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**CCA Case No. 25016**

**Tyshawn Carter**

**Investigation Report and Finding**

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**Kaitlyn Streicher**  
**Investigator**

**Dena Brown**  
**Interim Director**

**May 23, 2025**

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## COMPLAINT SUMMARY

Date: January 28, 2025

Time: 4:25 p.m.

Location: 501 York Street, Cincinnati, Ohio 45214

CCA Receipt: February 4, 2025

Mr. Tyshawn Carter alleged that Officer John Goebel “followed me 5 blocks without lights.” He alleged there was “no probable cause for traffic stop,” and he sustained “nerve damage (left wrist) from handcuffs.” Additionally, he alleged that his vehicle was searched by other CPD officers, who were later identified by CCA to be Officers Joshua Condon and Samuel Bailey.

Mr. Carter indicated there were “multiple broken components interior of vehicle,” and “debris and trash thrown all over car (very unprofessional and malicious).”

Mr. Carter stated further, “I’m almost sure that this report won’t be taken seriously, but I will not let this officer get away with the things he did to me including falsely imprisoning a college student, impounding my car and accusing me of selling drugs!!”

## INVOLVED SUBJECT STATEMENTS

### **Tyshawn Carter**

CCA was unable to contact Mr. Carter (M/B/25). CCA attempted contact via phone, U.S. mail, and at his listed residences. To date, Mr. Carter has not contacted CCA.

## INVOLVED OFFICER STATEMENTS

### **Officer John R. Goebel**

Officer John R. Goebel, P0105, M/W/51, is currently assigned to District One, and he has been a CPD member since 2016. Officer Goebel was on routine patrol, in uniform and operated a marked cruiser; his BWC was activated.

CCA interviewed Officer Goebel on March 18, 2025, at 1:01 p.m. He provided the following information:

Officer Goebel was on routine patrol when he noticed Mr. Carter’s vehicle had heavy window tint. Officer Goebel knew from prior experience the area Mr. Carter was driving in was known for high drug activity. He noticed Mr. Carter was driving suspiciously for approximately 30 seconds to one minute. At one point, the vehicle pulled into an empty parking lot then quickly pulled out and traveled in the opposite direction. Officer Goebel followed behind the vehicle to query the license plate and observed that Mr. Carter “rolled the stop sign.” Mr. Carter pulled over, exited his vehicle, and quickly approached Officer Goebel’s cruiser on the passenger side.

Officer Goebel had not activated his lights or sirens at that point and could not recall exactly when he activated his BWC. He explained that Mr. Carter “just jumped out of the car quickly” and “he’s back at my window quick,” which created an “exigent situation.” Mr. Carter pulled over in a spot where he was not permitted to park and stated that he believed it to be “odd” that Mr. Carter pulled over that quickly and exited his vehicle.

Officer Goebel was still attempting to obtain information on Mr. Carter’s vehicle when Mr. Carter approached his cruiser “kind of aggressively,” instructing him to move away from his window multiple times, and explained that for officer safety, he does not allow people to approach his cruiser. Officer Goebel received information that there were multiple capiases attached to Mr. Carter’s vehicle, and a driver who had a suspended license. He later learned that the vehicle’s owner was female and stated that he was attempting to learn Mr. Carter’s identity. There were even a few times he had to exit his cruiser to provide a “physical presence” to instruct Mr. Carter to move away from the cruiser. Officer Goebel stated that he observed Mr. Carter to have a lot of energy during the interaction, and from his experience, he believed that Mr. Carter may have been “doing something wrong” based on his behavior. He believed that Mr. Carter was at risk of fleeing, or there may have been something illegal in the vehicle.

Officer Goebel advised he was concerned for his safety throughout his interaction with Mr. Carter, due to the behavior Mr. Carter was exhibiting when approaching his cruiser window, and due to not having much information about him or being able to identify him initially. At one point Mr. Carter stated, “you’re just mad because you couldn’t catch up to me.” Officer Goebel indicated that Mr. Carter made that comment a couple of times, which made him believe that Mr. Carter knew he was driving behind him but continued to drive quickly. Officer Goebel denied ever initiating a traffic stop, as he was still figuring out what he was going to do when Mr. Carter exited his vehicle. He knew he had enough reason to initiate the traffic stop due to Mr. Carter rolling the stop sign and the “obvious window tint violation,” and he was still investigating when he queried the plate and learned about the capiases. He stated that Mr. Carter impeded his investigation by purposefully approaching his cruiser because of the active capiases.

At some point Mr. Carter started packing a snowball, and his first concern was that Mr. Carter was going to throw it at him. He later thought that Mr. Carter potentially put drugs in the snowball prior to throwing it across the street. Officer Goebel asked for Mr. Carter’s name and date of birth multiple times, but he failed to disclose that information. Officer Goebel stated that Mr. Carter matched the general description of the male with the active capiases; he had probable cause to arrest Mr. Carter at that time. Officer Goebel exited his cruiser and told Mr. Carter to put his hands behind his back with his hands together. Mr. Carter was “somewhat combative” at that time, but Officer Goebel was able to hold onto one of his hands as he moved the other into place to secure it. He stated he was close to securing one of his hands when Mr. Carter “whips it away real quick.” At that time, Mr. Carter stated, “I bet that scared you,” which Officer Goebel noted as “very odd behavior.” He was then able to secure Mr. Carter in handcuffs and into the backseat of the cruiser.

Mr. Carter was under arrest for Failure to Disclose, the capiases, obstructing his investigation, and for driving under suspension. He did not pursue the charges for the window tint violation or for rolling the stop sign.

Officer Goebel could not recall whether he searched Mr. Carter prior to him being placed into the cruiser. He indicated that would be normal procedure to search them prior to placing them into the cruiser, but he stated that “exigent circumstances happened.” Officer Goebel stated that when he handcuffed Mr. Carter, Mr. Carter pulled his hand away, and it “threw some things off.” He believed he double locked the handcuffs at that time and denied observing any injuries to Mr. Carter’s wrist during the encounter.

Mr. Carter was very combative and aggressive when he was in the back of the cruiser. Officer Goebel's BWC remained activated for a period of time once Mr. Carter was inside the cruiser and he believed his MVR footage was running. Officer Goebel believed that his BWC was activated the entire way to the jail, but he could not recall exactly when he deactivated it. Mr. Carter continued to refuse to provide his name or date of birth. Officer Goebel stated that other officers arrived on scene, and it was decided that Mr. Carter's vehicle was to be towed due to him being arrested and due to it being illegally parked in an area that would not have been safe to park. He stated that the vehicle could not have been left where it was due to him not being the registered owner, and the area was a high traffic semi-truck area. He also stated there were no parking signs. He explained that when they tow a vehicle, they are required to complete a search of the vehicle to ensure there are no weapons or contraband in the vehicle. Officer Goebel denied searching the vehicle himself.

Other officers searched Mr. Carter's vehicle and notified Officer Goebel that they found a large amount of clear plastic bags, like sandwich bags. He indicated that this was compatible with possible drug sales. A arrow was found in the back of his vehicle. Mr. Carter was previously charged with Felonious Assault for shooting numerous arrows into a White Castle after he had a dispute with an employee.

Officer Goebel stated that throughout the incident, Mr. Carter told him multiple times that he was a college student. However, Mr. Carter was banned from Cincinnati State campus. When asked about it, Mr. Carter blamed the college. Officer Goebel stated that while he was transporting Mr. Carter to the Hamilton County Justice Center (HCJC), Mr. Carter was very combative, and borderline menacing. He remembered warning Mr. Carter and stated that he would charge him with Menacing if he threatened him or his family. When they arrived at the HCJC, they remained in the cruiser as Officer Goebel completed paperwork. At that point, Mr. Carter mentioned that his handcuffs were too tight. Officer Goebel loosened the cuffs, but there were still issues with Mr. Carter's compliance. Officer Goebel escorted Mr. Carter inside the jail, and Mr. Carter was combative with another officer inside the jail, failed to comply with orders to put his back against the wall, and was yelling. Mr. Carter was ultimately booked into jail. Officer Goebel did not recall hearing Mr. Carter complain about the handcuffs prior to arriving at the jail.

After this incident, Mr. Carter reported to District One several times in an attempt to speak with Officer Goebel. Officer Goebel was not present the first time, and he was unsure who Mr. Carter spoke with, but he was present the second time. Officer Goebel met with Mr. Carter and had his BWC activated. Mr. Carter was "on level 20, yelling at me, making threats he's gonna come after, he was going to do this. Calls me a pig." Officer Goebel was concerned for his safety at that time, too, and at one point he had to put his hand out to prevent Mr. Carter from "aggressively advancing towards me." He denied his hand touching Mr. Carter at that time. He stated that Mr. Carter made allegations about his vehicle being damaged but denied him saying anything about the alleged injuries to his wrists. Officer Goebel informed him that he did not search his vehicle. A Sergeant eventually spoke with him. Officer Goebel believed that was the day he made his written complaint.

