



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



2021-0888
Officer Involved Critical Incident – 500 South Cleveland Ave.,
Westerville, Ohio 43081 (L)

Investigative Activity: Interview with Witness
Involves: David Lammert (W)
Date of Activity: 04/14/2021
Activity Location: Westerville Police Department – Business – 29 South State Street,
Westerville, OH 43081
Author: SA James A. Mulford, #39

Narrative:

On April 14, 2021, at approximately 1234 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agents Jim Mulford (SA Mulford) and Andrew Russell (SA Russell) interviewed Westerville Police Department (WPD) Officer David Lammert (Officer Lammert) in response to an Officer Involved Critical Incident (OICI) that occurred on April 12, 2021, at Mount Carmel St. Ann's Hospital (St. Ann's) in Westerville, OH. An altercation happened between Miles Jackson (Jackson) and officers from the Columbus Division of Police, Westerville Police, and St. Ann's Security Department. Jackson died as a result of gunshot wounds from this incident. The purpose of the interview was to obtain all relevant information of the incident known or observed by this individual.

This interview was audio recorded, and a copy of the recording was saved electronically within the case file. Please refer to the recording for specific quotes. The following is a summation of the interview.

Officer Lammert was interviewed in a conference room at the WPD. Also present for the interview was his FOP attorney Kate Harshman. Prior to beginning the interview, SA Mulford provided Officer Lammert with a BCI "Criminal Investigation Notification" form. SA Mulford advised BCI was conducting a criminal investigation separate from any internal investigation that WPD may be conducting. Officer Lammert was told his interview was voluntary and that he could stop answering questions at any time. Officer Lammert verbally confirmed he understood the contents of the form and signed the document further acknowledging his understanding. A copy of the signed Criminal Investigation Notification (CIN) is attached to this report.

Officer Lammert has worked as a police officer for the City of Westerville for approximately 20 years. He is currently assigned as a first shift patrol officer. He was dressed in the standard WPD uniform carrying a Sig-Sauer P320 handgun and a taser. Officer Lammert reported he did

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not fire his weapon during this incident.

SA Mulford asked Officer Lammert to discuss his contact with Jackson on the date of the incident. Officer Lammert explained WPD Officer Eric Everhart (Officer Everhart) and he were dispatched to a suspicious person call at the Chase Bank parking lot. Officer Lammert stated he was the first officer on scene and met with two Chase Bank security officers who were attempting to wake up an unknown individual lying on a picnic table (later identified as Jackson). Officer Lammert radioed dispatch to call for an ambulance.

Officer Lammert made contact with the unknown individual who eventually woke up and spoke with officer Lammert. This individual identified himself to Officer Lammert as "Joseph Williams (12/9/93)." Officer Everhart arrived around this time and assisted Officer Lammert.

Officer Lammert returned to his marked patrol vehicle where he ran "Joseph Williams" through their law enforcement database. Officer Lammert and dispatch were unable to confirm the subject's identity based on the information he gave.

Shortly thereafter, the ambulance arrived and paramedics spoke with the subject. The unknown individual identified himself to the paramedics as Jackson. Based on Jackson's demeanor, confusion, and medical condition, the paramedics decided to transport Jackson to the hospital.

Officer Lammert then contacted a staff member at St. Ann's who confirmed Jackson had left the hospital a short time earlier that day against medical advice. Officers followed the ambulance to the hospital where they continued talking with staff with the hopes of positively identifying Jackson.

With the information from the hospital, officers were able to identify Jackson. They ran the new positive identification through their system and confirmed Jackson had warrants for his arrest from the Franklin County Sheriff's Office and Columbus Police for DV/Assault and Falsification. Dispatched contacted CPD who advised they would arrest and transport Jackson.

WPD officers remained in the area with Jackson until CPD officers arrived. Officer Lammert said the CPD officers performed a " cursory search" of Jackson and handcuffed him to the bed. Once Jackson was in CPD custody, Officer Lammert and Officer Everhart left the hospital.

Officer Lammert advised Jackson was not in WPD custody in the parking lot nor in the ambulance ride to the hospital. Once they were able to identify Jackson, they informed him that CPD would be coming to transport him. Officer Lammert stated they remained near Jackson's ED room in case he decided to leave.

Officer Lammert and Officer Everhart left the hospital and continued working other calls for service. Officer Lammert stated he was not at the hospital during the time of the OICI incident.

Officer Lammert did return to the hospital immediately after the shooting where he witnessed officers and medical staff removing Jackson from the ED room and providing medical attention. Officer Lammert was then stationed in the security office with the involved security officers until he was relieved later in the day.

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SA Mulford questioned Officer Lammert about Jackson's conduct earlier in the day. Officer Lammert recalled Jackson being somewhat "out of it," but was not confrontational in any way. He said Jackson gave them no indication that he could be violent or that he may have had a weapon.

Officer Lammert had no further information. The interview concluded.

Attachments:

Attachment # 01:04-14-21 David Lammert Interview

Attachment # 02:Daivid Lammert CIN Signed Form



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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).

OFC DAVID LAMBERT #503
Printed Name of Interviewee

4/14/21 1236
Date / Time

[Signature] #507
Signature of Interviewee

[Signature]
FOR attorney

Jim McLeod #39
BCI Agent (Printed)

[Signature]
BCI Agent (Signature)