



SHERRI BEVAN WALSH
Summit County Prosecuting Attorney
53 University Avenue, 6th Floor
Akron, Ohio 44308-1680

March 5, 2019

CHIEF COUNSEL
Brad Gessner

CRIMINAL DIVISION

Brian LoPrinzi
Criminal Chief
(330) 643-2800
(330) 643-2137 Fax

Chief Kenneth Ball
City of Akron Police Department
217 S. High Street
Akron, OH 44308

CIVIL DIVISION

John Galonski
Civil Chief
(330) 643-2800
(330) 643-8540 Fax

Re: Investigation of the Officer Use of Force on Jamon Pruiett and
Latrent Redrick

Dear Chief Ball:

TAX DIVISION

(330) 643-5004
(330) 643-8540 Fax

My investigation into the use of force by Officer John Turnure on October 1, 2017 is complete.

VICTIM SERVICES

Crystal Baker
Director
(330) 643-2800
(330) 643-2137 Fax

Officer Turnure shot Latrent Redrick when Mr. Redrick ignored commands to drop the gun he was holding. Jamon Pruiett then picked up the same gun off the ground and pointed it at Officer Turnure. Officer Turnure fired his duty weapon at Mr. Pruiett. The Akron Police Department handled the investigation with the assistance of the Ohio Bureau of Criminal Investigation. Based on the video evidence, witness statements, and all other available evidence, it is my opinion that Officer Turnure acted within his authority as a law enforcement officer.

COMMUNICATIONS

James Pollack
Director
(330) 643-8386
(330) 643-2043 Fax

In making my findings, the following items were reviewed:¹

**CHILD SUPPORT
DIVISION**

Jennifer Tultz
Director
175 S Main Street
Akron, OH 44308
(330) 643-2765
(330) 643-2745 Fax

1. Goodwill Blue Store security video from 10/1/17
2. Goodwill Blue Store enhanced security video from 10/1/17
3. 109 photos taken by BCI and 79 photos taken by Akron CSU received 12/7/17
4. Radio traffic recordings from 10/1/17
5. Report of Investigation from Sgt. Lietke completed 2/15/18
6. Video statement of Kingdemon Antoine, Jr. given 10/5/17
7. Video statement of Officer John Turnure given 10/5/17
8. Report of Investigation from Officer Utomhin Okoh completed 11/21/17
9. Report of Investigation from Officer Jon Morgan completed 10/25/17
10. Report of Investigation from Officer Al Jones completed 10/24/17
11. Crime scene processing report by SA Justin Soroka completed 12/7/17
12. BCI firearm analysis completed 11/13/17
13. BCI DNA analysis completed 11/7/17

JUVENILE DIVISION

650 Dan Street
Akron, OH 44310-3989
(330) 643-2943
(330) 379-3647 Fax

¹ Law enforcement provided all of these items prior to the criminal trial involving Mr. Redrick and Mr. Pruiett. That trial ended on August 8, 2018.

SUMMARY OF INCIDENT & INVESTIGATION

Akron police officer John Turnure shot Latrent Redrick and Jamon Pruiett during an incident at 335 S. Main Street in Akron. Officer Turnure shot both Mr. Redrick and Mr. Pruiett multiple times.

After the shooting, Akron police immediately began investigating the incident. Subsequently, a grand jury indicted Latrent Redrick with two counts of felonious assault and Jamon Pruiett with one count of felonious assault² and one count of inducing panic.

Mr. Redrick and Mr. Pruiett took their cases to trial. Prior to trial, Mr. Redrick pled guilty to Inducing Panic, a misdemeanor. A jury acquitted Mr. Pruiett of all his charges.

EVENTS LEADING UP TO THE SHOOTING

This incident occurred in the early morning hours of Sunday, October 1, 2017. The area near the shooting is lined with restaurants and bars, in particular the ZAR nightclub which is at the southeast corner of Exchange and Main Street intersection. Between 2:00 a.m. and 2:30 a.m., Officers Okoh and Turnure were in their marked cruiser positioned on Main Street near Bricco restaurant. They were observing and watching for any problems that might develop as patrons left the nightclubs. While observing a large crowd gathering outside the ZAR nightclub, Officers Okoh and Turnure saw a man hold up a gun. The officers immediately went across the street to diffuse a potentially violent situation.



Figure 1: Officers Okoh and Turnure parked in front of Bricco restaurant (marked with red dot). ZAR nightclub is diagonal from Bricco.

