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VIDEOTAPED INTERVIEW

MICHAEL FARLEY

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APPEARANCES:

Scott Gardner  
John Saraya  
Patrick D'Angelo  
Jeffrey Follmer  
Steve Kinas

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1 MR. GARDNER: All right. My name's  
2 Scott Gardner. I'm a detective/sergeant with the  
3 City of East Cleveland assigned to their Major  
4 Crimes Task Force Unit.

5 It's sort of like a canned speech we've  
6 given everybody up to you at this point. All  
7 right?

8 We're here to investigate what happened.  
9 We're not here to cast judgment, disparage  
10 anything you did. We're just here to find out  
11 what happened. All right?

12 It is a criminal investigation that  
13 we're conducting. We're not doing any internal  
14 investigation from your department. Thereby  
15 you're going to be afforded your Constitutional  
16 rights just as anybody else would be. So we'll  
17 be advising you your Miranda warnings in a  
18 second.

19 MR. SARAYA: I'm John Saraya with BCI.  
20 We've been kind of given the lead on this. We're  
21 working with East Cleveland and Cuyahoga County  
22 SO on this. We've been doing a lot of the  
23 backgrounds in a lot of officer-involved  
24 shootings over the years.

1           We have a formalized list of questions  
2 we're going through and asking everybody them.  
3 Here again, don't take any of the questions  
4 personally. We're just trying to extract  
5 details. We want you to expound on some things.  
6 And some of the questions you're going to  
7 probably think might be silly, but we're asking  
8 everybody the same ones.

9           If you have any questions at any time,  
10 ask us. If there's something you think you need  
11 to discuss with representation, say so. You guys  
12 can step out in the hallway and confer and come  
13 back. Okay?

14           THE WITNESS: Okay.

15           MR. SARAYA: All right.

16           MR. GARDNER: You have the right to  
17 remain silent. Anything you say can and will be  
18 used against you in a court of law. You have the  
19 right to talk to a lawyer, who may be present  
20 while you are being questioned. If you cannot  
21 afford to hire a lawyer, one will be appointed to  
22 represent you for any questioning, if you wish.  
23 You can decide at any time to exercise these  
24 rights and not answer any questions or make any

1 statements.

2 Do you understand each of the rights  
3 that were explained to you?

4 THE WITNESS: Yes.

5 MR. GARDNER: Having those rights in  
6 mind, do you wish to talk to us now?

7 THE WITNESS: Yes.

8 MR. D'ANGELO: Keep your voice up.

9 MR. GARDNER: I'm sorry.

10 MR. D'ANGELO: I told him to keep his  
11 voice up. I whispered to him.

12 EXAMINATION

13 BY MR. GARDNER:

14 Q. I want to start off with your name,  
15 first name.

16 A. Michael.

17 Q. Michael?

18 A. Yes.

19 Q. And your last name, Michael?

20 A. Farley.

21 MR. SARAYA: F-A-R-L-E-Y?

22 THE WITNESS: That's correct.

23 BY MR. GARDNER:

24 Q. What's -- what's your address?

1 A. [REDACTED].

2 Q. [REDACTED]

3 A. [REDACTED].

4 Q. Do you have a contact number, preferably  
5 a cell phone?

6 A. [REDACTED].

7 Q. Your date of birth?

8 A. [REDACTED].

9 Q. And just so you're aware, the public  
10 wouldn't get any of this information, that part  
11 of our report. It would be redacted if any of  
12 that was turned over.

13 It feels like I'm missing something.

14 How are you holding up?

15 A. It's stressful. I haven't slept in a  
16 few days. Went on vacation and ruined part of my  
17 vacation.

18 Q. Planned vacation that you had?

19 A. Right, it was planned. But if I hadn't  
20 have paid for it already, I probably wouldn't  
21 have went. I just got back Sunday night. Pretty  
22 much don't know much of what's been going on the  
23 last nine days or whatever.

