



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 Dupri Whatley
Activity Date: July 2, 2022
Authoring Agent: Special Agent Cory Momchilov #64

Narrative:

On Saturday, July 2, 2022, at approximately 1430 hours, Special Agent (SA) Cory Momchilov (Momchilov) received a call from Akron Police Department Detective Sergeant Tony Starvaggi (Sergeant Starvaggi). Sergeant Starvaggi stated that he had just received information regarding a Summit County Sheriff's Jailer named Dupri Whatley (Whatley). Sergeant Starvaggi explained that Whatley interviewed for a lateral police officer position with the Euclid Police Department on June 29, 2022. Sergeant Stravaggi further explained that during that interview, Whatley stated that Jayland Walker (Walker) was his best friend, and Jayland had previously asked Whatley how to get the police to shoot him. Sergeant Starvaggi advised that this information was provided to the Akron Police Department by Captain Mike Janson (Janson) of the Euclid Police Department.

SA Momchilov had previously met Captain Janson on an investigation that SA Momchilov conducted years earlier. Sergeant Stravaggi provided SA Momchilov with Captain Janson's cellular phone number.

SA Momchilov then made contact with Captain Janson by phone.

SA Momchilov stated to Captain Janson that he was informed that a Summit County Deputy was interviewed by Euclid Police for a police officer position.

Captain Janson advised that was correct and that Dupri Whatley put in an application with the Euclid Police Department for a lateral transfer police officer position; and, Whatley was interviewed for the position on Wednesday, June 29, 2022.

Captain Janson advised that during the interview, he believes that Whatley was asked why he hasn't applied to the Akron Police Department. According to Captain Janson, Whatley replied, "Akron P.D. is great, as matter of fact, the officer-involved shooting that just happened two days ago, the person that was killed was my best friend."

Captain Janson stated that Whatley, "Went into a couple of things," and became slightly emotional. Captain Janson advised that Whatley stated that Walker's fiancé was killed in a car accident, and Walker felt responsible; even though he wasn't driving and had really no control over the incident.

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Captain Janson continued, "He was talking about that he had some suicidal thoughts that he was talking to Dupri about. and then Dupri said that, he kind of indicated that, like he would ask him pointed questions like, like so if I did this would the police shoot me. So he was trying to like pull information out of Dupri about how he could get the police to shoot him, because according to Dupri, he doesn't know if he had a handgun, doesn't know what his situation was with that, but then after they talked about it Dupri said, 'Listen Jayland, you don't want to do that to the police, you don't want them to make you shoot you, they have to live with that, you know, can I get you some help, we have all kinds of, you know, places we can send you, people you can talk to.' "

Captain Janson stated that he believed after that, Walker cut off contact with Whatley. Captain Janson further stated that Walker wouldn't return Whatley's text messages or calls and that Whatley tried to find Walker but couldn't.

SA Momchilov asked Captain Janson if he had any contact information for Whatley. Captain Janson stated that he had Whatley's email address but all other contact information was on Whatley's application, which was currently at the Euclid Police Department.

SA Momchilov also asked Captain Janson, "Did he just come out and say that, this is what Jayland asked me or did you guys..."

Captain Janson interrupted and stated, "Yeah, he, so, you know, when we asked him about Akron P.D. and he started talking about it he just, we let him go, he went into a discussion about his best friend, like I said he got, a little emotional which is understandable and ahh, he's like but I'm telling you this was a suicide by cop and I'm totally on Akron P.D.'s side even though it's my best friend."

Captain Janson stated that all of the Euclid Police Department command staff (Chief Scott Meyer, Captain Mike Janson, Captain Mitch Houser, Captain Jeffrey Cutwright, Captain Donna Holden and Lieutenant Dave Olszewski) were in the room when Whatley made these statements. Captain Janson advised that their interview with Whatley was not recorded.

SA Momchilov's conversation with Captain Janson was audio recorded. That recording is attached to this Investigative Report. Captain Janson was also interviewed, in person, on July 5, 2022 (See Investigative Report titled, "Interview with Captain Janson," for further detail).

Later in the day, at approximately 1525 hours, SA Momchilov was provided a cellular phone number of [REDACTED] for Whatley by Dana Forney of the Ohio BCI Criminal Intelligence Unit. SA Momchilov later learned that phone number [REDACTED] was located in Walker's cellular phone contact list under the name "Dupri."

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On July 2, 2022, at approximately 1527 hours, SA Momchilov attempted to contact Whatley by phone. SA Momchilov was unsuccessful but did leave a message. At approximately 1551 hours, SA Momchilov also sent Whatley a text message, requesting that he call SA Momchilov.