² Officer John Turnure was the named victim on the felonious assault charge.

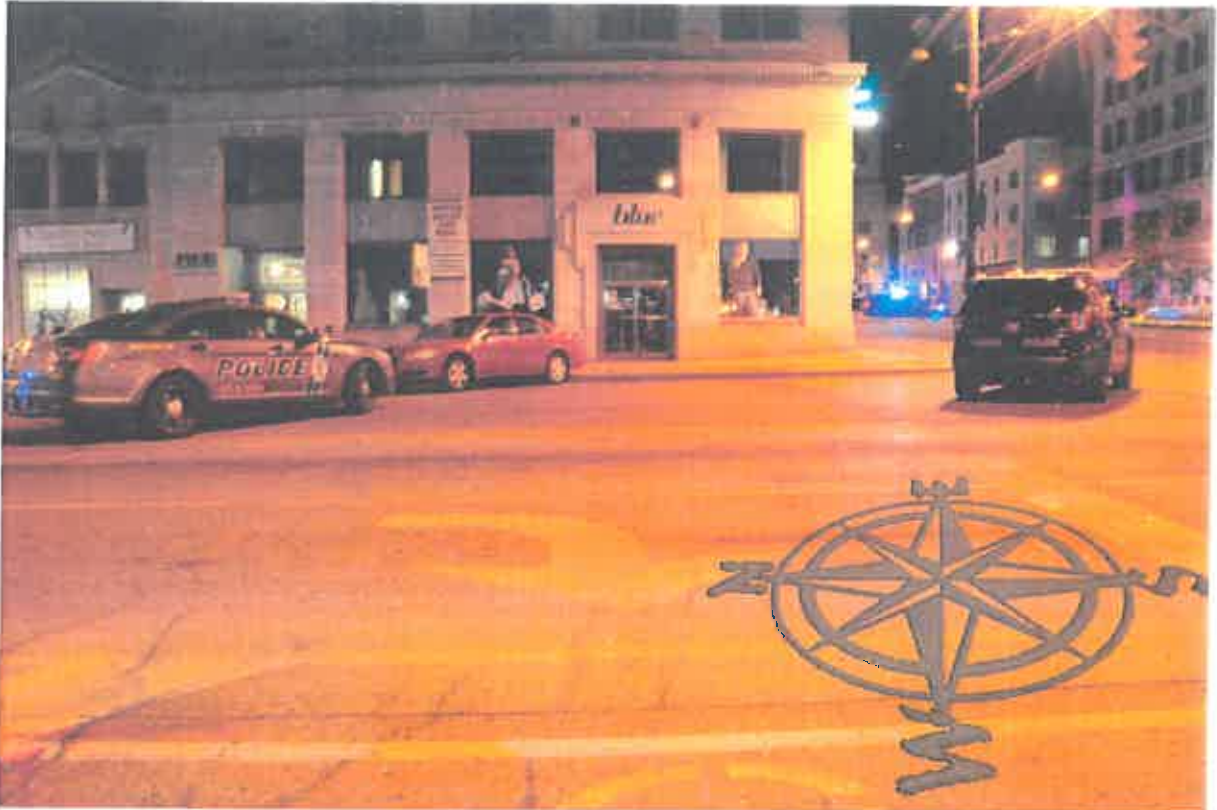


Figure 2: Front of Blue Goodwill Store. This photo shows Officer Turnure's initial perspective from his cruiser. The security camera is located in the upper right hand corner of the entrance to Blue.

A security camera from the Blue Goodwill Store recorded (without audio) the following events³:

2:18AM: Pedestrians are walking back and forth on S. Main Street. Groups of people are walking northbound on Main Street presumably leaving the area of the ZAR nightclub.

2:20AM: Two females are walking south on Main Street arm and arm. Seconds later the same females and a group of people are frantically running northbound on Main Street. Meanwhile, a group of men in hoodies are smiling and laughing as they look in a southerly direction.

2:21AM: More people come into the video and appear to be laughing and smiling while they look towards the ZAR nightclub.

2:21:30AM: The crowd in front of the Blue store gets larger, and people have concerned expressions on their faces. Then, as a group, they all begin quickly shuffling and running northbound on Main Street.

³ The security video captures a sidewalk area adjacent to Main Street and just north of Exchange Street. The entire incident occurs on the sidewalk.