24 Q. It may be better NOI.

1                   What's -- what's your current  
2 assignment?

3                   A. Basic patrol.

4                   Q. Which district?

5                   A. Second District.

6                   Q. Second District?

7                   A. Yes.

8                   Q. And how -- how long have you been with  
9 Cleveland Police?

10                  A. Over 16 years. 17 in April.

11                  Q. Do you work for any other agencies?

12                  A. No.

13                  Q. What -- what shift were you working back  
14 there --

15                  A. Second shift, B Platoon.

16                  Q. Can you tell me the hours for B Platoon?

17                  A. It's 2:30 to 12:30.

18                  Q. 2:30 in the afternoon?

19                  A. Yes. To 12:30 --

20                  Q. 12:30?

21                  A. Yes.

22                  Q. And you're a supervisor?

23                  A. Do you want the -- what I was working  
24 that day?

1 Q. Yeah, that day. If you don't know, you  
2 don't know.

3 A. I'm trying to think of all which I  
4 worked, to tell you the truth. Brian --

5 MR. D'ANGELO: (No audible response.)

6 MR. KINAS: Chetnick.

7 A. -- Chetnick. We have a full (inaudible)  
8 I'm sorry.

9 Q. What -- what were your days off that  
10 week?

11 A. I was -- that was my first day back, so  
12 I was off -- that was Thursday, right?

13 Q. Yes.

14 A. So I was off Tuesday -- or Monday,  
15 Tuesday, Wednesday.

16 Q. Work any part-time extra-duty details?

17 A. No.

18 Q. How were you feeling that day? Were you  
19 -- did you have a cold? Fine? Rested? Tired?

20 A. No, I was fine.

21 Q. Did you take any medication, whether it  
22 be prescribed or over-the-counter?

23 A. No.

24 Q. Wear glasses or contacts?

1 A. No.

2 Q. Let's talk about how you were dressed  
3 that day. You said you were on basic patrol. So  
4 you're in full -- full uniform?

5 A. That's correct.

6 Q. Did you have an exterior vest?

7 A. Yes.

8 Q. What's on -- what's on your vest and  
9 what's on your duty belt?

10 A. I have nothing on my vest. I had  
11 everything on my duty belt.

12 Q. Okay. What do you have?

13 A. Everything they gave us. ASP baton,  
14 pepper spray, taser, flashlight, cuffs.

15 Q. Do you have a gun?

16 A. Yes.

17 Q. What kind of gun?

18 A. Glock 9 -- Glock 9 millimeter.

19 Q. Do you know what model by chance?

20 A. It's the small one, the 19.

21 Q. How are your -- your magazines? How are  
22 they -- were they topped off?

23 A. Yes.

24 Q. How many did you have in each?



1 A. I believe it's 15 in each.

2 Q. Fifteen in each? So 15 and 15 and 16?

3 A. Correct.

4 Q. Carry any backup firearms?

5 A. No.

6 Q. Personal recording device, whether it be  
7 audio or video?

8 A. No.

9 Q. And your car, what kind of car were you  
10 in?

11 A. Crown Vic.

12 Q. Crown Vic? Was it black and white? All  
13 black?

14 A. It was all black.

15 Q. Did you have a car number?

16 A. I think it was 234.

17 Q. 234?

18 A. I believe.

19 Q. And your call sign that night?

20 A. 2 Adam 24.

21 Q. 2 Adam 24. Did you have anybody riding  
22 with you?

23 A. Yes.

24 Q. Who was that?

1 A. Brian Sabolik.

2 Q. And you're driving or passenger?

3 A. I was driving.

4 MR. SARAYA: This is a fully marked car?

5 THE WITNESS: Yes.

6 BY MR. GARDNER:

7 Q. Everything working on -- okay in the  
8 car, lights, siren, spotlight?

9 A. Yes.

10 Q. Did you have an MDT in the car?

11 A. Yes.

12 Q. What channel were you on?

13 A. Channel 2.

14 Q. At any point did you change channels, or  
15 you're always on Channel 2?

16 A. I think we're always on Channel 2.

17 Q. Any specialized training, SWAT?

18 A. No.

19 Q. Military experience?

20 A. I was in the Army National Guard.

21 Q. Army National Guard. What was your MOS?

22 A. 12 Bravo.

23 Q. 12 Bravo. 12 Bang Bang.

24 MR. SARAYA: Which is --

1 THE WITNESS: Combat engineer.

2 MR. GARDNER: I'm sorry, (inaudible).

3 MR. SARAYA: Were you ever deployed?

4 THE WITNESS: No, I was never deployed.

5 Didn't go.

6 MR. SARAYA: Okay.

7 BY MR. GARDNER:

8 Q. What unit were you in?

9 A. I was at Brook Park.

10 Q. Brook Park?

11 A. But they (inaudible) to Lorain.

12 Q. Are you still working in there?

13 A. No, no.

14 Q. What were your times?

15 A. I was in there -- I turned 21 in there.

16 So it was maybe two thousand -- I don't

17 remember.

18 Q. If you don't, I mean, just --

19 MR. KINAS: That works out to ninety --

20 about '92 or '93. So you were 21.

