



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



2024-2614

Officer Involved Critical Incident - 1309 Yellowstone Road,
Cleveland Heights, Ohio 44121

Investigative Activity: Witness Officer Interview
Involves: Officer Brian Ondercin (W)
Activity Date: 08/30/2024
Activity Location: 1300 block of Yellowstone Road, Cleveland Heights, OH
44121
Authoring Agent: SA Nicholas Valente #139

Narrative:

On August 30, 2024, at approximately 0109 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Nick Valente (Valente) conducted an interview with Cleveland Heights Police Department (CHPD) Officer Brian Ondercin (Officer Ondercin). The interview took place in the roadway of the 1300 block of Yellowstone Road in Cleveland Heights, Ohio. The interview was recorded on SA Valente's body worn camera and was saved as Reference Item D.

Officer Ondercin was identified as a CHPD officer who witnessed and/or had some level of involvement in the August 29, 2024, officer-involved shooting which occurred at or near 1309 Yellowstone Road in Cleveland Heights, Ohio. Officer Ondercin did not discharge a firearm during the course of the incident. The purpose of the interview was to obtain all relevant information about the incident known or observed by Officer Ondercin.

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 of the questions and answers from the interview. It is suggested that the full recording be reviewed to clarify any content or contextual questions regarding the information obtained during the interview.

Throughout the interview, Officer Ondercin provided the following information:

Officer Ondercin was on duty and operated a marked CHPD patrol vehicle at the time of the incident. Officer Ondercin wore a standard issue CHPD uniform at the time of the incident.

Officer Ondercin reported the information provided by dispatchers, which led officers to respond to the subject residence, which involved a father and son arguing in the house and the son having a gun.

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Officer Ondercin was not aware of whom the subject or his family were prior to this incident. Officer Ondercin did not believe he had previously responded to calls for service at the subject's home.

Officer Ondercin was not dispatched to the call himself but chose to respond anyway, due to the nature of the call. Officer Ondercin was not the first CHPD officer to arrive on scene. While traveling to the scene, Officer Ondercin told other CHPD officers, via his police radio, to set up a perimeter around the house, if the subject was still inside upon their arrival.

When Officer Ondercin arrived on scene, he believed there were four or five officers already present. Officer Ondercin observed the subject's two sisters present outside the home as he approached. Officer Ondercin escorted the two sisters away from the front of the home when he heard yelling coming from inside the home. Officer Ondercin asked the two women what was going on. The two women told Officer Ondercin their father was in the home with their brother who had a gun. One of the sisters also told Officer Ondercin that the subject had fired the gun inside the home. Officer Ondercin had one of the two girls call their father and tell him to leave the home.

While speaking to the subject's sisters, Officer Ondercin believed another unknown officer made brief contact with the subject or his father at the back of the home. The subject's father did eventually answer the phone and Officer Ondercin heard the subject's father saying (3:23) "Take your finger off the trigger. Take your finger off the trigger." as he was on the phone with the subject's sister.

Based on what Officer Ondercin could hear through the phone, he believed the subject's father's presence inside the home was further agitating the subject. Officer Ondercin and other officers then ordered the subject's father to exit the home. The subject's father did temporarily exit the home, before ignoring the officers and returning back into the home. The subject's father then came out again moments later and began to speak with police. While officers were speaking with the subject's father in front of the home, the subject himself came to the front door and yelled out through the open front door at officers. Officer Ondercin could not understand what the subject yelled and felt he was not acting coherently. The subject slammed the front door shut quickly after yelling out at the officers and/or family gathered in and around the front yard.

Officer Ondercin returned to speaking with the subject's father to gather additional information. The subject's father reported he was arguing with the subject after (4:30) "finding a big bag of mushrooms in the basement." The subject's father believed the

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subject was "high" (on hallucinogenic mushrooms). Officer Ondercin shared with other CHPD officers that the subject may be under the influence of psychedelic mushrooms.

Officer Ondercin observed the subject pacing in front of the home through the window. The subject's father explained to police that the subject believed his sister was dead.

Moments later, Officer Ondercin heard what sounded like officers making contact with the subject at the rear of the home. A few seconds later, Officer Ondercin heard yelling and a crashing sound. Officer Ondercin heard unknown officers yelling commands followed by what he believed were two gunshots followed by a pause and (5:39) "a bunch more gunshots."

Officer Ondercin took cover behind a cruiser parked in the roadway and then observed the subject run from the back of the home towards the front between his home and the neighboring home to the north. Officer Ondercin began to pursue the subject on foot. The subject turned north, ran through some bushes and into the neighbor's front yard near her home. The subject collapsed once he reached the neighbor's driveway.

Officers then took positions of cover and began yelling verbal commands to the subject who was lying in the neighbor's driveway. The subject did not respond to the officers' commands. Officers then formed a tactical group or "stack" and approached the subject. Once the officers reached the subject and determined he was unarmed, they began to render aid.

Officer Ondercin did not see the subject until the sound of gunfire had subsided. Officer Ondercin reported he could not see if the subject had anything in his hands as he was running.

Officer Ondercin reported officers advised it was safe for an EMS squad to respond quickly after officers approached the subject. Further, officers attempted to render aid until the EMS squad arrived.

When asked, Officer Ondercin reported he heard yelling prior to the shooting but was not focused on what was being yelled as he was busy talking to the subject's father and sisters during that time-period.

When asked, Officer Ondercin stated he did not visually see the subject or any officers fire a gun.

When asked, Officer Ondercin reported he did not hear the subject make any statements during the time of the shooting occurred or thereafter.

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When asked, Officer Ondercin stated he did not see any actions taken by any officers he felt were inappropriate or criminal.

References:

D - Video Recorded Interview of Officer Brian Ondercin

Attachments:

None

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