



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



2022-0535

Officer Involved Critical Incident – I-71 N. Mile Marker 123, Lewis Center, Ohio (L)

**Investigative Activity:** Interview with Officer  
**Involves:** Officer Nathan Komisarek (S)  
**Date of Activity:** 03/30/2022  
**Activity Location:** Attorney's Office – 3360 Tremont Rd., Columbus, OH 43221, Franklin County  
**Author:** SA Todd Fortner, #93

**Narrative:**

On March 30, 2022, at approximately 1325 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent Todd Fortner (SA Fortner) interviewed Columbus Division of Police (CPD) Officer Nathan Komisarek (Officer Komisarek) in response to an Officer Involved Critical Incident (OICI) that occurred March 11, 2022, between Jonathon Myers (Myers) and law enforcement. The purpose of the interview was to obtain all relevant information of the incident known or observed by this individual. Also present for the interview was Officer Komisarek's FOP union attorney, Cathrine Harshman.

This interview was audio recorded, and a copy of the recording was saved electronically within the case file. Please refer to the recording for specific quotes. The following is a summation of the interview.

Prior to beginning the interview, SA Fortner provided Officer Komisarek with a BCI "Criminal Investigation Notification" form. SA Fortner advised BCI was conducting a criminal investigation separate from any internal investigation that CPD may be conducting. Officer Komisarek was told his interview was voluntary and that he could stop answering questions at any time. Officer Komisarek verbally confirmed he understood the contents of the form and signed the document further acknowledging his understanding. A copy of the signed Criminal Investigation Notification (CIN) is attached to this report.

Attorney Cathrine Harshman had previously provided SA Fortner with a written statement from Officer Komisarek regarding the OICI. Agent Fortner reviewed the statement upon receipt. Furthermore, SA Fortner provided a printed scene sketch of the OICI scene to reference throughout the interview. Officer Komisarek signed his statement provided to BCI, and he verified the statement was a true and accurate depiction of the OICI incident. Please refer to Officer Komisarek's statement for further details. A copy of the signed written statement and

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the sketch was saved within the case file and is attached to this report.

SA Fortner asked Officer Komisarek a few follow up questions and had him confirm where he was at when shots were fired based on the printed scene sketch. Officer Komisarek's answers appeared to be consistent with his written statement.

Officer Komisarek stated on March 11, 2022, he was working patrol, in uniform, driving a marked cruiser. He advised he received a dispatched report of a subject actively shooting on the freeway. As they arrived, He stated another officer had already engaged the subject and was giving his commands to stop and get down but the subject was not complying. Officer Komisarek retrieved his patrol rifle from his cruiser and then moved to a position behind the cruiser which was already there. He stated the subject began moving northbound. Officer Komisarek stated he took up a position on the right side of the roadway.

Officer Komisarek said he heard gunshots. Officer Komisarek said he was about 45 to 60 yards away from the subject when he saw the subject with a gun in his hand pointed at officers. Officer Komisarek stated he fired one shot and a moment later the subject fell to the ground. He was not sure whose round had struck him. The subject was attended to by other officers.

The interview concluded at 1338 hours.

**Attachments:**

- Attachment # 01: Officer Komisarek CIN
- Attachment # 02: Officer Komisarek Statement
- Attachment # 03: Officer Nathan Komisarek Interview
- Attachment # 04: Officer Komisarek Diagram



**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).

NATHAN KOMISAREK  
Printed Name of Interviewee

3 30 22 1<sup>27</sup> PM  
Date / Time

[Signature]  
Signature of Interviewee

[Signature]

SA Todd Fortner  
BCI Agent (Printed)

[Signature]  
BCI Agent (Signature)

## **STATEMENT OF OFFICER NATHAN KOMISAREK- #2329**

This statement is regarding my involvement in an incident that occurred Friday, March 11, 2022 between approximately 9:30a and 10:15a on Interstate 71-N, north of the Powell Road exit in Delaware County, Ohio. I am making this statement as part of an investigation conducted by the Bureau of Criminal Investigations (BCI) concerning this matter.