Officer Goebel denied being unprofessional, yelling at Mr. Carter excessively, or ever using profanity during his interactions with Mr. Carter. He stated, "I felt as if I showed great restraint with him."

### **Officer Joshua F. Condon**

Officer Joshua F. Condon, P0329, M/W/40, is currently assigned to District One, and he has been a CPD member since 2016. Officer Condon was on routine patrol, in uniform and operated a marked cruiser; his BWC was activated.

CCA interviewed Officer Condon on March 25, 2025, at 1:27 p.m. He provided the following information:

Officer Condon responded to the scene to assist Officer Goebel with the traffic stop involving Mr. Carter. His BWC was activated, but he could not recall exactly when he activated or deactivated it. He could not recall the reason for the traffic stop but recalled that Officer Goebel spoke about Mr. Carter's erratic behavior, and that he suspected him of throwing something after exiting his vehicle. Ultimately, Officer Goebel arrested Mr. Carter, and his vehicle was to be towed. Officer Condon assisted in completing an inventory search of the vehicle, and he indicated that, per policy, when they tow a vehicle due to an individual's arrest, they are required to complete an inventory search of the vehicle prior to towing.

Officer Condon searched the front and rear driver's side of the vehicle, and Officer Bailey assisted in the search. The vehicle did not appear to be well cared for and recalled that there were "things all over" and a "pungent musty odor, in a "state of disrepair," and there were "loose panels" in the vehicle, specifically up around the dashboard and near the floorboards. When asked if anything was broken during the inventory search, he stated that there was a piece around the dashboard "that did pull out" during the search, but believed it was already "loose or cracked" prior to the search. He did not believe it was broken, and he was able to put it back into place. He stated, "to the best of my ability I put everything back where it was. We try to be as respectful as possible with people's property when we're dealing with it." Officer Condon denied having any malicious intent during the search and denied observing any malicious actions. He denied observing any discourteous language used against Mr. Carter by any of the officers on scene and could not recall hearing Mr. Carter complain about his handcuffs at any point.

#### **Officer Samuel M. Bailey**

Officer Samuel Bailey, P0099, M/W/25, is currently assigned to District One, and he has been a CPD member since 2019. Officer Bailey was on routine patrol, in uniform and operated a marked cruiser; his BWC was activated.

CCA interviewed Officer Bailey on March 18, 2025, at 2:02 p.m. He provided the following information:

Officer Bailey responded to the incident after Officer Goebel radioed about the traffic stop with Mr. Carter. Officer Bailey advised that it is common for officers to respond to assist if they are in the area. His BWC was activated as he arrived on scene. Mr. Carter was acting "a little turbulent" in the back of the cruiser. Mr. Carter was parked illegally in a tow zone, and there was no good parking spot in the area. That resulted in officers calling for a tow for the vehicle, and they searched the vehicle prior to the tow. Mr. Carter was screaming and making comments about not wanting them to touch or search his vehicle. Officer Bailey told him that they were required to search the vehicle prior to taking it to impound. He explained that they had to ensure there were no weapons or contraband in the vehicle. Officer Bailey denied being discourteous towards Mr. Carter and denied hearing any other officer speaking to him in a discourteous manner.

Officers Bailey and Condon searched Mr. Carter's vehicle, and they did not find anything of note during the search other than "little buds of marijuana." Officer Bailey searched the front and rear passenger side of the vehicle, including the center console, seat pouches, glove box, door panels, and under the seats. Officer Bailey recalled finding a lot of "trash and baggies" while searching the vehicle. He stated that it is common practice to empty the compartments during the search, and either place the items on the seat or the floor. He stated that they are not required to clean up the vehicle after completing the search. Officer Bailey denied observing anything broken in the vehicle when he was searching but stated that the bezel panel by the

speedometer “popped off” during Officer Condon’s search. Officer Bailey stated that Officer Condon “barely ran his hand across it and it popped.” After the search, Mr. Carter was transported to the HCJC by Officer Goebel, and Officers Bailey and Condon waited for the tow to be completed.

## OFFICER WITNESS STATEMENTS

### Officer Thomas T. Sanders

Officer Thomas T. Sanders, #P0205, M/B/38, is currently assigned to District One, and he has been a CPD member since 2015. Officer Sanders was on routine patrol, in uniform and operated a marked cruiser; his BWC was activated.

CCA interviewed Officer Sanders on April 15, 2025, at 1:02 p.m. His interview did not provide any additional pertinent information.

## WITNESS STATEMENTS

There were no witnesses to this incident.

## EVIDENCE

### Police Documents

CCA reviewed all CPD-related forms, including but not limited to arrest forms, contact cards, property receipts, and information from CPD’s Records Management System (RMS).

### Computer Aided Dispatch (CAD)

<u>Date</u>	<u>Time</u>	<u>Call Notes</u>
01/28/2025	16:25:21	,,,,,,,,,GRY CHEV
	16:25:22	(Redacted)
	16:25:22	(Redacted)
	16:25:43	Backed up [Officer Goebel] with [Officer Condon]
	16:26:19	Backed up [Officer Goebel] with [Officer Bailey]
	16:27:16	[Officer Goebel] 1 IN CUST
	16:29:46	Backed up [Officer Goebel] with [Officer Sanders]
	16:46:19	Secondary location for [Officer Goebel]; JAIL, 1000 SYCAMORE ST, CINCINNATI, OH 45202
	16:46:19	[Officer Goebel] BM 70348
	16:55:08	[Officer Goebel] EM 70350
	17:43:30	[Officer Goebel] CH15/HIT CONFIRMATION

## **Body Worn Camera (BWC)**

### **Officer Goebel**

**16:22:49 - 16:33:44**

The events recorded by Officer Goebel's BWC occurred on January 28, 2025, starting at 16:22:49, according to the BWC's timestamp. A review of that recording reveals the following:

Officer Goebel pulled his cruiser over to the right side of the road without lights or sirens, and an individual, later identified as Tyshawn Carter, immediately walked toward the passenger side of Officer Goebel's cruiser. The audio began at 16:23:19, as Officer Goebel pointed toward Mr. Carter, loudly instructed him to "move over there," and directed him away from the cruiser. Mr. Carter walked away from the cruiser but immediately turned around and walked towards Officer Goebel. Officer Goebel stated, "move over there" two more times, and when Mr. Carter failed to move, Officer Goebel stated, "what don't you understand about this?" Mr. Carter stated, "That's no way to talk to someone." Officer Goebel stated, "You're being pulled over, move over there." Mr. Carter stated, "I'm being pulled over?" When Officer Goebel responded, "Yes," Mr. Carter stated, "I wasn't driving."

Officer Goebel exited the cruiser and approached Mr. Carter. He asked him if there was a reason he was not complying and was instructed to "move up there" again. Mr. Carter put his hands up, and stated, "Oh yeah, okay, whatever you want. No need to get so rude. I was just trying to ask for information." Officer Goebel told him to move away and advised him that he was not free to leave. Mr. Carter retreated slightly, and Officer Goebel walked back toward the driver's door of his cruiser. He stood next to the open driver's door at 16:24:56, and Mr. Carter could be seen throwing something across the street. It appeared as if he grabbed snow from the ground and threw a snowball three times. Officer Goebel reentered his cruiser, and at 16:25:18, Mr. Carter reapproached Officer Goebel's cruiser. Officer Goebel yelled "move up there or I'm going to put you in cuffs!" as he stepped out of his cruiser. Officer Goebel approached Mr. Carter and told him that he was not complying. Mr. Carter asked, "what do I have to comply with?" Officer Goebel told him again to move away from his cruiser, and Mr. Carter stated, "Dude if I'm asking for directions what do I have to comply with?" During this exchange, Officer Goebel stated, "Do you want me to put you in cuffs?" Mr. Carter stated, "What's wrong with you man?" as Officer Goebel walked back to the driver's door of his cruiser.

Officer Goebel requested additional officers to respond at that time. Mr. Carter and Officer Goebel continued to yell back and forth over the cruiser, and Mr. Carter continued to ignore Officer Goebel's commands to move further away from the cruiser. Mr. Carter stated, "Bro what do you think this is, you didn't pull me over." Officer Goebel responded, "Yeah I did pull you over," and Mr. Carter laughed in response. Mr. Carter stated, "Sir I just parked right here, what do you mean?" At 16:26:09, Officer Goebel reentered his cruiser and spoke to Mr. Carter through the passenger window. He asked Mr. Carter's name, and Mr. Carter responded, "This is not a traffic stop, sir, I'm not giving you my name." Officer Goebel then asked him if his name was Tyshawn Carter, and Mr. Carter responded with, "your lights came on when?" Officer Goebel asked him again if his name was Tyshawn Carter, and Mr. Carter failed to respond.

