



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



2024-2738

Officer Involved Critical Incident - 345 Lincoln Ave.,
Lancaster, OH 43130 (L)

Investigative Activity: Body-Worn Camera Review

Involves: [REDACTED]

Activity Date: 10/31/2024

Activity Location: 720 W. Waterloo, Canal Winchester, OH and 345 Lincoln Ave., Lancaster, OH

Authoring Agent: SA Aja Chung

Narrative:

On Thursday, October 31, 2024, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Aja Chung (SA Chung) received video footage from Detective Jason Meadows from the Fairfield County Sheriff's Office (FCSO). SA Chung was informed that the videos contained footage from the body camera recorded by FCSO [REDACTED]

These recordings are related to the arrest of Chad Evangelista (Evangelista) for disorderly conduct and obstructing official business by the Fairfield County Sheriff's Office and transported to the Fairfield County Jail on September 7, 2024.

SA Chung reviewed the video recordings and noted the following:

The video was 1:05:16 hours long and began with [REDACTED] driving a patrol car during daylight hours. [REDACTED] rolled down his window and was heard asking a subject, later identified as Evangelista, "Hey buddy, you alright? Can I come talk to you over there? I'll come talk to you, hang on." [REDACTED] then parked and exited his patrol car.

- Evangelista, wearing black shorts and shirt was seen walking in the roadway, and yelling "Mom!"
- [REDACTED] was heard telling Evangelista he was not in trouble and asked for Evangelista's name. [REDACTED] was heard and observed making multiple attempts to talk to Evangelista.
- [REDACTED] was heard radioing in, "46, I got a 10." Simultaneously, Evangelista can be seen walking and eventually running away from [REDACTED] in the roadway.

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- After a brief foot pursuit, [REDACTED] caught up to Evangelista and grabbed hold of Evangelista's left arm.



(1 [REDACTED] BWC screenshot)

- [REDACTED] was heard telling Evangelista to relax and identified himself as the police. Evangelista did not comply and was seen pulling away from [REDACTED] control. A phone was observed in Evangelista's right hand.
- At the 2:21 minute mark, [REDACTED] attempted to control Evangelista, and his BWC falls off and into the street. The BWC continued to record and remained where it landed until it was retrieved approximately ten minutes later.

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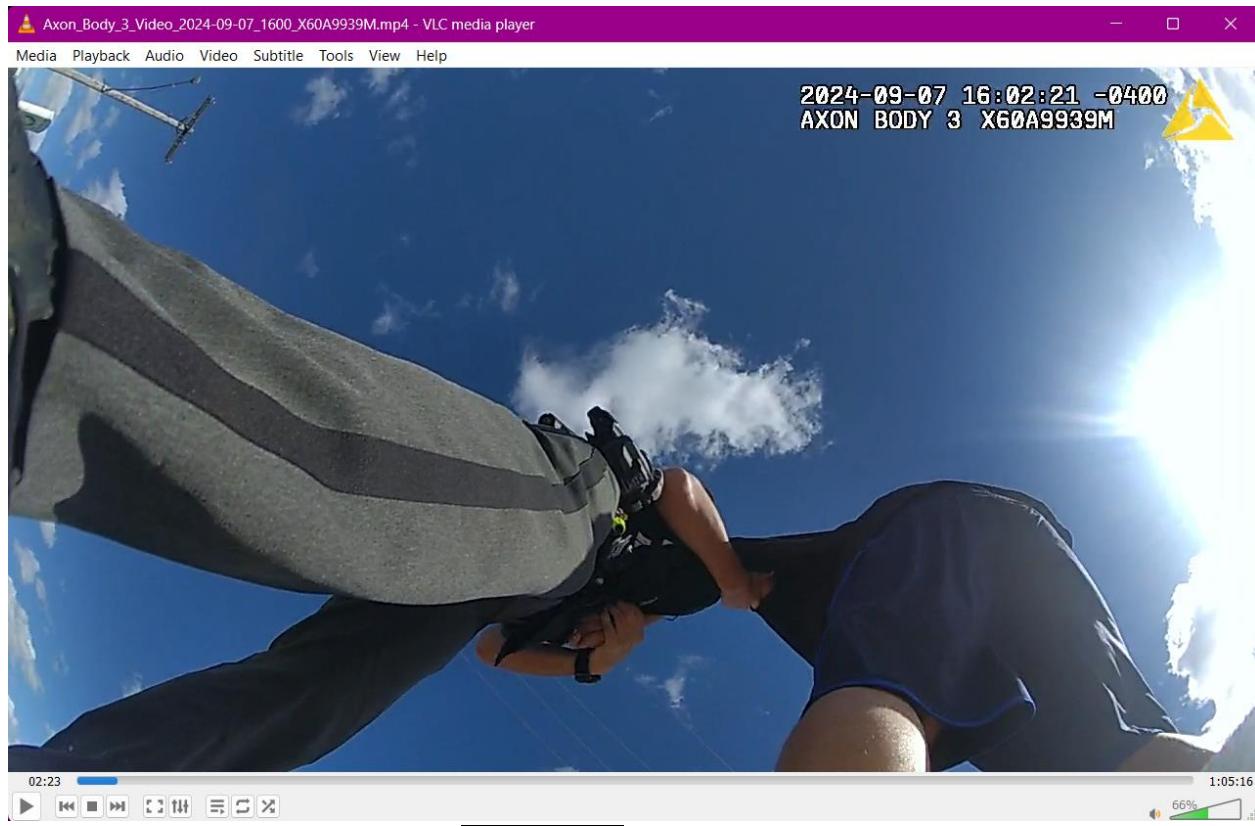


