



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



2024-1755

Officer Involved Critical Incident – 4500 Block of Sullivant Ave,
Columbus, OH (L)

Investigative Activity: Interview with Officer
Involves: Columbus Police Department (O), [REDACTED] Noel
Hernandez Cortaza (S)
Date of Activity: 09/26/2024
Author: SA Matthew Collins, #151

Narrative:

On Monday, June 24, 2024, at 1310 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Matt Collins (SA Collins) and SA Chad Holcomb (SA Holcomb) interviewed Columbus Division of Police (CPD) [REDACTED] [REDACTED] who was accompanied by his attorney, Jackie Tipton, from the Fraternal Order of Police (FOP). The interview took place at 4683 Winterset Dr, Columbus, OH (FOP Law Offices in Columbus). The purpose of the interview was to gain information from [REDACTED] involvement in an Officer-Involved Critical Incident that occurred on June 10, 2024 in the 4500 Block of Sullivant Ave. in Columbus, Ohio. The interview was audio recorded.

[REDACTED] read, understood, and signed the BCI Criminal Investigation Notification form.

This report only summarizes the information deemed by the author to be of the most relevance to the investigation and does not purport to contain all questions and answers from the interview. 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 recording be reviewed to clarify any content or contextual questions regarding the information from the interview.

While the involved-subject, Noel Hernandez Cortaza's (Cortaza) identity was not known during the incident, his name is used in this report for clarification purposes. Also, for clarification purposes, the term *subject vehicle* used in this report refers to the vehicle driven by Cortaza. It is more particularly described as a green Honda Civic with Ohio registration number JFX8729.

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Preliminary and Demographic Information:

Name: Michael [REDACTED]	Rank: Officer (Ofc.)
Badge Number: [REDACTED]	Cruiser/Vehicle Number: [REDACTED]
Radio Call Sign: [REDACTED]	Immediate Supervisor: Sergeant Chance Knox
Radio Channel Utilized: [REDACTED]	Mobile Data Terminal: Present & Utilized
Cruiser Description: Marked SUV	Occupants of Cruiser and Seating [REDACTED] [REDACTED] [REDACTED]
Assignment: Patrol	Normal Shift: [REDACTED]
In-Car Camera: Operational & Utilized	Spotlight: Present; Not utilized
Emergency Lights: Present & Utilized	Siren: Present & Utilized
Shift Day of Incident: 2200-0600	Duty Status: On-Duty
Days Off: [REDACTED]	
Hours of Sleep Prior to Incident: Well Rested	Consider Self Well Rested: Yes
Total Length as Officer: 3+	Length at Current Agency: [REDACTED]
Physical Disabilities (to include hearing aid): No	Corrective Lenses: No Corrective Lenses
Uniform Worn: Navy Pants, a Navy short-sleeved shirt, display of badge on front of ballistic vest, "Columbus Police" on back of vest.	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: Taser, Pepper Spray
Ballistic Vest: External Armor	Body Worn Camera: Present & Used
Partner: [REDACTED]	OPOTC certification: [REDACTED]
Injuries: None	Equipment Damage: No
Military Experience/Training: None	Use-of-Force Training: Annually
Prior Shooting Incidents: No	Prior Discipline or Use-of-Force Complaints: Past Unknown - No active investigations
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

Make: Smith and Wesson	Model: M&P 2.0
Caliber/Gauge: 9 mm	Serial: [REDACTED]
Type: Semi-Auto Handgun	Method of Carry: Hip holster
Magazine Capacity: 17	Total Rounds as Carried (including chamber): 18
Extra Magazines: 2	Number of Rounds in Extra Magazines: 17 each
Discharged During Incident? No	Primary or Backup Weapon: Primary
Right/Left-Handed Carry: Right-Handed	Ownership: Department Owned
Last Qualification Date: 2024	

Weapon #2

Make: Daniel Defense	Model: DDM4
Caliber/Gauge: 5.56 mm	Serial: [REDACTED]
Type: Rifle	Method of Carry: Cruiser ready/sling
Magazine Capacity: 30	Total Rounds as Carried (including chamber): 30
Extra Magazines: 1	Number of Rounds in Extra Magazines: 30
Rounds Remaining After Incident: 27	Number of Rounds Fired: 3
Discharged During Incident? Yes	Primary or Backup Weapon: Backup
Right/Left-Handed Carry: Right-Handed	Ownership: Personally Owned
Last Qualification Date: 2024	Type of Holster, if any: N/A

*SA Collins reviewed the CSU photos (AMG_9363 and AMG_9364) regarding the magazines belonging to the Smith and Wesson M&P Handgun: The gun was collected with 17+1, along with two (2) additional magazine with 17 rounds each. With each magazine (3) capable of holding 17; $17 \times 3 = 51$, plus one (1) originally in the chamber (52 total). No rounds were fired from the handgun.