Officer Goebel exited his cruiser, approached Mr. Carter, and stated, "Put your hands behind your back." Mr. Carter complied, stating, "for sure yeah, this ain't a traffic stop though." Mr. Carter stood with his hands behind his back as Officer Goebel approached. Officer Goebel placed Mr. Carter's palms together with both hands, at which point Mr. Carter pulled his arms upwards and looked over his shoulder at Officer Goebel. Officer Goebel stated, "stop tensing up on me," and then pulled up Mr. Carter's long sleeves, exposing his wrists. Officer Goebel secured the handcuff onto Mr. Carter's left wrist, at which point Mr. Carter pulled his arm up. He then pulled his right arm away, and Officer Goebel grabbed his right sleeve, pulled his hand

back into position, and secured the handcuff on his right wrist. Officer Goebel placed his finger on the inside of Mr. Carter's wrists while checking the handcuffs. The handcuffs were not double locked at that time. Mr. Carter could be heard stating, "You have nothing, bro, what are you about to do? What's the reason for the arrest?" Officer Goebel secured Mr. Carter in the backseat of his police cruiser as additional officers arrived on scene at 16:27:27.

Officer Condon arrived on scene, and Officer Goebel explained that he first observed Mr. Carter's vehicle "driving real weird, weird patterns driving all around the street." He stated, "We come up here, I come up behind him and run his plate. I finally realize he's got a warrant, that's why he's running like that. So he gets out of the car before I can activate my lights." He then outlined Mr. Carter's noncompliance with his commands to move away from the cruiser. Officer Goebel stated that Mr. Carter was "combative the whole time," and stated, "I'm cuffing him he pulls his hand away real quick." Officer Goebel told Officer Condon that he does not know what was in Mr. Carter's vehicle but stated that he was "acting goofy." At 16:28:15, Officer Bailey arrived on scene. Officer Goebel entered his cruiser, and asked Mr. Carter for his name and date of birth. Mr. Carter responded, "I'm not giving you anything this isn't a traffic stop." Officer Goebel stated, "I'm going to ask you one more time, then I'm going to charge you with failure to disclose your information." Mr. Carter failed to respond, and stated multiple times "it's not a traffic stop." Officer Goebel notified Mr. Carter that he would be transported to the HCJC. Officer Goebel then notified Officers Condon and Bailey that Mr. Carter would be going to the HCJC, at which point they indicated that Mr. Carter's vehicle was locked.

Officer Goebel exited his cruiser and opened the back passenger side door. Officer Bailey could be heard asking in the background, "Can you see if he got his keys on him?" Mr. Carter was instructed to step out of the vehicle, and Officer Goebel placed his hand on Mr. Carter's right jacket sleeve to guide him out of the cruiser. Officer Goebel placed his hands on Mr. Carter's back and chest, spinning him to face the side of the cruiser. During this time, Mr. Carter stated, "don't get rough," and slightly turned back to face Officer Goebel. Officer Goebel then placed his hand on Mr. Carter's chest a second time, spinning him back around while saying, "turn around, quit pushing back on me."

Officer Goebel conducted a search of Mr. Carter's person, at which time Officer Sanders could be seen holding Mr. Carter's arm during the search. Officer Goebel used open, flat hands to pat down Mr. Carter's left pant leg. He instructed Mr. Carter to spread his legs and continued the search up his body. He placed his hand into Mr. Carter's jacket pocket, then pulled up the back of his jacket. He then used his open flat hand to search the front of Mr. Carter's body, then searched his right pant leg, including his right pant cargo pocket. He removed what appeared to be some form of identification card (redacted), in addition to his car keys. Mr. Carter stated, "I don't consent - I don't want my car unlocked sir," while Officer Goebel appeared to press the unlock button on Mr. Carter's keys. Officer Bailey stated, "we're going to tow your car so we have to do an inventory on it," and then Officer Goebel handed the keys to Officer Bailey. Officer Goebel then stated, "Let me, uh, he pulled away his one arm as I was trying to cuff him, so I wasn't able to double lock him." Officer Goebel then double locked the handcuffs. Officer Bailey stated, "Just hang tight with him for a few minutes, we'll check the car before you go." Mr. Carter responded, "I don't consent to any searches." Officer Bailey then stated, "It doesn't matter you're under arrest; your car is parked illegally. It's getting towed we gotta search it." Mr. Carter was then secured in the backseat of the cruiser at 16:30:40 by Officer Sanders. Officer Goebel walked to the back passenger seat, reached in, and assisted in securing the seat belt. At that time, Mr. Carter stated, "You were that mad that you couldn't pull me over?" Officer Goebel then entered the driver seat of the cruiser.

At 16:31:49 Officer Bailey asked Officer Goebel if there was anyone else in Mr. Carter's vehicle, and Officer Goebel stated, "I don't think there is, I haven't been up there." Officer Goebel then spoke to Mr. Carter stating, "You turned this into something it didn't need to be." Officers Condon and Bailey approached Mr. Carter's vehicle at 16:32:26. Officer Goebel then stated to

Mr. Carter, “Just so you know you’re getting charged with failure to disclose your information and obstruction, okay? And then you have a bunch of capiases, I think you have five of them. I saw you get out of that car, I saw you driving like a maniac back there.” Officer Goebel’s BWC footage was deactivated at 16:33:44 while he was parked at the scene with Mr. Carter in the backseat of his cruiser.

**16:38:03 - 16:41:59**

Officer Goebel’s BWC was reactivated at 16:38:03. Officer Goebel could be seen in the driver’s seat of his cruiser, which was still parked behind Mr. Carter’s vehicle. He could be seen speaking with Officers Condon and Bailey, and he exited his cruiser at 16:38:24. His audio began at 16:38:33, as he and Officer Bailey walked across the street, searching for the snowball that Mr. Carter threw. The three officers continued to search the area, and Officer Goebel re-entered his cruiser at 16:39:27. Mr. Carter could be heard speaking in the backseat of the cruiser. Mr. Carter told him that he was trying to tell him “everything you need to know,” then told him to speak to him at the door “man to man.” Officer Goebel exited the cruiser and opened the back passenger door. He spoke with Mr. Carter and first read him the Miranda Warning. Mr. Carter indicated that he understood. Mr. Carter then stated, “Imma tell you right now, man to man, I don’t do no drugs. I don’t do no – you know what I’m saying. I smoke some THC, legal, legal, you know what I’m saying. I get it from the smoke shop. I don’t do no drugs. When I got out that car, I didn’t throw no snowball – I mean, I threw a snowball –I didn’t throw no drugs.” Mr. Carter then mentioned that he just came from Cincinnati State and stated, “I am not a real criminal.” Officer Goebel then informed him that him pulling arm away during his arrest was Obstruction, and Mr. Carter stated, “Got it.” Officer Goebel then closed the cruiser door, and started walking towards Officers Condon and Bailey, who were by Mr. Carter’s vehicle. His BWC was deactivated at 16:41:59.

**16:45:54 - 17:00:06**

Officer Goebel’s BWC was reactivated at 16:45:54. Officer Goebel could be seen entering the driver’s seat of his cruiser, which was still parked behind Mr. Carter’s vehicle. He left the scene at 16:46:14, and his audio began at 16:46:25. Mr. Carter could be heard talking in the backseat of the cruiser. They arrived at the HCJC at 16:53:12. Officer Goebel could be seen typing on his computer. Nothing of note occurred during this time, and Officer Goebel’s BWC was deactivated at 17:00:06, while he was still seated in his cruiser at the HCJC.

**17:18:55 - 17:59:02**

Officer Goebel’s BWC was reactivated 17:18:55. Officer Goebel could be seen in the driver’s seat of his cruiser, parked at the HCJC, typing into his computer. His audio began at 17:19:24, and Mr. Carter could be heard in the backseat. The following is an outline of their conversation, in part, beginning at 17:20:10:

**Mr. Carter:** “You think you in the right here? You think you not gonna get karma for this? You really think you not gonna get karma for this? (*inaudible*) You put these hand – you put these handcuffs on extra tight, like bro you don’t think you gonna get karma for that? You’re gonna get what’s coming to you, bro.”

**Officer Goebel:** “You threatening me? You threatening me? You want another charge?”

**Mr. Carter:** “I said you’re gonna get karma (*inaudible*).”

**Officer Goebel:** “Threaten me and you’ll get another charge, menacing on a police officer. That’s your one and only warning.”