After some time, SA Momchilov re-contacted Sergeant Starvaggi and asked if he had any contacts at the Summit County Sheriff's Office who would be able to see if Whatley was currently working at the Summit County Jail. Sergeant Starvaggi later contacted SA Momchilov back and stated that he was able to determine that Whatley did receive SA Momchilov's messages; however, Whatley was checking with Summit County Sheriff's Office Administration to see if he could speak with SA Momchilov. SA Momchilov advised Sergeant Stravaggi that this was not a Summit County Sheriff's Office matter, and they should have no say to whether or not Whatley could speak with SA Momchilov.

On July 2, 2022, at approximately 1652 hours, SA Momchilov received a call back from Whatley.

SA Momchilov advised Whatley that he was reaching out to him in reference to Jayland Walker.

Whatley replied, "I don't know much. Honestly, I just know what I was told and, like, how I found out. The only thing I can tell you is Jayland was going through, through some stuff. Uh, he was going through some stuff. And he called me, like, a month ago telling me that he lost his fiancé. And all I can say is, like, he really wasn't himself. And that's really all I know. I was shocked when I found out that it was him, 'cause that's not, that's not him."

SA Momchilov advised Whatley that it was his understanding that he grew up with Walker. Whatley advised that was correct and they wrestled together in high school.

SA Momchilov informed Whatley that he was advised that Whatley was going through the interview process with the Euclid Police Department. Whatley advised that was correct.

SA Momchilov then stated, "Okay, I guess Captain Janson told me during that interview, you mentioned that Jayland said something to you about how do I get the police to shoot me, or something along those lines."

Whatley replied, "No, he never, I never said that. I said that Jayland knew, knew better. But I never said them words. I just said I don't, I don't know what was going on. They asked me, do I think it was suicide by cop. I said, I don't know. All I know is he was going through some things, and he said a few words. And I told him, like, hey, you gotta resources at work, and I can get you in touch with, if you want to just come to my house to just sit, we can sit. We don't even gotta

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talk to each other. We could just sit. I just told him that he wasn't acting himself, his normal self.”

SA Momchilov replied, “Okay. So I, I guess, just, I guess, just so I'm clear. You, he never asked you about how, how to get the police to shoot him or anything along those lines?”

Whatley stated, “No, he never, he never asked me about that.”

SA Momchilov then stated, “Okay. Did he, did he mention suicide to you, or anything along those lines or that he was contemplating it or..”

Whatley replied, “No, he never mentioned suicide to me.”

SA Momchilov stated, “Okay. Did you, uh, and I'm asking your opinion, uh, I mean, obviously, you grew up with, with Jayland, I mean, do, do you think that was a possibility? You said he was kind of, you know, not acting himself. Whatley replied, He just, uh, uh, honestly, honestly, like, I don't know what was going on, 'cause I'm still, I'm still processing new information.”

Whatley advised that he just learned today that New Franklin Police Department attempted to pull Walker over. Whatley then stated, “So, like, I'm finding out all this, so I, I don't know. I don't, I honestly can't give you a de, uh, opinion on it. The only thing I can say was that, uh, Jayland was, just wasn't, it, the Jayland, the Jayland that I know, that's not that Jayland. I don't know what he was going through. I don't know what he was contemplating.”

Whatley advised that Walker had never been in trouble before other than a speeding ticket. Whatley explained, “And when he got the, when he got the ticket, he pulled over on the bridge. And you can see, like, the bottom of the street, like, residential street. And I'm, like, hey, you pulled over the wrong way. He was, like, how. And I was, like, you're supposed to give them room to, like, come and talk to you through the passenger's side. I said, trying to pull over is too dangerous for a state trooper. And he was, like, oh, um, he was, like, oh, I didn't know, 'cause I just want to get, I, he said, I just want to pull over 'cause he's flashing the lights. So he, I don't know, I don't know, to be honest with you.”

Whatley explained that when he first heard about the shooting, he was “shocked” and he tried to call Walker, but Walker did not answer. Whatley continued, “And then, I found out that it was him. So, like, I don't, I don't know. I can't say that he was contemplating. I mean, he never asked me about it. He never asked me about it or anything. It's just that's what most people are thinking that it was, that it was suicide by cop. That's what most people are thinking.”

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SA Momchilov then asked Whatley what he meant when he said, "most people." Whatley replied, "Um, no, just, just, like, people that's reading the stories and stuff like that, and it's coming out that he lost his fiancé and stuff like that. I don't know, honestly."

