



**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 Officer David Luke  
Activity Date: September 28, 2022  
Authoring Agent: Special Agent Cory Momchilov #64

**Narrative:**

On Wednesday, September 28, 2022, at 1257 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Cory Momchilov (Momchilov) and SA Chuck Moran interviewed Akron Police Department (APD) Officer David Luke (Luke), 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.

Officer Luke 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, Officer Luke 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, Officer Luke was the driver of marked APD cruiser, Car 10, and his partner, Officer Parker, was the passenger. Officer Luke was wearing his standard APD uniform.

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

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Officer Luke's typed narrative reads:

NARRATIVE
<p>On 27 June, 2022 while working in car 10, I Officer Luke 1497 and my partner Officer Parker 1523, responded to a vehicle pursuit for a driver failing to stop for a traffic violation / equipment violation. I was driving and we responded from Kenmore Blvd and Victory St.</p> <p>While in route car [REDACTED] radioed that shots were fired from within the suspect vehicle. We went to S. Main Street and then got onto 76E to 77S. As we got onto 77S, car [REDACTED] radioed that the vehicle would be coming up to our side and to be careful. Our vehicle at this time was in the lead. Car [REDACTED] was behind us following us from S. Main St. I thought the suspect vehicle would continue going south on 77S. We were almost passed the exit to Archwood Ave. and the vehicle then got off. I wasn't able to get off of the exit without slamming on my breaks slightly to the left of the exit. At that time we waited for all the cruisers that were following the suspect vehicle to pass us before we got off the exit.</p> <p>We then paralled the chase going west on Firestone Blvd. to S. Main Street. We then went south on S. Main Street and east on Wilbeth Road. We arrived on scene with the other officers at 0038 hours and 22 seconds. At that time the suspect was laying on he ground and officers began to approach him with guns drawn. I approached as well with my firearm drawn. Multiple other officers immediately began to provide medical treatment to the suspect.</p> <p>I then started asking officers were the suspect vehicle was and if anyone else was in the vehicle. One of the officers said the vehicle was over there, meaning across the street. I started running across the street with other officers to clear the vehicle of potential other suspects. Once I got to the vehicle, I identified myself as Akron police and if anyone else was in the vehicle to have their hands up. Myself, Officer Hensley 1509, and other officers cleared the vehicle. There was no one else in the vehicle.</p> <p>I then went back to Wilbeth Road and started to move cruisers to the side of the road and securing ones that were left unlocked. I then went on the perimeter on Wilbeth Road on the east side of the scene. I was there to prevent unauthorized people or vehicles from entering the area. I was eventually cleared to leave the scene by Sgt. Sinsley 1247. I then met up with my partner Officer Parker and we went back into service.</p> <p>BWC.</p>

SA Momchilov asked Officer Luke what specifically caused him to respond to the scene. Officer Luke advised that when the vehicle pursuit initiated, it caused him to respond. SA Momchilov asked Officer Luke if he recalled any signals being called. Officer Luke stated, "Yes, a Signal 21 was eventually called, that was when the shots were fired. So I, I started responding when they said it was a vehicle pursuit or he was failing to stop, um, and then when a Signal 21 went, I

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mean, it escalated the situation.” Officer Luke stated that a Signal 21 is officers need assistance/help and it is a very rare occurrence.

SA Momchilov stated to Officer Luke that he mentioned at one point he was the lead car. Officer Luke advised that was correct. SA Momchilov asked if he observed any movement by the individual while he was inside his vehicle during the pursuit. Officer Luke replied, “Not that I remember, no.”

SA Momchilov advised Officer Luke that he mentioned that he and other officers had their guns drawn when they approached the individual (after the shooting). Officer Luke stated, “That is correct.” Officer Momchilov then asked Officer Luke why he had his firearm out. Officer Luke replied, “We still potentially deemed him as a threat, um, he did already shoot at officers to our knowledge and ah, we were just clearing, just making sure everything’s secure and safe.”

Officer Luke advised that when he cleared the car, he was searching for people and did not conduct a detailed search or inventory. SA Momchilov asked Officer Luke if he recalled seeing anything in the vehicle. Officer Luke replied, “I did not see the gun. When I cleared it, I was initially on the left side of the vehicle, I shifted over to the right, I believe there were two officers in front of me, I believe it was Officer Hensley and may have been Marcum, I don’t remember who exactly it was. When we cleared the vehicle I could see that no one was in the vehicle and then I cleared from them right away. I did not actually see the driver’s seat itself. I was checking for, and other people, other officers stayed with the vehicle. I went and secured vehicles and moved them.”

SA Momchilov asked Officer Luke if he had any conversation with the involved officers. Officer Luke stated while on scene, he did not know which officers were involved. However, while on scene, Officer Luke stated he did have a brief conversation with Officer [REDACTED] and Officer [REDACTED] about moving some vehicles but nothing regarding the shooting.

Officer Luke had his body-worn camera activated during the incident and has viewed the footage approximately four to five times.

At the end of the interview, Officer Luke was afforded the opportunity to view his body-worn camera footage. Officer Luke declined.

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Figure 1



Figure 2



Figure 3



Figure 4

*The above images are from Officer Luke's body-worn camera footage. Based upon Officer Luke's body-worn camera footage, Officer Luke is observed arriving on scene just after the shooting (Figure 1). Officer Luke and other officers are observed approaching the individual (Figure 2). After a few moments, Officer Luke is observed running across the street and approaching the individual's vehicle (Figure 3). Officer Luke and other officers are observed clearing the individual's vehicle (Figure 4).*

**Attachments:**

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

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