

Ohio Attorney General's Office Bureau of Criminal Investigation

Investigative Report

2022-1356

Officer Involved Critical Incident - 1659 S. Main Street, Akron, Ohio 44301



Investigative Activity: Interview with Sergeant Michael Pasternak

Activity Date: September 28, 2022

Authoring Agent: Special Agent Cory Momchilov #64

Narrative:

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On Wednesday, September 28, 2022, at 1441 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Cory Momchilov (Momchilov) and SA Chuck Moran interviewed Akron Police Department (APD) Sergeant Michael Pasternak (Pasternak), who was accompanied by his attorney, Jason Wells, from the Fraternal Order of Police. The interview took place at the law offices of Malarcik, Pierce, Munyer, & Will. Fraternal Order of Police Akron Lodge #7 President Clay Cozart was also present during the interview.

The interview was audio recorded.

Sergeant Pasternak was identified as being a police officer who had some level of involvement in the June 27, 2022, officer-involved shooting which occurred in the area of 1659 South Main Street, Akron, Ohio. Reportedly, Pasternak did not discharge a firearm during the course of the incident and arrived on scene after the shooting. The purpose of the interview was to obtain all relevant information of the incident known or observed by this officer.

On June 27, 2022, Sergeant Pasternak was the driver of marked APD cruiser, Car 41. Sergeant Pasternak was not working with a partner. Sergeant Pasternak was wearing his standard APD uniform.

Prior to the interview, SA Momchilov was advised that Sergeant Pasternak had typed a supplemental report that documented his involvement in the June 27, 2022, officer-involved shooting. Sergeant Pasternak wished to read the narrative out loud and then he would answer any follow-up questions, if needed.

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Supervisor Approval: SAS Jon Lieber #50 11/15/2022 1:52 PM

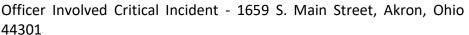


patrol.

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NARRATIVE



Officer Pasternak's typed narrative reads:

	TICHNIC III M
I heard car begin to announce over the ra not struck. I was in the The suspect vehicle	#1410, was working car 41 on June 27th, 2022. At approximately 0030 hours, to call out a chase over the radio. As the chase proceeded, I heard car did to that a shot was fired from the suspect vehicle and that the officers were station at the time but got in my cruiser and drove to the area of the chase. Was travelling west on Wilbeth Rd approaching S Main St. Several other d oncoming traffic at the intersection of S Main St and Wilbeth Rd so that the safely.
Shortly after, I saw a large amount of pops proximity of seeing the the fireworks and who went east on Wilbeth over the radio that sh	section, I heard an officer call out that the suspect vehicle was slowing down. gold firework erupt over the treeline to the east of my location. I then heard a that sounded like gunfire right after I saw the firework. Due to the close the firework and hearing the pops, I could not distinguish which pops were from the pops were gunfire. I didn't immediately hear anything over the radio so I Rd towards the sounds. As I was approaching, I heard an officer announce ots were fired and a med unit was requested. When I arrived on scene, I saw the suspect who was laying on the ground in the parking lot of the Firestone
their weapons toward Officers	In the officers near the suspect. Sgt. Tersigni directed the officers that fired also me while the other officers on scene rendered medical aid. I sequestered in seperate cruisers. I also Worn Cameras. Sgt. Sinsley provided me with Body Worn Cameras from who were involved in the incident and four officers who witnessed the

SA Momchilov asked Sergeant Pasternak what specifically caused him to respond to the incident. Sergeant Pasternak stated, "Over the radio, when they said that shots were fired during the chase, that's kind of when I started heading that direction." SA Momchilov asked Sergeant Pasternak if he heard any signals called out over the radio. Sergeant Pasternak responded, "I did not."

incident. I transferred custody of the Body Worn Cameras to Det. S. Hall from the CSU unit. I assisted with scene security until I was no longer needed. I then cleared the call and resumed

Sergeant Pasternak advised that he did not see any portion of the shooting.

Sergeant Pasternak advised that he was wearing a body-worn camera and that it was activated. Sergeant Pasternak stated that he has not reviewed his body-worn camera footage.

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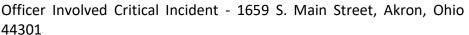
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*It should be noted that agents purposely did not ask Sergeant Pasternak if he had discussions or conversations with the involved officers. The purpose of this was not to taint investigators with any possible Garrity-related statements or information.

At the end of the interview, Sergeant Pasternak was afforded the opportunity to view his bodyworn camera footage. Sergeant Pasternak declined.



Figure 1 Figure 2

The above images are from Sergeant Pasternak's body-worn camera footage. Based upon Sergeant Pasternak's body-worn camera footage, Sergeant Pasternak is observed approaching the scene after the shooting occurred (Figure 1, Figure 2).

Attachments:

The audio recording of the interview is attached to this Investigative Report.

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