SA Momchilov then asked, "Would it be safe to say this was very out of character for, for Jayland, you know, like, the, the night before, he, he, he fled a traffic stop in, in Franklin Township, uh, as you mentioned and then, you know, this incident in, in Akron, flee, fleeing the traffic stop? Um, would it be fair to say that was out of character for him?"

Whatley replied, "That was, yeah, it was kind of, that's not his normal, normal self. The normal, the normal Jayland that I know is the goofy Jayland."

SA Momchilov asked Whatley if he knew the last time he saw or spoke to Walker. Whatley advised the last time he seen Walker was a couple of weeks ago, and the last time he talked with Walker was on June 13th, by phone.

SA Momchilov then stated to Whatley, "Um, all right. Well I, I guess where I'm at with this, uh, um, deputy, is, uh, so yeah, like I said, Euclid is telling me, you know, when, when you did your interview on Wednesday that, um, you mentioned that Mr. Walker made comments about how to get killed by the police. Now, uh, obviously, you're telling me something different. So I'm gonna have to, you know, straighten it out with, with Euclid. You know, I'm just trying to find the truth here. And I, I don't know what the ..."

Whatley interrupted and stated, "No, it's, he, I never said, they asked me did I think it was a by suicide by cop. I never said that he asked me about, he, I never said that he asked me anything about how to get killed by the cops. I told them that he wasn't acting himself. They asked me do I think it was suicide by cop." Whatley continued, "So I don't know where, where that came from. I never said anything about him asking me about being shot by the cops. All I said is, like, I'm a sheriff, like, we talked, we talked about stuff about work all the time. So I don't understand why he would, why he would run. That, that's, that's all I said. I never said anything about him being, asking me advice, 'cause if anything, if he was to ask me about, advice about getting shot by the police, I will make sure that he would have got the help that he needed, if he would have asked me something about that."

Whatley explained that he would talk with Walker about work, "all the time." Whatley stated, "Anytime he asked me about anything, I would, I would tell him. If he was curious about something, I would tell him."

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SA Momchilov asked Whatley if Walker was known to carry a gun. Whatley stated that he did not know Walker to carry a gun, and Whatley was always trying to get Walker to go to the gun range. Whatley then stated that Walker did go to the gun range with him the last time he saw Walker.

Whatley explained that he saw Walker on the highway and then called him. According to Whatley, he asked Walker where he was going and Walker told him that he was going to get some smoothies. Whatley stated that Walker then called him back and said that he was going to go to the gun range with Whatley. Whatley agreed and told Walker, "Coming to the gun range will probably help you shoot some, uh, some stress out."

Whatley advised that Walker did not know how to load a gun and Whatley had to show him. Whatley stated the name of the gun range is called Range USA and he and Walker went there on June 13, 2022. (Agents were later able to determine that the actual date that Whatley and Walker went to Range USA to shoot was on June 7, 2022.)

SA Momchilov then asked Whatley, "Do you find it very surprising that he fired a gun from, from his vehicle?" Whatley replied, "See I, I'm hearing, I, see, I'm still waiting to see the video myself. I'm hearing two different things. I heard that he fired a weapon. Then I heard that he didn't fire a weapon."

SA Momchilov replied, "I can pretty much tell you with, with absolute certainty that, uh, yeah, he discharged a, a firearm from that, from that vehicle. Um, I don't know if it was, at this point, I don't know if it was at officers, uh, or he just was trying to fire from the vehicle. But I can, I can tell you, um, you know, based on numerous factors that yeah, he, he fired a car, fired a round from that, from that car."

Whatley replied, "Oh. Well, yeah, I, that, if that's the case, all that is, is shocking to me. I don't, I'm still waiting to see the video myself. I'm still, but I haven't seen it yet. I hear so many things. Like, I'm hearing that he, I'm hearing that he didn't shoot. I'm hearing that he did shoot. I'm hearing that they found casings in the car. Then I'm hearing that they found casings on the freeway. Then, uh, then I'm hearing, like, he got out the car, and he ran. And I heard, like, they shot him. Then I'm hearing another story about people trying to attempt to tase him. So I, I honestly don't know. But that's shocking, shocking to me if he shot a gun from out of the car, cause that's not Jayland."

SA Momchilov stated, "Yeah. No, like, everything that I heard about Jayland, you, you know, he's a squared away kid. He's a good kid. I just, you know, I'm trying to piece all this, piece all this together. Um, you know, it's, it's just kind of tough right now. Um, I, I can, I can tell you

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they did try to tase him and, you know, things along those lines. And, you know, we don't have all of the video analyzed yet. But it does look like he, he possibly did make a, a motion like he was bringing up a gun. Um, that, that's..."

