

**REVIEWED**

By Chris at 2:06 pm, Mar 27, 2020

https://www.southbendtribune.com/news/local/former-south-bend-cop-justified-in-eric-logan-shooting-but/article\_8264b912-5fc0-11ea-a6fd-17e511e49140.html

# Former South Bend cop 'justified' in Eric Logan shooting but charged for soliciting a prostitute

By Christian Sheckler and Marek Mazurek South Bend Tribune  
Mar 7, 2020



Special Prosecutor Ric Hertel, at a news conference Friday to discuss his findings in the shooting of Eric Logan by a South Bend officer, displays a photo of a knife found at the scene.

[Buy Now](#)

Tribune Photo/MICHAEL CATERINA



The South Bend police officer who fatally shot Eric Logan last



O'Neill

summer was justified in his actions but has been charged with public indecency and misconduct for soliciting a prostitute a month before the shooting, a special prosecutor announced Friday.



Logan  
South Bend Tribune

Sgt. Ryan O'Neill, who is no longer on the force, shot Logan, 54, on June 16, 2019 in the parking lot of the downtown Central High Apartments, in a case that roiled the presidential campaign of then-Mayor Pete Buttigieg and raised issues that lingered throughout the race.

O'Neill, who is white, was responding to a report of someone breaking into cars and said he opened fire after Logan, who was black, approached him with a knife.

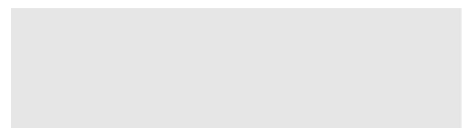
“The use of deadly force by Sgt. O'Neill was justified based upon the threat and imminent danger presented by the sharp-edged knife in the right hand of Mr. Logan,” said a report released by Special Prosecutor Ric Hertel.

O'Neill did not have his body camera on during the incident, which occurred at about 3:30 a.m.

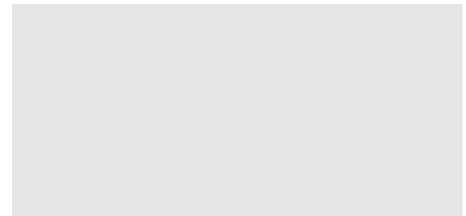
Hertel, however, also announced at a news conference that O'Neill had been charged with two felonies, official misconduct and ghost employment, and a misdemeanor count of public indecency. He appeared “in a state of nudity” and “fondled his genitals” on May 16, 2019, charging documents say. The ghost employment charge accuses O'Neill of accepting property for “duties not related” to the police department.

O'Neill was booked into the St. Joseph County Jail on Friday morning and later released. He had resigned from the police department shortly after the Logan shooting.

In a news conference at  
South Bend Common



Council chambers, Hertel said there were seven car break-ins in a two-block radius of the Central High apartments on the night of June 15 and the early morning hours of June 16. The knife Logan was carrying had been taken from one of the cars. A purse and a wallet were also among the items found on the scene after the shooting.



A woman is led out of South Bend Common Council chambers after shouting objections during a news conference on the findings of the Eric Logan shooting investigation.

[Buy Now](#)

Tribune Photo/MICHAEL CATERINA

O'Neill fired two shots, with one striking Logan, Hertel said. O'Neill had an abrasion on his left forearm from the knife. Logan's blood-alcohol level was 0.143, and he tested positive for cocaine and THC, Hertel said.

Logan at some point threw the knife at O'Neill, according to Hertel. He acknowledged that "it's unclear whether the shooting happened before the knife was thrown or after" but said it didn't matter in deciding the case because "there's someone with a knife coming toward a police officer (and) he is allowed to" defend himself.

O'Neill turned on his body camera after the shooting and comments he made to other officers who responded to the scene were detailed in Hertel's report.

"He's coming at me with the knife and I'm like drop the knife, then he (expletive) throws it at me, yeah he (expletive) threw the knife at me so I (expletive) shot him," O'Neill is quoted as saying.

Hertel also pointed out that there was no video footage of the incident. Cameras mounted on the Central High apartment building had been disconnected for at least five years after the building had been renovated. Cameras on a nearby apartment complex, about a

half-block away, did not capture any footage of the incident.

At the time of the shooting, there was an active warrant for Logan for violating probation on a previous conviction of dealing cocaine, Hertel said. O'Neill, a South Bend officer for 19 years, had nine formal complaints against him during his tenure, three of which had been substantiated after an internal review. Hertel did not detail the nature of the complaints.

A family member of Logan disrupted Hertel's news conference at one point, denying that Logan had broken into cars and shouting, "Tell the truth! A police officer killed my brother!" She was led out of the room.

