



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



2024-2465

Officer Involved Critical Incident – 2215 East Avenue, Akron, Ohio
44314

Investigative Activity: Interview with Officer
Involves: [REDACTED]
Date of Activity: 10/29/2024
Activity Location: Attorney Munyer Office – 121 South Main Street, Akron, OH 44308
Author: SA John P. Tingley, #154

Narrative:

On Tuesday, October 29, 2024, at approximately 1305 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) John Tingley (Tingley) and SA Jesse Bynum (Bynum) interviewed Akron Police Department (APD) [REDACTED] who was accompanied by Noah Munyer (Munyer), attorney from the Fraternal Order of Police (FOP) and Mike Koubek, a representative from the APD FOP lodge. The interview took place at Attorney Munyer's office, which is located at 121 South Main Street, Akron, Summit County, Ohio. The interview was audio and video recorded.

This report only summarizes the information deemed by the author to be of the most relevance to the investigation and does not purport to contain all questions and answers from the interview. Further, this report was placed in a chronology to aid the reader's overall understanding of the information elicited during the interview and may not be reflective of the actual sequencing of questions nor is it a word-for-word translation of either the questions or answers. It is suggested that the full recording be reviewed to clarify any content or contextual questions regarding the information from the interview.

SA Tingley had earlier asked a number of Preliminary and Demographic questions to [REDACTED] with those answers documented in the following tables.

NAME: [REDACTED]	RANK: [REDACTED]
BADGE NUMBER: [REDACTED]	CRUISER/VEHICLE NUMBER: Unknown
RADIO CALL SIGN: [REDACTED]	IMMEDIATE SUPERVISOR: Sergeant Beck
RADIO CHANNEL UTILIZED: Dispatch 2	MOBILE DATA TERMINAL: Yes
CRUISER DESCRIPTION: Marked APD Ford Explorer	OCCUPANTS OF CRUISER AND SEATING POSITIONS: 2 [REDACTED] driver, [REDACTED] passenger
ASSIGNMENT: Patrol	NORMAL SHIFT: [REDACTED]
IN-CAR CAMERA: No	SPOTLIGHT: Yes
EMERGENCY LIGHTS: Yes	SIREN: Yes
SHIFT DAY OF THE INCIDENT: 2100 - 0700	DUTY STATUS: Patrol
DAYS OFF: Rotate	PRIOR OVERTIME OR EXTRA DETAILS WITHIN PRECEDING 48 HOURS OF INCIDENT: No
HOURS OF SLEEP PRIOR TO THE INCIDENT: 8	CONSIDER SELF WELL RESTED AT THE TIME OF THE INCIDENT: Yes
TOTAL LENGTH AS OFFICER: [REDACTED]	LENGTH AT CURRENT AGENCY [REDACTED]
PHYSICAL ISSUES (TO INCLUDE HEARING AIDS): No	CORRECTIVE LENSES: Yes. Glasses
UNIFORM WORN: Standard APD. Blue shirt with APD shoulder patches. Blue pants. External vest	EQUIPMENT AND LESS-LETHAL OPTIONS CARRIED ON PERSON/BELT/VEST: Firearm. Handcuffs. Spare magazines (2). Flashlight. OC. Taser. Radio
BALLISTIC VEST: Yes. External carrier	BODY WORN CAMERA: Yes
OTHER RECORDING DEVICES: No	PARTNER: [REDACTED]
INJURIES: Left knee. Right elbow	EQUIPMENT DAMAGE: No
TRAINING OR AREAS OF SPECIALTY: None	OPOTC CERTIFICATION: Yes
MILITARY EXPERIENCE/TRAINING: [REDACTED]	USE-OF-FORCE TRAINING: Yes. Annual
PRIOR SHOOTING INCIDENTS: No	PRIOR DISCIPLINE OR USE-OF-FORCE COMPLAINTS: No
MEDICATIONS, PRESCRIPTIONS, OR DRUGS THAT MIGHT IMPAIR YOUR DUTIES AT THE TIME OF THE INCIDENT: No	MEDICATIONS, PRESCRIPTIONS, OR DRUGS THAT MIGHT IMPAIR YOU NOW FOR THE INTERVIEW: No
ALCOHOL IN THE PAST 24 HOURS: None	LAST CONSUMED ALCOHOL PRIOR TO THE INCIDENT: Do not drink