OFFICER'S ACTIONS

The security video continues:

2:21.44: Two small groups of men are moving north and appear to be exchanging angry words with each other. At this point, Officer Al Jones appears in the video with his back to the camera. Mr. Redrick appears in the video holding a handgun near his right pocket. Simultaneously, people begin reacting as if they are hearing a loud noise. The gun flies out of Mr. Redrick's hand as he falls to the ground. Subsequently, Officer Turnure appears in the video in full uniform pointing his service weapon at Mr. Redrick. Mr. Pruiett then dives towards Mr. Redrick's gun and grabs it. Turnure shoots Mr. Pruiett, and Mr. Pruiett fires his gun towards Officer Turnure.

2:23.24 Officer Turnure appears back on camera and tells Officer Jones to secure Mr. Redrick's gun. Officer Jones then places his foot on the gun to secure it in place.

PHYSICAL EVIDENCE & SCIENTIFIC TESTING



Figure 3: Area in front of Blue Store where the shooting occurred. Officer Turnure was facing the red car when he shot Mr. Redrick and Mr. Pruiett who both fell to the ground near the curb.

FIREARMS

Ohio BCI determined the gun possessed by Mr. Redrick and subsequently Mr. Pruiett to be a Taurus 9mm Luger semi-automatic pistol. Ohio BCI also determined one cartridge case found at the scene was fired from this gun.

Ohio BCI determined the gun possessed by Officer Turnure to be a Glock 9mm Luger. Ohio BCI also determined that 13 cartridge casings and four fired bullets from those cartridges found at the scene were fired from this gun.

DNA

Ohio BCI determined that the suspected bloodstain located in the northbound parking lane of S. Main St. and labeled "Stain A" matched Latrent Redrick.

Ohio BCI determined that the suspected bloodstain located on the sidewalk behind the Chevrolet Impala and labeled "Stain B" matched Jamon Pruiett.

Ohio BCI determined that swabs of the trigger, remainder of the gun, magazine, and live rounds from the Taurus 9mm Luger were not suitable for comparison.

INJURY TO OFFICER OR OTHERS

Officer Turnure received abrasions to his elbow and knee when he fell in the street after Mr. Pruiett shot at him.

Both Mr. Redrick and Mr. Pruiett had multiple non-fatal gunshot wounds.

WITNESS STATEMENTS AND VIDEO EVIDENCE

KINGDAMON D. ANTOINE, JR. interviewed on October 5, 2017, at Akron Police Department

Mr. Antoine was at the northeast corner of the intersection when he saw a fight break out by ZAR. He heard someone yell, "Anyone who is not from Akron can get it." Mr. Antoine heard another person say they were not from Akron. Mr. Antoine saw a man wearing a blue hoody pull a gun and hold it above shoulder level. At this point, Mr. Antoine began running northbound on N. Main St. when he heard gunshots. He did not see who did the shooting. Mr. Antoine got in his car and left the scene.

***NICHOLAS WILLIAMS* interviewed October 14, 2017, at the Akron Police Department**

Mr. Williams, who police believe is the man in the video pointing at Mr. Redrick's gun, said he didn't remember the incident because he was drunk. When confronted with the surveillance photo showing him pointing at Mr. Redrick, Mr. Williams denied pointing at Mr. Redrick.

***LATRENT REDRICK* interview attempted on October 1, 2017, at Akron General Medical Center**

The Akron Police Department attempted to interview Mr. Redrick at Akron General Medical Center twice. Sergeant Lietke's report of investigation indicates Mr. Redrick was unavailable for a statement on the morning of October 1, 2017, due to his medical treatment. When officers returned that evening, Mr. Redrick was still unconscious.

***JAMON PRUIETT* interviewed October 1, 2017, at Akron General Medical Center**

Mr. Pruiett said he was with his brother, Latrent Redrick, outside of ZAR when a fight broke out so they walked across Exchange Street to the corner of Main and Exchange. Mr. Pruiett said that Mr. Redrick was exchanging words with other guys. Mr. Pruiett stated that Mr. Redrick was holding a gun. Mr. Pruiett heard gunshots and saw Mr. Redrick fall. He tried to run but fell beside the car. He first stated that he never touched Mr. Redrick's gun that night. When subsequently informed by an Akron police detective that the gun had been fired, Mr. Pruiett said he remembered the gun falling to the ground and that he tried to reach for it. Mr. Pruiett stated that he didn't know why police shot him.

VIDEO

A video camera located at the entrance of the Blue Goodwill Store captures a portion of this incident.

