



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



2022-1564
Officer Involved Critical Incident – 1132 Ashwood Drive, South
Charleston, OH (L)

Investigative Activity: Interview with Officer
Involves: Eric Flemming (W)
Date of Activity: 08/10/2022
Activity Location: Flemming, Eric – Business – 130 N Fountain Ave, Springfield, OH
45502, Clark County
Author: SA Kenneth J. Smith, #53

Narrative:

On July 24, 2022, the Ohio Bureau of Criminal Investigation (BCI) was requested to investigate an Officer-Involved Critical Incident (OICI) that took place at 1132 Ashwood Drive, South Charleston, Clark County. During the OICI, Deputy Matthew Yates was shot and killed by the involved subject, Cole White. This occurred after White had killed his mother, Jodie Arbuckle. Multiple agencies and SWAT teams responded and attempted multiple rescue attempts of Deputy Yates. During the standoff the mobile home caught fire and White was killed in the fire.

On August 10, 2022 at 1228 hours, BCI Special Agents Richard Ward (SA Ward) and Kenneth Smith (SA Smith) interviewed Springfield police officer and SWAT team member Eric Fleming (Ofc. Fleming) regarding his involvement in the OICI. The interview was conducted at the off site, SWAT training facility in Springfield. The interview was recorded on a handheld digital recording device.

The details below summarize the pertinent portions of the recorded interview and are not a verbatim account. 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 audio recording be reviewed to clarify the content of the interview.

Ofc. Fleming has been with the Springfield Police Department for twelve years and on the SWAT team for ten years. His role on the SWAT team is Team Leader and entry.

On July 24, 2022, he was off duty and received an alert on his phone. He got on his radio and got the address of the incident and responded directly to the scene and met with Capt. Kranz. He was briefed that Dep. Yates was down in the trailer and that the suspect was using either a .308 or an AK-47. They began to devise a plan to get up to the trailer and extract Dep. Yates.

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.

The plan was to get a team led by Ofc. Fleming to the door while pepper-balls were deployed by Clark County to keep the subject's head down. Ofc. Fleming and his team made their way to the door. They were originally briefed that Dep. Yates was right in the door. Ofc. Fleming carried a shield and was the first in the door. Ofc. Fleming couldn't see Dep. Yates from the door. He made entry and observed an open floor plan to the right, he moved left, and saw Dep. Yates in the hallway. He stepped over Dep. Yates and the team began being fired upon from the left end of the trailer. He saw the flash and the debris coming through the walls. He heard someone yell, "He's down!" and saw someone fall as he was turning to exit the trailer. It ended up being Dep. Nawman. He held his position with the shield while the team was getting Dep. Nawman to the steps. The team retreated to the cover of the MRAP vehicle.

A short time later, a second plan was put into action and the same team (minus Dep. Nawman and with the addition of Det. Burch) stood by while a volley of gas and flashbangs were launched prior to their approach. The team again approached the door of the trailer Ofc. Fleming entered and held to the right while Det. Terry held a shield to the left. The team was able to extract Dep. Yates. Ofc. Fleming saw a small fire on the floor of the trailer near where Dep. Yates was laying. As soon as Dep. Yates was removed from the trailer, the team retreated to cover and held perimeter positions while the fire began to engulf the trailer. The team had to pull the perimeter back several times due to the smoke.

Ofc. Fleming did not fire his weapon or deploy any less lethal munitions.

The interview was concluded at 1238 hours.

Attachments:

Attachment # 01: 2022-08-10 / Ofc. Eric Fleming interview

Exhibit 1

Included as a separate file.