Photographs were also taken of [REDACTED] extra rifle magazine stored on his vest (AMG_9365 and AMG_9366).

* SA Collins reviewed the CSU Photos (ALC_8247 and ALC_8248) – photographs of the Rifle and magazine loaded from cruiser [REDACTED]. The magazine capacity is 30 rounds; however, one had been racked into the chamber. There were 26 remaining rifle rounds, plus one (1) from the chamber (27 total). This total indicates 3 rounds were possibly fired from the rifle.

Narrative:

On June 10, 2024, [REDACTED] stated he and his partner, [REDACTED] were in a marked CPD cruiser. [REDACTED] was driving, while [REDACTED] was in the passenger seat. At approximately 2315 hours, [REDACTED] reported hearing a dispatched call regarding a male with long brown hair approaching vehicles with a knife, in the area of Clime and Georgesville Roads. [REDACTED] noted the priority level of the call was "raised" and on the Computer Aided Dispatch (CAD), Cruiser [REDACTED] with occupants [REDACTED] and [REDACTED] as well as a 10-precinct cruiser were enroute. [REDACTED] reported he and [REDACTED] decided to head to the area, as well. SA Collins asked [REDACTED] to explain the priority level of the call being raised. [REDACTED] explained the call taker/dispatcher can raise the priority level of the call. The call came in as a "knife run, person with a knife" and when the dispatcher aired it "she said 'raised priority 33A,' so it must have been something going on that like made it, like, very very like, a lot of attention to it, so that's why they can raise the priority of any run really." [REDACTED] noted as "numerous" calls continued to come in, dispatch gave further information, including: the subject was actively approaching vehicles with the knife and had also entered the Turkey Hill Gas Station.

While heading in the direction of Clime and Georgesville Roads, [REDACTED] reported [REDACTED] marked the suspect (later identified as Cortaza) was not at the Turkey Hill gas station. However, a couple minutes later it was aired the Cortaza was traveling northbound on Georgesville Road in a green sedan. [REDACTED] recalled [REDACTED] then marked Cortaza was out of the subject vehicle, with a knife in his hand, stabbing his own vehicle. At that time, [REDACTED] activated the cruiser's lights and sirens and drove towards Georgesville Road. [REDACTED] reported activating his body worn camera (BWC) at that time, as well. [REDACTED] noted the location was in their zone, however, not in their precinct, therefore, he used his cellphone GPS for guidance. SA Collins asked [REDACTED] to clarify the difference between zones versus precinct. [REDACTED] explained the City of Columbus is broken into "six (6) zones, um so our zone is [REDACTED], that's comprised of [REDACTED], 10-precinct, 19-precinct and 15-precinct, so we're allowed to go anywhere on our zone, without like asking for permission." [REDACTED] noted the incident was in 10-precinct and he works [REDACTED].

[REDACTED] explained while driving towards the scene, they heard cruiser [REDACTED] air the suspect was traveling northbound on Georgesville Road, at approximately 15-20 miles per hour (mph). Discussion ensued about cruiser [REDACTED] deploying spikes; however, the subject vehicle made a turn westbound on Old Sullivant Road, before the spikes could be deployed. Shortly after, [REDACTED] approached cruiser [REDACTED] and [REDACTED] positioned their cruiser south and east of cruiser [REDACTED] witnessed the subject vehicle stopped just west of the railroad tracks on Sullivant Avenue, partially facing oncoming traffic, approaching another

vehicle traveling eastbound. [REDACTED] explained the other vehicle continued on, while the subject vehicle stopped in the middle of the intersection of Sullivan and Industrial Mile Road. [REDACTED] then pulled in the eastbound lane of travel and paralleled cruiser [REDACTED]