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(2- [REDACTED] WC screenshot)

- [REDACTED] was seen still trying to control Evangelista by holding on to Evangelista's left arm with both his hands as they moved out of view. [REDACTED]. [REDACTED] was heard giving orders to Evangelista to "Get down. Stop! Get on the fucking ground Chad!" Evangelista can be heard yelling for his mom.

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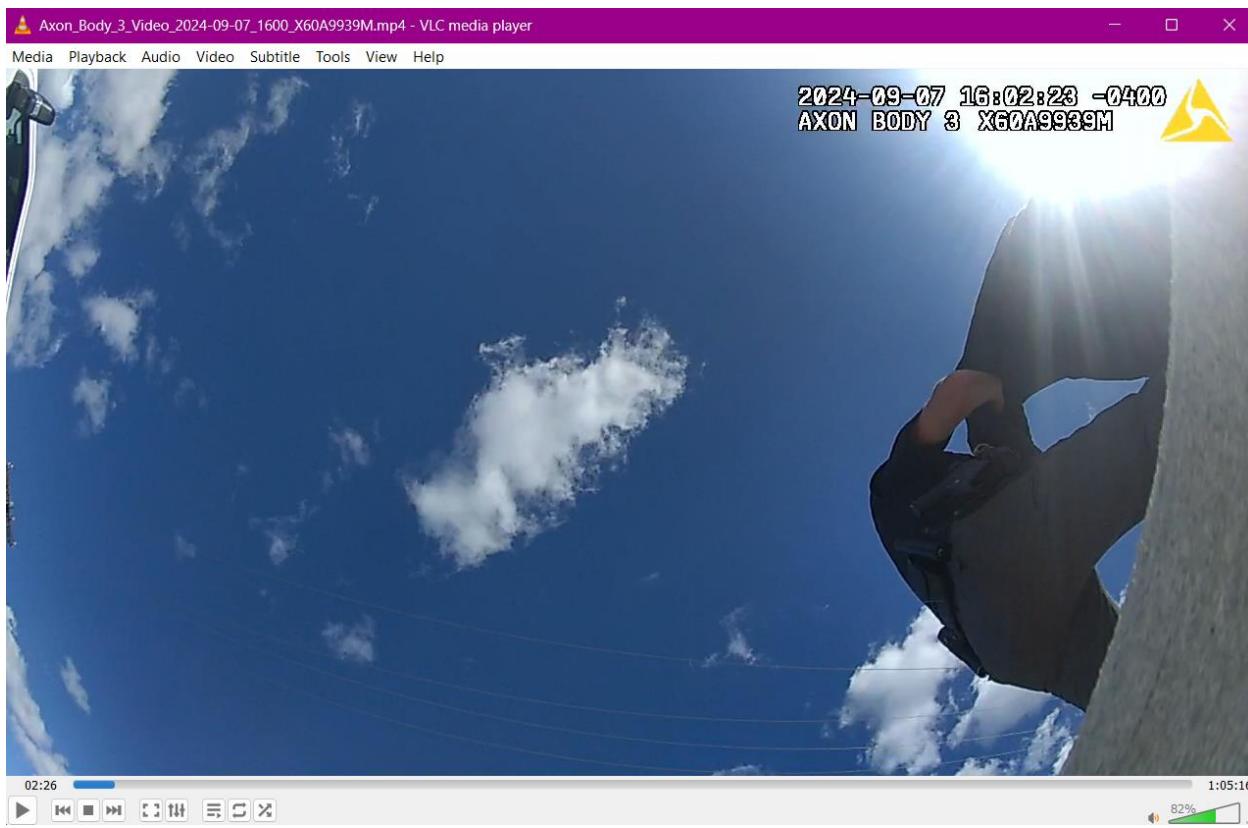


