



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



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Case Title: Officer Involved Critical Incident- 500 South Cleveland Ave. Columbus OH

Case Number: 2021-0888

Preface

The following prosecutor summary serves as an overview into the criminal investigation of an Officer Involved Critical Incident (OICI) that occurred on Monday, April 12, 2021. The Bureau of Criminal Investigation (BCI) was requested by the Westerville Division of Police (WPD) to respond to Mount Carmel St. Ann's Hospital (500 South Cleveland Ave, Westerville, Ohio) to investigate an OICI. The incident stemmed from an altercation between Miles Jackson (Jackson) and officers from the Columbus Division of Police (CPD), Westerville Police Department (WPD), and St. Ann's Security Department. Jackson died as a result of gunshot wounds from this incident.

This report only summarizes the investigative activity and information gathered by BCI. Every fact, detail, and full summary of all interviews is not presented in this report. Therefore, it is recommended that each individual report from which this document is derived be reviewed in order to obtain a complete understanding of this investigation. Audio and/or video recordings exist for some of the interviews conducted revealing further details of statements given regarding the incident.

Synopsis of Incident:

On the morning of April 12, 2021, Columbus Division of Fire (CFD) paramedics were dispatched to a local convenience store on a report of an unconscious, possible overdose, in the parking lot. Upon arrival, they observed Jackson laying on the ground, unresponsive. EMS personnel reportedly administered Narcan and prepared Jackson for transport to St. Ann's Hospital. Jackson regained consciousness in route to the hospital.

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Based on medical records and hospitals staff interviews, it was confirmed that Jackson was alert and nonconfrontational at the hospital. He ultimately left the hospital a short time later against medical advice.

Approximately one hour later, WPD Officer Eric Everhart (Officer Everhart) and WPD Officer David Lammert (Officer Lammert) were dispatched to a suspicious person call at the Chase Bank parking lot. Officers met with Chase Bank security officers who were attempting to wake up an unknown individual lying on a picnic table (later identified as Jackson).

Jackson initially gave a false name to the officers but confirmed his real identity with the paramedics. Based on Jackson's demeanor, confusion, and medical condition, the paramedics decided to transport Jackson to the hospital. The paramedics requested a pat down of Jackson which was reportedly completed by WPD.

Officers contacted a staff member at St. Ann's who confirmed Jackson had left the hospital a short time earlier that day against medical advice. Officers followed the ambulance to the hospital where they continued talking with staff with the hopes of positively identifying Jackson.

With the information from the hospital, officers were able to identify Jackson. They ran the new positive identification through their system and confirmed Jackson had warrants for his arrest from the Franklin County Sheriff's Office and Columbus Police for D.V./Assault and Falsification. Dispatch contacted CPD who advised they would arrest and transport Jackson. Once Jackson was in CPD custody, WPD Officers left the hospital.

CPD Officers Andrew Howe (Officer Howe) and Ryan Krichbaum (Officer Krichbaum) reported Jackson was compliant throughout the day until they attempted to search him prior to transport. At that time, Officer Krichbaum found what was believed to be a handgun hidden in Jackson's underwear. Jackson failed to comply with their verbal commands leading to an altercation and ultimately a shooting.

During the struggle, Jackson fired his pistol. In response, Officer Howe fired his weapon at Jackson and retreated to the corner of the emergency room. Officer Krichbaum exited the room into the hallway. Officer Howe cleared a malfunction in his weapon as he continued to give verbal commands to Jackson.

Immediately thereafter, WPD, St. Ann's Security, and CPD officers arrive on scene and staged outside of the ER room in the hallway and behind a nurse's/doctor's station. Verbal commands continued from the officers with noncompliance from Jackson to drop his firearm.

CPD Officer Dana Houseberg (Officer Houseberg) then deployed her taser from the hallway at Jackson who was lying on the floor of the room. Instantaneously, a gunshot was heard from within the room then multiple officers fired their weapons at Jackson. CPD Officer Andy Howe, CPD Officer Ryan Krichbaum, Security Officer [REDACTED] Security Officer [REDACTED] Security Officer [REDACTED] and Security Officer [REDACTED] were all identified as discharging their firearms during this incident.

Medical attention was performed on Jackson at the hospital, but Jackson died as a result of

gunshot wounds from this incident.