**Mr. Carter:** “Karma ain’t nothing.”

**Officer Goebel:** “That’s your one and only warning.”

**Mr. Carter:** “Or whatever you believe in, no matter who you believe in. No matter who you believe in. You’ll have to answer to God.”

Officer Goebel continued to complete paperwork, and Mr. Carter could be heard talking to himself in the back of the cruiser regarding his arrest. Officer Goebel did not respond to his comments. At 17:25:29, Mr. Carter stated, "I got a question. If me and you was in the room alone, what you think would happen? Yeah, think about that. Cause I want you to know it. If you ain't had no gun. If you ain't had no gun. If you ain't had no gun! And it was me and you in the room alone, what the fuck you think would happen? Yeah exactly, exactly. So what that mean, what that mean? If you tough – if you so tough with the motherfucking gun but you ain't nothing without it, what that mean? Who the better man?" Officer Goebel did not respond. Mr. Carter continued to speak about Officer Gobel being "scared to approach" him without his firearm. At 17:27:32, Mr. Carter loudly yelled, "Without your gun, you're scared of me!" He continued this dialogue until 17:30:44; Officer Goebel continued to type on his computer and did not respond.

At 17:31:56, Mr. Carter continued a similar dialogue after providing Officer Goebel with an emergency contact, and he also complained about how long the paperwork was taking to complete. At 17:34:18, Mr. Carter stated, "The fact that you put these motherfucking cuffs on so tight. That alone, by itself, you go face karma for it, bro." Officer Goebel did not respond, but notified him that he had charges out of Reading, so he was going to call them and inform them that he was in custody. He apologized that it would take more time. At 17:34:53, Mr. Carter stated, "alright, come loosen these cuffs. Can you come loosen these cuffs?" See below conversation:

**Officer Goebel:** "You pulled away from me before, so I don't know that you're going to try to resist arrest or-"

**Mr. Carter:** "I'm in the back of a police car, inside of a –"

**Officer Goebel:** "Well I put them on with two fingers, so that's the way they're supposed to be put on."

**Mr. Carter:** "I cannot feel my circulation and they would have been cool if you would have been done by now. But now-"

**Officer Goebel:** "Well unfortunately there's a lot of paperwork-"

**Mr. Carter:** "Now my vein is over here thumping."

**Officer Goebel:** "You had several capiases, uh, and you have two charges and you also have something out of Reading since it seems like you're not going to Court."

**Mr. Carter:** "It would take you two second to come loosen them – loosen this vein on my-"

**Officer Goebel:** "Which one is it? Your left or your right?"

**Mr. Carter:** "Both of them."

**Officer Goebel:** "Okay."

At 17:35:42, Officer Goebel exited his cruiser and walked to the back passenger door. He opened the door and removed Mr. Carter's seatbelt. He instructed him to turn away from him so he could access the handcuffs. Mr. Carter failed to do so and asked him multiple times, "Why you have to do all this, bro? Why did you have to start this?" Mr. Carter ultimately followed commands to sit up and grant access to his wrists, at which time Officer Goebel could be seen unlocking the handcuff on the right wrist, checking the spacing on the inside of his wrist, and resealing it. He then unlocked the handcuff on the left wrist, checked the spacing, and resealed it. He then double locked both sides of the handcuffs. After double locking them, Mr. Carter continued to complain about the handcuffs, and Officer Goebel stated, "They're not built for comfort." He again checked the spacing on the inside of Mr. Carter's wrist with two of his fingers on both wrists. He then closed the door and re-entered the driver's seat of his cruiser at 17:38:09.

Officer Goebel and Mr. Carter remained in the cruiser, during which time Mr. Carter continued to talk about his arrest, being a student at Cincinnati State, and being suspected of having drugs. Officer Goebel confirmed his warrants and informed him that he was previously trespassed from Cincinnati State campus. At 17:56:29, Officer Goebel exited the cruiser and secured his firearm

in the rear cargo area of the cruiser. He then removed Mr. Carter from the backseat and escorted him into the HCJC. His BWC was deactivated at 17:59:02, as he was completing paperwork in the HCJC.

### **Officer Condon**

The events recorded by Officer Condon's BWC occurred on January 28, 2025, starting at 16:25:17 p.m., according to the BWC's timestamp. A review of that recording reveals the following:

Officer Condon arrived on scene at 16:27:26. He exited his cruiser and approached Officer Gobel, who was standing outside of his cruiser. Officer Goebel advised him of Mr. Carter's noncompliance and the reason for the traffic stop, and the conversation was outlined in the summary of Officer Goebel's BCW footage. Officer Bailey then arrived on scene, at which point Officer Condon walked to Mr. Carter's vehicle. He pulled on the back passenger door handle, then the front passenger door handle, both of which were locked. He stated that he was unable to see into the vehicle, and at the same time, Officer Bailey could be seen on the driver's side of the vehicle. Officer Condon shined a flashlight into the front passenger window, the back passenger window, and windshield. He walked over to the driver's side of the vehicle and continued to shine his flashlight into the vehicle windows. He then stated, "well, tow for driver arrested." Officer Bailey could be heard saying, "He's blocking all of these truck entrances too. No good place to park." Officer Condon then reapproached Officer Goebel's cruiser at 16:29:50, at which time Officer Bailey could be seen on the passenger side of the cruiser. Officer Condon then entered his cruiser. While in his cruiser, Officer Condon's BWC briefly captured the end of the search of Mr. Carter's person, as well as him being secured into Officer Goebel's cruiser. Officer Bailey approached Officer Condon's cruiser, and stated, "He said I don't consent to any searches, and I explained why that doesn't matter." Officer Condon responded, "It's a good thing you don't have to." Officer Condon remained in his cruiser until 16:32:11, at which point he stated, "okay tow is in."

Officer Condon reapproached Mr. Carter's vehicle and put on gloves. He opened the driver's side door, while Officer Bailey opened the front passenger door. Officer Condon searched the driver's door pocket, while Officer Bailey searched the center console. Officer Condon pulled out multiple wrappers, cords, small plastic baggies, plastic packages, a screwdriver, and an unsheathed pocketknife from the driver's door pocket. He placed all items on the floorboard and closed the pocketknife prior to placing it on the floorboard. Officer Condon reached into the smaller compartment on the driver's side door, where he pulled out what appeared to be a dry, leafy substance. He then pulled off the driver's seat cover, which exposed a seat cushion. He removed the seat cushion and placed it back on the driver's seat. He then reached underneath the driver's seat and searched under the floor mat. He adjusted the steering wheel and appeared to search the area directly behind the steering wheel, but his hands were out of view of the BWC footage. At 16:34:43, Officer Condon pulled on the frame of the instrument panel, directly behind the steering wheel, and it appeared to break off. He stated, "This came off, it's super loose." It appeared that he attempted to put the plastic back into place, but his hands were not captured on the BWC.

At 16:35:20, Officer Condon searched the center console and cup holder area, at which time Officer Bailey moved the front passenger seat forward. Officer Condon then adjusted the driver's seat forward and walked to the back driver's side door. He opened the door and began to search the back floorboard. He searched under the floor mat and through multiple bags in the backseat. He placed the bags on the floorboard and then removed the back seat cover. He adjusted the back seat forward, then put it back into place. He then walked to the trunk of the vehicle, where Officer Bailey was already searching the trunk. Officer Condon reached into the trunk and searched through multiple bags and amongst various bottles of vehicle supplies. At that time, Officer Bailey could also be seen searching through a soft-sided tool bag. Officers

Condon and Bailey then lifted the trunk floorboard and exposed the spare tire. He then stated, "All good, nothing of note," and closed the trunk. Officer Condon then returned to Officer Gobel's cruiser, at which time Officer Bailey handed Mr. Carter's phone to Officer Gobel. Officer Bailey stated, "nothing on the car. He had a bunch of baggies and stuff, maybe something to talk about."

Officer Goebel explained that Mr. Carter previously threw what appeared to be a snowball, and Officer Condon searched the area where he was standing when that occurred. He looked in two garbage bins nearby, and at 16:39:01, Officer Gobel approached Officer Condon and stated that Mr. Carter threw the snowball across the street, but he could not see what direction. Officer Condon walked across the street with Officer Bailey, and they looked around the area. They discussed that they might be able to see what direction the snowball was thrown through the recording on Officer Goebel's cruiser.

