

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



Involves: Taylor Coleman Anthony Cotton (S)

Date of Activity: 11/18/2024

Activity Location: Ohio Bureau of Criminal Investigation – 1560 SR 56 SW, London,

OH 43140

Author: SA Steven Seitzman

To: Mat Heck, Jr., Montgomery County Prosecutor

CC: Special Agent Supervisor William Jones, Ohio Bureau of Criminal Investigation

From: Special Agent Steven Seitzman, Ohio Bureau of Criminal Investigation

Date: February 4, 2025

Case Title: Officer-Involved Critical Incident- 1273 Rosedale Drive, Dayton, OH (Montgomery

Co.)

Case Number: 2024-3258

Investigative Request

On Saturday, October 19, 2024, Director and Chief of Police Kamran Afzal of the Dayton Police Department requested the assistance of the Ohio Bureau of Criminal Investigation's (BCI) Special Investigations Unit (SIU) and Crime Scene Unit (CSU) in conducting an independent investigation into the facts and circumstances surrounding an officer-involved critical incident. The incident occurred on October 19, 2024, in the area of Access Road and Rosedale Drive in the city of Dayton, Montgomery County, Ohio, and resulted in the death of Taylor Coleman Anthony Cotton.

Preface:

This report serves as a synopsis of the investigation into the October 19, 2024, officer-involved critical incident in Montgomery County, Ohio. This report only summarizes the information that the investigative team determined to be the most useful in achieving an overall understanding of what occurred in this incident. While this report presents the most relevant information to gain a comprehensive understanding of the incident, it does not include every fact or detail. Therefore, it is recommended that each individual report from which this document is derived be read in order to obtain a complete understanding of this

investigation. Further, audio and/or video recordings exist for the majority of the interviews conducted, revealing further details of statements given regarding the incident.

This investigation was conducted with the purpose of determining, to the extent possible, the facts and circumstances surrounding this incident. As unbiased collectors of fact, the investigative team has not and will not render any opinion on the legality of officers' actions. Instead, it is anticipated that this investigation will provide the basis of information for decisions to be rendered by the appropriate authorities.

Investigative Team

BCI Special Agent Steven Seitzman was assigned as the lead SIU case agent. SA Seitzman received assistance in the investigation from Special Agents Richard Ward, Perry Roeser, Kenneth Smith, and David Hornyak. BCI Special Agents Kevin Wagner and Sarah Taylor, along with Crime Scene Technician Holly Ryczek of the Crime Scene Unit, processed the scene of the incident, documenting, preserving, and collecting possible evidence. The investigation was supervised by Special Agent Supervisor William Jones. Additionally, various personnel from the BCI crime laboratory performed scientific analyses on submitted items of potential physical evidence.

Summary of Process

The following is a partial list of investigative activities or methods that were employed by the investigative team during the course of this investigation in an effort to thoroughly and accurately locate and document all pertinent facts and circumstances regarding this incident:

- Recorded interview(s) of the following officers who discharged their weapons:
 - Dayton Police
 Dayton Police
 Dayton Police
 Dayton Police
 Dayton Police
 Dayton Police
 Montgomery County Sheriff's Office
 Moraine Police
- Recorded interviews of the following officers who were involved in the incident, at the scene, or otherwise deemed to potentially have relevant information:
 - Dayton Police Lieutenant David Matthews
 - Montgomery County Sheriff's Office Deputy Charles Whitaker
 - Montgomery County Sheriff's Office Deputy Alec Pfaff
 - Montgomery County Sheriff's Office Deputy Austin Shively
 - Montgomery County Sheriff's Office Sergeant Joshua Walters
 - Montgomery County Sheriff's Office Deputy John Rieder
 - Oakwood Public Safety Officer Rob Wilson
- Neighborhood canvass of the area surrounding the scene
- Interviews of civilian witnesses
 - Andre McDonald
 - Sean McDonald
 - Melissa lames
 - Mark Spitznagel
 - Kathy Raab
 - Paul McDaniel
- Special A gent attendance of post-mortem examination (autopsy) of the deceased
- Obtained and reviewed post-mortem examination (autopsy) and toxicology reports
- Obtained and reviewed police reports of prior law enforcement contacts with the subject
- Obtained and reviewed open and closed-source biographical information on the involved subject, to include criminal history reports, OHLEG, driving records, etc.
- FBI National Crime Information Center (NCIC) checks on any non-law enforcement weapons involved in the incident (to determine if reported stolen)
- Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) trace on any non-law enforcement weapons involved in the incident (to determine ownership history)
- Review of all available dash camera footage involved in the incident
- Review of all available body camera footage involved in the incident
- Review of all available surveillance video which captured any portion of the incident
- Processing of the scene for potential evidence (photographing, searching, measuring,

documenting, and collecting)

- 3D scans / model of incident area
- Processing of involved vehicle for potential evidence
- Reviewed audio communications on the radio frequencies utilized during the incident
- Review of 911/phone communications related to the incident
- Review of dispatch/CAD records pertaining to the incident
- Conducted forensic laboratory examinations to include:
 - Firearm identification testing of involved firearms, casings, and bullets
 - Firearm operability testing
- Collected and reviewed the departmental personnel files of the officers involved in the shooting, to include training and disciplinary records (if any)
- Reviewed firearm qualification and training records for involved officers
- Verified the Ohio Peace Officer Training Commission (OPOTC) certification status of the officer(s) who discharged their weapons
- Obtained the department's policies and procedures regarding use of force for prosecutorial review
- Obtained a search warrant for the involved subject's medical records.
 - Reviewed the medical records
- Reviewed EMS records pertaining to the response and treatment administered
- Reviewed a subject work-up completed by the BCI Criminal Intelligence Unit

Incident Summary/Overview

The following information is based on the statements of the involved law enforcement officers, statements of witnesses, video footage (body-worn, cruiser, and surveillance camera footage), and dispatch/CAD information.

On Saturday, October 19, 2024, at approximately 0824 hours, Pamela Osborne, resident of 1273 Rosedale Drive, contacted the Montgomery County Regional Dispatch Center to report that her son, later identified as Taylor Coleman Anthony Cotton, was experiencing a mental health crisis. Although she was reportedly uncooperative with the dispatcher, she stated that her son threatened to kill her. She also reported that in the days prior to her call, Cotton threw bricks in the roadway and set the vacant house next door on fire. She further stated that he was getting in his car and "hitting other cars."