21 THE WITNESS: I turned 21 in boot camp.

22 So it was six years after that.

23 MR. KINAS: So that was back in '91 or

24 '92.

1 MR. SARAYA: Around '92 to '97?

2 THE WITNESS: That sounds good.

3 MR. SARAYA: Somewhere around there?

4 THE WITNESS: Yeah. I got on the police  
5 force when I was still in the guard.

6 BY MR. GARDNER:

7 Q. Have you ever been involved in any other  
8 type of prior shootings?

9 A. Yes.

10 Q. Were you the active shooter?

11 A. Yes.

12 Q. Did you shoot?

13 A. Yes.

14 Q. When was that?

15 A. I believe it was 2003.

16 Q. Any other times?

17 A. No.

18 Q. This is sort of your chance to give us a  
19 little narrative, tell us what happened. All  
20 right? So if you can back up maybe towards the  
21 beginning of your shift. You came on at -- well,  
22 maybe not the total beginning of your shift.

23 Tell us, what were you doing on your  
24 shift? What do you remember occurring?

1           A. Well, we answered a bunch of runs that  
2 day. To tell you the truth, I can't remember any  
3 of them.

4           Q. Do you -- how did you become aware that  
5 something was going on?

6           A. I heard it over my portable radio.

7           MR. SARAYA: What did you hear?

8           A. I heard someone saying that they were  
9 shot at.

10          MR. SARAYA: Keep going.

11          A. I heard a car was behind the car going  
12 on the Detroit Superior Bridge.

13          Q. Do you remember where you were at this  
14 point?

15          A. Yeah. I was on my lunch break working  
16 out in the gym.

17          MR. SARAYA: So you were at the  
18 district, then?

19          A. Yes.

20                 So I was monitoring the chase thinking  
21 it was going to end in a second, so I kept on  
22 working out.

23                 The chase went all the way up Detroit to  
24 85th, 85th and Clark I believe, and all the way

1 back Clark to somewhere on the roundabout. I  
2 couldn't tell you all the streets they were going  
3 down and everything. But I was working out with  
4 a female officer; and she told me, "I can't  
5 believe you're not taking your rookie on this  
6 chase." And I was like, "You're right."

7 So I started putting my stuff back on,  
8 ran in the lunchroom, grabbed Brian. I said,  
9 "Let's go." He said, "Well, it's going to be  
10 over before we get to the car."

11 And so we jumped in the car. They were  
12 pretty much going about 90 miles on 25th. We  
13 hear about it on the radio. And they were saying  
14 they were on Dead Man's Curve. I'm sorry.

15 Q. That's all right. Take your time.

16 A. We were doing about 90 when I think they  
17 were going on Dead Man's Curve. I remember  
18 getting off at East 72nd. We were going on Dead  
19 Man's Curve.

20 The whole time we got into the Third  
21 District and East Cleveland we never saw the  
22 suspect's car or anything. I think they were  
23 down by Euclid maybe (inaudible).

24 Q. Let's -- let me stop you and let's back

1 up.

2 What kind of radio traffic are you  
3 hearing at this point? Are you hearing radio  
4 traffic?

5 A. Oh, yeah. Hearing when they were still  
6 in Second District one of the cars said they were  
7 pointing the gun out the window. Then when they  
8 were on the freeway on the east side of  
9 Cleveland, I heard the sergeant saying they're  
10 loading the weapon.

11 Q. Who is your sergeant?

12 A. Sergeant Coleman.

13 Q. So they were getting off on 72nd?

14 A. Yeah. We were on Dead Man's Curve.

15 Q. Okay.

16 A. We got to 72nd. They were driving on  
17 roads that (inaudible). I couldn't even tell you  
18 when they went into East Cleveland.

19 Q. Do you remember how you got to --

20 A. I started following a Third District  
21 car. To tell you the truth, we never -- they  
22 were never in the main part of the chase either.  
23 Matter of fact, until Euclid I never -- I saw the  
24 main chase go by, but I didn't see the car.