At 16:40:01, while Officers Condon and Bailey were across the street, Officer Goebel exited his cruiser and walked to the back passenger door. Officer Condon walked across the street and approached Officer Goebel's cruiser. The back passenger door appeared to be open at that time, but the BWC did not capture where Officer Goebel was located. Officer Condon then entered the driver's seat of Officer Goebel's cruiser, and a portion of the conversation between Officer Goebel and Mr. Carter in Officer Goebel's BWC could be heard. Officer Condon exited the cruiser at 16:41:07, and walked across the street to notify Officer Bailey that he could not access the recording at that time. They returned to Mr. Carter's vehicle and located a piece of paper behind the back tire, but that was not determined to be pertinent.

At 16:42:01, Officer Condon's BWC showed Officer Goebel walking from the back passenger door, which was now closed, toward Officer Condon. Officer Condon's BWC ended at 16:42:11, during the middle of a conversation with Officer Goebel.

## **Officer Bailey**

### **16:27:38 - 16:37:58**

The events recorded by Officer Bailey's BWC occurred on January 28, 2025, starting at 16:27:38, according to the BWC's timestamp. A review of that recording reveals the following:

Officer Bailey arrived on scene at 16:27:55, at which time Officers Goebel and Condon could be seen standing outside Officer Goebel's cruiser. Officer Bailey followed Officer Condon to Mr. Carter's vehicle, where Officer Condon pulled on the vehicle handles and shined a flashlight into the windows, which was outlined in the summary of Officer Condon's BWC footage. Officer Bailey attempted to open the driver's door, but it was locked. Officer Bailey yelled to Officer Goebel that Mr. Carter locked his vehicle and stated that he was parked in front of loading zones. Officer Bailey yelled back to Officer Goebel, "Can you see if he's got keys on him?" Officer Bailey walked to the passenger side of Mr. Carter's vehicle, as Officer Condon continued to look into the driver's side windows. Both officers then walked back to Officer Goebel's cruiser, at which point Mr. Carter was outside of the cruiser being searched by Officer Goebel. Officer Bailey asked Officer Goebel if Mr. Carter had keys, at which point Officer Goebel stated, "yeah I just," and then handed the keys to Officer Bailey. Officer Bailey notified Mr. Carter that his vehicle was being towed, while Officer Goebel double locked his handcuffs. Officer Bailey stated, "Just hang tight with him for a few minutes, we'll check the car before you go." Mr. Carter responded, "I don't consent to any searches." Officer Bailey stated, "It doesn't matter, you're under arrest, your car is parked illegally. It's getting towed, we gotta search it."

Officer Bailey approached Officer Condon's cruiser and discussed the towing of the vehicle and Mr. Carter's comment, which was outlined in the summary of Officer Condon's BWC footage. At 16:32:18, Officer Bailey notified Officer Gobel "we got a tow started for you," and then

approached Mr. Carter's vehicle. Officer Bailey threw Mr. Carter's keys on the roof of the vehicle and then opened the front passenger door. Officer Condon could be seen searching the driver's side door at that time. Officer Bailey located Mr. Carter's cell phone on the front passenger seat and disconnected it from the cord it was attached to. He left the phone on the seat while he opened the center console and removed what appeared to be Mr. Carter's identification card and multiple credit cards. He also removed what appeared to be two AirPods cases and miscellaneous cords and pens. He placed all items on the front passenger seat, then searched the passenger door pocket. It then appeared as if he searched the visor and the compartment in front of the gear shift, but his hands were out of the BWC frame. He put multiple items, including a lighter and key badge, on the front passenger seat prior to opening the glove box. Officer Bailey pulled a plastic baggy out of the glove box and stated, "Well I don't think that's for sandwiches, there's nothing in it." Officer Condon could be heard responding, "I got a bunch of little ones over here." Officer Bailey then stated, "He might have some booty drugs or something." Officer Bailey pulled out a Ziplock bag of latex gloves from the glove box, and stated, "He might be doing some latex glove robberies, too. I don't think he's a doctor or a police officer." Officer Bailey continued to pull out multiple pieces of paper and bags and placed them on the passenger seat. He then pulled out a wallet, but the contents were redacted.

At 16:35:06, Officer Bailey searched under the front passenger seat, then shoved the items on the seat onto the floorboard. He took Mr. Carter's cell phone and placed it on top of the roof of the vehicle, next to the keys. He searched the back passenger side and looked through multiple bags and items of clothing. All items were placed on the floorboard. He then used the keys to open the trunk and searched the trunk at 16:36:54. Officer Condon searched the trunk with him, which was outlined in the summary of Officer Condon's BWC footage. Officer Bailey removed Mr. Carter's keys and phone from the roof of the vehicle and walked to Officer Goebel's cruiser. Officer Bailey's BWC ended at 16:37:58 as he was walking to Officer Goebel's cruiser.

#### **16:38:02 - 16:42:02**

Officer Bailey's BWC was reactivated at 16:38:02. Officer Bailey could be seen standing beside the driver's door of Officer Goebel's cruiser, and Officer Goebel was in the driver's seat. Officer Goebel exited the cruiser at 16:38:25, and Officer Bailey's audio began at 16:38:31. This BWC captured the search of the area where Mr. Carter threw the snowball, which was consistent with what was captured on Officer Condon's BWC. This BWC was deactivated at 16:42:02.

#### **Officer Sanders**

The events recorded by Officer Sanders' BWC occurred on January 28, 2025, starting at 16:28:50, according to the BWC's timestamp. A review of that recording reveals the following:

Officers Sanders approached Officer Goebel's cruiser. Officer Goebel could be seen removing Mr. Carter from the cruiser at 16:29:09, at which time Officer Goebel began searching Mr. Carter's person. Officer Sanders held onto Mr. Carter's right arm, and his audio began at 16:29:19. Officer Sanders asked Mr. Carter if he had keys to the car, at which point Mr. Carter told him "there's nothing in that car at all." Officer Goebel completed the search and double locked Mr. Carter's handcuffs at 16:30:32, and this footage was consistent with Officer Goebel's BWC footage. Officers Sanders and Goebel secured Mr. Carter in the cruiser at 16:31:19. Officer Sanders could be seen speaking with Officer Broomes, but no further pertinent information was provided in this footage. Officer Sanders BWC was deactivated at 16:32:03, as he was walking back to his cruiser.

#### **Officer Broomes**

The events recorded by Officer Broomes' BWC occurred on January 28, 2025, starting at 16:30:42, according to the BWC's timestamp. A review of that recording reveals the following:

Officer Broomes arrived on scene as Officers Goebel and Sanders were securing Mr. Carter into the cruiser. His audio began at 16:31:11, and he briefly spoke with Officers Goebel and Sanders. This footage provided no additional information regarding the incident with Mr. Carter beyond what was already captured by Officer Goebel's body-worn camera. Officer Broomes' BWC was deactivated at 16:33:46 as he was standing next to the front passenger door of Officer Goebel's cruiser.

### **Clerk of Courts**

Mr. Carter was charged with Failure to Disclose Personal Information under Ohio Revised Code (ORC) §2921.29; Obstructing Official Business under Ohio Revised Code (ORC) §2921.31; and Failure to Reinstate License under Ohio Revised Code (ORC) §4510.21. These charges are pending.

### **Digital Video Recording/Mobile Video Recording**

#### **Equipment number: Axon Fleet 2 X54118943 (Officer Goebel)**

*Time: 21:22:48Z – 21:33:36Z*

Officer Goebel pulled around a corner, and Mr. Carter's vehicle could be seen parked on the curb. Officer Goebel pulled up behind him, and as soon as his cruiser was stationary, Mr. Carter exited his vehicle. He locked his vehicle, walked around the front of his vehicle onto the sidewalk, then approached Officer Goebel's cruiser from the passenger side. The audio began at that time, and Mr. Carter was out of sight. The remainder of the video was consistent with Officer Goebel's BWC footage of his encounter with Mr. Carter. This video also captured part of the search of Mr. Carter's vehicle, completed by Officers Condon and Bailey.

#### **Equipment number: Axon Fleet 2 IR X55036651 (Officer Goebel)**

*Time: 21:33:07Z – 23:36:42Z*

Mr. Carter could be seen sitting in the back seat of a cruiser speaking, but there was a 30 second delay in the audio. Mr. Carter stated, "Buddy if I got to go down to the justice center for this, it is not over." This video captured the conversation Officer Goebel had with Mr. Carter at the back passenger door, which was outlined in Officer Goebel's BWC footage summary. This video captured Mr. Carter's transport to the HCJC, Officer Goebel adjusting Mr. Carter's handcuffs while at the HCJC, until Mr. Carter was escorted into the HCJC.

#### **Equipment number: Axon Fleet 2 X54118943 (Officer Goebel)**

*Time: 21:53:13Z – 23:36:42Z*

The review of Officer Goebel's dash camera footage revealed that it did not provide any additional information beyond what was already captured by Officer Goebel's body-worn camera.