Ms. Osborne hung up on the dispatcher. She called again at approximately 0827 hours. During that call, she reported that "he" had a gun. A male voice in the background, believed to be Cotton, said, "They need people with guns because there's gonna be a shootout immediately as soon as they come violating my rights. I've done nothing to that woman. I'm leaving her mother fucking property. Y'all come messin' with me; it will be an automatic shootout. So come ready to shoot. Please and thank you." Ms. Osborne then said to the dispatcher, "Now what you think, woman?" and hung up once again.

Video footage from 1228 Rosedale Drive showed Cotton's tan Buick sedan slowly driving from the area of Access Road at approximately 0830 hours. The vehicle turned right onto southbound Rosedale Drive, then made a wide left turn into the driveway of 651 Yale Avenue. The vehicle backed out of the driveway and slowly drove north on Rosedale Drive. It then turned left onto Access Road out of camera view.

From 0827 to 0829 hours, multiple Dayton police officers self-dispatched to the call, including the control of the call involved and the call involved and that the involved subject had left in the tan Buick. Officers received information over the police radio that a "mental health gentleman" lives at the involved residence.

At approximately 0841 hours, Ms. Osborne exited the residence and conversed with the police officers. As officers were speaking with Ms. Osborne, the tan Buick returned at approximately 0842 hours. The vehicle drove around a police cruiser blocking the roadway and turned left onto Access Road. It stopped in the middle of the roadway just past the intersection.

Dayton police officers yelled at the person in the tan Buick, who was later identified as Cotton, to put his hands up. Within approximately 15 seconds, Cotton opened the driver's door of the vehicle. Dayton Police Officer yelled, "Put it down," then broadcast over the police radio, "99. We got someone with a gun." A signal 99 is an all-county officer in distress broadcast. At that point, the officers on scene took positions of cover, many behind a blue sedan parked in front of 1273 Rosedale Drive. Additional law enforcement officers from multiple agencies responded to the 99 broadcast. Through evidence collected at the scene

From approximately 0842 until 0909 hours, continuously attempted to converse with Cotton. yelled to Cotton that he wanted the situation to end peacefully and to put the gun down. He told Cotton that no one wished to hurt him. The only time Cotton seemingly responded was at approximately 0851 hours when he said something to the effect of this being the "only way" and "on the way up." At approximately 0909 hours, Cotton exited his vehicle and pointed his long gun in the direction of the officers who were positioned beside the parked blue vehicle on Rosedale Drive. Dayton police officers Moraine Police Officer and Montgomery County fired at Cotton. Cotton was struck several times. The Sheriff's Office gunfire lasted for approximately just over four seconds. The timing was based on body-worn camera footage (approximately from frames 59946 to 60092 at a playback speed of 30.0372 frames per second, which amounted to 4.86 seconds).

and interviews, it was learned that Cotton was in possession of a shotgun.

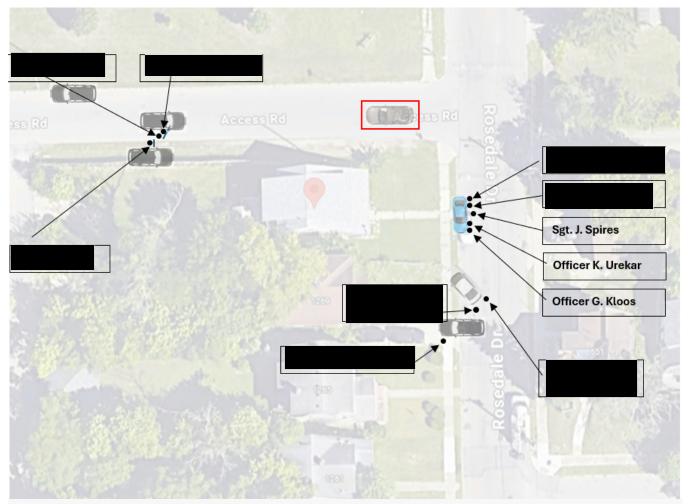
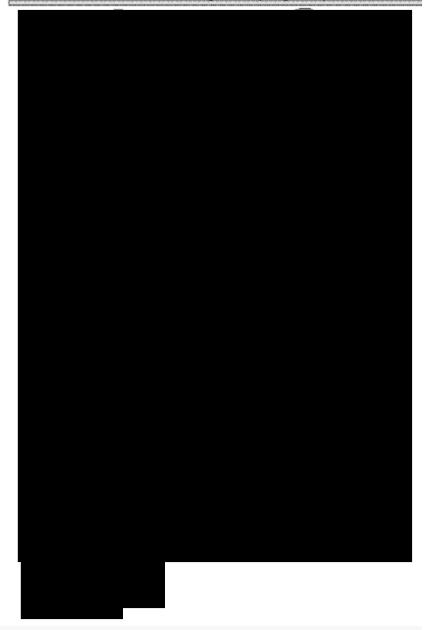


Image showing the approximate locations of the involved law enforcement officers and some of the witnessing officers during the OICI. The officers who fired their weapons are highlighted in red. Please note that this image is not to scale, and the approximations were made based on officer statements and a review of video footage.