I have been employed by the Columbus Division of Police (CPE) for 19 years. My regular assignment is 18A. My regular duty hours are 7a-3p with Saturdays and Sundays off. On Friday, March 11, 2022, I was assigned to my regular precinct to Wagon 18. My partner that day was Officer Luke Velias. At the time of the incident, I was dressed in the patrol uniform of the day. I was wearing a navy-blue department-approved jacket over my uniform. My body worn camera (BWC) was mounted to the side of my jacket. My BWC was activated during this incident. I was also wearing a ballistic vest. I was armed with a department-issued Smith and Wesson M&P 9mm pistol with standard department-issued ammunition. I did not fire my pistol. In the Wagon, I was also carrying a Daniel Defense DDM4V7 with Trijicon MRO optics. I personally own this rifle and sight. I shot this rifle the day of the incident. I am range-qualified on and authorized to carry my rifle for on-duty use. The sight attached to the rifle is on the Department's authorized use list.

I was in good health at the time of this incident. 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 had not consumed alcohol or drugs in the twenty-four (24) hour time period prior to this incident. I worked special duty from 4p to 8p on Thursday, March 10<sup>th</sup>, but got plenty of sleep the night prior to my Friday shift. I was not under any unusual stress on March 11<sup>th</sup>. I wear contact lenses to correct my vision and I was wearing them the day of the event. I do not wear a hearing aid, nor do I have any problems with my hearing.

On Friday, March 11, my partner and I were at Columbus Fire Station 6 located at 5750 Maple Canyon Avenue, near the corner of Maple Canyon and 161. Over the radio, we became aware that there was a man with a gun firing on I-71. We responded and took Cleveland Avenue north to I-270W to I-71N. I was driving the wagon. On our way to respond, the radio aired that car windows on I-71N had been shot out by the suspect. The suspect was described as a male black wearing all black.

I believe we were the second police vehicle to arrive on scene. Upon arrival, there was a 4-door sedan to my left (east) on the side of I-71N facing north in the median. There was a female black standing close to the front of the vehicle. A male black wearing a black hoodie, who matched the suspect's description, was north of her position, still on the left (west) side berm of the I-71N lanes, walking in a somewhat erratic manner, but generally heading north away from the female. He held his hands in his front pockets. I did not see a gun at this time. We parked the vehicle towards the right (east) side of road. Prior to leaving the wagon to find a position, I pulled my rifle from the back passenger side of the vehicle. I proceeded northbound on I-71N on foot to a cruiser that had taken the northmost position. I am unsure of the cruiser number or who was inside. Throughout this incident, I could hear officers shouting commands for the suspect to put his hands in the air and get on the ground. He did not comply.

By this time, traffic had been stopped on I-71N and there were not cars visible (other than cruisers) north of me. The I-71S lane was slow moving in the opposite direction. When I arrived at the cruiser, Officer Rippey had a shotgun behind the passenger-side front door of the cruiser, which was open for cover to the east of the northmost cruiser. As rifles generally have priority in situations like this one, Officer Rippey gave me his position behind the open door of the cruiser. The suspect began to move northbound at a trot and the cruiser I had taken cover behind

accelerated. The cruiser accelerated fast enough that I had to run to keep up. While I was running, I heard a volley of gun fire, though I was unclear whether that was from the suspect, other officers, or both. At the time, I was too far away and had no line of sight to the suspect.

As I got closer, I could see that the suspect was still standing in the roadway with no indication that he had been hurt. He was moving northeast, again in an erratic manner. I moved to the east side of the roadway closer to the guard rail east of the right berm in order to get a better line of sight and to distance myself from the other officers that had all begun to cluster near the suspect's location. I trained my rifle on the suspect. The suspect shot at least once again towards the general area where the officers were standing, south of the suspect's location. I saw the suspect's handgun in his right hand and smoke coming from the barrel. I did not fire at him at this time, because he quickly put his hands (and the gun) in the air facing away from the officers to his south. However, I remained with my rifle trained on the suspect.

Briefly after, the suspect rapidly turned back around with his gun pointed south towards my fellow officers. Once, I saw the suspect again point his gun in the direction of the other officers, I aimed and fired one round. The suspect appeared to waiver on his feet and then fell to the ground. The gun flew out of his hand to the west of his location. I did not hear anyone else fire, though I now know other officers fired. After the suspect fell, I advanced towards his position. Several other officers were securing the suspect and began to render aid before I could reach the suspect.

