

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



2024-3258

Officer Involved Critical Incident – 1273 Rosedale Drive, Dayton, OH (Montgomery Co.) (L)

Investigative Act	ivitv:	Interview	with	Officer

Involves:

Date of Activity: 11/07/2024

Activity Location: Moraine Police Department – 4200 Dryden Road, Dayton, OH

45402

Author: SA Richard Ward, #55

Narrative:

On Saturday, October 19, 2024, the Dayton Police Department requested the assistance of the Ohio Bureau of Criminal Investigation in investigating the facts and circumstances surrounding an Officer-Involved Critical Incident (OICI) that occurred on the same date on Access Road near Rosedale Drive in the city of Dayton.

On Thursday, November 07, 2024 at approximately 1103 hours, Ohio Bureau of Criminal Investigation Special Agent Richard Ward interviewed Moraine Police who was accompanied by his union attorney, Kevin Dinkelacker. was identified as an officer who discharged his weapon during the OICI. The interview took place in a conference room at the Moraine Police Department, located at 4200 Dryden Road, Moraine, Ohio. The interview was audio recorded.

The details below summarize what the author believed to be 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.

read, understood, and signed the BCI Criminal Investigation Notification form, (attached below).

Preliminary and Demographic Information:

Name:	Rank:
Badge Number:	Cruiser/Vehicle Number: N/A
Radio Call Sign:	Immediate Supervisor: Mike Henry OIC

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Radio Channel Utilized: Moraine Dispatch	Mobile Data Terminal: Yes	
Cruiser Description: White with blue and	Occupants of Cruiser and Seating	
red markings	Positions: Driver	
Assignment:	Normal Shift: Yes	
In-Car Camera: Yes.	Spotlight: Yes	
Emergency Lights: Yes	Siren: Yes	
Shift Day of Incident:	Duty Status: Choose an item.	
Days Off:	Prior Overtime or Extra Details within Preceding 48 Hours: None	
Hours of Sleep Prior to Incident: N/A	Consider Self Well Rested?: Yes	
Total Length as Officer: Since	Length at Current Agency: Since	
Physical Disabilities (to include hearing aid): None	Corrective Lenses: Choose an item.	
Uniform Worn: Navy blue shirt & Pants with police markings	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: Click here to enter text.	
Ballistic Vest: Inside	Body Worn Camera: Yes	
Other Recording Devices: None	Partner: None	
Injuries: None	Equipment Damage : Click here to enter text.	
Training or Areas of Specialty: None	OPOTC Certification: Click here to enter text.	
Military Experience/Training: None	Use-of-Force Training: N/A	
Prior Shooting Incidents: Yes (Cleared)	Prior Discipline or Use-of-Force Complaints: Yes-written reprimanded	
Medications, Prescriptions, or Drugs that might Impair Your Duties at Time of Incident: None	Medications, Prescriptions, or Drugs that might Impair You Now for Interview: None	
Alcohol in Past 24 Hours? None	Last Consumed Alcohol Prior to Incident: N/A	

Officer's Firearm(s):