After the shooting ceased, the police officers approached Cotton and rendered medical aid. It took police officers approximately 16 seconds to reach Cotton after the shots had stopped. The timing was based on body-worn camera footage (frames 60092 to 60594 at a playback speed of 30.0372 fps, which amounted to 16.7 seconds). The Dayton Fire Department responded and subsequently transported Cotton to the Miami Valley Hospital. Dayton EMS arrived at the Miami Valley Hospital with Cotton at approximately 0932 hours. Cotton was pronounced deceased at 0938 hours. Miami Valley Hospital records included the following diagram notating observed injuries to Cotton:

Last edited 10/19/2024 10:09 by Goetz, Taylor A, RN



Page 50 of Cotton's Miami Valley Hospital Patient Record

Autopsy Report

On Thursday, November 21, 2024, Ohio Bureau of Criminal Investigation Special Agent Steven Seitzman received the postmortem and toxicology reports from the Montgomery County Coroner's Office. SA Seitzman reviewed the reports and noted the following:

Toxicology Report

• The toxicology report revealed that fluids were taken from cavity blood, urine, and vitreous humor

•

Postmortem Examination Report

 The postmortem examination was performed by Montgomery County Deputy Coroner Kevin Jenkins, M.D., Forensic Pathologist

Dr. Jenkins determined the cause of death to be

• The following injuries were discovered:



Physical Evidence

The BCI Crime Scene Unit was requested to respond to the scene of the shooting in order to document and preserve any items of potential evidence. Multiple agents responded and processed the scene, to include photographing and mapping the area, as well as the search for, documentation, and collection of items of possible evidence. Detailed crime scene reports were completed, and the below information only summarizes some of the more significant findings.

SA Wagner arrived at Access Road and Rosedale Avenue at 1045 hours and began a crime scene log. The scene was cordoned off by DPD with yellow crime scene tape. Multiple marked DPD cruisers were positioned in various locations around the scene and were said to have been there when the shooting occurred. A beige Buick with no license plate (VIN 2G4WS52J611274229) sat in the middle of Access Road, near the intersection and corresponding stop sign. A blue Chrysler 200 (Ohio plate KJT8270) was also near the intersection, in front of 1273 Rosedale Avenue. SA Wagner utilized a Leica BLK360 3D scanner to collect measurements of the scene.

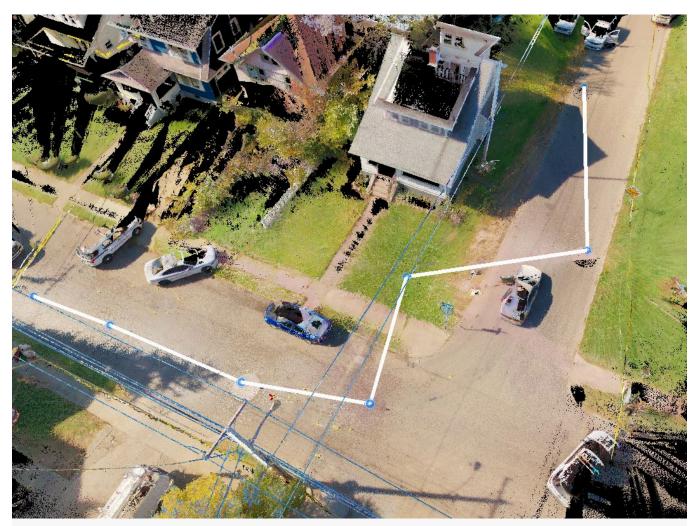


Image of Leica BLK360 3D Scan



Image KTW_0322 showing the involved Buick on Access Road near Rosedale Drive

SA Wagner located a Brasileira De Cartuchos model SB single-shot shotgun (item 1) with serial number 258513 in the grass, adjacent to the roadway at the base of the stop sign. Medical supplies were observed in close proximity to the beige Buick. The shotgun's exposed hammer was cocked and in firing position but was absent a shotshell in the chamber. A black smartphone with a tan case (item 2) was located near the shotgun and medical supplies in the grass. A bloody white t-shirt or sheet was collected among the medical supplies in the grass as item 3. A black-handled kitchen knife was located on the center console inside the beige Buick and was collected as item 4. Multiple projectile fragments were located inside the driver's door panel of the beige Buick and were collected together as item 34. No additional items of evidentiary value were collected from the Buick.



Image KTW_0428



The following casings were collected from the roadway and near multiple marked police cruisers:

Item #'s	Item Description	Location
5-7, 9, 14-15, 22, 24-27, 31-33	9mm Luger FC casing	Roadway
8, 10-13, 16, 18-21, 23	.223 Rem FC casing	Roadway
17	Nine .223 Rem FC casings	From hood of DPD cruiser 180418
29	Six .223 Rem FC casings	From area near DPD cruiser 180414
28	Projectile fragment	Underneath Blue Chrysler 200 KJT8270

CST Ryczek arrived at the station at approximately 1100 hours. She was advised that six DPD officers, one Moraine Police Department (MPD) officer, and one Montgomery County Sheriff's Office (MCSO) deputy had discharged their weapons. All officers and the deputy located at the station were observed to be in their agency-issued uniforms and advised they were dressed as they were at the time of the incident. Most DPD officers reported that at the end of the incident, they performed a reload with retention. Therefore, the magazines inside their firearms were not used during the incident. The specifics of each officer are detailed below:

- DPD: Reportedly discharged his duty pistol during the incident. His duty pistol was a Glock 17 9mm pistol (S/N: . It was found with one cartridge in the chamber and what appeared to be a fully loaded magazine. His duty belt contained what appeared to be an additional fully loaded magazine and one magazine containing six cartridges. His pistol, magazines, and cartridges were collected as item 1. - DPD: Reportedly discharged his duty rifle during the incident. His duty rifle was a LWRC IC DI 5.56 rifle (S/N:). It was found with one cartridge in the chamber and a seated magazine that McDermott reported was not used during the incident. A magazine containing seventeen cartridges was located tucked into his duty vest. His rifle, magazines, and cartridges were collected as item 2. - DPD: Reportedly discharged his duty rifle during the incident. His duty rifle was a RRA LAR-15M 5.56 rifle (S/N:). It was found with one cartridge in the chamber and one magazine containing twenty one cartridges. He advised he did not have any additional magazines on his person. His rifle, magazine, and cartridges were collected as item 3. - DPD: Reportedly discharged his duty pistol during the incident. His duty pistol was a Glock 17 9mm pistol (S/N: cartridge in the chamber a fully loaded magazine. His duty belt contained what appeared to be an additional fully loaded magazine and one magazine containing eleven cartridges. His pistol, magazines, and cartridges were collected as item 4. - DPD: Reportedly discharged his duty rifle during the incident. His duty rifle was a RRA LAR-15 5.56 rifle (S/N: It was found with

one cartridge in the chamber and two magazines joined with a coupler. The seated magazine (lower-sitting magazine) contained twenty-one cartridges and the higher-sitting magazine containing twenty-eight cartridges. He advised he did not have any additional magazines on his person. His rifle, magazine, and cartridges were collected as item 5.

