captured any portion of the incident

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- Processing of the scene for potential evidence (photographing, searching, measuring, documenting, and collecting)
- Reviewed audio communications on the radio frequencies utilized during the incident
- Review of 911/phone communications related to the incident
- Review of dispatch/CAD records pertaining to the incident
- Review of the department's reports, photographs, and investigative materials pertaining to the incident, excluding any Garrity statements or information derived from any compelled statement
- Conducted forensic laboratory examinations to include:
    1. Firearm identification testing of involved firearms, casings, and bullets
    2. Firearm operability testing
- Collected and reviewed the departmental personnel files of the officer involved in the shooting, to include training and disciplinary records (if any)
- Reviewed firearm qualification and training records for involved officer
- Verified the Ohio Peace Officer Training Commission (OPOTC) certification status of the officer(s) who discharged their weapons
- Obtained the department's policies and procedures regarding use of force for prosecutorial review
- Enhancement of audio/video recordings

Incident Summary/Overview

On Tuesday, August 30, 2022, at about 0330 hours, the Bureau of Criminal Investigation (BCI) was requested by Columbus Police Department (CPD) to respond to 3295 Sullivant Ave., Columbus, Ohio, in reference to an Officer-Involved Critical Incident. Agents were informed CPD was attempting to serve an arrest warrant at the listed address and during their interaction with Donovan Lewis (involved party) an officer discharged his firearm. Lewis was transported to the hospital with an alleged gunshot wound. Lewis later died at Grant Hospital. Special Agent Todd Fortner was assigned as lead Special Investigations Unit (SIU) agent.

BCI Crime Scene Unit agents and SIU agents responded to the scene and were briefed by CPD personnel. They advised the incident took place inside apartment H. They advised Donovan Lewis had refused to come out of a back bedroom or respond to their commands. A police K-9 was deployed into the room and the male subject could be heard. The K-9 exited the door and the door was shut by the subject. Sgt. Chance Knox and K-9 Ofc. Ricky Anderson approached the door and Anderson opened it. He then drew his weapon and fired a single shot. Lewis was struck in

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the lower torso. Officers then provided medical aid and carried Lewis outside. Medics arrived and transported Lewis to the hospital where he died.

Four witnessing officers were taken to a substation, but were being returned to the area to be interviewed and to obtain their body worn cameras. CPD obtained a search warrant for the apartment and agents began processing the scene and locating and interviewing witnesses.

Subsequent Investigation

Video Review

Surveillance video from the apartment showed the police arrival, taking 2 suspects into custody and entering the apartment. It also showed officers carrying Lewis out of the apartment.

Body worn cameras of the officers showed the incident. Officers arrive and try to make contact for some time. Two subjects are eventually removed from the apartment and detained. Ofc. Anderson arrived and sent his K-9 partner into the apartment. Lewis can be heard talking to the dog then shutting his bedroom door. Sgt. Knox and Ofc. Anderson entered the apartment. Ofc. Anderson had his dog on the leash, opened the bedroom door, drew his weapon and fired one time then reholstered his weapon. Officers rendered aid to Lewis and carried him down the stairs to meet the medics.

Post-Mortem Examination / Autopsy Report

The autopsy report for the decedent (Donovan Lewis) was obtained from the Franklin County Coroner's Office. A review of those documents revealed the following information:

[redacted]

Physical Evidence and Laboratory Reports

Various items of potential evidence were submitted to the BCI Laboratory for analysis. The actual reports should be consulted as the following synopsis does not include many of the details from the full reports.

The BCI Firearms Section performed an analysis of the officer's firearm, as well as the firearm-related evidence collected from the scene and autopsy (casings and bullets). By comparing

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evidentiary cartridge casings/projectiles to known standards from the weapon, identifications were able to be made as to which casings/projectiles were fired from each firearm. Of the casings/projectiles recovered, the following identifications were made:

- The cartridge case collected at the scene, as well as the bullet recovered from the decedent at autopsy, were identified as coming from the S&W, M&P9 pistol, recovered from Ofc. Anderson

Personnel Records Review

SA Fortner received training and disciplinary records of Ofc. Anderson. His credentials and training were up to date. His disciplinary files did not contain or any sustain allegations of excessive for or bias of any kind.