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MAKE: Glock	MODEL: 17
CALIBER/GAUGE: 9mm	SERIAL #: unknown
TYPE: Semi-auto pistol	METHOD OF CARRY: Holster on belt
MAGAZINE CAPACITY: 17	TOTAL ROUNDS AS CARRIED (INCLUDING CHAMBER): 52
EXTRA MAGAZINES: 2	NUMBER OF ROUNDS IN EXTRA MAGAZINES: 34
DISCHARGED DURING THE INCIDENT: Yes	PRIMARY OR BACKUP WEAPON: Primary
ROUNDS REMAINING AFTER THE INCIDENT: 49	NUMBER OF ROUNDS FIRED: 2
RIGHT/LEFT HANDED CARRY: Right	OWNERSHIP OF WEAPON: APD
LAST QUALIFICATION DATE: Not sure	TYPE OF HOLSTER (IF ANY): Security

The interview began when SA Tingley spoke with [REDACTED] about the BCI Criminal Investigation Notification form which [REDACTED] had previously read, stated that he understood, and signed. SA Tingley then asked [REDACTED] if he was willing to give a statement and [REDACTED] replied yes.

SA Tingley then asked [REDACTED] to describe the incident in detail, including the nature of the initial reason for the contact with Michael Jones (Jones).

[REDACTED] stated that he and his partner, [REDACTED], were working car [REDACTED] which covers the Kenmore area of Akron. While looking for a subject with multiple warrants at the gas station at 2215 East Avenue at about 0100 hours, they observed a U-Haul truck at one of the gas pumps at the gas station. When checking the license plate, it was found that the U-Haul truck had been reported as stolen. [REDACTED] who was driving, pulled the cruiser behind the U-Haul and parked. He then called out over the radio that [REDACTED] was out with an occupied stolen vehicle at the gas station.

[REDACTED] then exited the cruiser and approached the driver's side of the U-Haul. [REDACTED] contacted began speaking with the driver (later identified as Jones), At that point, [REDACTED] walked up to the vehicle as well and was told by [REDACTED] that the Jones was the sole occupant of the vehicle. [REDACTED] then repeatedly ordered Jones to exit the vehicle, however, Jones did not comply. [REDACTED] eventually told Jones that he was under arrest and needed to exit the vehicle. Jones, however, continued to refuse to comply.

[REDACTED] and [REDACTED] both then reached into the U-Haul and attempted to remove Jones from the vehicle with [REDACTED] closer to the dashboard/steering wheel and [REDACTED] by the vehicle's seat. A short struggle then ensued, as Jones resisted the attempts of the officers to remove him from the U-Haul.

Jones then put the vehicle into drive and "took off" southbound through the gas station lot with both [REDACTED] holding onto the vehicle and both still partially inside the cab of the U-Haul. Both officers were telling Jones "Don't do it" and "Stop", but Jones continued driving and exited the gas station property and entered onto East Avenue. Jones then made a sharp turn and went northbound on East Avenue. Officers continued giving commands for Jones to stop before [REDACTED] told Jones to stop, or he was going to

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get shot.

██████████ said he looked down and saw the road flashing by beneath him and thought that he was not sure that he would survive if he tried to jump off the U-Haul, as he was worried that he would get run over. He also was worried that he and ██████████ would get killed if the U-Haul was sideswiped by another vehicle (0:05:30 mark of the recorded interview).

██████████ continued and stated that he drew his department issue Glock 17, put the muzzle into the driver's left side, and fired twice. After the second shot, Jones' hands came off the steering wheel and ██████████ was able to put the vehicle into neutral which caused the U-Haul to slowly come to a stop. ██████████ then called over the radio that shots had been fired.

██████████ and ██████████ then removed Jones from the driver's seat of the U-Haul and placed him onto the ground where Jones was handcuffed and secured. ██████████ instructed ██████████ to go back to the cruiser and get a chest seal from the medical kit. ██████████ went to the cruiser and retrieved the chest seal and returned to where ██████████ was with Jones. Once ██████████ had returned, he was advised by ██████████ that he had removed a firearm from Jones and placed the firearm into the U-Haul. ██████████ then placed the chest seal onto Jones.

██████████ then concluded his statement.

SA Tingley asked ██████████ if he was easily identified as a police officer on the day of the incident. ██████████ replied yes.

SA Tingley continued and asked ██████████ if at the time of the shooting he perceived any other options other than the use of deadly force. ██████████ stated that he thought of the Taser but knew that was not a good option as subject's bodies lock up when tased and he was worried that Jones would lock up and press harder on the gas pedal causing the U-Haul to go even faster.

SA Tingley finished by asking ██████████ why he fired his weapon. ██████████ replied that it was the only option available to keep him and ██████████ safe. The other options would have risked serious physical harm to both him and ██████████ (0:09:57 mark of the recorded interview).

The interview was then concluded.

The video and audio recording of ██████████ interview is attached to this case file as reference item D.

Attachments:

No attachments.

References:

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D – USB Thumbdrive–APD [REDACTED] Video Interview

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