



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



2024-1658

Officer Involved Critical Incident - 2212 Tryon Rd.,  
Ashtabula, Ohio 44004

**Investigative Activity:** Interview with Agent Christopher Malita  
**Involves:** Agent Christopher Malita  
**Activity Date:** 06/20/2024  
**Activity Location:** Lake County Sheriff's Office-104 East Erie Street,  
Painesville, Ohio  
**Authoring Agent:** SA Cory Momchilov #64

### Narrative:

On June 20, 2024, at 1040 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Cory Momchilov (Momchilov) and SA Jesse Bynum (Bynum) interviewed Lake County Narcotics Agency Agent Christopher Malita (Agent Malita). The interview took place at the Lake County Sheriff's Office located at 104 E. Erie Street, Painesville, Ohio. The interview was audio recorded.

Agent Malita was identified as being a police officer who witnessed and/or had some level of involvement in the June 1, 2024 officer-involved shooting which occurred in the area of 2212 Tryon Road, Ashtabula, Ohio. Reportedly, Agent Malita did not discharge a firearm during the course of the incident. The purpose of the interview was to obtain all relevant information of the incident known or observed by this officer.

Agent Malita stated his radio call sign on June 1, 2024, was "91" He has been employed by the Lake County Narcotics Agency for approximately 7 years. Prior to that, Agent Malita worked for the Springfield Township Police Department (Summit County) for approximately 5 or 6 years. Agent Malita has been a member of the Lake County Regional SWAT Team for approximately 2 ½ to 3 years. Agent Malita was wearing an O.D. (Olive Drab) long sleeve shirt, O.D. pants, ballistic vest. Agent Malita was carrying a pistol and M-4 rifle. He stated that he was not under the influence of any substance that would impair his memory or judgment during the incident or during the interview with BCI. He does wear corrective lenses (glasses).

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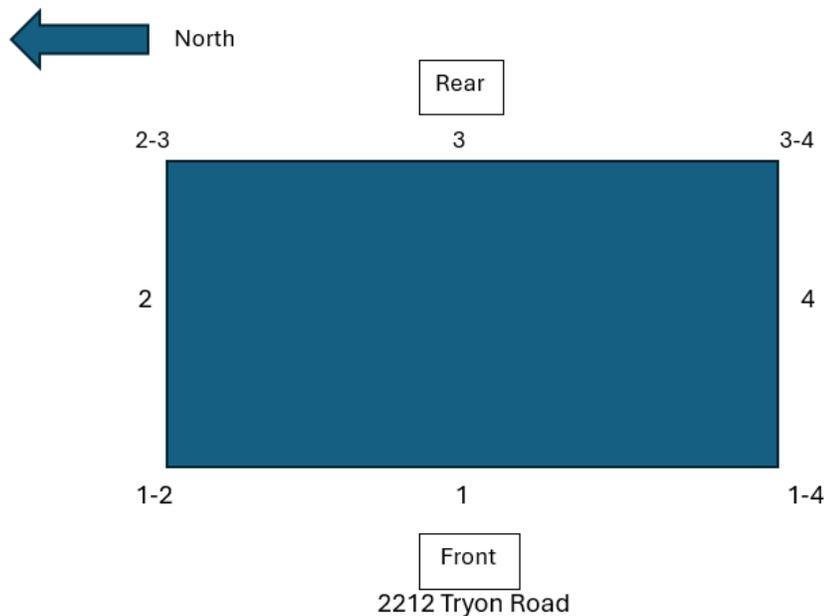
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Bureau of Criminal Investigation  
Investigative Report**



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**Precursor Information**

During tactical situations, a tactical numbering system is often utilized to quickly identify positions around a residence. The main entrance of the residence is usually referred to as the "1 side", counting clockwise around the house, the sides are then sequentially numbered. The corners are then designated by indicating which sides meet at that corner, e.g. corner 1-2, 2-3, 3-4, and 1-4. This number system was utilized by the Lake County Reginal SWAT Team during this incident (See diagram below).



The Lake County Reginal SWAT Team had two armored vehicles on scene. A smaller armored vehicle, which team members refer to as "David" and a larger armored vehicle which is referred to as "Goliath."

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SA Momchilov asked Agent Malita how he became involved in the incident and what actions he took.

Agent Malita advised that he was responding to the scene from the Akron area and arrived in the area at approximately 2300 hours. Once in the area, Agent Malita was driven to the scene and was assigned to David which was located on the roadway at the 1-4 corner.

Agent Malita stated, "The first thing I observed was, uh, the subject, um, appear in the bay window, looked very distraught and distressed, and he had a knife on him, and, uh, it seemed as if he was yelling somethin', and kind of stabbed the bay window and then disappeared. Um, I recall second sighting of him on the front door, uh, here I believe, um, opening it up then closing it briefly."