Summary of Investigative Process:

- OICI scene processed by the BCI Crime Scene Unit
- Autopsy completed by Franklin County Coroner's Office, Evidence gathered and submitted to BCI
- Firearms, casings, and projectiles examined at the BCI laboratory
- Obtained written letter of request for BCI assistance
- Obtained multiple body camera footage from Law Enforcement
- Obtained video Surveillance footage from St. Ann's Hospital
- Reviewed camera footage and submitted to OCIC for evaluation
- Attained training records/personnel records for involved officers
- Retrieved Dispatch Logs, Detail Call Sheet, Radio recordings, Uniform Incident Report, Witness Statements, and Crime Scene Log
- Obtained Use of Force Policies
- Obtained EMS Run Reports
- Completed an ATF Gun Trace
- Obtained all other known pertinent records or recordings

Investigative Interviews:

Several individuals were interviewed as part of the investigation, including the following people who were part of the shooting or had information regarding the shooting incident: CPD Officer Andy Howe, CPD Officer Ryan Krichbaum, CPD Officer Dana Houseberg, Security Officer [REDACTED], Security Officer [REDACTED], Security Officer [REDACTED], Security Officer [REDACTED], Security Officer Chad Taylor, Security Officer Zachary Powell, Security Officer Luke Smith, Security Officer Stanley Miller, Security Officer Philip Blackburn, CPD Officer John Jones, WPD Officer Mark Wojciechowski, WPD Officer Brian Gavaghan, WPD Officer Steven Grubbs, WPD Officer Timothy Ryan, WPD Officer Michael Severance, WPD Officer Allen Spencer, WPD Officer Eric Everhart, WPD Officer Aaron Dickinson, WPD Officer David Lammert, CFD Andrew Reid, CFD Nate Johnson, CFD Jeremy Hamilton, WFD Greg Kacsandi, WFD Jordan Smith, WFD John Shearer, Melody Jordan, Medical Staff: Kristen Brown, Lilly Elizabeth, Leanne Welsh, Rebecha Lalama, Amy Barth, Charles Murray, Robinette Bowman, Alexa Haught, Paula Rose, Miranda Rosebrook, Julynne Wilkins, Dustin Hartman, Bobbi Burchinal, Laura Webb, Sara Krupa, and Dom Cruz.

Involved Officer Interviews:

CPD Officer Krichbaum wrote in his statement, " Suddenly, I heard a gunshot and I believed the suspect had just fired at us. I quickly crawled out of the room and as I did so, I heard another gunshot or two. I immediately un-holstered and drew my weapon, and I took a position outside the door of the room. Officer Houseberg took a position close to my left side and deployed her taser. I believe both darts of the taser made contact with the suspect. Within a second or two of her taser deployment, I saw the suspect's right hand come up with the gun in it and I heard a gunshot. I immediately fired my weapon at the suspect. St. Ann's security personnel also began firing at the suspect and I stepped back as their rounds were right next to my ear."

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Additionally, Officer Krichbaum wrote in his statement, " At the time I fired my weapon, I was in fear for my life, as well as the lives of the other officers and security personnel in the area. The suspect had already fired at us several minutes earlier when we were trying to secure him. After he had fired at us, I could not see Officer Howe and I did not hear him and I thought he may have been shot by the suspect. The suspect was given numerous commands over several minutes to show us his right hand and repeatedly refused. Immediately before I fired my weapon at the suspect, he had raised his right hand with his gun in it and I believe he fired it. This was the first time that I actually saw the gun. I believe he was going to shoot and possibly kill me or one of the other officers in the hallway. At the moment I fired my weapon, I do not believe I had any other reasonable alternative to protect my life and the lives of the other officers and security personnel in the hallway at the time I fired my weapon."