Investigative Interviews

The following information comprises extremely abbreviated versions of the statements made by the witness and/or participants of this incident deemed by the author to be of most relevance to the overall understanding of the incident. More detailed accounts can be found by reading the separate reports written by the interviewers and by reviewing the recordings of each interview, including those not synopsized below.

Relatives

Lewis' mother, Rebecca Duran, was contacted at her home. She advised Lewis suffered from serious mental disorders and was non-compliant with his medication. She began to talk about his troubled past until her attorney, who was on speaker phone, advised her not to talk anymore.

Civilian Witnesses

William Caldwell-Chatters and Aaron Washington were in the apartment when police arrived. They stated they were removed from the apartment and detained on the balcony. They said officers shouted commands and let the K-9 in the apartment before they entered. They could not see Lewis inside the bedroom but saw the officers and heard one shot. The two then saw officers carry Lewis down the stairs.

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Matthew Adams lived in apartment F. He stated he knew Lewis had assaulted his girlfriend in the past. He said Lewis was violent towards him and his mother too. He did not see this incident but he did hear police shouting for Lewis to come out of the apartment.

Timothy Mackan contacted police to say that he was familiar with Lewis from interactions at the local corner store. He stated he heard Lewis say that he wanted to die because life wasn't worth living. Mackan said he tried to talk to Lewis. He suspected Lewis may have committed "suicide by cop".

Witness Officers

Sgt. Knox, and Officers Dodrill, Randall and Dorsey were all on the scene at the time of the shooting. The four of them all went to the apartment to serve the warrant then called for K-9 Officer Anderson. Officers Dodrill and Randall were in the apartment at the time of the shooting. They heard repeated commands and could hear someone in the bedroom but could not see in the bedroom from the vantage point. Officer Dorsey was in the doorway watching the detained individuals and could not see in the bedroom. Sgt. Knox was at the bedroom door, giving commands and illuminated Lewis with his weapon mounted light when Ofc. Anderson opened the bedroom door. He said Lewis made an "aggressive movement" and heard the shot. He said he saw a black object on the bed afterwards but did not see it in Lewis' hand. The officers all provided aid and moved Lewis closer to medics.

Officer Ricky Anderson

Ofc. Anderson, through his attorney, submitted a written statement. The attorney advised they would answer questions about the statement but Ofc. Anderson would not consent to an interview. Anderson's statement said that he was asked to respond because officers had a subject with a felony warrant refusing to come out. He stated that he sent the dog in but the subject yelled at it then shut his bedroom door. He said they entered the apartment and gave commands again outside the bedroom door. He said he and Sgt. Knox were at the door, he held his dog's leash in his left hand and opened the door with his right. He stated that he saw Lewis on the bed and believed he had a gun in his right hand and was raising it toward them. Ofc. Anderson said he had no cover or concealment outside the bedroom door and he drew his weapon and fired one shot. He stated he was in fear of his life when he fired.

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Summary

All persons known to have relevant information regarding this investigation have been interviewed (or attempted), and all known pertinent records and evidence have been obtained and reviewed. BCI will continue to offer investigative assistance into any newly identified witnesses or information relative to this criminal investigation. BCI's investigation into this officer-involved critical incident is concluded unless such new information/witnesses is/are identified through grand jury or other means.

Agents remain available for consultation and/or to perform any additional investigation, analysis, processing and/or other assistance/involvement you might deem to be necessary.

Contact Information

The preceding information comprises only a portion of facts and circumstances collected during the investigation of the officer-involved shooting incident. For further review of specific information or documentation collected during the investigation, please refer to the individual reports and documents from which this summary was derived. Any questions regarding the content or context of the information contained in this document can be directed to the attention of Special Agent Todd Fortner. SA Fortner can be reached via email at todd.fortner@OhioAGO.gov or by telephone, at (740) 213-6720.

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