Next, Cortaza exited his vehicle, yelling in Spanish at the officer, while [REDACTED] gave commands in Spanish back to Cortaza. [REDACTED] reported he also gave commands in English, to the effect of "get on the ground." SA Holcomb asked [REDACTED] if he yelled any commands in Spanish, [REDACTED] replied, "I did not." SA Holcomb asked [REDACTED] if Cortaza responded to any of the Spanish commands. [REDACTED] explained Cortaza seemed "very out of it and like manic" and anytime an officer said anything, the look on Cortaza's face "stayed the same." [REDACTED] recalled CPD Officers Minor, [REDACTED] all approaching simultaneously, with him, towards Cortaza. [REDACTED] recalled telling [REDACTED] to move back, out of the line of sight and fire. As Cortaza continued to walk west and talk incoherently, in what [REDACTED] thought was Spanish, he heard [REDACTED] yell 'taser, taser, taser' and then deployed his Taser at Cortaza, with possibly one prong hitting Cortaza. Cortaza then turned east towards officers, while continuing to yell, with "his fists balled." [REDACTED] recalled hearing someone say 'tase him again' and the Taser did not appear to have any effect on Cortaza. SA Collins asked [REDACTED] if the Taser was indeed deployed a second time. [REDACTED] replied "yes" and then explained the Tasers have two (2) cartridges, though he didn't believe the charge was successful with a negative and positive probe, meaning only one prong connected to Cortaza. He noted, he did not believe both prongs connected in order to provide a full muscular "body lock up." [REDACTED] noted there is a different sound the Taser makes when there is a success charge versus unsuccessful and he believed the charge was not successful by the sound.

[REDACTED] reported "The suspect moved east in an aggressive manner, toward myself and officers. He was yelling, his fist were balled, his arms were raised in an aggressive posture, and I could see that there was something metallic in at least one of his hands. Based on what I knew from the dispatch and radio traffic, I believed the object to be a knife.

[REDACTED] stated officers continued to yell commands, such as 'stop and do not move'; however, the suspect did not comply and continued to advance toward officers. [REDACTED] stated, "I fired 1-2 shots at the suspect. I heard other officers fire multiple rounds simultaneously. The suspect fell onto his stomach with his head facing east."

[REDACTED] provided more details about discharging his weapon, stating, "I believe I fired one to two shots at the suspect. My shot(s) were fired from a standing position. I used my sights when I fired. My shot was fired in a west/southwest direction. I believe I was approximately 10-20 feet from the suspect at the time I fired. My target was the suspect's center mass. The backdrop for my shot was the empty roadway of Sullivan Avenue."

[REDACTED] continued, "I stopped firing because the suspect was on the ground and no

longer presenting a threat to officers.” ██████ explained “at the time I fired my weapon at the suspect, I do not believe I had any reasonable alternative to protect my life and the lives of the other officers on the scene. I did have a taser with me, however, given my distance from the suspect, the fact ██████ had unsuccessfully tried twice to deploy his taser at the suspect, and the suspect was actively charging at officers with a weapon in his hand, I did not believe it would be appropriate to counter their force with a taser.”

SA Collins asked ██████ the condition of his rifle at the time of the shooting. ██████ explained the magazine contained 30 rifle rounds and no round in the chamber, therefore, he had to “rack” a round when retrieving the rifle, to get around into the rifle. ██████ confirmed “I fired my rifle.” From ██████ recollection, he fired one (1) or two (2) rounds from his rifle. SA Holcomb asked if ██████ drew his handgun, and he said “no, I don’t believe so.”

██████ recalled using the light on his rifle

SA Collins asked ██████ if he could give more description of the object in Cortaza’s hand. ██████ noted he “I could tell it was shiny and metal and he was holding it as if it was like his intent was to do something bad with it towards us,” clarifying Cortaza was coming at them with both hands made into fists, ██████ demonstrated the motion.

After the shooting, ██████ reported he approached Cortaza at the same time as other officers and *“immediately radioed that shots had been fired and that one person was down.”* ██████ explained he had a rifle, so he provided “cover” so other officers could secure Cortaza and begin rendering aid. ██████ remembered hearing another officer removed something “metallic” away from Cortaza. SA Collins asked ██████ if he got a better look at the object when the other officer removed it. ██████ explained he heard another officer kick or move the object, which sounded metallic, away from Cortaza. ██████ recalled shining his light at it to make sure it was out of Cortaza’s reach “that was my main concern;” however, noted he did not get a very good look at it. *“I noticed that the suspect was still moving and asked other officers where the knife was, so that I was certain the suspect no longer had access to it. I radioed for a medic to be started to our location. Officers secured the suspect and applied a tourniquet to a wound on his left arm.”*

While officers were rendering aid, ██████ reported he secured his rifle in the cruiser and assisted when he came back. ██████ witnessed ██████ tending to a wound on Cortaza chest. Once the medics arrived, ██████ explained he was taken to 10 precinct substation.

After the incident, ██████ learned the suspect's identity to be “Noel Hernandez.” ██████ did not recall ever having any personal or professional interactions with Noel Hernandez Cortaza.