Officer Howe wrote in his statement, " The suspect was pressed against the bed on his stomach and I tried to grab his right arm. The suspect had his right hand in his pants, I believe on the gun. At that point, the suspect began to struggle. We told him to let go and to put his hands behind his back. He yelled that we were grabbing at his private area and to stop it. He would not comply. During the struggle, I could feel his hand on the weapon, and attempted to keep him from pulling out his right arm, which was underneath him. He kept his hand on his weapon, would not remove his hand from his weapon, or put his hands behind his back. I reached for my taser, but saw that Officer Krichbaum already had his on his hand. I continued to try to keep the suspect's right arm, which was still holding the weapon, still. Officer Krichbaum drive-stunned the suspect in the back area several times with his taser. I am unsure of how many times, but I know I was stunned at least once either through my continued contact with the suspect or because I was too close to the taser. The suspect continued to struggle. We all fell to the floor and a shot was fired. Neither Officer Krichbaum nor I had our weapons drawn at this point. Once the shot went off, I pulled my weapon and as I got up off the floor, I fired at least once. I could see Officer Krichbaum place distance between the suspect and himself as he backed out of the door. My gun jammed when I fired. I retreated to the opposite corner (furthest corner from the door to the left of the doorway), as I attempted to clear my gun. I had to drop my magazine and reload another. At this point, I did not fire any more at the suspect. The suspect was on the ground, opposite corner (corner closest and to the right of the door), diagonal from me. I did not have a full view of him because the bed in the middle of the room was between us. The suspect was facing away from me on his right side with his feet towards the door."

Officer Howe also wrote, " I could hear officers talk about tasing the suspect. Eventually, I heard the taser pop and saw the taser wires come towards the suspect. I do not believe I saw the wires hit the suspect, though I heard the taser fire. Very closely thereafter, I heard another gunshot. I thought I heard someone say "gun" and I fired at the suspect 1 or 2 times. I heard multiple rounds come in and I retreated further into the corner, so I would not be hit by cross fire."

Security Officer ██████ stated CPD was sitting with a patient in the emergency department. The ED requested assistance and Officer ██████ headed that way. The fire alarm went off as they were approaching the area of ED room #9 and somebody yelled "He's got a gun" and "he's shooting." As Officer ██████ arrived, he spoke with a CPD officer and he advised him that his partner was in the room with a person who has a gun and just shot. Officer ██████ then gave verbal commands, similar to "show me your hands," towards Jackson. A female CPD officer told Officer ██████ that she would take his position and he moved behind the nurses station.

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Officer ██████ then heard the male CPD officer tell the female CPD officer to tase him and the female CPD officer discharged her taser. Officer ██████ then immediately hears a gunshot and then another. He believes he observed one of the impacts on the wall between room #9 and #10. Officer ██████ then saw the gun in the subject's right hand and the barrel started to point toward him and the other officers, so he fired.

Security Officer ██████ stated he attended the shift change briefing when security officer Stan Miller, advised via radio they needed additional officers at ER #9. Upon arriving in the emergency room, Officer ██████ spoke with Doctor Singhal and she said "he's got a gun." He moved behind the nurse's station and saw Jackson leaning back on the floor and wall, feet toward the door, and empty left hand raised up. Jackson refused to show his right hand. Officer ██████ gave numerous commands like "raise your other hand." Jackson replied that he was afraid they would shoot him if he did. Officer ██████ heard "Taser, Taser, Taser" as she fired the taser. Officer ██████ then saw Jackson's right arm come up with a gun in hand, muzzle toward him, and heard a shot. Officer ██████ advised he then fired his weapon in a two (2) handed stance, using his weapon's sights at Jackson and stated he had no other option available. Officer ██████ stated that he was in the ER to protect everyone present, they were in jeopardy, and that he was consistent with his agency's policies and procedures.

Security Officer ██████ stated he stood behind a female CPD officer so she could tase Jackson while he covered her. CPD deployed the taser but it did not incapacitate Jackson and he sat up brandishing a small black firearm in his right hand. The firearm was being pointed out of the room, toward ██████ and everyone else in the area. Officer ██████ heard a gunshot, and then fired his weapon at Jackson. He heard additional gunshots and stated "All the shots went off." Officer ██████ felt that shooting was his only course of action and in line with his training, policy, and procedures. ██████ saw Jackson lay back down after the shots had been fired.

Security Officer ██████ advised upon reaching the ER, he could hear a commotion and people running out of the area. Officer ██████ then observed a CPD officer had Miles Jackson at gunpoint. As he moved closer, Officer ██████ saw another CPD officer in the corner of the room with Jackson. Officer ██████ stated that the CPD officer yelled "shots have been fired," "he has a gun." Officer ██████ then moved behind the nurse's station and could see in to ER #9 and observed Jackson on the ground. Officer ██████ then drew his weapon and pointed it at Jackson; he could partially see something black colored sticking out of Jackson's right hand. Officer ██████ issued numerous verbal commands of "put your hands on your head," "put your right hand up." Jackson replied, "my hands are up." Officer ██████ advised that Jackson's hands were not up, and he refused to move his right hand from his side. Officer ██████ then saw one of the CPD officers outside the room tase Jackson. Jackson rolled onto his back and fired his weapon, possibly into the wall between room #9 and #10. He then brought the firearm up into view and rotated the weapon toward Officer ██████ the officers beside him, patients, and doctors in the area. Officer ██████ stated he assumed a two handed, sighted fire grip and fired 10 rounds at Jackson, he was aware of other officers discharging their weapons, but did not know who was firing. Officer ██████ felt that the shooting was his only course of action and in line with his training, policy, and procedures.