Whatley replied, "And, like, that's the whole thing, like, I, I wasn't trying to, 'cause this is my best friend, and I'm, I mean, it's my best friend, so I understand. So I wasn't really trying to get in the middle, because I don't want somebody to be, like, oh, well, his friend said this, and try to, like, switch my words up and make it seem like, because at the end of the day, I don't want nobody to try to make it seem like Jayland was a bad kid, he was a bad dude. He was a, he wasn't. I don't want nobody to make it seem like that. So that's why I really, that's why I really, I wanted to go ask my lieutenant and stuff first before I even, like, called you, 'cause I didn't want to get in the middle of anything."

SA Momchilov replied, "I completely understand. I mean, I, I know it puts you in a tough spot being, you know, Jayland being your best friend and you also being, being a deputy. Um, you know, I'm not, I'm not trying to, I'm not asking you to lie, or I'm not trying to influence your statement. I just, I just want to hear the truth. And, you know, you, you know what I'm saying?"

Whatley replied, "and everything you, everything that happened, if, if they say everything that happened, if they said, you know, he, he fled from New Franklin, he shot at APD, that's not the Jayland that I know. Like, that's out of the ordinary. That's something he would never do. Never. That's something that I wouldn't even think twice of. 'Cause like I said, he didn't even know how to use a gun. He didn't even know how to load it. He loaded it wrong when I was showing, when we went to the gun range. He loaded it wrong. So, like, that's just new to me. And I never seen him carry a gun. I don't even know if he got a CCW. He just, he worked, like, be at work, he would call me or he would text me, and I would talk to him. He'd be, like, hey, I'm gonna come over. I'm gonna come see you for a while. And that's pretty much about it. Like..."

SA Momchilov replied, "Yeah. No, I, I, I, I, I get you. Like I said, I'm, I'm, I'm, I guess I'm dumbfounded by this whole thing too. Like, like I said, everybody I talked to said how great of a guy he was. And I believe it. He'd never been in trouble. They just, it's just very unusual for something like this, especially with no CCH, and it's so out of line or out of character for him. And that's what I'm just trying to, trying to get all these facts and put it all together for, for it to make sense, I guess."

Whatley stated, "Yes. It's, it's very out of, it's very out of character. A lot, a lot of people, they're shocked by it. I was shocked by it. My mom's shocked by it. It just, it was, at first, I didn't believe it. I was waiting for him to call me back until they, 'til they confirmed it. But, but yes, it's a, it's a hard, it's a hard pill."

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SA Momchilov then stated, "Okay. No, I mean, I, I get you. And I feel for you. And I'm, I'm sorry for your loss. I mean, uh, I, I guess what I'm getting at here is, I mean, is it possible that his, his girlfriend's death, you know, drove him over the edge?"

Whatley replied, Uh, I, uh, yeah, I could, maybe. I can't, I don't know for sure because I'm, uh, I'm not him." Whatley continued, "But it's, he'd been, he'd been through a lot. Like, he'd been through a lot. Like, I don't know if anybody else told you, but, you know, he lost, he lost his dad. He came home, and he found his dad on the ground. And, and then his, his wife died in a car accident with her family on the way to Cincinnati."

SA Momchilov asked Whatley when Walker's father passed away. Whatley replied that the end of 2018 or in the middle of 2019. Whatley continued, "Uh, I, it, his father passing away, I know that affected him. And then, you know, his, his fiancé, a, a girl that he was supposed to marry, passed away too."

Whatley advised that Walker and his fiancé were basically high school sweethearts and have been together since 2018.

SA Momchilov asked Whatley if he knew what time of day he and Walker went to the gun range. Whatley advised that he believed it was in the evening. Whatley advised that he was going to look on his phone for the transaction date. Whatley advised that the transaction date was June 11, but that it didn't post until June 13 and no time was listed.

SA Momchilov advised Whatley that June 11 was a Saturday. Whatley advised that he works Friday, Saturday, Sunday and every other Monday, and he knew he and Walker went to the gun range in the afternoon. Whatley advised that he would have to call SA Momchilov back to let SA Momchilov know for sure the exact date. SA Momchilov advised Whatley that he could even text that information to SA Momchilov.

Whatley failed to re-contact SA Momchilov and provide that information.

The interview with Whatley was recorded via audio. The audio recording is attached to this Investigative Report.

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