Later, after Hertel took questions from the audience, some in attendance sharply objected to his findings and took exception with his explanation of the knife and the confusion about when it was thrown.

"The only thing that's clear is you were hired to stand up here and tell us lies!" one person said.

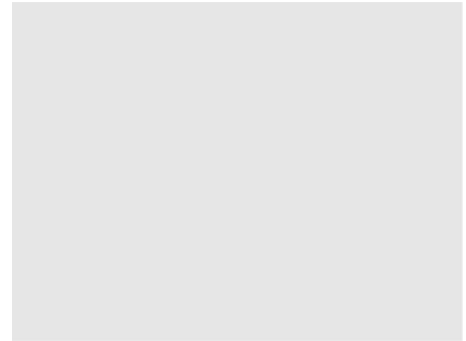
Hertel, the Ripley County prosecutor, was appointed to review the case in July after St. Joseph County Prosecutor Ken Cotter stepped aside to avoid the appearance of a conflict.

After Hertel's news conference, Brian Coffman, the attorney for the Logan family, said he was not surprised charges weren't filed in the shooting. But he added that Hertel's report "shows serious discrepancies on what occurred that night."

Coffman specifically cited statements in the report that there was no conclusive DNA on the knife or the cars in the Central High parking lot. He also said the charges against O'Neill for the incident prior to the shooting "call into question his credibility."

The Logan family last year filed a federal lawsuit against the city and O'Neill, saying the officer used excessive deadly force and that Logan was subjected to unlawful treatment because of his race.

Emmanuel Cannady, a member of Black Lives Matter South Bend, also reacted after the news conference, calling Hertel's findings "a farce, a sham."



"The only thing I learned from this is there's no justice for black men," Cannady said.

South Bend activist Wayne Hubbard asks a question and raises objections during a press conference Friday to announce a prosecutor's findings into the shooting death of Eric Logan last summer by a police officer.

[Buy Now](#)

Tribune Photo/MICHAEL CATERINA

Later on Friday, John Kautzman, an attorney for O'Neill, released a statement saying the former officer appreciated Hertel's review of the shooting.

"We've always believed the evidence proves that Ryan O'Neill was justified in defending himself on the date in question and did not engage in any improper conduct related to this encounter," the statement said. "There are of course no winners when an officer is required to use deadly force in tense, uncertain, and rapidly evolving situations. We look forward to putting this entire matter behind Ryan and his family and hope this will start a process of healing for the entire South Bend community."

The statement did not address the charges filed against O'Neill.

Mayor James Mueller tried to look forward in a news conference he held Friday afternoon.

"This will understandably continue to cause anger and pain in our

community and does not help build the trust that we need,” Mueller said. “But we must have trust in our public systems, including our law enforcement. There is simply no other way forward.”

After the shooting last summer, Buttigieg temporarily suspended his campaign and returned home, where he faced emotional and angry reactions, including a town hall he organized to hear from residents. Long-standing tensions among African-Americans and the police — as well as questions about diversity in the department and Buttigieg’s firing of the city’s first black police chief early in his first term — came to the forefront again and were amplified by national media outlets.

## Charges detailed

The charges against O’Neill stem from accusations by a woman who told police she was “walking the streets, trying to make money” on the night of May 16, 2019, when the officer pulled up in his police car near Calvert and Michigan streets.

The woman got into the car, and O’Neill drove to a nearby ATM. Even though she wanted \$50, he offered only \$20 because “he was cheap,” the woman said. O’Neill drove to a tree in the area, where they both got out. The officer then masturbated, charging documents say. He drove the woman home and, when she asked him his name, said he was “Officer Ryan.”

GPS data from O’Neill’s police car and security footage from the bank matched the woman’s account, the documents say.

City officials said the incident was brought to light by another South Bend police officer in early July. The police department began an internal investigation into the allegations and passed along its findings to the special prosecutor.

In 2008, O’Neill was accused by two other officers of making racist

and derogatory remarks. The allegations were included in two federal lawsuits. O'Neill was accused of making racist remarks about biracial couples and spoke about Muslims in "derogatory terms."

A city police spokesman last year said an "internal affairs investigation" was conducted and "the assertions presented were determined to be 'not sustained' at the conclusion of the investigation."

On Friday, Harvey Mills, president of the South Bend Fraternal Order of Police, issued a statement saying officers "never want to be put in the position where they have to use deadly force to defend their life. ... That's why condemning officers before the facts are known is wrong and can put both officers and the public in danger."

As for the charges against O'Neill, Mills said in the statement: "These unrelated allegations, if true, are disappointing and would certainly be against department policy."