#### **Equipment number: Axon Fleet 2 X54118943 (Officer Goebel)**

*Time: 00:19:40Z – 00:37:45Z*

The review of Officer Goebel's dash camera footage revealed that it did not capture any footage related to the allegations.

**Equipment number: Axon Fleet 2 X54019389 (Officer Condon)**

*Time: 21:25:14Z – 21:32:06Z*

The review of Officer Condon's dash camera footage revealed that it captured the search of Mr. Carter's person by Officers Goebel and Sanders. However, it did not provide any additional information beyond what was already captured by Officer Goebel's body-worn camera.

**Tow Report**

Tow Report #2025-369-00001106 was reviewed and indicated that Mr. Carter's vehicle (2014 Chevrolet Cruze, KJG3885) was towed on January 28, 2025, at 17:01. The tow reason was listed as "driver arrested," and this report also listed Mr. Carter as a suspended driver.

**SIGNIFICANT  
DISCREPANCIES  
AND CLARIFICATIONS**

Mr. Carter claimed he had evidence of his injuries and photographs of the condition of his vehicle, but he has not responded to CCA's attempts to obtain that evidence.

Officer Goebel's BWC was activated and deactivated four times throughout his encounter with Mr. Carter. The first three deactivations occurred when Mr. Carter was in the backseat of Officer Goebel's cruiser, and the MVR was active each time. The last deactivation occurred after Mr. Carter was escorted into the HCJC. Between Officer Goebel's BWC, DVR, and MVR footage, the entirety of his encounter with Mr. Carter was captured.

**AUTHORITIES**

**I. CPD Procedure Manual**

**§ 12.205 Traffic Enforcement (Revised 8/2/2024)**

**Procedure:**

- A. On-duty Traffic Enforcement Guidelines
  - 3. Take appropriate enforcement action whenever a violation is detected, including provable violations determined as the result of accident investigations.

**§ 12.270 Impounding, Moving, And Release of Vehicles (Revised 1/3/2025)**

**Policy:**

Department personnel will conduct a thorough inventory search of all vehicles taken into custody per Cincinnati Municipal Code 513-1, Impoundment of Motor Vehicles.

**Procedure:**

- A. Impoundment Guidelines
  - 1. A police officer may impound any motor vehicle which is:
    - b. Parked in violation of the law
    - g. In the possession of a physically arrested person, if the vehicle cannot be safely parked, or the vehicle cannot be released to another individual, etc.

1. Make every reasonable attempt to release the vehicle at the scene.

## § 12.545 Use of Force (Revised 4/12/2024)

### Definitions:

**Actively Resisting Arrest** – When the subject is making physically evasive movements to defeat the officer's attempt at control, including fleeing, bracing, tensing, pushing, or verbally signaling an intention to avoid or prevent being taken into or retained in custody.

**Escorting** – The use of light pressure to guide a person or keep a person in place.

**Force** – Any physical strike, instrumental contact with a person, or any significant physical contact that restricts movement of a person. The term includes, but is not limited to, the use of firearms, Conducted Energy Weapons (Pregnant), chemical irritant, choke holds or hard hands, the taking of a subject to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person with no or minimal resistance.

**Hard Hands** – The use of physical pressure to force a person against an object or the ground, use of physical strength or skill that causes pain or leaves a mark, leverage displacement, joint manipulation, pain compliance, and pressure point control tactics.

### Procedure:

#### H. Reporting a Use of Force

Force Used	Reporting Requirement
Escorting or handcuffing a person, with no or minimal resistance.	No special reporting required other than the narrative of the arrest report.

## § 12.554 Investigatory Stops (Revised 8/2/2024)

### Information:

There are three levels of police/citizen contact.

The first level is a consensual encounter. A police officer may approach any person in a public place and request to talk to him. So long as the person is free to leave whenever he wants, no Fourth Amendment seizure has occurred, and no reasonable suspicion or probable cause is required.

The next level is the "Terry" type encounter. Here the officer has reasonable suspicion to believe the citizen is committing or has committed a crime. Based on this reasonable suspicion, the officer may forcibly stop and detain the citizen for a brief investigatory period. Although a citizen is required to properly identify oneself during the stop, failure to answer investigatory questions asked by the officer cannot provide the justification for detaining a person past the period necessary to complete the brief "Terry" type investigation. Once the reasonable suspicion is determined to be unfounded, the citizen must be released.

The third level of police/citizen contact is the arrest. The arrest occurs when the citizen is no longer free to leave and the officer has the intent to arrest. The arrest must be

supported by probable cause to believe the citizen is committing or has committed a criminal offense.

## **§ 12.600 Prisoners: Securing, Handling, And Transporting (Revised 1/20/2023)**

### **Procedure:**

#### **A. Handcuffing**

1. When possible, handcuff all prisoners with their hands behind their back. Apply handcuffs between the hand and protruding wrist bone with the prisoner's palms facing out and the keyholes facing up.
  - a. Apply handcuffs directly over the skin. Never apply them over clothing or jewelry. They should be reasonably snug and double locked.

## **II. Manual of Rules and Regulations (Revised 1/6/2023)**

### **Section One – Failure of Good Behavior**

- 1.06
  - A. Members of the Department shall always be civil, orderly, and courteous in dealing with the public, subordinates, superiors, and associates.
  - B. Members of the Department shall avoid the use of coarse, violent, or profane language.

## **ANALYSIS**

### **Allegation 1: Improper Stop**

Mr. Carter alleged that Officer Goebel “followed me 5 blocks without lights,” and there was “no probable cause for traffic stop.”

CPD Procedure § 12.554 Investigatory Stops specifies that there are three levels of police/citizen contact: consensual encounter, “Terry” type encounter, and the arrest. During the “Terry” type encounter, “the officer has reasonable suspicion to believe the citizen is committing or has committed a crime. Based on this reasonable suspicion, the officer may forcibly stop and detain the citizen for a brief investigatory period.” Additionally, CPD Procedure § 12.205 Traffic Enforcement indicates that officers must “take appropriate enforcement action whenever a violation is detected.”

Per Officer Goebel’s BWC, MVR, and CCA Officer interview statements, Officer Goebel was on duty when he observed a vehicle with heavily tinted windows fail to stop at a stop sign. He followed the vehicle and was in the process of querying the license plate information when the vehicle came to a sudden stop, and the driver (Mr. Carter) immediately exited the vehicle and approached Officer Goebel’s cruiser. Mr. Carter could be seen approaching Officer Goebel’s cruiser multiple times and ignoring commands to move away from the cruiser. Officer Goebel stated that Mr. Carter’s actions were obstructing his investigation into Mr. Carter and the traffic violation, and Mr. Carter was detained at that time.

When CCA applied CPD Procedure § 12.205 Traffic Enforcement and CPD Procedure § 12.554 Investigatory Stops to the facts of this case, it was evident that Officer Goebel’s encounter with Mr. Carter began as a “Terry” type encounter. Though he did not have the opportunity to initiate a traffic stop prior to Mr. Carter exiting his vehicle, at a minimum he had reasonable suspicion to believe that Mr. Carter committed a crime, due to witnessing him fail to stop at a stop sign and the heavy window tint on his vehicle.

Based upon the evidence, CCA concluded that Officer Goebel's actions were consistent with CPD's policy, procedure, and training.

### **Allegation 2: Improper Seizure (Person)**

Mr. Carter alleged that Officer Goebel "falsely imprisoned a college student."

CPD Procedure § 12.554 Investigatory Stops specifies that there are three levels of police/citizen contact: consensual encounter, "Terry" type encounter, and the arrest. During the "Terry" type encounter, "the officer has reasonable suspicion to believe the citizen is committing or has committed a crime. Based on this reasonable suspicion, the officer may forcibly stop and detain the citizen for a brief investigatory period." An arrest occurs "when the citizen is no longer free to leave, and the officer has the intent to arrest. The arrest must be supported by probable cause to believe the citizen is committing or has committed a criminal offense." Additionally, CPD Procedure § 12.205 Traffic Enforcement indicates that officers must "take appropriate enforcement action whenever a violation is detected."

Per Officer Goebel's BWC, MVR, and CCA Officer interview statements, Officer Goebel was on duty when he observed a vehicle with heavily tinted windows fail to stop at a stop sign. He followed the vehicle and was in the process of running the license plate information when the vehicle came to a sudden stop, and the driver, Mr. Carter, immediately exited the vehicle and approached Officer Goebel's cruiser. Mr. Carter could be seen approaching his cruiser multiple times and ignoring commands to move away from the cruiser. Officer Goebel stated that Mr. Carter's actions were obstructing his investigation into Mr. Carter and the traffic violation, and Mr. Carter was detained at that time. When Officer Goebel received information regarding the multiple capiases attached to Mr. Carter's vehicle for a suspect matching Mr. Carter's general description, he placed Mr. Carter under arrest.