After [REDACTED] had the chance to review video footage from the incident, *"I now recall that Officer Minor did not approach the suspect at the same time as other officers and myself."* [REDACTED] also recalled [REDACTED] was between [REDACTED] and himself. Additionally, [REDACTED] recalled Cortaza had the weapon in his *"right hand."*

During the interview, SA Collins asked [REDACTED] if he had ever been found outside of policy regarding a use of force violation. [REDACTED] statement indicated he does *"not have any active discipline for outside of policy use of force."* Attorney Tipton advised [REDACTED] to not answer any questions regarding previous use of force violations that were considered stale. SA Holcomb asked Attorney Tipton when does a violation in an officer's file become stale and she indicated generally after approximately nine (9) months.

SA Collins asked [REDACTED] if he believed his actions were consistent with his training and [REDACTED] replied, "yeah, absolutely."

The interview concluded at approximately 1335 hours.

The interview was audio recorded. The audio recording was attached to this report. The signed BCI Criminal Investigation Notification form and [REDACTED] written statement is also attached to this report. Please see the attachments for further details.

Attachments:

Attachment # 01: 2024-06-24 [REDACTED] Interview_Audio
Attachment # 02: [REDACTED] Statement_CIN
Attachment # 03: AMG_9366
Attachment # 04: AMG_9365
Attachment # 05: AMG_9364
Attachment # 06: AMG_9363
Attachment # 07: ALC_8247
Attachment # 08: ALC_8248

References:

No references.



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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

06/24/24 1:12 PM

Date / Time

[Redacted]

Signature of Interviewee

SA Matt Collins

BCI Agent (Printed)

SA [Signature] #151

BCI Agent (Signature)

STATEMENT OF OFFICER [REDACTED]

This statement is in regard to my involvement in an incident that occurred on Monday, June 10, 2024, between approximately 11:00 p.m. and 11:30 p.m. near the intersection of Sullivant Avenue and Industrial Mile Road in Columbus, Ohio. I am voluntarily providing this statement as part of the investigation being conducted by the Bureau of Criminal Investigation (BCI).

My date of hire with the Columbus Division of Police was [REDACTED]. I obtained my OPOTA Certification in [REDACTED]. I do not have any previous law enforcement experience. I do not have any military service. I do not have any active discipline for outside of policy use of force. My regular assignment is [REDACTED] with [REDACTED] off. On the night of the incident, I was in cruiser [REDACTED] I was working with [REDACTED] [REDACTED] as my partner. I was wearing my CPD uniform, consisting of navy pants and a navy short sleeve shirt with my CPD badge on the front and "COLUMBUS POLICE" on the back. I was wearing my exterior vest over my shirt. My body worn camera (BWC) was mounted on the right lower chest area of my exterior vest. I was listening to radio traffic through an earpiece. I was not wearing a hat or gloves.

I was armed with a division-issued Smith and Wesson M&P 2.0 9mm which was loaded with division-issued ammunition. My Daniel Defense DDM4 V7 rifle was in the rifle rack of my cruiser. I was current in my range qualification with both weapons. I was not carrying any backup firearms. I was not taking any medication that would in any way affect my ability to carry out my responsibilities and duties as a police officer. I was well rested at the start of my regular shift. I had not consumed any alcohol in the 24 hours prior to the start of my shift. I do not wear glasses or contact lenses and my vision is good. I do not wear a hearing aid and my

hearing is good. I do not suffer from any disabilities that would impair my ability to perform my responsibilities as a police officer.

On the night of June 10, 2024 my partner and I were performing routine patrol duties in the area of Wisconsin Avenue and Broad Street. [REDACTED] driving the cruiser; I was in the passenger seat. Around 11:15 p.m. we heard the dispatch call go out regarding a male with long brown hair approaching cars with a knife in the area of Clime Road and Georgesville Road. I noted that the priority level of the call was raised. I clicked on the run in our CAD (Computer Aided Dispatch) system and noted that cruiser [REDACTED] with CPD [REDACTED] as well as a 10 precinct cruiser were in route. [REDACTED] and I decided to start driving in that general direction. As we were heading in the direction of Clime Road and Georgesville Road, I heard cruiser [REDACTED] air that the suspect was not at the Turkey Hill gas station. A couple minutes later, I heard the suspect was traveling northbound on Georgesville Road in a green sedan. Cruiser [REDACTED] then aired that he had gotten out of his car and was standing with a knife in his hand, stabbing at his own vehicle. [REDACTED] activated the cruiser's lights and sirens and we drove toward Georgesville Road. I activated my body worn cameral (BWC). As the location was on our zone, but not our precinct, I used my cell phone for GPS assistance.

As we drove, I heard [REDACTED] air that the suspect vehicle was traveling northbound on Georgesville Road at approximately 15-20 miles per hour. There was discussion of cruiser [REDACTED] getting in front of the suspect to deploy spikes. Before cruiser [REDACTED] was able to deploy spikes, cruiser [REDACTED] radioed that the suspect turned westbound on Old Sullivant Road and was continuing to go 15-20 miles per hour.