CPD Officer Houseberg wrote in her statement, "Typically, our training would not be to deploy

a taser in a deadly force situation. However, if we have time, distance, barrier, lethal force backup and reasonableness we may deploy the taser. In this particular instance, we wanted to try everything possible to not use lethal force on the suspect and I thought it was reasonable to deploy the taser as I had sufficient lethal force backup, distance, and it was reasonable. The suspect had been given multiple opportunities over 4–5 minutes to show us his right hand and refused. We did not know if Officer Howe had been shot and we needed to get him out of the room. At the time I deployed my taser, I was in fear for the life of Officer Howe, the other officers, and security guards and civilians in the area, as well as my own life. I knew the suspect had a gun and Officer Krichbaum told me he had already fired a round. He had been given multiple opportunities to show us his right hand and refused. When I deployed my taser, my intention was to tase the suspect to get compliance to secure him. However, within a second or two of my deployment, I heard a gunshot that I believe came from the suspect and then multiple gunshots.”

Subsequent Investigation:

BCI Firearms Laboratory Reports:

On July 29, 2021, SA Mulford received two BCI Firearms Laboratory Reports for BCI Lab# 21–13962. Please refer to the BCI Lab reports for further clarification and details.

Throughout the course of the investigation, numerous projectiles, fragments, cartridge casings, and firearms were collected. Those items were submitted to the BCI Laboratory where BCI Forensic Scientist Matthew White analyzed all known submitted firearms related evidence.

BCI Evidence #30, a Sig Sauer model P365, 9mm Luger semi–automatic pistol, serial number 66A606280, recovered from the incident scene was submitted and tested. The pistol was located on the floor of ER room #9 directly near where Jackson was originally situated during the altercation. The lab identified three recovered cartridge casings and one fired bullet as being fired from the operable Sig Sauer pistol. The fired bullet, BCI Evidence #5, was recovered from the ceiling in the hallway next to ER room #9. Per BCI Special Agent Chad Holcomb’s Crime Scene Processing report, “Agents observed a ballistic event on the west wall of the room near the ceiling. After further photography, agents used a trajectory rod to assist in locating the projectile. The projectile perforated the west wall of patient room #9 and exited in the hallway behind the double doors leading to the trauma hallway. The projectile then perforated the ceiling tile in the hallway. A projectile was recovered in the insulation of the ceiling and collected as item #49. Agents attached a green laser to the end of the trajectory rod inside patient room #9 to illustrate the approximate trajectory of the projectile and possible muzzle locations of the associated firearm. With the use of a smart level, the trajectory was determined to be upward at approximately 56° and traveled slightly right to left (while facing the wall).”

BCI Evidence Items #3–16 listed as projectiles recovered from the body of Miles Jackson were found to be source identified and were fired from the pistols of Columbus Division of Police (CPD) Officer Ryan Krichbaum, Security Officer [REDACTED] Security Officer [REDACTED] and Security Officer [REDACTED]

Other projectiles from the pistols of CPD Officer Andy Howe and Security Officer [REDACTED]

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were source identified as recovered from the scene and not from the body of Miles Jackson.

Post-mortem examination/autopsy:

The autopsy of Jackson was completed by Franklin County Coroner's Office. The final report is still pending.



Summary:

All persons known to have relevant information regarding this investigation have been interviewed, and all known records have been obtained and reviewed. BCI has striven to conduct a thorough and impartial investigation into this Officer Involved Critical Incident. BCI will continue to offer investigative assistance into any newly identified witnesses or information relative to this criminal investigation. It would appear that BCI's investigation into this Officer Involved Critical Incident would be concluded, unless such new information/witnesses would be identified through Grand Jury or other processes.

As always, we remain available for consultation and will look forward to your assessment of this investigation and your decision as to any additional efforts, processes, or further assistance/involvement you might determine to be necessary.