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

2022-1782
Officer Involved Critical Incident -3295 Sullivant Avenue, Apt. H, Columbus OH 43204 (L)

**Investigative Activity:** Review of Records

**Date of Activity:** 10/20/2022

**Author:** SA Todd Fortner, #93

**Narrative:**

On August 30, 2022, BCI was requested by the Columbus Division of Police (CPD) to investigate an Officer-Involved Critical Incident at 3295 Sullivant Avenue, Apartment H, in Columbus. CPD officers were at the apartment attempting to serve an arrest warrant on the resident of Apartment H, Donovan Lewis (Lewis). During the incident, an officer fired a single shot, striking Lewis. Lewis was transported to the hospital where he died.

On October 20, 2022, Special Agent Todd Fortner (SA Fortner), as part of his investigation, reviewed the results of laboratory testing done by the firearms section. The first report, issued by Forensic Scientist Andrew McClelland (FS McClelland) was issued September 2, 2022. FS McClelland compared the Smith & Wesson, M&P9 pistol recovered from CPD Officer Ricky Anderson to the 9mm cartridge casing recovered from the scene. FS McClelland concluded that the casing was a "Source Identification" [1], matching the weapon. In a second report issued September 14, 2022, FS McClelland compared Ofc. Anderson's weapon to a jacketed bullet that was removed from Lewis' body during autopsy. He again concluded that it was a "Source Identification". The reports of his findings are attached to this report.

1 - "Source Identification" means the observations provide extremely strong support for the proposition that the evidence originated from the same source and the likelihood for the proposition that the evidence arose from a different source is so remote as to be considered a practical impossibility.

**Attachments:**

Attachment # 01: FA Lab report
Attachment # 02: FA Lab report 2

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.

 Finalized by SAS Kevin Barbeau on 10/31/2022

DAVE YOST
OHIO ATTORNEY GENERAL

**Bureau of Criminal Investigation** **Laboratory Report**
Firearms

| | | | |
|---|---|---|---|
| To: | BCI / Madison<br>S/A Todd Fortner<br>1560 S.R. 56 SW<br>London, OH 43140 | BCI Laboratory Number:<br><br>Analysis Date:<br>September 01, 2022<br><br>Agency Case Number:<br>BCI Agent: | 22-18208<br><br>Issue Date:<br>September 02, 2022<br><br>2022-1782<br>Chad Holcomb |

Offense: Shooting Involving an Officer
Subject(s): N/A
Victim(s): N/A

**Submitted on August 30, 2022 by S/A Chad Holcomb:**

1. One manila envelope containing cartridge case (scene 1, BCI 2)
   - *One (1) fired 9mm Luger cartridge case.*
2. White box containing firearm (serial # [redacted]) with magazines (scene 2 BCI 1)
   - *One (1) Smith & Wesson model M&P9 M2.0, 9mm Luger semi-automatic pistol, serial number* [redacted] *with three (3) magazines and* ***fifty-one (51) unfired 9mm Luger cartridges****.*

**Findings**

| Item Description | Comparison | Conclusion |
|---|---|---|
| Item 2:<br>Smith & Wesson pistol | N/A | Operable |
| | Item 1:<br>One (1) fired 9mm Luger cartridge case | Source Identification |

**Remarks**

Six (6) of the fifty-one (51) submitted cartridges from item 2 were used for test firing.

No fired cartridge cases were entered into the NIBIN database.

Please address inquiries to the office indicated, using the BCI case number.


[ ] BCI -Bowling Green Office
750 North College Drive
Bowling Green, OH 43402
Phone:(419)353-5603

[X] BCI -London Office
1560 St Rt 56 SW P.O. Box 365
London, OH 43140
Phone:(740)845-2000

[ ] BCI -Richfield Office
4055 Highlander Pkwy. Suite A
Richfield, OH 44286
Phone:(330)659-4600

The remaining submitted items from item 2 were not examined at this time.

All evidence will be returned to the submitting agency.

## Analytical Detail

Analytical findings offered above were determined using visual and microscopic examinations / comparisons.

Andrew McClelland
Forensic Scientist
(740) 845-2089
andrew.mcclelland@OhioAGO.gov

Based on scientific analyses performed, this report contains opinions and interpretations by the analyst whose signature appears above. Examination documentation and any demonstrative data supporting laboratory conclusions are maintained by BCI and will be made available for review upon request.

**Your feedback is important to us! Please complete our Laboratory Satisfaction Survey at: https://www.surveymonkey.com/r/Q7V2N6H**

## Comparison Conclusion Scale

The following lists the conclusions a Forensic Scientist may reach when performing comparisons. In reaching a conclusion, a Forensic Scientist considers the similarities and dissimilarities and assesses the relative support of the observations under the following two propositions: the evidence originated from the same source or from a different source.

A Forensic Scientist may utilize their knowledge, training, and experience to evaluate how much support the observed similarities or dissimilarities provide for one conclusion over another. A conclusion shall not be communicated with absolute certainty. It is an interpretation of observations made by the Forensic Scientists and shall be expressed as an expert opinion.

| | | |
|---|---|---|
| 1 | Source Identification | The observations provide extremely strong support for the proposition that the evidence originated from the same source and the likelihood for the proposition that the evidence arose from a different source is so remote as to be considered a practical impossibility. |
| 2 | Support for Same Source | The observations provide more support for the proposition that the evidence originated from the same source rather than different sources; however, there is insufficient support for a Source Identification. The degree of support may range from limited to strong or similar descriptors of the degree of support. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion. |
| 3 | Inconclusive | The observations do not provide a sufficient degree of support for one proposition over the other. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion. |
| 4 | Support for Different Source | The observations provide more support for the proposition that the evidence originated from different sources rather than the same source; however, there is insufficient support for a Source Exclusion. The degree of support may range from limited to strong or similar descriptors of the degree of support. Any use of this conclusion shall include a statement of the factor(s) limiting a stronger conclusion. |
| 5 | Source Exclusion | The observations provide extremely strong support for the proposition that the evidence originated from a different source and the likelihood for the proposition that the evidence arose from the same source is so remote as to be considered a practical impossibility; or the evidence exhibits fundamentally different characteristics |

We invite you to direct your questions to:

Abby Schwaderer, Quality Assurance Manager
(740) 845-2517
abby.schwaderer@ohioattorneygeneral.gov

DAVE YOST
OHIO ATTORNEY GENERAL

**Bureau of Criminal Investigation** **Laboratory Report**
Firearms

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| To: | BCI / Madison<br>S/A Todd Fortner<br>1560 S.R. 56 SW<br>London, OH 43140 | BCI Laboratory Number:<br><br>Analysis Date:<br>September 12, 2022<br><br>Agency Case Number:<br>BCI Agent: | 22-18208<br><br>Issue Date:<br>September 14, 2022<br><br>2022-1782<br>Todd Fortner |

Offense: Shooting Involving an Officer
Subject(s): N/A
Victim(s): N/A

**Submitted on August 30, 2022 by S/A Chad Holcomb:**

2. White box containing firearm (serial # [redacted]) with magazines (scene 2 BCI 1)
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**Submitted on September 08, 2022 by S/A Chad Holcomb:**

3. One manila envelope containing fired projectile from left pelvis from autopsy (BCI #1, Scene #3)
   - *One (1) fired jacketed bullet.*

**Findings**

| Item Description | Comparison | Conclusion |
|---|---|---|
| Item 2:<br>Smith & Wesson pistol<br>(previous test fires) | Item 3:<br>One (1) fired jacketed bullet | Source Identification |

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## Remarks

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