1 Q. Okay. So you're on Euclid.

2 A. And like I said, it was like within the  
3 last minute they pulled up the deadened street up  
4 there.

5 MR. SARAYA: Okay. So it's not until  
6 you get to Euclid that you see the chase and  
7 you're actually in it.

8 THE WITNESS: Yeah.

9 MR. SARAYA: Do I understand that right.

10 THE WITNESS: Yeah. I wasn't in the  
11 chase until pretty much Euclid, I think.

12 MR. SARAYA: Okay. Do you remember  
13 Euclid and what?

14 THE WITNESS: No.

15 MR. SARAYA: Okay.

16 THE WITNESS: I don't know the name of  
17 the street the school is on.

18 MR. GARDNER: Do you have the sheet?

19 MR. SARAYA: Yeah.

20 BY MR. GARDNER:

21 Q. Do you remember when -- how did you --  
22 where did you go once they went up in towards the  
23 school? Did you follow the same --

24 A. I was going to try to be smart and go up



1 the street ahead of him, which when I found out  
2 it was a deadened street I was like, okay  
3 (inaudible).

4 Q. Just to get your orientation here, okay,  
5 Euclid is running somewhat northeast to southeast  
6 here this way. It's paralleling Terrace. And  
7 this is Wymore, the street that the suspect  
8 vehicle came up. All right? This is Lee Road  
9 past Wymore. What you can't see in the  
10 photograph is -- there's trees -- the access road  
11 to the school is basically where those trees are  
12 covering right there at that point.

13 Do you remember which -- which way you  
14 came up?

15 A. I came up (indicating).

16 Q. So you just pretty much followed the  
17 street up --

18 A. Yes, yes. It was like a dusty street,  
19 so all I could see is the lights.

20 MR. GARDNER: Okay. Do you have the one  
21 with the car -- the car numbers?

22 MR. SARAYA: About how many cars -- how  
23 many zone cars are in front of you?

24 THE WITNESS: At the time I thought 20

1 to 30.

2 MR. SARAYA: Okay.

3 THE WITNESS: Realistically, there was  
4 probably 20.

5 BY MR. GARDNER:

6 Q. And that's as you're pulling into the  
7 school or --

8 A. I never pulled into the school.

9 Q. Where did you -- where did you go?

10 A. We were -- where's the school at?

11 Q. This is the school.

12 A. I pulled right around this corner, and  
13 the shooting was going on right there.

14 Q. So once you're pulling up in here, are  
15 there 20 zone cars in front of you, your  
16 estimate?

17 A. (Affirmative nodding of head.)

18 MR. SARAYA: Here is a closer-in shot  
19 here. Here's the driveway he just indicated.  
20 Here's the two zone cars with the suspect  
21 vehicle. Okay? Everything look right?

22 THE WITNESS: Yes.

23 MR. SARAYA: Okay. So you pull in, and  
24 about where are you when you got back here?

1 THE WITNESS: I pulled in probably I  
2 thought it was right around the corner, to tell  
3 you the truth. Can I draw on this?

4 MR. SARAYA: Absolutely.

5 THE WITNESS: It was probably here.

6 MR. SARAYA: Okay.

7 THE WITNESS: It's probably a little  
8 farther back, because there was a car  
9 (inaudible).

10 MR. SARAYA: Okay. So you're more  
11 behind --

12 THE WITNESS: 238.

13 MR. SARAYA: -- this Crown Vic here,  
14 because that was a Charger over there, correct?

15 THE WITNESS: Right.

16 MR. SARAYA: Okay.

17 BY MR. GARDNER:

18 Q. So what happens when -- when you pull  
19 up?

20 A. When I pulled up, I couldn't believe  
21 what was going on. People were shooting. And I  
22 went ahead and exited. We stop. And, you know,  
23 that was the scariest thing I've ever seen in my  
24 life. When I got out of the car, I realized when

1 I was working out I left my vest on the front  
2 seat. I was sitting on it the whole chase. So I  
3 didn't realize it until I jump out of the car.

4 So I thought I was going to get killed  
5 right there, because there were shots coming --  
6 coming from this direction. And so I ran over  
7 behind that car. When I ran, I popped off a  
8 couple shots at the suspect's car. I thought I  
9 shot twice. I ended up shooting I think it was  
10 four times.

11 As soon as I shot, I'm behind this car,  
12 it was just (inaudible) but I saw -- what's his  
13 name?

14 MR. D'ANGELO: Sistek?

15 A. -- Sistek. I saw him diving down, so I  
16 thought he was -- I thought -- I didn't know if  
17 he got shot or if he was diving. (Inaudible)  
18 thinking about it.