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(3) [REDACTED] BWC screenshot)

- After the 2:33 minute mark, nothing was observed and only orders given by [REDACTED] and Evangelista yelling were heard. The orders heard were for Evangelista to get on the ground.
- As traffic passed by, [REDACTED] was heard trying to calm Evangelista down as Evangelista yells, "Help!".
- At 3:37 minute mark, faint yelling can be heard. It is unknown if it was [REDACTED] or Evangelista.
- At the 7:30 minute mark, police sirens were heard, and a sheriff's cruiser was seen driving in the direction of where [REDACTED] and Evangelista were last seen moving towards.
- Traffic passing was the only thing heard or seen for the next five (5) minutes.

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- At the 12:36 minute mark, [REDACTED] was seen picking his BWC camera up and was heard talking to another officer, later identified as Lithopolis Police Officer Kurtis Schmidt (LPD Officer Schmidt).
- [REDACTED] was heard updating dispatch via radio, that Evangelista was in custody and in the back of the Franklin County cruiser.
- [REDACTED] walked back to his cruiser and drove it closer to the area where Evangelista was apprehended.
- In general conversation with other officers at the scene, [REDACTED] stated that his taser did not work. He later told an officer that his taser would not turn on.
- At the 18:53 minute mark, [REDACTED] stated that Evangelista did not have any warrants. He tried to pull his taser, however, it would not turn on. [REDACTED] said a citizen assisted him, "By grabbing his other arm."
- [REDACTED] pulled his cruiser next to the Franklin County deputy's cruiser.
- Evangelista was observed to have labored breathing with exaggerated exhales.
- [REDACTED] was seen checking the handcuffs for tightness and double locks them.
- Evangelista was heard saying, "I think I need a..." (does not finish his sentence).
- LPD Ofc. Schmidt was heard asking Evangelista, "You think you need a what? You need a medic?" Evangelista stated, "No, I don't need a medic."
- Evangelista was seen leaning away from [REDACTED] as [REDACTED] attempted to place Evangelista in the cruiser. Evangelista was also observed leaning his body against the cruiser. Part of the camera's view was blocked by Evangelista's arm.
- At the 25:30-minute mark, [REDACTED] was heard telling Evangelista he was under arrest for "Fighting with me the entire time, for no reason." "I tried to help you at first man, but it really wasn't working out. You just had to listen a little bit." Evangelista was heard saying, "I was trying to get to my mom."
- [REDACTED] radioed to dispatch he was enroute to the Fairfield County jail.