- DPD: Reportedly discharged his duty pistol during the incident. His duty pistol was a Glock 17 9mm pistol (S/N: Line 1). It was found with one cartridge in the chamber, and a fully loaded magazine. His duty vest contained an additional fully loaded magazine and one magazine containing sixteen cartridges. His duty belt contained two additional loaded magazines. His pistol, magazines, and cartridges were collected as item 6.
- MPD: Reportedly discharged his duty pistol during the incident. His duty pistol was a Glock 17 9mm pistol (S/N: Least 1). It was found with one cartridge in the chamber and one magazine containing fourteen cartridges. Two additional loaded magazines were located on his duty belt. His pistol, magazines, and cartridges were collected as item 7.

The BCI Firearms Section performed an analysis of the officers' firearms, as well as the firearm-related evidence collected from the scene and autopsy (casings and fired projectiles). By comparing evidentiary cartridge casings/projectiles to known standards from each weapon, identifications were able to be made as to which casings/projectiles were fired from each firearm. Of the casings/projectiles recovered, the following identifications were made:

- DPD Grand Glock pistol was determined to be OPERABLE and identified as the source of the following cartridge casings collected by the BCI Crime Scene Unit:
 - BCI items 5, 6, 7, 9, 24, 25, 26, 27, 31, 32, and 33
- pistol was also identified as the source of the following recovered fired projectiles:
 - BCI items 28 (fragment located behind blue Chrysler 200), 34 (collected from the roadway near the driver's side door of Cotton's Buick), and 35 (collected during the autopsy)
- DPD patrol rifle was determined to be OPERABLE and identified as the source of the following cartridge casings collected by the BCI Crime Scene Unit:
 - BCI items 8, 19, 20, 21, and 23 (all collected from the roadway)
- patrol rifle was also identified as the source of the following recovered fired projectile:
 - BCI item 35 (31EB4- collected during the autopsy)
- patrol rifle was determined to be OPERABLE and identified as the source of the following cartridge casings collected by the BCI Crime Scene Unit:
 - BCI item 29 (six casings collected from the roadway near DPD cruiser
- patrol rifle was identified as the source of the following recovered

fired projectile:

- BCI items 34 (30EB2 collected from the roadway near the driver's door of Cotton's Buick), 35 (31EB4 collected during the autopsy)
- DPD Glock pistol was determined to be OPERABLE, and no cartridge casings or recovered projectiles were attributed to his firearm
- DPD patrol rifle was determined to be OPERABLE and identified as the source of the following cartridge casings recovered by the BCI Crime Scene Unit:
 - BCI item 16 (collected from the sidewalk next to DPD cruiser casings collected on the hood of DPD cruiser
- DPD Grand Glock pistol was determined to be OPERABLE, and no cartridge casings or recovered fired projectiles were attributed to his firearm.
- Moraine PD Glock pistol was determined to be OPERABLE and was identified as the source of the following cartridge casings collected by the BCI Crime Scene Unit:
 - BCI items 14, 15, and 22 (all collected from the roadway)
- Montgomery County Sheriff's Office patrol rifle was determined to be OPERABLE and was identified as the source of the following cartridge casings collected by the BCI Crime Scene Unit:
 - BCI Items 10, 11, 12, 13, and 18 (all collected from the roadway)
- The testing of three additional fired projectiles recovered during Cotton's autopsy was inconclusive but was consistent with being .223 REM/5.56 caliber rounds. Those items were BCI Laboratory numbers 31EB3, 31EB5, and 31EB6

Cotton's Companhia Brasileira De Cartuchos (CBC) single-shot 12-gauge shotgun was determined to be OPERABLE.

Please refer to the BCI laboratory report for further details.

Prior Encounters with Involved-Subject

The Dayton Police Department had the following prior encounters with Cotton:

- On October 14, 2024, Cotton was suspected of stealing his neighbor's mounted Ring doorbell camera. The reporting party in that incident advised that she had called the police on Cotton in the past for making threats against her and her family.
- On June 16, 2024, Cotton was alleged to have committed domestic violence against the mother of his children by slapping her in the face, kicking the back of her knees, and grabbing her right arm and dragging her across the yard.
- On April 5, 2024, Ms. Osborne contacted the police to report that her son was experiencing a mental health episode. Cotton was not at the residence at the time, but police officers located him recklessly driving a tan Buick sedan. Cotton fled from the police officers and discarded food items out the driver's window. The police officers later located him back at his residence and took him into custody for failure to comply.
- On January 15, 2024, police officers transported Cotton to the Miami Valley Hospital due to homicidal ideations.
- On September 28, 2023, Ms. Osborne contacted the police to report that Cotton was experiencing a mental health episode. During the investigation, it was discovered that Cotton threatened Ms. Osborne. He was arrested for domestic violence. After his arrest, he became combative and kicked a police cruiser, causing damage to it. He also told the police officers that he would stab other inmates at the jail.
- On July 1, 2023, Cotton was arrested for domestic violence and strangulation after Ms.
 Osborne and Cotton's then-girlfriend both accused him of committing acts of violence against them.
- On January 1, 2023, Ms. Osborne contacted the police to report that Cotton fired a handgun inside the residence after becoming upset that their dog defecated inside the home. Cotton's brother alleged that Cotton shoved him to the ground during a subsequent altercation. Cotton's brother contradicted Ms. Osborne and indicated that Cotton did not have a gun. The police officers did not locate any evidence of a gunshot inside the house. Cotton's minor children were inside the home during the incident.
- On November 18, 2020, Cotton was arrested for an active warrant. He was found to be in possession of a handgun during his arrest.
- On May 8, 2019, Cotton, who was a temporary employee for the city of Dayton, allegedly threatened another employee.
- On October 25, 2018, Cotton was suspected to have fled from police officers who attempted to stop his vehicle for a window tint violation.
- On June 17, 2017, Cotton fled from police officers during a traffic stop.

Furthermore, based on information received during this incident from Ms. Osborne, Cotton is believed to have had some level of involvement in the October 18, 2024, arson that occurred at the vacant house next door, located at 1269 Rosedale Drive.