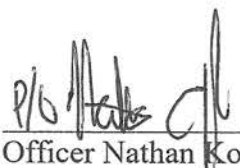
I fired one round at the suspect, who was north and slightly west of my location. My target was the suspect's center of mass. Due to the difficulty with the backdrop and line of sight involving other officers in the area, I attempted to move myself to a position in which I would have sufficient time to aim my weapon and minimize any risk due to the backdrop or line of sight issues. I used my rifle optic sights when I fired. My rifle was sighted for 50 yards. I believe I was approximately

40 to 50 yards from the suspect when I fired. I was confident in my shot and due to the seriousness of the situation, I felt I had no other option but to take it.

I did not fire from cover. There were no officers or vehicles in my line of sight. I fired from a standing firing position with my left leg in front of my right once the suspect turned with the gun in his hand pointing south towards other officers. The incident occurred during the morning and there was plenty of light. I only fired one round because the suspect was hit and fell to the ground. His gun flew out of his hand, and I did not believe we were in danger any longer. I believe it was less than ten minutes from the time I exited my vehicle until the suspect fell to the ground.

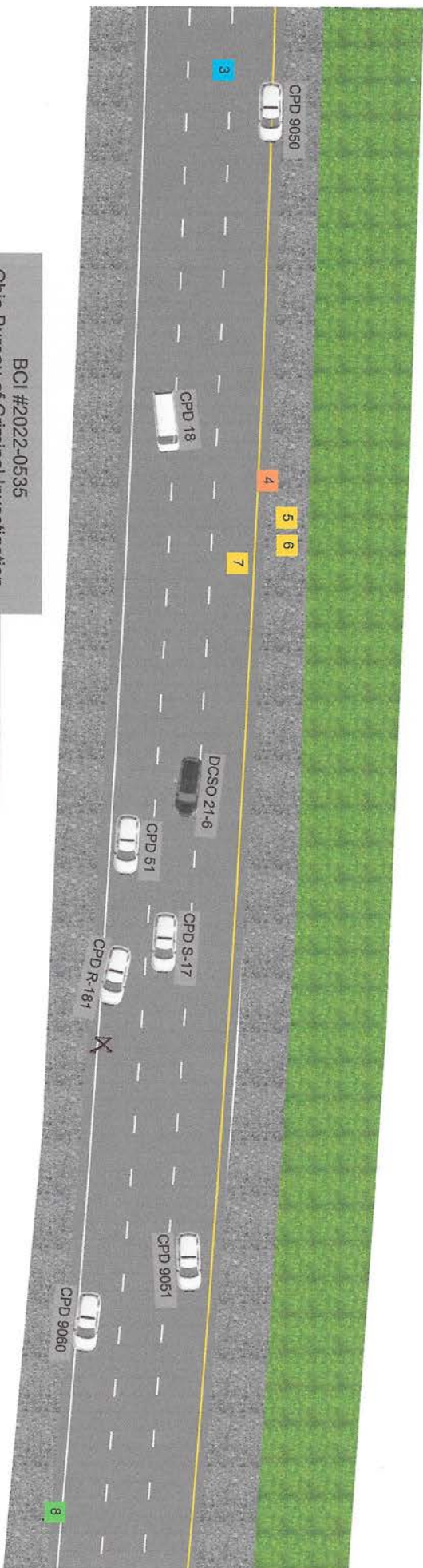
When I fired, I did not believe that I had any other reasonable alternative other than to fire to protect my fellow officers, whose lives were in imminent danger of being killed or severely wounded as the suspect was aiming in their direction and had previously fired in their direction. I also felt that my life was in imminent danger of being killed or severely wounded, as the suspect could have turned his gun in my direction at any time and I had no cover. The suspect had been given several opportunities to end the matter peacefully, even after he had shot at officers. He failed to comply with orders and again fired at police.

I know now that the suspect's name is Jonathan Meyers, though I did not know that at the time. I do not recall ever having any prior interactions with him, either professional or personal. This statement contains four (4) pages.

  
A2329  
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Officer Nathan Komis #2329







BCI #2022-0535  
 Ohio Bureau of Criminal Investigation  
 SA C. Holcomb, #61

Interstate 71 Northbound  
 Near Mile Marker 123  
 Lewis Center, OH 43035

March 11, 2022

**N**  
 \*Not to Scale\*

am #3 = Bullet  
 am #4 = .223 casing  
 am #5-7 = 9mm casings  
 am #8 = Glock 19 handgun

*P/O M. Clark*  
 #2329