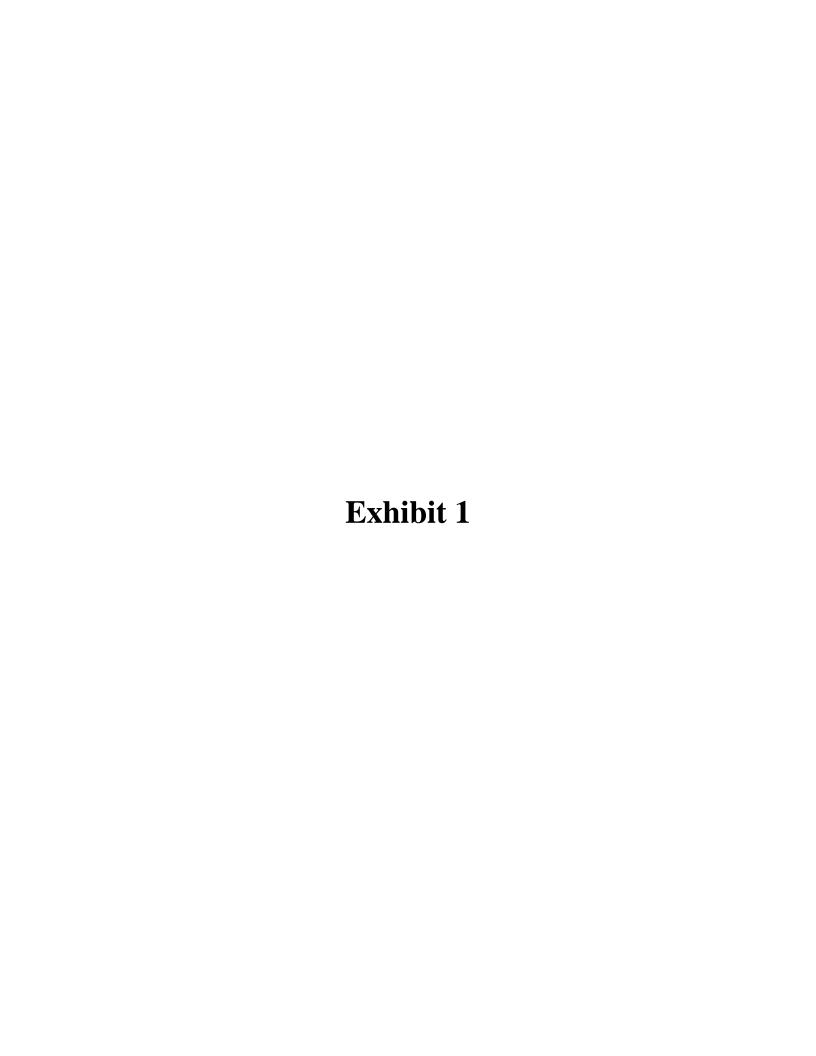
Weapon #1

Make: Glock	Model: 17	
Caliber/Gauge: 9mm	Serial:	
Type: Semi-auto	Method of Carry: Click here to enter text.	
Magazine Capacity: 17 rounds	Total Rounds as Carried (including chamber): Click here to enter text.	
Extra Magazines: Two	Number of Rounds in Extra Magazines: 17	
Discharged During Incident? Yes	Primary or Backup N/A	
Rounds Remaining After Incident:	Number of Rounds Fired: 3	
Right/Left-Handed Carry: Right	Ownership: Choose an item.	
Last Qualification Date: 5-24-2024	Type of Holster, if any:	

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heard via the radio, an officer(s) needed assistance "Signal 99", which was broadcasted by the City of Dayton Police Department. According to along with the officer needs assistance, additional information of a man with a gun and not to approach the scene from the south was broadcasted by Dayton Police was authorized by his supervisor to assist and although he did not recall the street, he believed Rosedale was the street he responded to. did not recall any additional details prior to arriving on scene.
Once when a drived from the south, he and a deputy sheriff exited their vehicles at the same time. When shown a diagram, identified his position on Rosedale south of the intersection of Access Road and sought covered behind a Dayton Police vehicle with a deputy and a Dayton officer. Some observed a person [Taylor Cotton] seated in the driver's seat with the door open, of a vehicle holding a shotgun and was pointing the shotgun in the air. Observed Dayton Police officers using a blue civilian vehicle as cover and were communicating with Cotton. Agent Ward asked if he heard the dialog and stated the police were attempting negotiations with Cotton. Heard family members of Cotton yelling to officers the gun was unloaded and to just "beat his ass", but did not believe and officers responded. After a period of time, the negotiations with Cotton broke down and Cotton stood from the vehicle, shouldered the shotgun and leveled/pointed the shotgun toward officers positions. Delieved Cotton had discharged one round, but now believed if may have been the officer beside him who had discharged a rifle. When Cotton had pointed the shotgun, ducked behind the cruiser where he sought covered and within seconds, rose up and discharged three (3) rounds toward Cotton. Observed Cotton fall to the ground, Dayton Police approached and began to provide life saving efforts. Someone had asked who discharged their weapons and dientified himself as one who had fired. Stepped away from the scene, and downloaded the magazine that was inside his Glock.
relocated to the Dayton Safety Building where he was photographed in uniform by a BCI Agent and his Glock was collected with the three magazines.
Agent Ward concluded the audio recorded interview (attached below) with 1121 hours.
References:
No references.
Attachments:
Attachment # 01: BCI Criminal Investigation Notification - Moraine PD Attachment # 02: 2024-11-07 Interview of Moraine Police

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Ohio Attorney General's Office Bureau of Criminal Investigation



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).

	_	11/7/24/11
Printed Name of Interviewee		Date / Time
Signature of Interviewee	-	
Kick Wans	_	
BCI Agent (Printed)	_	
Q = 10		

Exhibit 2

Included as a separate file.