Agent Malita further stated, "The truck was continuously calling out his name to come out. He wouldn't come out. Um, I can't give approximate times. I don't know what times were when. Uh, I do recall a couple of attempts with flash bangs to get him to come out. Um, the electrical and gas were cut off, and when he came up to the, I wanna say when we believed he was in the 1-4 corner bedroom here, um, they started to, to use gas. Uh, when they were using gas, um, I'm sorry, I'm kinda getting' the times mixed up. Usually I'm good at recalling events, but, he, uh, we got the phone to him, and then we took out that bay window, or the truck took out that bay window. At that time, when the truck was up there, I was back here, I was not in the vehicle, David. Um, when they did, uh, they got the phone in there through the bay window and a couple of drone attempts, I can't recall how many. Uh, I do recall there was a time that one of the drones had got him in the video, and I believe he struck it with his, his weapon, and then another one was sent in, and at that time, tracking his movement was kind of difficult. I didn't really know where, personally, where he was at that time. Uh, when they started using gas, um, or prior to them using gas, he had, and I don't know which event came first here, but he had presented himself to the armorer, and that's when we heard that he had shot the armorer, and I can't recall if I heard the shot or not."

Agent Malita continued, "So, that was the first time, and I do remember cognitively thinking, okay, he's got rounds in this weapon. He did fire a shot, so this is, you know, where we're at with this. Uh, he kind of disappeared a couple times, and then he was, we believed he was in the 1-4 corner bedroom. Um, they utilized the gas, and uh, as they were utilizing the pepper balls at the window to get him to come out to present himself all at the same time by calling his name to come out, talk to us. He wouldn't use the throw phone. He threw it out the window, I recall at some point. Uh, he, um,

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was throwing some other objects from what I recall out the window too. I'm not sure what they were. Um, when he disappeared, and he was in that bedroom where we believed that he was, he was at, when the pepper balls went through, it, the, I recall actually watching the window, it just, like a hole come through it, as if he shot and that would be, from what I remember the second time, um, he shot. So then, from there, after he shot the second time through that window, the 1-4 corner of the bedroom, um, I believe a decision was made that we were going to use more gas to have him come out. Um, there was, at the time, a gas grenade, uh, rifle, needed to be taken over to Goliath [08:48]."

Agent Malita continued, "So I volunteered to take the gas grenade over. Uh, the decision was made we were going to move the armorer as close as we could, so obviously I wasn't running across the threshold, and we walked with the armorer, we were on this side. Armorer went up slowly. Once we got up here, we were stopped. There was just a short distance from our armorer to Goliath that I had to run over to give him the rifle. So, I was, I had cover. I made the dash over, handed him the rifle. Um, I recall asking if they needed anything else. When I was ready to run back, I was viewing the bay window because we believed at the time, he was in that vicinity. I didn't know, but I wanted to make sure he wasn't actively firing at us 'cause the other two shots, that he wasn't in the window. So, I asked if I was good to move. I was covered. As soon as I go to step with my right foot, I'm lookin' right at the armorer, and that's when the incident had occurred of when they had, uh, taken, taken him down."

SA Momchilov asked, "Do you recall where your position was? Were you in the armor during the first shot?"

Agent Malita stated that he was not, and he was near the south-side neighbor's driveway near an Ashtabula County cruiser.

SA Momchilov asked Agent Malita where he was located during the second shot. Agent Malita explained that David had retreated back to the 1-4 area and he was in that area."

SA Momchilov stated, "Okay, and correct me if I'm wrong, you said you didn't hear the shot, but you could tell you just saw a hole in the glass?"

Agent Malita responded, "Yes" and advised that he believed somebody said that shots had been fired.

SA Momchilov stated, "Okay. So, you hand off the, the gas gun to, uh, Goliath, and you said you were running back. You, initially you said you looked at the picture window to make sure?"

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Officer Involved Critical Incident - 2212 Tryon Rd.,  
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Agent Malita stated, "Yes. So, as I, if I'm visualizing it now, um, I have the armor here, and I see David, and I'm at Goliath, I see David, and I look over to make sure before, it's like look both ways before you cross the street to make sure that he wasn't in the window, or presented in the window, or waiting for me to move, or, or whatever, and I look, I didn't see anything at the time, so as I look back, and they said I was good. I go to make the move, and then that's when the rest happened. The, the end of the incident."

SA Momchilov replied, "Okay, and when you say the rest happened, I mean, did you see the individual in the window at all?"

Agent Malita stated, "I did not 'cause I was looking straight at, uh, David as I was running."

SA Momchilov asked, "Okay, can you tell which officers discharge their, their firearms?"

Agent Malita stated, "At the time, no. Um, I kind of just had one single point, A to B, running to B, and then, uh, got there."

Agent Malita advised that he had not spoken to other team members about the incident, and no one has asked him to lie or otherwise try to influence his statement.

Agent Malita was not wearing a body-worn camera footage during the incident and the only footage that he has seen from the incident was live drone footage.

The interview with Agent Malita was audio recorded. The audio recording is attached to this investigative report.

**References:**

None

**Attachments:**

1. Audio Interview of Agent Christopher Malita

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