19 Q. Keep going.

20 A. I remember a female police officer  
21 shooting from the front of their car.

22 Q. Up by the hill here?

23 A. Yes. She came down from the hill. The  
24 only other person I remember shooting was Brelo.

1 Q. Where did you see him when --

2 A. Brelo was on the back of the trunk of  
3 the zone car shooting down into the car.

4 Q. When you were shooting, what were you  
5 aiming for?

6 A. Aiming for the front of the driver's  
7 side.

8 MR. SARAYA: Front of the driver's side.  
9 Okay. Clarify that for me. The windshield? The  
10 engine block?

11 THE WITNESS: I was aiming for the  
12 windshield.

13 MR. SARAYA: Okay. Okay. Let me back  
14 up a little bit.

15 You come pulling in here. There's  
16 already a -- basically you're the fourth zone car  
17 in here.

18 THE WITNESS: Correct.

19 MR. SARAYA: Okay. And as you pull up  
20 you exit. And you moved up right away or you  
21 paused a second?

22 THE WITNESS: I hesitated a little bit.  
23 As soon as I got out of the car, that's when I  
24 just realized -- I took about two steps, and I

1 was kind of crouching down with my gun.

2 MR. SARAYA: Uh-huh.

3 THE WITNESS: That's when I realized I  
4 didn't have my vest on. So I saw Sistek.

5 MR. D'ANGELO: Sistek.

6 THE WITNESS: That's when I saw him dive  
7 behind this car.

8 MR. SARAYA: Around the back behind the  
9 vehicle or was he already behind the vehicle  
10 coming around to the driver's side?

11 THE WITNESS: I don't know where he came  
12 from, but he dove on the side of the car towards  
13 me.

14 BY MR. GARDNER:

15 Q. He's on basically that little sidewalk  
16 there diving for cover?

17 A. Correct.

18 Q. And so you're -- where are you posted at  
19 at this point?

20 A. I made it up to the car.

21 Q. Do you know where your partner is at  
22 this point or your trainee or whatever you just  
23 called him?

24 A. I know what he did, but I don't -- the

1 whole time -- he was behind me, but I didn't know  
2 exactly that he was behind me.

3 Q. Okay. You said you shot four times, you  
4 thought it was two times.

5 A. (Affirmative nodding of head.)

6 Q. So at some point somebody inventoried  
7 your weapon?

8 A. (Affirmative nodding of head.)

9 Q. Who -- do you remember who that was?

10 A. A lieutenant from homicide.

11 MR. SARAYA: I just want to clarify.  
12 Did you take your shots from your zone car or  
13 while you were on the move?

14 THE WITNESS: I took it when I was  
15 probably like right there (indicating).

16 MR. SARAYA: About halfway?

17 THE WITNESS: Yeah.

18 MR. SARAYA: You're moving or did you  
19 stop and shoot?

20 THE WITNESS: I was moving toward the  
21 car.

22 BY MR. GARDNER:

23 Q. I just want to go back and come forward  
24 again. All right?

1           During the time of the pursuit did you  
2 or your rookie there, did you guys use any radio  
3 traffic? Did you transmit at all?

4           A. No.

5           Q. You somewhat already answered. Just --  
6 you didn't actually see the suspect vehicle until  
7 you got up to which part? Which part?

8           A. Until I pulled up right there  
9 (indicating).

10          Q. That's the first time you'd seen the  
11 suspect vehicle?

12          A. (Affirmative nodding of head.)

13          Q. How fast do you think that you were  
14 going during the pursuit?

15          A. Probably about 80 maybe.

16          Q. On the highways or --

17          A. Yeah. On the streets....

18          Q. When did you become aware of the sex and  
19 race of the occupants of the car?

20          A. The next day.

21          Q. When you initially heard the officer  
22 talk about getting shot at, did you hear the  
23 description or the year? As far as the -- when  
24 this whole thing starts and you're back at the



1 district.

2 A. No, I didn't hear anything. Didn't give  
3 a description of the vehicle that I remember.

4 Q. Since then have you heard the names of  
5 the suspects?

6 A. I think I (inaudible) the newspaper.

7 Q. Did they sound familiar to you? I want  
8 to show you the photos. Do the faces or names  
9 look familiar to you?

10 A. Yeah. Well, not the names but the  
11 faces.

12 Q. From prior experiences or --

13 A. No, no, no. Just from this.

14 MR. SARAYA: Do you ever remember  
15 dealing with them, ever seeing them out on a  
16 call, rolling up on something and either one of  
17 them are there?

18 THE WITNESS: Not that I recall.

19 MR. SARAYA: Okay.

20 BY MR. GARDNER:

21 Q. How would you -- how would you describe  
22 the events in the parking lot?

23 A. Like I said, it was the worst thing I've  
24 ever had to deal with. I was in fear of my life.

1 I was in fear of my partners' lives.

2 Q. Can you explain why -- why you were in  
3 fear?

4 A. I thought it was a full-blown shootout  
5 with the police. I had never seen nothing like  
6 it. Like I said, I was in a shooting before.