Witnesses

Sean McDonald

The resident of 1272 Rosedale Drive was interviewed during a neighborhood canvass. Sean recalled seeing a female on her porch at 1273 Rosedale Drive in the morning. He saw a male, who he believed to be his neighbor, walk around the back of the house. Approximately ten minutes later, he looked out his front door and observed several police officers with their guns pointed toward the male subject, who was then sitting in a car parked on Access Road. He stated that police officers tried to talk to the male subject for approximately 30 minutes. He recalled hearing the officers saying, "We'll help you," and "Come on now, put your hands up." He said it was clear to him that officers were trying to diffuse the situation peacefully. SA Seitzman asked him if the subject was holding anything. He said his brother saw he was holding a gun; however, he did not see that.

Andre McDonald

Andre advised that he is a resident of Texas and was in town to visit his brother, Sean. Andre said, "The guy was sitting in a car. I seen the guy get out and pointed the rifle." He described the incident as a standoff, which lasted a couple of hours. He said he walked to the front door and watched the last couple of minutes of the incident. He recalled hearing officers telling him to "put down the gun." He said he saw the subject exit his vehicle and point the gun at the officers.



Image showing Andre's approximate point of view looking out the front door of 1272

Rosedale Drive.

Multiple neighbors were interviewed during the neighborhood canvass. Many recalled seeing the events prior to the shooting; however, Andre was the only subject to state that he witnessed the shooting event.

Witnessing Officer Interviews

The following paragraphs are extremely abbreviated versions of the witnessing officer's account of his or her actions and observations. This section contains the accounts of those witnessing officers believed to have the most relevant information. Additional interviews were completed with other witnessing officers that are not referenced in this prosecutor summary. More detailed accounts can be found by reading the relevant investigative reports and by reviewing the recordings of each interview.

Dayton Police Lieutenant David Matthews

Lt. Matthews stated the following regarding the critical portion of the incident:

Upon his arrival, Lt. Matthews observed officers taking cover behind various vehicles. The officers were facing Access Road. As he got closer to the scene, he observed the involved gold Buick parked on Access Road. The Buick was occupied by a Black male holding a long gun. The barrel of the long gun was pointed straight up. He also learned that officers on scene were actively talking to the subject from cover. He advised that he repositioned some of the officers to what he considered to be better positions of cover.

Lt. Matthews recalled hearing officers, who were taking cover behind a blue car, telling the involved subject multiple times to "put the gun down." He also heard the officers saying, "We're here to help you," and "We don't want to hurt you" repeatedly. During the final moments of the incident, he could hear a change in the officers' voices. He recalled the officers yelling, "Don't do it," and "Put the gun down." At that time, he saw the subject lower the barrel of the rifle, and he felt as if the barrel was pointed right at him. He took cover behind a police cruiser and heard the sound of gunfire. He estimated hearing at least 20 shots. He said he did not observe the officers firing.

Lt. Matthews said he saw the subject fall out of the car onto the ground. He then saw officers approach him, pull him away from the car, and render medical aid. He stated that an officer moved the shotgun away from the subject. The subject was then loaded into an ambulance and removed from the scene.

Montgomery County Sheriff's Office Deputy Charles Whittaker

Deputy Whittaker stated the following regarding the critical portion of the incident:

A radio call came out for all officers to hold their positions while an armored vehicle was en route. Within minutes after, the subject spun his body toward Deputy Whitaker and other officers, lifted his weapon, and then pointed directly where Deputy Whitaker and other officers were positioned. Deputy Whitaker took cover behind a cruiser and immediately heard multiple shots fired. Deputy Whitaker estimated that he heard 8–10 shots and recalled one sounding louder than the others. Deputy Whitaker said he did not know who fired.

Montgomery County Sheriff's Office Deputy Austin Shively

Deputy Shively stated the following regarding the critical portion of the incident:

At the scene, he met up with other officers and set up in a position where he could see a subject in a vehicle, whom he was able to see was a Black male. He could not see further into the vehicle and was unable to see whether or not the subject was armed. Persons whom Deputy Shively believed to be the subject's family were nearby yelling that, "The gun's unloaded." and "Don't kill my brother."

At some point a call came out on the radio that "the BearCat" was en route and that officers should standby and not "provoke" the subject. Shortly after, Deputy Shively heard someone yell something like, "Gun!" and then heard multiple shots being fired.

Montgomery County Sheriff's Office Sergeant Joshua Walters

Sergeant Walters stated the following regarding the critical portion of the incident:

When Sergeant Walters arrived in the area of Rosedale and Access Road, there were multiple law enforcement officers on the scene. Sergeant Walters saw a tan Buick with a Black male (Cotton), possibly in his mid-thirties, sitting inside the driver's seat of the Buick with one foot outside of the vehicle. Sergeant Walters said Cotton was holding a shotgun in one hand with the buttstock resting on his leg. Several officers had their weapons pointed at the Cotton. Sergeant Walters deployed a less lethal bean bag shotgun and positioned himself at a Dayton police cruiser, second closest to Cotton.

Sergeant Walters stated that Dayton Police Sergeant Jeff Spires was speaking with Cotton. Also, Cotton's brother was telling officers not to shoot his brother because he was crazy. Cotton's brother also yelled to his brother that what he was thinking in his head was not true. Cotton looked at his brother but did not respond. A female appeared from a nearby house and yelled for the police to "shoot that nigger, shoot that motherfucker." Cotton's brother began to yell at the female to shut up. Sergeant Walters believed that Cotton's mother, who was also nearby, was speaking with Cotton via cell phone. Cotton's mother had her cell phone on speaker, and Cotton may have had a cell phone in the vehicle. Cotton's mother was telling Cotton to put the gun down and exit the vehicle.

According to Sergeant Walters, Cotton's brother left the scene and returned moments later, urging the police again not to shoot Cotton. Sergeant Walters stated that Cotton eventually stood up from the vehicle, lowered and leveled the shotgun toward the officers, and the officers began to shoot. Sergeant Walters observed Montgomery County fire his rifle, and other officers also fired at Cotton. When Cotton fell to the ground, officers approached and cleared the vehicle. Once the vehicle was cleared, officers began life-saving efforts on Cotton.