When CCA applied CPD Procedure § 12.205 Traffic Enforcement and CPD Procedure § 12.554 Investigatory Stops to the facts of this case, it was evident that Officer Goebel's encounter with Mr. Carter began as a "Terry" type encounter. Though he did not have the opportunity to initiate a traffic stop prior to Mr. Carter exiting his vehicle, at a minimum he had reasonable suspicion to believe that Mr. Carter committed a crime, due to witnessing him fail to stop at a stop sign and the heavy window tint on his vehicle. The encounter escalated when Mr. Carter obstructed Officer Goebel's investigation and failed to disclose his personal information. When Officer Goebel learned about the multiple capiases attached to Mr. Carter's vehicle, the encounter developed into an arrest. During his interview with CCA, Officer Goebel stated that Mr. Carter matched the general description of the male with the active capiases, thus, he had probable cause to arrest Mr. Carter at that time.

Based upon the evidence, CCA concluded that Officer Goebel's actions were consistent with CPD's policy, procedure, and training.

### **Allegation 3: Excessive Force (Handcuffing)**

Mr. Carter alleged that he sustained "nerve damage (left wrist) from handcuffs."

CPD Procedure § 12.600 Prisoners: Securing, Handling, And Transporting states, "When possible, handcuff all prisoners with their hands behind their back. Apply handcuffs between the hand and protruding wrist bone with the prisoner's palms facing out and the keyholes facing up. Apply handcuffs directly over the skin. Never apply them over clothing or jewelry. They should be reasonably snug and double locked." Additionally, CPD Procedure § 12.545 Use Of Force defines "actively resisting arrest" as "when the subject is making physically evasive movements to defeat the officer's attempt at control, including fleeing, bracing, tensing, pushing, or verbally

signaling an intention to avoid or prevent being taken into or retained in custody.” Additionally, it defines “escorting” as “the use of light pressure to guide a person or keep a person in place.” It also defines “force” as “any physical strike, instrumental contact with a person, or any significant physical contact that restricts movement of a person. The term includes, but is not limited to, the use of firearms, Conducted Energy Weapons (Pregnant), chemical irritant, choke holds or hard hands, the taking of a subject to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person with no or minimal resistance.” Finally, it defines “hard hands” as “the use of physical pressure to force a person against an object or the ground, use of physical strength or skill that causes pain or leaves a mark, leverage displacement, joint manipulation, pain compliance, and pressure point control tactics.” CPD Procedure § 12.545 Use Of Force also indicates that if the officer is involved with “escorting or handcuffing a person, with no or minimal resistance,” that there is “no special reporting required other than the narrative of the arrest report.”

Per Officer Goebel’s BWC, MVR, and CCA Officer interview statements, Officer Goebel placed handcuffs on Mr. Carter at the time of his arrest, and Mr. Carter actively resisted the handcuffing process. Officer Goebel stated that Mr. Carter was “somewhat combative” and explained that he commanded Mr. Carter to put his hands together behind his back. BWC indicated that when Mr. Carter put his palms together, he pulled his arms upward and looked over his shoulder at Officer Goebel. Officer Goebel instructed him to “stop tensing up on me,” and then pulled up Mr. Carter’s sleeves. He first secured the handcuff onto Mr. Carter’s left wrist; at which time Mr. Carter pulled his left arm up again. He then pulled his right arm away, and Officer Goebel pulled his arm back into the position to secure the handcuffs. Officer Goebel could be seen on BWC placing his finger on the inside of Mr. Carter’s wrists while securing the handcuffs; however, they were not initially double locked. During the CCA Officer interview, Officer Goebel stated that when Mr. Carter pulled his arm away, Mr. Carter told him, “I bet that scared you.” This comment was not captured on BWC; however, Officer Goebel stated that he was concerned about his safety during the interaction, in part due to this comment. He also stated, though it is typical procedure for him to double lock the handcuffs immediately after securing them, there were “exigent circumstances” during his encounter with Mr. Carter due to him pulling his arms away and resisting arrest.

Per Officer Goebel’s BWC, Mr. Carter was initially secured in the cruiser at 16:27:27. Officer Goebel later removed him from the cruiser at 16:29:08 and completed a search of his person with the assistance of Officer Sanders. After completing the search of his person, Officer Goebel indicated that Mr. Carter “pulled away his one arm as I was trying to cuff him, so I wasn’t able to double lock him.” Officer Goebel then double locked the handcuffs at 16:30:23, and Mr. Carter was returned to the cruiser.

Officer Goebel and Mr. Carter arrived at the HCJC at 16:53:12, and Officer Goebel denied hearing Mr. Carter complain about the handcuffs at any point prior to their arrival, which was corroborated via BWC and MVR. Specifically, per BWC, at 17:20:44 Mr. Carter mentioned for the first time that Officer Goebel placed the handcuffs on tightly. Officer Goebel did not respond to the comment; however, it should be noted that Mr. Carter also made multiple threatening comments directed at Officer Goebel at that time. Mr. Carter did not mention the handcuffs again until 17:34:18, at which time he asked Officer Goebel to loosen the handcuffs. At 17:35:42, Officer Goebel exited the cruiser and opened the rear passenger door. He then unlocked the handcuff on Mr. Carter’s right wrist, checked the spacing on the inside of Mr. Carter’s wrist, and then resecured it. He repeated those actions with the left wrist, prior to double-locking both sides and resecuring Mr. Carter in the cruiser. During the CCA Officer interview, Officer Goebel denied observing any injuries to Mr. Carter’s wrists at any time.

When CCA applied CPD Procedure § 12.600 Prisoners: Securing, Handling, And Transporting and CPD Procedure § 12.545 Use Of Force to the facts of this case, it was apparent that Officer Goebel did not use force against Mr. Carter. Despite Mr. Carter exhibiting active resistance, it

was minimal, and Officer Goebel did not use any force to effectuate the handcuffing. Furthermore, the definition of “force” specifically included the following statement: “the term does not include escorting or handcuffing a person with no or minimal resistance.” There were no strikes or joint manipulation used, and Officer Goebel properly handcuffed Mr. Carter by applying the handcuffs over skin and checking for tightness. Though he did not initially double lock Mr. Carter’s handcuffs, he articulated that he was unable to do so immediately due to Mr. Carter pulling his arms away and resisting arrest. Officer Goebel double locked Mr. Carter’s handcuffs two minutes and 56 seconds later, after additional officers arrived on scene to assist. No injuries to Mr. Carter’s wrists were observed on BWC, and Mr. Carter did not complain of handcuff tightness until they were already at the HCJC. After Mr. Carter asked Officer Goebel to loosen the handcuffs, Officer Goebel adjusted them less than one minute later.

Based upon the evidence, CCA concluded that Officer Goebel did not use force when handcuffing Mr. Carter.

#### **Allegation 4: Discourtesy**

Mr. Carter alleged that officers were discourteous towards him and accused him of “selling drugs.”

CPD’s Manual of Rules and Regulations states that “members of the Department shall always be civil, orderly, and courteous in dealing with the public, subordinates, superiors, and associates” and “members of the Department shall avoid the use of coarse, violent, or profane language.”

After reviewing all involved officer’s BWC, MVR, and CCA Officer interview statements, no evidence was found to support the allegation that any officers were discourteous to Mr. Carter at any time during their interaction with him. During the CCA interview, Officer Goebel denied being unprofessional, yelling at Mr. Carter excessively, or ever using profanity during his interactions with Mr. Carter. He stated, “I felt as if I showed great restraint with him.” During Officer Condon and Officer Bailey’s CCA interviews, they both denied observing any discourtesy against Mr. Carter, or being discourteous towards Mr. Carter. These statements were corroborated with all involved officer’s BWC footage.

Based upon the evidence, CCA concluded that no involved officers were discourteous towards Mr. Carter.

#### **Allegations 5 & 6: Improper Search**

Mr. Carter alleged that there were “multiple broken components interior of vehicle,” and “debris and trash thrown all over car (very unprofessional and malicious).”

CPD Procedure § 12.270 Impounding, Moving, And Release of Vehicles states, in part, that a police officer may impound any motor vehicle which is “parked in violation of the law” and “in the possession of a physically arrested person, if the vehicle cannot be safely parked, or the vehicle cannot be released to another individual, etc.” It also states, “department personnel will conduct a thorough inventory search of all vehicles taken into custody per Cincinnati Municipal Code 513-1, Impoundment of Motor Vehicles.”