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- During the 25-minute transport, Evangelista repeated his name, address, mother's name, and his medical diagnoses. Those statements got louder as time went on. Evangelista's exaggerated exhales can be heard the entire car ride. Evangelista's statements were slurred, and his sentences were incomplete.
- At the 28:42-minute mark, [REDACTED] received a phone call from his sergeant and ended at the 31:28-minute mark. Potential Garrity statements were made. It is unknown what questions or statements were made by the sergeant on the other line.
 - Agent note: SA Chung spoke with Fairfield Prosecutor Kyle Witt who advised the statement was not compelled.
- [REDACTED] asked Evangelista, "Did you take something? Because you appear to be under the influence." Evangelista later stated, inside the jail sally port that he thought someone put something in his drink and that he does not use drugs.
- At the 46:05-minute mark, Evangelista was heard saying he has a heart condition and slurs something inaudible. [REDACTED] did not respond.
- At the 54:09-minute mark, [REDACTED] arrived at the Fairfield County Jail (FCJ) and secures his weapons in the trunk of his cruiser.
- At the 55:53-minute mark, Evangelista says, "I need to go to the hospital" and continues to repeat his personal information.
- At this time FCJ Corrections Officer (CO) Kunkler (CO Kunkler) was standing near the cruiser inside the sally port and [REDACTED] gives the details of the incident.
- CO Kunkler opened the rear cruiser door and could be heard asking Evangelista questions, but Evangelista continued to repeat his personal information, speaking over CO Kunkler.
- At the 59:26-minute mark, Evangelista stated, "I didn't use drugs. I have a heart condition." Evangelista then was heard telling CO Kunkler his medical diagnoses.
- At the 1:00:42 hour mark, CO Kunkler and another FCJ deputy are seen forcefully pulling Evangelista from the back of the cruiser. Evangelista appeared to use his body weight to resist the deputies' control.

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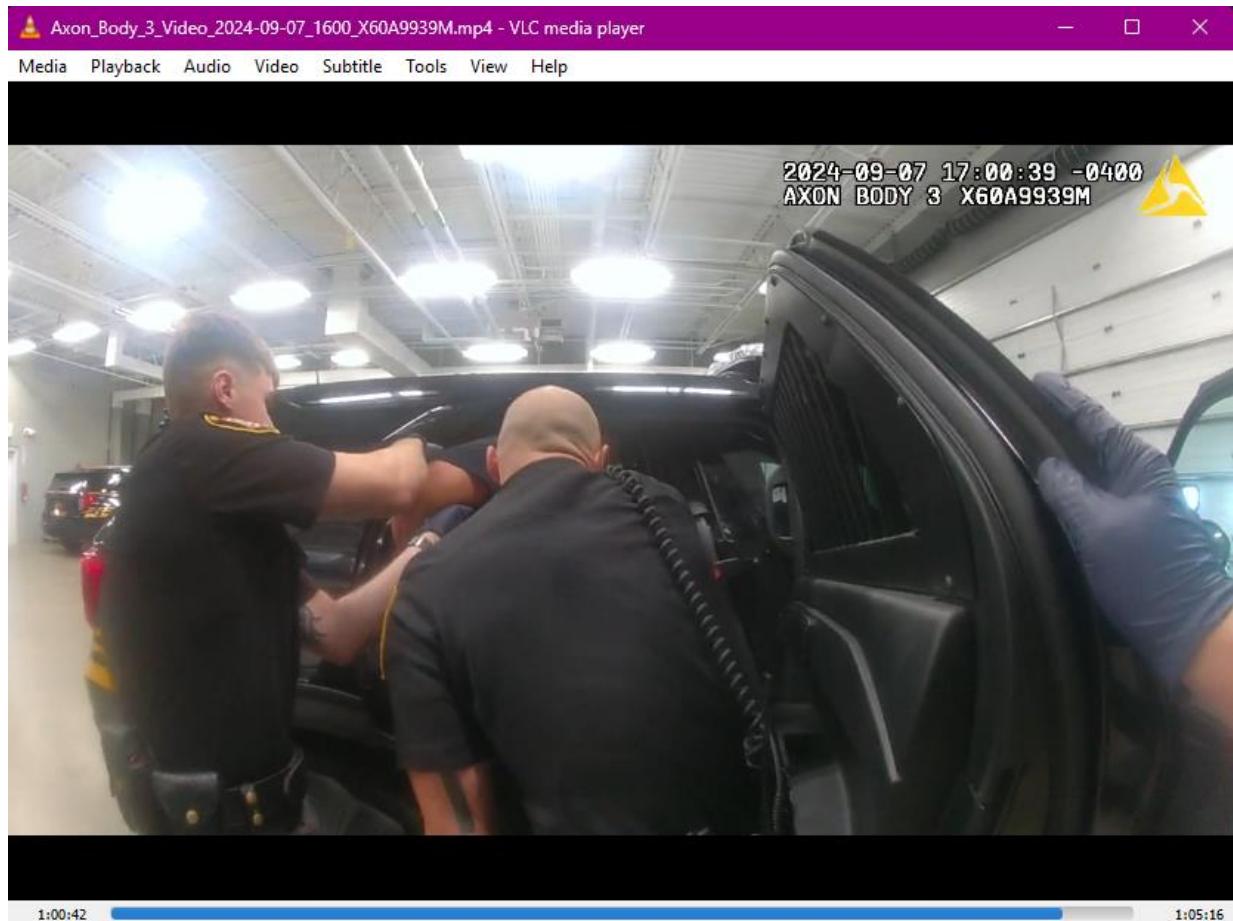