Approximately three minutes after activating the cruiser's lights and sirens, [REDACTED]

[REDACTED] and I caught up to cruiser [REDACTED] positioned our cruiser south and east of

██████ The suspect vehicle was stopped just west of the railroad tracks on Sullivant Avenue, partially on the wrong side of the road (westbound in the eastbound lane of traffic), approaching a civilian sedan that was traveling eastbound. I retrieved my rifle from the cruiser's rifle rack. After hesitating near the suspect vehicle for a few seconds, the civilian vehicle drove away and the suspect continued westbound.

Approximately 10 seconds later, the suspect stopped his vehicle in the middle of the intersection of Sullivant Avenue and Industrial Mile Road. ██████ pulled our cruiser into the eastbound lane of traffic, parallel with ██████ The suspect exited his vehicle and was yelling in Spanish myself and other officers. I heard ██████ give commands in Spanish. I yelled commands to the effect of "get on the ground".

I, along with other officers, walked west toward the suspect, while continuing to give commands. I believe CPD Officers Minor, ██████ were approaching simultaneously with me. I told ██████ to move back toward myself and other officers so that he did not obstruct my view of the suspect or have the potential of getting caught in crossfire. I believe I was north of ██████ and south of ██████ as I approached the suspect. The suspect continued to walk west, mumbling/talking incoherently in what I believe was Spanish. I heard ██████ yell "taser, taser, taser" and then deploy his taser at the suspect. I believe at least one probe of the taser made contact with the suspect. The suspect turned around to face east toward officers, while continuing to yell with his fists balled. I heard someone yell words to the effect of "tase him again". The taser did not appear to have any effect on the suspect.

The suspect moved east in an aggressive manner, toward myself and officers. He was yelling, his fists were balled, his arms were raised in an aggressive posture, and I could see that

there was something metallic in at least one of his hands. Based on what I knew from the dispatch and radio traffic, I believed that object to be a knife. Officers continued to yell commands to the effect of "stop" and "do not move,.". The suspect did not comply and continued to advance toward officers. I fired 1-2 shots at the suspect. I heard other officers fire multiple rounds simultaneously. The suspect fell onto his stomach with his head facing east.

I approached the suspect with the other officers. I immediately radioed that shots had been fired and that one person was down. Since I had a rifle, I stated that I would provide cover so that others could secure the suspect and begin rendering aid. I heard one officer move something metallic away from the suspect. I noticed that the suspect was still moving and asked other officers where the knife was, so that I was certain the suspect no longer had access to it. I radioed for a medic to be started to our location. Officers secured the suspect and applied a tourniquet to a wound on his left arm.

While other officers were rendering aid, I secured my rifle in the cruiser and put on gloves. Officers rolled the suspect onto his back. [REDACTED] tended to a wound near the suspect's chest area. I held my flashlight on the suspect to provide light. [REDACTED] asked for more gauze and supplies, but at that time a medic arrived and took over medical care of the suspect.

I was removed from the scene and taken to the 10 precinct substation. CPD Officer Nicholas Reardon acted as my officer support. This ended my involvement with the incident.

I believe I fired one to two shots at the suspect. My shot(s) were fired from a standing position. I used my sights when I fired. My shot was fired in a west/southwest direction. I believe I was approximately 10-20 feet from the suspect at the time I fired. My target was the suspect's

center mass. The backdrop for my shot was the empty roadway of Sullivant Avenue. I did not have any cover or concealment. I used the light on my rifle. There was also lighting from the responding cruisers and area businesses/buildings. I stopped firing because the suspect was on the ground and no longer presenting a threat to officers.

At the time I fired my weapon at the suspect, I do not believe I had any reasonable alternative to protect my life and the lives of the other officers on the scene. I did have a taser with me, however, given my distance from the suspect, the fact [REDACTED] had unsuccessfully tried twice to deploy his taser at the suspect, and the suspect was actively charging at officers with a weapon in his hand, I did not believe it would be appropriate to counter their force with a taser.

I now know the name of the suspect that I fired at was Noel Hernandez. To my knowledge I have not had any other personal or professional dealings with Mr. Hernandez.

I have now had an opportunity to review video footage from this incident. After seeing the footage, I now recall that Officer Minor did not approach the suspect at the same time as the other officers and myself. I recall that I was north of [REDACTED] who was between [REDACTED] and myself, when we approached the suspect. I also now recall that the weapon was in the suspect's right hand.

This concludes my statement.