Per Officer Condon and Officer Bailey’s BWC and CCA Officer interview statements, they assisted in completing an inventory search of Mr. Carter’s vehicle. Officer Condon indicated during his CCA interview that, per policy, when they tow a vehicle due to an individual’s arrest, they are required to complete an inventory search of the vehicle prior to the tow. Officer Condon stated that the vehicle did not appear to be well cared for and was in a “state of disrepair,” and he recalled that there were “things all over” and a “pungent musty odor.” He stated that there was a piece around the dashboard “that did pull out” during the search, but he was able to put it

back into place. He stated that he believed it was already “loose or cracked” prior to the search. He stated, “to the best of my ability I put everything back where it was. We try to be as respectful as possible with people’s property when we’re dealing with it.” Officer Condon denied having any malicious intent during the search and denied observing any malicious actions.

Additionally, Officer Bailey stated during his CCA interview that he recalled finding a lot of “trash and baggies” while searching the vehicle. He stated that it is common practice to empty the compartments during the search, and either place the items on the seat or the floor. Officer Bailey denied observing anything broken in the vehicle when he was searching but stated that the bezel panel by the speedometer “popped off” during Officer Condon’s search. Officer Bailey stated that Officer Condon “barely ran his hand across it and it popped.” These statements were consistent with Officer Condon and Officer Bailey’s BWC footage.

When CCA applied CPD Procedure § 12.270 Impounding, Moving, And Release of Vehicles to the facts of this case, it was evident that the search of Mr. Carter’s vehicle complied with CPD policy, due to the vehicle being “in the possession of a physically arrested person” (Mr. Carter), and due to it being “parked in violation of the law.” Thus, the vehicle was to be impounded and was required to be searched prior to impound. Further, there was no evidence to suggest that the vehicle was searched in a way that was “very unprofessional and malicious,” and there is no policy outlined in the CPD Procedure Manual that would require officers to return the vehicle to its original condition after conducting a search.

Based upon the evidence, CCA concluded that Officer Condon and Officer Bailey’s actions were consistent with CPD’s policy, procedure, and training.

#### **Allegation 7: Improper Seizure (Vehicle)**

Mr. Carter alleged that officers impounded his vehicle.

CPD Procedure § 12.270 Impounding, Moving, And Release of Vehicles states, in part, that a police officer may impound any motor vehicle which is “parked in violation of the law” and “in the possession of a physically arrested person, if the vehicle cannot be safely parked, or the vehicle cannot be released to another individual, etc.”

Per Officer Goebel’s CCA Officer interview statements, Mr. Carter’s vehicle was to be towed due to him being arrested and due to it being parked in an area that would not have been safe to park. He stated that the vehicle could not have been left where it was due to it being illegally parked, Mr. Carter, who was not the registered owner, and Officer Goebel stated that he knew that the area was a high traffic semi-truck area. Additionally, BWC footage from Officers Condon and Bailey captured Officer Bailey stating, “He’s blocking all of these truck entrances too. No good place to park.” During Officer Bailey’s CCA Officer interview, he stated that Mr. Carter was parked illegally in a tow zone, and there was no good parking spot in the area. This information was corroborated with all involved officer’s BWC footage.

When CCA applied CPD Procedure § 12.270 Impounding, Moving, And Release of Vehicles to the facts of this case, it was evident that the search of Mr. Carter’s vehicle complied with CPD policy, due to the vehicle being “in the possession of a physically arrested person” (Mr. Carter), and due to it being “parked in violation of the law.”

Based upon the evidence, CCA concluded that Officer Goebel’s actions were consistent with CPD’s policy, procedure, and training.

## Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Improper Stop	John Goebel	Tyshawn Carter	Exonerated
2	Improper Seizure (Person)	John Goebel	Tyshawn Carter	Exonerated
3	Excessive Force (Handcuffing)	John Goebel	Tyshawn Carter	Unfounded
4	Discourtesy	Unknown Officer	Tyshawn Carter	Unfounded
5	Improper Search	Joshua Condon	Tyshawn Carter	Exonerated
6	Improper Search	Samuel Bailey	Tyshawn Carter	Exonerated
7	Improper Seizure (Vehicle)	John Goebel	Tyshawn Carter	Exonerated



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Kaitlyn Streicher, Investigator



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Dena Brown, Interim Director

**PREVIOUS  
CONTACTS AND  
COMMENDATIONS**

**Officer John R. Goebel**

**Previous Contacts with CCA**

Officer Goebel had five previous contacts with CCA in the past three years.

<b>Case Number</b>	<b>Allegation</b>	<b>Finding</b>
24226	Improper Search	Exonerated
24120	Excessive Force	Unfounded
24120	Discourtesy	Unfounded
24071	Improper Procedure	Unfounded
24071	Improper Stop	Exonerated
22256	Improper Stop	Exonerated
22256	Discourtesy	Unfounded
22183	Improper Search	Exonerated

**Previous Contacts for CCA Referrals**

Officer Goebel had three allegations referred to CPD for investigation in the past three years.

<b>Case Number</b>	<b>Allegation</b>	<b>CPD Finding</b>
24247	Lack of Service	Unfounded
23042	Discourtesy	Not Sustained
23042	Lack of Service	Exonerated

**Previous Contact with IIS**

CCA is unaware of any additional previous contact by Officer Goebel with IIS.

**Commendations**

Officer Goebel received 14 commendations in the past three years.

<b>Date</b>	<b>Source of Commendation Received</b>
05/22/2024	Civilian
01/03/2024	CPD
01/03/2024	CPD
07/10/2023	CPD
05/15/2023	CPD
04/21/2023	Civilian
04/20/2023	CPD
04/11/2023	CPD
01/05/2023	CPD
01/03/2023	CPD
12/14/2022	CPD
11/27/2022	CPD

04/28/2022	CPD
04/19/2022	CPD

**Officer Joshua F. Condon**

**Previous Contacts with CCA**

Officer Condon had two previous contacts with CCA in the past three years.

Case Number	Allegation	Finding
23053	Lack of Service	Unfounded
23053	Discrimination (Gender Expression and Identity)	Unfounded
22015	Improper Search	Exonerated

**Previous Contacts for CCA Referrals**

Officer Condon had one allegation referred to CPD for investigation in the past three years.

Case Number	Allegation	CPD Finding
24180	Racial Profiling	<i>IIS Report #2024-263 (See below)</i>

**Previous Contact with IIS**

Officer Condon had one additional contact with IIS in the past three years.

Case Number	Allegation	CPD Finding
2024-263	Discrimination	Unfounded
2024-263	Improper Stop	Exonerated
2024-263	Discourtesy	Unfounded

**Commendations**

Officer Condon received 14 commendations in the past three years.

Date	Source of Commendation Received
02/28/2025	CPD
02/28/2025	Civilian
12/17/2024	CPD
10/15/2024	CPD
12/17/2023	CPD
02/17/2023	CPD
12/21/2022	CPD
12/08/2022	CPD
11/03/2022	Civilian
10/18/2022	CPD
09/25/2022	CPD
09/24/2022	Civilian
07/08/2022	CPD
05/10/2022	CPD

## **Officer Samuel M. Bailey**

### **Previous Contacts with CCA**

Officer Bailey had five previous contacts with CCA in the past three years.

<b>Case Number</b>	<b>Allegation</b>	<b>Finding</b>
24249	Improper Stop (Vehicle)	Case Pending
24249	Discourtesy	Case Pending
24081	Discourtesy	Sustained
23258	Excessive Force	Unfounded
23070	Improper Stop	Exonerated
23070	Improper Search	Exonerated
23059	Discrimination (disability)	Not Applicable – No Finding Reported
23059	Discrimination	Unfounded
23059	Lack of Service	Sustained

### **Previous Contacts for CCA Referrals**

Officer Bailey had one allegation referred to CPD for investigation in the past three years.

<b>Case Number</b>	<b>Allegation</b>	<b>CPD Finding</b>
23065	Lack of Service	Exonerated

### **Previous Contact with IIS**

CCA is unaware of any additional previous contact by Officer Bailey with IIS.

### **Commendations**

Officer Bailey received 18 commendations in the past three years.

<b>Date</b>	<b>Source of Commendation Received</b>
07/02/2024	CPD
04/09/2024	CPD
04/07/2024	CPD
04/06/2024	CPD
03/23/2024	CPD
03/01/2024	CPD
02/14/2024	Civilian
01/25/2024	CPD
12/01/2023	CPD
12/01/2023	CPD
11/25/2023	Civilian
01/05/2023	CPD
12/01/2022	CPD
12/01/2022	CPD
11/27/2022	CPD
11/27/2022	CPD

04/12/2022	CPD
02/09/2022	CPD