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(4- [REDACTED] BWC screenshot)

- When Evangelista was being escorted towards the jail door, he started to yell he was having a heart attack and “Help me!”.
- Once inside the jail, Evangelista was observed resisting to sit down, and the orders given by the corrections officers could be heard with no compliance from Evangelista. Evangelista’s face was observed to be wet from sweat and foamy saliva was seen on his lips and mouth area.
- Evangelista was seen trying to stop the movements of the deputies by leaning his body weight in opposite directions. Evangelista was firmly escorted into a jail cell by both COs and [REDACTED].

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- Evangelista was standing and was given orders to “Get down”. Evangelista was still yelling his personal information as deputies attempted to control him. Evangelist’s breathing was still labored.
- Evangelista can be seen clinching his hands into fists that were still handcuffed behind his back.
- At the 1:02:37 hour mark, CO Kunkler can be heard telling Evangelista, “Spit in my face again (inaudible).” Further attempts to calm Evangelista were unsuccessful and Evangelista was observed not bending his knee as ordered by deputies.
- At the 1:03:20 hour mark, [REDACTED] BWC falls off and the view became dark. Evangelista’s yelling and conversation between FCSO were heard.
- One minute later, Evangelista was heard saying, “It hurts,” “I’m Chad Evangelista,” he moaned and said with a labored breath, “I need to go to the hospital.”
- At the 1:05:08 hour mark, the handcuff teeth can be heard being cycled (movable arm placed in stationary arm) and a deputy was heard calmly saying, “Listen to me. The cuffs are off now. You’re going to stay where you’re at until we exit the cell.”
- At the same time, [REDACTED] picked up his BWC and Evangelista was observed on his stomach with his arms behind his back on the cell floor, still under control by CO Kunkler.
- The footage stopped immediately after the word “cell” was heard.

ADDITIONAL FACTORS FOR EVALUATING THE VIDEO RECORDINGS

There are numerous other factors that need to be considered when reviewing and evaluating the videos and audio recordings of this incident. Those factors are:

A. Video recording devices record within the video and sound capabilities available, and they record objectively. Video recordings lack the history, perspective, and interest of the people involved. The positions, angles, obstacles, lighting, and distance from the incident are also factors that need serious consideration.

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B. Video recording devices also record more information about a particular scene or incident than the person(s) involved in the incident can process during the critical incident. Video recording devices rarely record an event from the same perspective of the officer. It captures the action but not the perception, decision making, focus, or intent of the officer. Video recordings often miss tactile cues or other actions of a subject.

C. The speed of the incident is remarkable. The speed and complexity of rapidly evolving situation(s) that occur during use of force encounters are difficult concepts to comprehend by only watching the video.

References:

A - Body-Worn Camera Fairfield SO [REDACTED]

Attachments:

1 - [REDACTED] BWC screenshot

2 - [REDACTED] BWC screenshot

3 - [REDACTED] BWC screenshot

4 - [REDACTED] BWC screenshot

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Media Playback Audio Video Subtitle Tools View Help

2024-09-07 16:02:10 -0400
AXON BODY 3 X60A9939M

02:13

1:05:16



Media Playback Audio Video Subtitle Tools View Help

2024-09-07 16:02:21 -0400
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Media Playback Audio Video Subtitle Tools View Help

2024-09-07 16:02:23 -0400

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02:26



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2024-09-07 17:00:39 -0400
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1:00:42

1:05:16