Dayton Police Sergeant Jeffery Spires

Sergeant Spires wrote the following regarding the critical moments of the OICI:

"I arrived at the scene. I was informed about comments on the call bout the suspect wanting to have a shootout with the police. I then spoke to two individuals who appeared to be the suspect's parents. I learned that the suspect had severe mental issues and may not be taking his medications. I learned that he had a history of violent behavior, including allegedly setting fire to a house recently and was having some disputes related to his children.

I went up to a car where and others were speaking to the suspect in an effort to diffuse the situation. I holstered my weapon. I observed the suspect sitting in his car holding a shotgun. He was pointing the shotgun in the air; I could see his hands near the trigger.

continued to speak to the suspect. I made a few statements, as well. The suspect was given verbal commands to drop the weapon and leave his vehicle.

The suspect exited his vehicle and pointed his shotgun in my direction. I believed that I was in imminent danger of death or great bodily harm and the only means of escape from danger was the use of deadly force by other officers. I did not believe that I could safely withdraw from the location and adequately protect myself, other officers, or other possibly innocent persons in the area. I hit the ground while other officers fired at the suspect. I believed that I had a clear line of sight on the suspect.

After the shooting stopped, I started to supervise the scene. I observed a shotgun near the suspect. The suspect was searched and I not aware of any other weapons being found. Other officers began life saving measures and a medic was called to the scene. The suspect was transported to a hospital. "

Dayton Police Officer Keri Urekar

Officer K. Urekar wrote the following regarding the final moments of the incident:

"The suspect exited his vehicle and pointed his long gun at my direction. I believed that I and the other officers on the scene were in imminent danger of death or great bodily harm and the only means of escape from danger was the use of deadly force. I did not believe that I could safely withdraw from the location and adequately protect myself or other possibly innocent persons in the area. I remained behind the car. I did not fire at the suspect because I had the pepperball launcher. I had a clear line of sight on the suspect.

Other officers fired on the suspect. I observed the suspect fall to the ground. The shotgun was no longer in his hands. I handed my pepperball launcher to someone. I approached the suspect. I observed other officers patting him down for weapons. The suspect was rolled on his back after it was determined he did not have any other weapons. I held the suspect's hand and checked for a pulse while another officer

performed CPS. A medic arrived. I provided assistance and information to the medics. The suspect was transported to a hospital."

Dayton Police Officer George "Jeff" Kloos

Officer Kloos wrote the following regarding the final moments of the incident:

"I heard and others speaking to the suspect in an effort to diffuse the situation. I also spoke to the suspect in an attempt to possibly build some rapport; I had hoped that the suspect remembered me from our prior interactions. The suspect was given verbal commands to drop the weapon and leave his vehicle.

I did not observe the suspect exit his vehicle; I was behind a car on one knee preparing for my role on the arrest team. I heard officers fire on the suspect as well. After the shooting stopped, I started to secure the scene."

Involved Officer Interviews

The following paragraphs are extremely abbreviated versions of each involved officer's account of his actions and observations. More detailed accounts can be found by reading the relevant investigative reports and by reviewing the recordings of each interview.

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wrote the following about the critical moments of the OICI:

The suspect drove on Access Road and stopped about ten feet from a stop sign. He opened the driver's front door. I and the other officers gave verbal commands to exit the vehicle. I observed the suspect reach over to the passenger side of the vehicle and grabbed what I believed was a shotgun. He held the gun with the barrel facing up with his hands near the trigger.

I put out a "99 call," which indicates a request for assistance from an officer in distress. Officers from Moraine Police Department and the Sheriff's Office responded.

I, along with Officer K. Urekar, Officer took cover behind a blue four door car. I maintained cover on the suspect. Sgt. Savage, Sgt. Spires, and Officer Kloos later arrived at the location. Other officers maintained from other locations and deployed stop sticks.

A family member appeared at the scene and appeared to be agitated. We were able to remove the family member from the scene; he later returned and remained with the suspect's family.

I spoke to the suspect in an effort to diffuse the situation. He, along others, gave the suspect verbal commands to drop the weapon and leave his vehicle.

After speaking to him for a period of time, the suspect exited his vehicle and pointed his shotgun at my direction. I believed that I was in imminent danger of death or great bodily harm and the only means of escape from danger was the use of deadly force. I did not believe that I could safely withdraw from the location and adequately protect myself, other ffocers [sic], or other possibly innocent persons in the area. I remained behind the car and fired at the suspect. I believed that I had a clear line of sight on the suspect.

Other officers fired on the suspect as well. I observed the suspect fall to the ground. The shotgun was no longer in his hands. I called out suspect down and shots fired on the radio. I, along with pulled the suspect away from the car and the shotgun. The suspect was searched and no other weapons were found. Other officers began life saving measures and a medic was called to the scene. The suspect was transported to a hospital.

Dayton Police Officer

wrote the following about the critical moments of the OICI:

spoke to the suspect in an effort to diffuse the situation. He, along others, gave the suspect verbal commands to drop the weapon and leave his vehicle.

The suspect exited his vehicle and pointed his shotgun in the direction of other officers. I believed that I was in imminent danger of death or great bodily harm and the only means of escape from danger was the use of deadly force. I did not believe that I could safely withdraw from the location and adequately protect myself, other officers, or other possibly innocent persons in the area. I remained behind the car and fired at the suspect. I believed that I had a clear line of sight on the suspect.

Other officers fired on the suspect as well. I observed the suspect fall to the ground. The shotgun was no longer in his hands. I approached the suspect. The suspect was searched and no other weapons were found. Other officers began life saving measures and a medic was called to the scene. The suspect was transported to a hospital. "

Dayton Police

wrote the following about the critical moments of the OICI:

"Officer Keri Urekar brought her vehicle to the front of the residence and requested the occupants to come out of the residence to speak with officers in relation to the call. While Officer K. Urekar was giving commands, a black female, later identified as the mother of the suspect, came out. She indicated that her husband was in the house and that they had called about their son. She pointed at a tan Buick and identified the suspect as the man who wants to have a shootout.