7 Q. In your opinion, how was the lighting in  
8 the parking lot?

9 A. It was kind of dim.

10 MR. SARAYA: Was it so dark you can't  
11 see what's going on? Is there enough light  
12 coming from cruisers and overhead lights that --

13 THE WITNESS: The overhead lights were  
14 going on. You know, it was -- that was lighting  
15 up the place.

16 BY MR. GARDNER:

17 Q. Did you or did you hear anyone issue any  
18 verbal commands in the parking lot?

19 A. No, I don't remember anybody saying  
20 anything.

21 Q. Did anybody say, "Cease fire"? Do you  
22 remember anybody saying anything like that?

23 A. Yeah, I think I do remember somebody  
24 saying that.

1 Q. Do you remember when that was?

2 A. It was probably two seconds after I made  
3 it to the bumper of the car. Maybe -- I  
4 shouldn't say two seconds. It was probably ten  
5 -- ten seconds.

6 MR. SARAYA: Do you remember who was  
7 yelling, "Cease fire"?

8 THE WITNESS: No.

9 BY MR. GARDNER:

10 Q. Did you see any -- any movements of the  
11 suspects in the car?

12 A. No. I couldn't see through the  
13 windshield.

14 Q. Because of lighting or --

15 A. The lighting and the there was -- there  
16 was a shattered (inaudible).

17 MR. SARAYA: Okay. About how far do you  
18 think you are away from the suspect vehicle when  
19 you fire your shots?

20 THE WITNESS: Two car lengths.

21 MR. SARAYA: Okay.

22 THE WITNESS: Two and a half, maybe.

23 BY MR. GARDNER:

24 Q. Do you think that your rounds hit?

1           A. I would say probably not.

2           Q. Why do you say that?

3           A. Because I was moving, and I'm not that  
4 great of a....

5           Q. Great of a shot?

6           A. Right.

7           Q. Is that what you were saying?

8           A. I used to be, though.

9           MR. D'ANGELO: Getting old.

10          Q. This is a question that I would probably  
11 take offensively if it was asked of me, but  
12 understand that we have to ask the question. All  
13 right?

14                   Is there -- do you feel that there was  
15 any availability to do anything else than what  
16 was done? Was there some other action or course  
17 that could have been taken?

18          A. From me?

19          Q. You or anybody else.

20          A. Well, no. If I had to do it over again,  
21 I would have done it the same way.

22                   MR. SARAYA: Okay. Let me ask you this,  
23 then.

24                   Why did you fire?

1           THE WITNESS:  Why did I fire?  I was  
2    afraid of my life and I was afraid of my  
3    partner's life and I was afraid of the people  
4    that was in front of me's lives.  I thought, like  
5    I said, it was the scariest thing in my world.  I  
6    fired because I thought they were shooting at us.

7           MR. SARAYA:  Okay.

8    BY MR. GARDNER:

9           Q.  Did you call for medical attention or  
10   did you hear anyone call for medical attention?

11          A.  No.

12          Q.  Neither?

13          A.  Neither.  I know someone did.

14          Q.  All right.  After -- after everything  
15   sort of calms down, what do you do?  Do you do a  
16   magazine exchange?  What are you doing when  
17   everything starts to calm down?

18          A.  I ran back to the car and got my vest.

19          Q.  Were you injured?

20          A.  No.

21          Q.  Did you check your -- your vest at some  
22   point?  Well, you didn't have the vest on.  Never  
23   mind.  Sorry, I didn't mean to make light of  
24   that.

1           A. I wear my vest every single day of my  
2 life, and then I get in a shooting and I'm not.

3           Q. Do you remember any of the officers  
4 making any statements at the time?

5           A. I went to Brian and asked him if he was  
6 okay.

7           Q. I mean, like did you hear anybody like  
8 yelling anything or saying anything?

9           A. I don't remember.

10          Q. You don't remember?

11          A. No. But I don't think I'd hear any that  
12 much.

13          Q. Why is that?

14          A. Well, tunnel vision or whatnot.

15               MR. SARAYA: When you guys pulled in,  
16 did you have the opportunity to turn off your  
17 siren? Was your siren still on, you think?

18               THE WITNESS: I think so. Yeah, it was.

19               (Inaudible) I remember turning this  
20 corner, I thought we were going to hit the cars  
21 right here. That's all. That's all the short  
22 time I thought I had to react.