STATEMENT OF OFFICERS

***OFFICER UTOMHIN OKOH* in report of investigation submitted on November 21, 2017**

Officer Okoh was the partner of Officer Turnure on October 1, 2017. Officer Okoh stated that they positioned themselves facing southbound at the intersection of S. Main Street and E. Exchange Street to assist other officers in the area with the large crowds leaving the downtown bars. While in the patrol car, Officer Okoh noticed a male, wearing a royal blue jacket, brandish a pistol and hold it at shoulder height. Officer Okoh shouted to Officer Turnure, "He has a gun!" and pointed to the male across the street. Both Officer Okoh and Officer Turnure exited their vehicle and crossed the street toward the male with the gun. Officer Okoh stated that he heard Officer Turnure shouting at the male at least three times to drop the gun. Officer Okoh also shouted at least three times to "Drop the gun!" Officer Okoh stated that the male refused to drop

the weapon and people were fleeing from him. This is when Officer Okoh heard gunshots. Officer Okoh saw the male in the blue jacket on the ground and another male crouched over him. He heard another gun shot and saw Officer Turnure fall as if he had been struck. He heard another gunshot but could not determine from where the gunfire was coming. Officer Okoh asked Officer Turnure if he had been hit. Officer Turnure responded that he believed he was shot. Officer Okoh dragged Officer Turnure behind a vehicle across the street.

OFFICER AL JONES in report of investigation submitted on October 24, 2017

Officer Al Jones was working an off-duty assignment at ZAR. As the bar was closing, he noticed an argument across the street and crossed Exchange Street to get them to disperse. As he was yelling at the crowd to disburse, he heard gunshots behind him to the left. He turned and saw Officer Turnure with his weapon out stumbling backward. He also saw two males, one lying in the street and another lying partially under the rear of a vehicle parked just north of the intersection of S. Main Street and E. Exchange Street. Officer Jones saw a black semi-automatic gun lying on the sidewalk next to the male under the vehicle. Officer Jones placed his foot on the gun. He then radioed the dispatcher for EMS and spoke with the male under the vehicle who identified himself as Jamon Pruiett. Officer Jones remained with his foot on the gun until he was relieved by another officer.

DETECTIVE JON MORGAN in report of investigation submitted on October 25, 2017

Officer Morgan was working secondary employment at ZAR. He broke up a group of males who were fighting in front of the bar and watched as they crossed the street. Officer Morgan turned his attention to the crowd forming at the entrance of the bar. He noticed the same group of males on the north side corner of Main and Exchange streets. While walking over to them, Officer Morgan heard Officer Turnure yell, "Gun, gun, drop the gun. He has a gun." Officer Morgan saw Officer Turnure with his gun out moving toward the crowd. Officer Morgan attempted to find the suspect in the crowd when he heard gunshots. Officer Morgan pulled his gun out and saw Officer Turnure fire his weapon while retreating. He saw Officer Turnure fall and Officer Okoh began dragging Officer Turnure. Officer Morgan believed Officer Turnure had been shot. Officer Morgan checked the area for other threats when he saw Officer Jones with his foot on the suspect's weapon.

STATEMENT OF SHOOTING OFFICER

OFFICER JOHN TURNURE interviewed on October 5, 2017, at the Akron Police Department

Officer Turnure is a ten-year veteran of the Akron Police Department and a Marine Corps veteran. He completed Crisis Intervention Training and Marine Corps Infantry training.

On the day of the incident, Officer Turnure was on patrol with his partner Officer Utomhin Okoh. Officers Turnure and Okoh were monitoring a crowd outside of the ZAR Nightclub from their cruiser. Officer Okoh alerted Officer Turnure of a gun. Officer Turnure saw Latrent Redrick

on the sidewalk in front of 335 S. Main Street pointing a gun at the crowd at shoulder height.⁴ Officer Turnure exited the cruiser, and saw Officer Al Jones approaching Mr. Redrick apparently unaware of the presence of the weapon. Officer Turnure yelled to Officer Jones, "Al, he's got a gun! Gun! Gun! Gun! Al, he's got a gun!" Officer Jones did not respond to the warning. Officer Turnure crossed E. Exchange Street, positioned himself behind Mr. Redrick, and yelled "Drop the gun! Drop the gun!" Mr. Redrick continued to pursue the retreating crowd with the gun in his hand. Pursuant to his training, Officer Turnure believed Mr. Redrick was going to shoot at someone in the crowd and decided to fire when he saw Mr. Redrick start to raise the gun. Mr. Redrick fell, and the gun skidded across the sidewalk. Officer Turnure then saw Jamon Pruiett, who was walking beside Mr. Redrick, grab the gun, turn, and point the gun at Officer Turnure. Officer Turnure then fired at Mr. Pruiett.