The suspect drove on Access Road and stopped about ten feet from a stop sign. He opened the driver's front door. I and the other officers gave verbal commands to exit the vehicle. I observed the suspect reach over to the passenger side of the vehicle and grab a shotgun. He held the gun with the barrel facing up with his hands near the trigger.

reported an individual with a firearm over the radio. Officers from *Moraine Police Department and the Sheriff's Office responded.* I, along with Officer K. Urekar, took cover behind a blue four door car. Sgt. Spires, and Officer Kloos later arrived at the location. Officer Kloos informed us that he had been to that house previously for mental health calls. A family member appeared at the scene. We were able to remove the family member from the scene. spoke to the suspect in an effort to diffuse the situation. He, along others, gave the suspect verbal commands to drop the weapon and leave his vehicle. The suspect exited his vehicle and pointed his shotgun at my direction. I believed that I was in imminent danger of death or great bodily harm and the only means of escape from danger was the use of deadly force. I did not believe that I could safely withdraw from the location and adequately protect myself or other possibly innocent persons in

the area. I remained behind the car and fired at the suspect. I believed that I had a clear line of sight on the suspect. Other officers fired on the suspect as well. I observed the suspect fall to the ground. The shotgun was no longer in his hands. and I pulled the suspect away

from the car and the shotgun. The suspect was searched and no other weapons were found. Other officers began life saving measures and a medic was called to the scene.

The suspect was transported to a hospital."

wrote the following about the critical moments of the OICI:

"I observed a tan Buick turn on to Access Road from Rosedale. Another officer, who had been at the front of the house, told us to get that person out of the car. and I started to approach the vehicle. I observed the suspect holding a shotgun. He was pointing the shotgun in the air; I could not see his hands. I took a few

steps back and took cover behind the driver's door of I covered the suspect for a few minutes. I then retreived [sic] stop sticks from the back car and deployed them to prevent the suspect from leaving the scene. I moved to the passenger side of vehicle and maintained cover on the suspect. spoke to the suspect in an effort to diffuse the situation. He, along others, gave the suspect verbal commands to drop the weapon and leave his vehicle. The suspect exited his vehicle and pointed his shotgun in the direction of other officers. I believed that I was in imminent danger of death or great bodily harm and the only means of escape from danger was the use of deadly force. I did not believe that I could safely withdraw from the location and adequately protect myself, other officers, or other possibly innocent persons in the area. I remained behind the car and fired at the suspect. I believed that I had a clear line of sight on the suspect. Other officers fired on the suspect as well. I observed the suspect fall to the ground. The shotgun was no longer in his hands. I approached the suspect. The suspect was searched and no other weapons were found. Other officers began life saving measures and a medic was called to the scene. The suspect was transported to a hospital." **Dayton Police** wrote the following about the critical moments of the OICI:

"I parked my vehicle about half a block from the scene. I observed Officers Luckoski and Kloos behind a vehicle. They had their weapons pointed at the suspect and were engaging in a dialogue. I could not hear exactly what was being said at the time. I observed that the suspect was in a tan Buick and had a long gun pointed up in the air.

I had my rifle in my hand. I placed my weapon on the hood of a cruiser and maintained cover on the suspect. Officer Luckoski spoke to the suspect in an effort to diffuse the situation. He, along with others, gave the suspect verbal commands to drop the weapon and leave his vehicle.

After a bit of time, the suspect exited his vehicle and pointed his long gun in the direction of other officers. I believed that I was in imminent danger of death or great bodily harm and the only means of escape from danger was the use of deadly force. I did not believe that I could safely withdraw from the location and adequately protect myself, other officers, or other possibly innocent persons in the area. I remained behind the car and fired at the suspect. I believed that I had a clear line of sight on the suspect.

Other officers fired on the suspect as well. I observed the suspect fall to the ground. I took a step back to assure the scene was safe. I put my weapon on safety and approached the suspect along with other officers. I observed a shotgun near the suspect. The suspect was searched and no other weapons were found. Other officers began life saving measures and a medic was called to the scene. The suspect was transported to a hospital. "

Dayton Police

wrote the following about the critical moments of the OICI:

I pulled up south of Rosedale. I was advised by Officer Kloos to respond to the other side of the scene. I drove around the block to the scene from the west side at Access Road. I pulled up behind another cruiser and observed

After speaking with the other officers, I parked my vehicle. The other officers told me the suspect had a firearm. I took my firearm out of the holster and maintained cover on the suspect. I turned on my spotlight and pointed it toward the driver in order to disrupt his line of sight.

I observed what may have been the barrel of the long gun.

I maintained cover on the suspect.

I observed an unknown black male approaching the scene. Other officers believed that this was the brother of the suspect. I indicated to him that he should "go back." He complied and left the scene.

I am aware that other officers were speaking to the suspect in an effort to diffuse the situation, but I could not hear exactly what was being said.

The suspect exited his vehicle and pointed a shotgun in the direction of other officers. I believed that I was in imminent danger of death or great bodily harm and the only means of escape from danger was the use of deadly force. I did not believe that I could safely withdraw from the location and adequately protect myself, other officers, or other possibly innocent persons in the area. I remained behind the car and fired at the suspect. I believed that I had a clear line of sight on the suspect.

Other officers fired on the suspect as well. I observed the suspect fall to the ground. The shotgun was no longer in his hands. I approached the suspect. I turned over the suspect and did not observe any other weapons during a visual inspection. Other officers began life saving measures and a medic was called to the scene. The suspect was transported to a hospital.

Montgomery County Sheriff's Office

advised that he responded to an officer needs assistance call on Rosedale Drive. He knew that he was responding to a person with a gun. He responded from Montgomery County Sheriff's Office District 7 (555 Infirmary Road, Dayton, OH 45427). He estimated that it took him 5 to 10 minutes to arrive.

advised that he parked on Rosedale Drive and walked up to the scene with his patrol rifle. He ended up positioning himself at the rear of a marked Dayton Police Dodge Charger. He advised that he could see the involved subject, Taylor Coleman Anthony Cotton, inside his vehicle, with his left foot sticking out. He could also see that Cotton had a long gun resting on his leg. He described the long gun as having a wooden stock and forend.

advised that Dayton police officers talked to Cotton throughout the encounter, often calling him by name. He recalled the Dayton police officers pleading with Cotton to drop



advised that Cotton exited his vehicle, shouldered the shotgun, and pointed it in the direction of police officers positioned on Rosedale Drive. At the time, believed that Cotton discharged one round; however, after he had a chance to reflect and obtain additional information, he believed it was the deputy beside him who discharged a rifle.
said he ducked behind the police cruiser when Cotton pointed the gun in his direction. He quickly rose and discharged three rounds from his pistol at Cotton. He saw Cotton fall to the ground, and Dayton police officers approached and provided medical aid.