23               MR. SARAYA: Okay.

24               BY MR. GARDNER:

1 Q. Don't be defensive at this question. If  
2 you did, that's fine. We just need to know.

3 Have you spoken to anyone regarding this  
4 incident other than your union reps and your  
5 attorney?

6 A. My mom.

7 Q. Is that it?

8 A. And my fiancée.

9 Q. How about officers that were involved in  
10 the incident, have you discussed anything with  
11 them?

12 A. I didn't talk to anybody the whole time.  
13 I talked to Brian yesterday.

14 Q. What was your conversation with Brian  
15 yesterday?

16 A. I apologized for not being here. I was  
17 in Mexico. I asked him how he was doing. I  
18 asked him about this interview.

19 Q. Do you believe that your actions were  
20 consistent with your training?

21 A. Yes.

22 Q. Do you believe others' actions were  
23 consistent with their training?

24 A. Yes.

1 Q. Did you make any phone calls on your  
2 cell phone while on scene?

3 A. No. But someone -- one of the girls at  
4 work called me and asked if I was okay.

5 Q. While you're there?

6 A. Back -- I mean, an hour or two later.

7 Q. Did you take any photographs while you  
8 were on scene?

9 A. No.

10 Q. Did you see anyone else take photographs  
11 when they were on scene?

12 A. No.

13 Q. Has anyone asked you to lie to us in the  
14 statements that you're giving?

15 A. No.

16 MR. SARAYA: Let's back up a little bit  
17 here.

18 Who was the female officer that was  
19 working out when you were there at the district,  
20 do you remember?

21 THE WITNESS: Amy Carraway.

22 MR. SARAYA: Amy --

23 THE WITNESS: Carraway.

24 MR. SARAYA: Carraway?



1 THE WITNESS: Yes.

2 MR. GARDNER: Do you know how the last  
3 name is spelled?

4 MR. KINAS: C-A-R-R-A-W-A-Y.

5 MR. SARAYA: Okay.

6 MR. SARAYA: Did she come out and get in  
7 the pursuit too?

8 THE WITNESS: She worked the office.  
9 She had a duty role.

10 MR. SARAYA: When you're pulling in,  
11 you're in the pursuit, do you hear any of the  
12 radio traffic about shots fired?

13 THE WITNESS: Yes, before us getting in  
14 this turnaround.

15 BY MR. GARDNER:

16 Q. Did you hear it externally as well?  
17 Coming from outside of the car did you hear it?

18 A. Yes. After I heard, "Shots fired," then  
19 I could -- I think I got close enough to where I  
20 could here gunfire, the original shots fired. I  
21 heard an officer come over and say, "Shots fired.  
22 Shots fired."

23 MR. SARAYA: So as you're coming around  
24 this bend here, you're actually hearing the

1       gunfire? Is that what you said?

2               THE WITNESS: Yeah.

3               MR. SARAYA: Okay. You said you came up  
4 here and you see a female undercover (inaudible)  
5 cruiser. You see Sistek somewhere over here on  
6 the side --

