

April 11, 2014

Former O'Fallon Detective Charged With Stealing, Drug Possession

St. Charles County- The Office of Prosecuting Attorney Tim Lohmar announces charges have been filed against 35 year-old Luke A Smyka of Wentzville. Smyka was charged with (2) counts of felony stealing and (2) counts of felony possession of a controlled substance. The charges were announced Friday during a joint press conference with Tim Lohmar and O'Fallon Chief of Police Roy Joachimstaler.

On March 17, 2014, an on-duty O'Fallon Police Detective obtained prescription medication from an evidence specialist under the guise of reviewing the evidence for a prosecuting attorney. The detective unlawfully removed the medication, which was hydrocodone and methadone, from its evidence packaging and kept the medication for his personal use. After the detective returned the evidence packages to the evidence specialist, the evidence specialist detected that the evidence had been tampered with and notified a supervisor. The supervisor determined that the original medication had been replaced with other non-prescription pills.

A criminal investigation was immediately opened by the O'Fallon Police Department and the detective admitted to stealing the evidence due to being addicted to pain medication. The detective was removed from duty at that time. The St. Charles County Prosecuting Attorney's Office was also notified of the active criminal investigation at the outset.

This morning the detective was arrested at the O'Fallon Police Station. He was taken into custody and later posted bond. His first court appearance will be on April 23, 2014.



Probable Cause Statement

I, Lt. Grawitch, DSN 71 with O'Fallon Missouri Police Department, a law enforcement agency, state that the facts contained herein are true to my best knowledge and belief and that any false statements made are punishable by law.

1. On 03/17/14 (date of crime), at 100 N. Main St., O'Fallon, Missouri

(location of crime), in St. Charles County, MO, Smyka, Luke A. W/M 02/26/79

did: Tamper with Drug Evidence and Steal a quantity of hydrocodone that was being stored by the O'Fallon Police Department Evidence Section. The hydrocodone was evidence in a 2014 case. He also Tampered with Drug Evidence and Stole a quantity of methadone from evidence in a 2012 case. Both incidents occurred while L. Smyka was employed as a Detective with the O'Fallon Police Department and under the guise of reviewing the evidence for a prosecuting attorney.

A consensual interview was conducted on L. Smyka and he admitted to both thefts because he was addicted to pain medication. L. Smyka admitted that he had consumed the hydrocodone, but still had the methadone in a prescription pill bottle and handed it to me. I recovered a quantity of what I believed to be methadone from inside L. Smyka's prescription pill bottle. L. Smyka completed a written statement confessing to the fact that he "checked evidence out" and "took pills" and that the pills were "Vicodin and Methadone."

2. DRUG CASES ONLY: The lab report confirmed the substance in the seized pill bottle to be 11-Methadone tablets, a Schedule II Controlled Substance, and 1 partial tablet of Hydrocodone and Acetaminophen, a Schedule III Controlled Substance

and weighed (if applicable).

3. I have reasonable grounds to believe that the defendant will not appear upon the summons or is a danger to the crime victim, the community or any other person because: L. Smyka has intimate knowledge of Criminal Investigations, and would be familiar with methods to avoid arrest to include Fugitive Apprehension cases and Identity Theft cases. Several additional offenses are currently under investigation and anticipated to be filed when complete. Co-workers have knowledge that L. Smyka owns numerous firearms and ammunition.

Date: / /

Signature

This is an approved form by the St. Charles County Prosecuting Attorney.

REVISED 04/03