ANALYSIS⁵ AND CONCLUSION

Officer Turnure failed to activate his body worn camera; therefore, we must rely primarily on witness statements and a brief video of the shooting captured by a local business' security camera. Officers Morgan and Okoh heard Officer Turnure yell "Gun" and/or "drop the gun." Further, both Officers Okoh and Turnure stated that seeing Mr. Redrick initially brandish the gun is what caused them to approach Mr. Redrick, Mr. Pruiett, and those gathered on the street. In reviewing the security video, it is clear that Mr. Redrick had a gun and was holding it near his right pocket when Officer Turnure fired his service weapon. Significantly, the security video clearly shows one of the other men on the street pointing at Mr. Redrick as he held the gun at his side.

The United States Supreme Court requires that an officer-involved shooting be analyzed from the perspective "...of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight." *Graham v. Connor*, 490 U.S. 386, 396 (1989). The Court also requires the determination "...of reasonableness *must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving*—about the amount of force that is necessary in a particular situation." *Ibid* at 396-397 (emphasis added).

Therefore, the issue is whether at the moment Officer Turnure fired his gun, he reasonably believed the level of force used was necessary to protect himself or others from serious physical harm caused by Mr. Redrick and then Mr. Pruiett. An officer who knowingly causes physical harm to another can be held criminally responsible in two scenarios: (1) when the officer knew the person was not a threat to anyone *or* (2) when the officer's *honest belief* that the suspect

⁴ Officer Turnure was wearing a body worn camera but failed to activate it prior to the shooting. He stated in his interview because of the rapid sequence of events he did not think to turn on his camera when he exited his cruiser.

⁵ This analysis does not make any determination as to whether or not Officer Turnure complied with the Akron Police Department's policy on Use of Force or any other departmental policy. Whether he did or did not violate any policies is not a factor in determining potential criminal liability.

presented a danger to himself or others was *objectively unreasonable* in light of all available facts and circumstances.

During Officer Turnure's video interview he states that he *believed* that Mr. Redrick and Mr. Pruiett were a danger to himself or others. The sole question left to decide is whether Officer Turnure's belief was objectively unreasonable. Officer Turnure's subjective belief is supported by the objective evidence that:

1. Mr. Redrick clearly was holding a gun in a crowded public area.



2. On two occasions, pedestrians flee the area in front of the Blue Store: the first time is minutes before the shooting and then immediately prior to the shooting.



3. A man identified as Nicholas Williams, of Akron, who is in the group arguing with Mr. Redrick, clearly points at the gun Mr. Redrick is holding.⁶



4. After Mr. Redrick drops the gun, Mr. Pruiett grabs the gun and points it at Officer Turnure.



⁶ Note that Mr. Williams is from Akron and Mr. Redrick and Mr. Pruiett are from the Cleveland area. Witness Kingdamon Antoine heard someone yell, "Anyone who is not from Akron can get it."

Chief Kenneth Ball

March 5, 2019

Page 11

Based on all available evidence and applying applicable U.S. and Ohio law, it is my opinion that Officer Turnure was acting within his authority as a law enforcement officer on October 1, 2017, when he used deadly force against Latrent Redrick and Jamon Pruiett. Officer Turnure's ultimate use of deadly force in shooting Latrent Redrick and Jamon Pruiett was legally justified and appropriate in light of the circumstances and risk posed by Latrent Redrick and Jamon Pruiett to civilians and officers at the scene. Mr. Redrick pulled out a firearm on a crowded street and refused to drop the gun despite repeated officer commands. Mr. Pruiett grabbed that same gun, lifted it, and pointed it towards Officer Turnure even though there was a police officer in uniform shouting commands to drop the gun. This was a tense, uncertain, and rapidly-evolving situation set in motion by the reckless and dangerous actions of Mr. Redrick who pulled out a gun and pointed it at civilians on a crowded street. Officer Turnure took prudent and reasonable actions, including using deadly force, in order to protect innocent civilians and his fellow officers.

Sincerely,



SHERRI BEVAN WALSH
Prosecuting Attorney

SBW/mkh

cc: Officer Turnure