Dispatch-Related Information

SA Seitzman reviewed the call for service notes and learned the following: The call was entered by the Montgomery County Regional Dispatch Center (RDC) at approximately 0824 hours. The following information was entered:

RP HIGHLY UNCOOP

RP SAYS THAT A MALE SHE KNOWS THREATENED TO KILL HER AND TWO DAYS AGO THROUGH BRICKS IN THE ROAD AND YESTERDAY SET A HOUSE ON FIRE.

RP SAYS SHE IS WAITING OUTSIDE FOR OFC

RP DISCON WHEN CE ATT TO GATHER FURTHER

UNK WHO THE MALE IS OR HIS DESCRP JUST KEPT REPEATING THAT "HE NEED TO GO TO THE HOSP AND THE POLICE KEEP SLEEPING ON HIM"

PRIORS FOR MENTAL HEALTH AT GIVEN

The following information was added to the call at approximately 0827 hours:

RP VERY UNCOOP HOLLERING ABOUT UNK PERSON WITH A GUN. MALE IN THE BACKGROUND SAYING HE WOULD HAVE A SHOOT OUT WITH POLICE.

Additional notes in the call for service log revealed the following information:

- Officer self-dispatched at approximately 0827 hours.
- Officer K. Urekar self-dispatched at approximately 0828 hours.
- Officer D. Flory self-dispatched at approximately 0828 hours.
- Officer self-dispatched at approximately 0829 hours.
- Officer self-dispatched at approximately 0829 hours.
- Officer electronic elf-dispatched at approximately 0829 hours.
- Multiple officers arrived in the area at approximately 0836 hours.
- RDC added a comment at approximately 0838 hours, indicating that attempted callbacks [to the caller] went to voicemail.
- RDC added a comment at approximately 0841 hours, indicating that someone was coming out of the residence.
- At approximately 0842 hours, RDC added the comment "GOLD BUICK, GET HIM OUT OF THE VEH." Also at 0842 hours, RDC added the comment "ONE WITH A GUN."
- At approximately 0909 hours, "SHOTS FIRED SUSP DOWN" was entered into the call for service.
- At approximately 0931 hours, an entry was made indicating that the involved officers were moved to the Dayton Police Safety Building.

Video Recordings

SA Seitzman reviewed numerous cruiser and body-worn camera videos. While the body-worn camera footage captured much of the officers' actions and attempts to diffuse the situation, it was generally not found to be helpful in understanding Cotton's actions. The following cruiser camera videos were determined to be the most helpful in capturing Cotton's actions leading up to the final moments of the encounter.

Axon_Fleet_3_Front_Camera_Video_2024-10-19_0843 (1)

- This footage was taken from the marked Dayton Police Ford Explorer that was parked near 1269 Rosedale Drive. Through this video, other videos, and interviews, it is known that Dayton Police fired 10 times from the hood of the cruiser.
- At approximately 0909 hours, the involved subject, Taylor Coleman Anthony Cotton, exited his vehicle and appeared to point a long gun in the direction of law enforcement officers. See the still images below.



Still image at frame 49212



Still image at frame 49212



Still image at frame 49233

Axon_Fleet_3_Front_Camera_Video_2024-10-19_0851

- This footage was taken from Dayton Police Officer marked Ford Explorer, which was parked on Access Road facing the involved tan Buick.
- At approximately 0909 hours, Cotton exited his vehicle and appeared to extend his right arm out, a movement indicative of pointing of a gun at law enforcement officers given the context of the situation. At approximately frame 32781, an object fell to the ground near Cotton. The item was possibly a cell phone located at the scene. See the still images below:



Still image of Cotton exited his vehicle at frame 32758



400% resize of frame 32762 showing Cotton extending his right arm



400% resize of frame 32781 showing unknown object next to Cotton. The object is believed to be a cell phone located at the scene.

Video_Recall-Axon_Fleet_3_Front_Camera_Video_2024-10-19_0858

- This footage was taken from the marked Dayton Police Dodge Charger that was parked near 1269 Rosedale Drive. Through other videos and interviews, it is known that Moraine Police and Montgomery County Sheriff's fired from behind this cruiser. This footage did not contain audio.
- At approximately 0909 hours, Cotton exited his vehicle. He appeared to extend both arms out, a movement indicative of the pointing of a gun at law enforcement officers given the context of the situation.
- As the officers fired upon Cotton, he turned back toward his vehicle, still holding what appeared to be a long gun. See the still images below.



Still image showing Cotton apparently extending both arms at frame 19287



Still image showing Cotton with his right arm extended as he begins to turn away from the officers at frame 19300



Still image showing Cotton still holding the long gun at frame 19341

Conclusion

All persons known to have relevant information regarding this investigation have been interviewed or attempts were made to interview them, and all known records have been obtained and reviewed. BCI has striven to conduct a thorough and impartial investigation into this OICI. BCI will continue to offer investigative assistance into any newly identified witnesses or information relative to this criminal investigation. It appears that BCI's investigation into this OICI is concluded, unless such new information or witnesses are identified through the grand jury or other processes. As always, we remain available for consultation and look forward to your assessment of this investigation and your decision as to any additional efforts, processes, or further assistance or involvement you might determine to be necessary.

Contact Information

The preceding information comprises only a portion of facts and circumstances collected during the investigation of the officer-involved critical incident. For further review of specific information or documentation collected during the investigation, please refer to the individual reports and documents from which this summary was derived. Any questions regarding the content or context of the information contained in this document can be directed to the attention of Special Agent Steven Seitzman. SA Seitzman can be reached via email at Steven.Seitzman@OhioAGO.gov.

End of summary.