7               THE WITNESS: Diving down.

8               MR. SARAYA: -- and you see Brelo up on  
9 the car here?

10              THE WITNESS: Correct.

11              MR. SARAYA: Okay. Did you make note of  
12 anybody else in the immediately area?

13              THE WITNESS: No. There was people in  
14 the area, but I don't remember any of them.

15              MR. SARAYA: Okay.

16              THE WITNESS: I lost my (inaudible).  
17 (inaudible) right on the car (inaudible).

18              MR. D'ANGELO: What was that, I'm sorry?

19              THE WITNESS: I said I (inaudible)  
20 looking.

21              MR. D'ANGELO: Okay.

22              MR. SARAYA: Okay. About how long does  
23 the shooting last? Your interpretation.

24              THE WITNESS: After I shot my --

1 MR. SARAYA: From the time you turned  
2 the corner until everything's said and done.

3 THE WITNESS: Half a minute.

4 MR. SARAYA: This is your  
5 interpretation. That's what I want. You're the  
6 guy there.

7 What does it feel like to you?

8 THE WITNESS: Probably (inaudible).

9 BY MR. SARAYA:

10 Q. Okay. Did you hear anybody make any  
11 type of racial comments afterwards?

12 A. No.

13 Q. Do you feel that this was motivated by  
14 racial --

15 A. Of course not.

16 Q. -- tension?

17 A. Definitely not.

18 MR. SARAYA: Hold on a second. I think  
19 we're missing something.

20 MR. GARDNER: Actually, there is a  
21 (inaudible) I just realized that myself.

22 BY MR. GARDNER:

23 Q. Did you qualify with your weapon this  
24 year?

1 A. Yes.

2 Q. What did you qualify with?

3 A. (Inaudible.)

4 Q. Handgun? Shotgun?

5 A. Yes.

6 Q. Anything else?

7 A. No. We did the taser.

8 Q. You did get a taser?

9 A. I did a taser class, yeah.

10 Q. Did you receive a block of use of force  
11 review?

12 A. Yes.

13 Q. Is your OPOTA up-to-date?

14 A. Yes.

15 MR. GARDNER: Bear with us. We're  
16 making sure we got....

17 MR. SARAYA: I can't think of anything  
18 else here.

19 MR. D'ANGELO: From your presence at the  
20 scene did it appear that other officers were also  
21 scared like you were?

22 THE WITNESS: Yes.

23 MR. D'ANGELO: The other shooting that  
24 you mentioned in 2003, could you give the

1 investigators just a little background of that?

2 THE WITNESS: I was working with a guy  
3 named Mickey (inaudible), and we pulled up to a  
4 scene for a domestic violence in progress with a  
5 male with a gun. Going down Madison to go left  
6 on 98th there's a street called Kirkwood, there's  
7 a corner house there. And I said, "Mickey,  
8 what's the description again?" He said, "White  
9 shirt, blue shorts."

10 And as I stopped on 98th, we got out of  
11 the car with our guns drawn. I said, "Stop,  
12 stop." I turn around. He pointed the gun up in  
13 the air like that and he said, "Fuck the police."  
14 He shot into the air.

15 So Mickey is a little fat short guy. I  
16 was driving that day. I threw the keys back to  
17 Mickey, started chasing him down Kirkwood from  
18 98th almost all the way to 95th. I didn't  
19 realize Mickey fell down and tore up his knee and  
20 his shoulder.

21 So I chased him all the way around a  
22 Baptist church. Finally, Mickey came out on  
23 Madison, cut the guy off like on ninety- -- 95th.  
24 And all of a sudden the guy turned around -- he

1 was running down Madison, I was going down the  
2 opposite side of the street, and he went down I  
3 think it was ninety- -- back down 97th or 6th.  
4 He's running down the street; and Mickey drove  
5 past me, drove up on him. And the guy started  
6 shooting at the zone car. Shot Mickey through  
7 his buttocks.

8 At that time I shot three rounds. I was  
9 -- I'd been running for so -- so long. The  
10 suspect was shot. He shot 12 times at Mickey.  
11 Mickey shot 12 times. I think I shot 3 times.  
12 And he went into a house, and they (inaudible)  
13 must have come. So by that time there was a  
14 million police (inaudible) in the house  
15 (inaudible).

16 MR. D'ANGELO: How would you compare  
17 this experience to that one?

18 THE WITNESS: This is -- I don't cry.

19 MR. SARAYA: That's okay.

20 MR. D'ANGELO: It's understandable.

21 THE WITNESS: After my first shooting I  
22 went to go into the bar that night. This  
23 shooting I -- I had a hard time sleeping. What  
24 the -- what the officers had to go through, I

1 think (inaudible). (Inaudible.)

2 MR. D'ANGELO: You're making me cry.

3 THE WITNESS: (Inaudible.)

4 MR. SARAYA: Do me favor and initial and  
5 put your badge number on that for me, please.

6 THE WITNESS: (Complies with request.)

7 MR. GARDNER: Are there any questions  
8 that we haven't asked that you think we should  
9 have asked? Anything that's important that you  
10 think that we should know?

11 THE WITNESS: I can't even think. You  
12 guys did a good job.

13 MR. GARDNER: Did you guys have any  
14 questions? (No audible response.)

15 MR. SARAYA: We're good.

16 (End of videotaped interview.)

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C E R T I F I C A T E

- - -

STATE OF OHIO :  
  SS:  
COUNTY OF FRANKLIN :

I, Jennifer L. Parish, Registered  
Professional Reporter, do hereby certify that the  
foregoing is a true, correct, and complete  
transcription of the above-mentioned videotaped  
interview of MICHAEL FARLEY to the best of my  
ability.

DATED this 14th day of February, 2013.

\_\_\_\_\_  
JENNIFER L. PARISH, RPR  
NOTARY PUBLIC-STATE OF OHIO

My Commission Expires: November 23, 2014.