



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



2023-2307

Officer Involved Critical Incident - I-75 Southbound at Mile Marker 110.

Investigative Activity: Interview Trooper Damian Roose
Activity Date: September 03, 2023
Activity Location: Unmarked vehicle, I-75 near MM 110
Authoring Agent: SA Chris Hamberg #69

On September 3, 2023, Special Agent Chris Hamberg (SA Hamberg) of the Ohio Bureau of Criminal Investigation (BCI) interviewed Trooper Damian Roose (Roose) of the Ohio State Highway Patrol (OSP). The purpose of the interview was to ascertain what actions Roose took and what he may have witnessed during the pursuit/shooting of Danny Berry (Berry).

The interview took place in S/A Hamberg's unmarked vehicle on I-75. The interview was digitally recorded. The audio recording is attached to the case file.

Roose is assigned to the Findlay Post (Post 32) of the Ohio State Highway Patrol (OSP), his assigned cruiser was identified as SP548, and Roose's unit number was 1383.

SA Hamberg asked Roose if he could explain how the details of the event unfolded. Roose stated he works the 1400 hours to 2200 hours shift; however, due to holiday weekend, he came in four (4) hours early at 1000 hours to work overtime on a traffic detail. Roose stated around 1320 to 1330 hours, their dispatch center advised Troopers of an incident dealing with Danny Berry (Berry) out of Chicago, IL, who was a suspect involved in an attempted homicide that occurred yesterday (Saturday, September 2, 2023). Roose added that Berry may be armed with a gun, was suicidal, and was driving a green 2006 Chrysler Pacifica, bearing IL license plate DC95849. SA Hamberg was informed by Roose that the Chicago Police Department (CPD) informed their intelligence center that CPD did not have a warrant for Berry's arrest and they (OSP or police officers) would need their own probable cause (PC) to stop the subject vehicle (hereinafter SV).

Roose told SA Hamberg that CPD was pinging the subject's cell phone and showed the SV heading southbound on I-75. Roose stated himself and several other Troopers, including Post 32 Commander Lieutenant Evan Slates (LT. Slates) and Staff Lieutenant Matt Crow (SLT. Crow), attempted to locate the vehicle. Roose informed SA Hamberg the last ping placed the SV on I-75 near the Wood/Hancock County line area.

Roose stated the following: SLT Crow set up at the 164-mile marker (hereinafter MM), LT. Slates set up at the 161-MM, and Roose was on SR. 15 near UR. 16, when LT. Slates located the vehicle on I-75 south of the 161-MM and informed everyone that he had PC to stop the vehicle around the 157-MM. LT. Slates attempted to stop the vehicle, when the vehicle failed to comply and LT. Slates began pursuing

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the SV. Roose arrived on I-75 around the 156-MM and got behind LT. Slates and Trooper Tyler Kline (Kline).

Roose then went around Kline and became the secondary unit and got behind LT. Slates, the primary unit. Roose took over the radio traffic for the pursuit, up and until the last five (5) to ten (10) miles of the pursuit, when he (Roose) became the primary unit. The pursuit consisted of high rates of speed with the traffic being mostly light and when there was some traffic, the SV would pass other vehicles on the edge/median area of the interstate. Two (2) sets of stop sticks were deployed around the 145-MM which the vehicle ran over the stop sticks and then clipped a Commercial Vehicle (CV) with the SV continuing southbound on I-75 around 65 to 80 mph. The SV lost the front tires and was driving on the rims from around the 145-MM to the 110-MM.

Roose stated after he became the primary unit, the SV rims were sparking all over the place and parts were coming off of it, as the speeds were slowing down to around 60 MPH to 70 MPH. Roose stated someone on the radio indicated that they were going to have to stop this pursuit before it goes into a metropolitan area. Roose stated that the same person (someone in command) indicated that the area around the 110-MM would be the safest place to stop and end the pursuit, and instructed Roose to initiate a pit maneuver. Roose stated he got behind the SV and struck the right rear quarter panel of the SV with the left front portion of his cruiser (SP548) when the SV came around and struck the passenger side of his cruiser (SP548). Roose stated the pit maneuver was successful and the SV came to rest with the rear portion resting against the metal safety fence in the median. Roose indicated that his dash camera would have recorded the entire incident.

Roose told SA Hamberg he continued southbound on I-75 and parked his cruiser in the middle of the interstate, got out of his vehicle to retrieve his AR-15 rifle, and took cover in the front of his cruiser. Roose stated he was instructed to move over to the northbound section of I-75 and assist the other Troopers in keeping that portion of I-75 shut down, as his current position put him in "crossfire" with the Trooper to the north of him.

SA Hamberg asked Roose if he was able to see the actions that the subject did or witness the shooting incident. Roose stated he observed the SV becoming engulfed in flames, but was too far away to witness anything else. Roose said he could hear from the radio traffic that the subject was walking southbound on the interstate and had a firearm in his right hand, and then the firearm went to his left hand. Roose stated after a few minutes, someone gave permission for the "shot" to be taken at the subject, if they had it. Roose said a few minutes after that, he heard one (1) shot go off and the radio traffic after that was to get the emergency squad and fire truck up to the scene.

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SA Hamberg asked Roose what troops were from the Findlay Post that were involved in the pursuit. Roose stated, besides himself, it would be the following: LT Slater, SLT. Crow, Sgt. Justin Powell, and Trp. Kline.

SA Hamberg asked Roose if he knew which Trooper discharged their weapon. Roose stated he was told that it was Sgt. [REDACTED] out of Lima Post 2.

Roose stated he did not have any other information to share on the incident. The interview concluded at approximately 1620 hours.

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 audio recording. 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 or responses. It is suggested that the reader refer to the audio recording in its entirety.

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