



Ohio Bureau of Criminal Identification & Investigation
INVESTIGATIVE REPORT



01/03/2013 REQUEST FOR CLEVELAND POLICE RECORDS

Summary

On Wednesday, January 2, 2013, Special Agent Eric Lehnhart made a second request for records from James Chura, Commander of the Bureau of Special Investigations, City of Cleveland, Ohio Division of Police.

Details

On Wednesday, January 2, 2013, Special Agent Supervisor Dennis Sweet contacted Special Agent Eric Lehnhart via cellular telephone and requested that Special Agent Lehnhart contact Commander Chura to follow up on a previous records request that was initiated approximately one (1) week prior. The original request had not been received and due to the time limitations BCI Agents were approaching, SAS Sweet believed it would be beneficial to reach out to Commander Chura.

On Wednesday, January 2, 2013 at 2:45 PM, the following electronic mail was authored and sent to Commander Chura.

“Commander,
 This morning we attended a meeting in London, Ohio to review our current progress and timeline. Those in attendance asked for us to obtain some additional records and information. I am very aware that you are busy and I respect your time and attention to this additional request. Copies of Internal Affairs (IA) Files for the following Officers;

Paul Box #2526, Michael Brelo #416, Michael Demchak # 1621, Wilfredo Diaz #350, Chris Ereg #767, Michael Farley #409, Cynthia Moore #1277, Erin O'Donnell #1027, Randy Patrick #1580, Michael Rinkus #2182 Brian Sabolik #1021, William Salupo #1969, Scott Sisteck #1395, John Jordan #2227, Alan Almeida #2 Patricia Coleman #9987, and Vasile Nan #2310

Additionally, we would appreciate documentation on the History of Cleveland Police Pursuits (over the past 4 years) that may not have gone according to policy or procedure and/or resulted in discipline. Eventually we will want to compare whether this incident has similar personnel to other pursuits you may have had in the past. Once again, I appreciate your time and effort. “

File Number: SI-18-12-82-1493	File Title: Timothy R. Russell (S) Malissa A. Williams (S)
Case Agent: SA Mark Kollar	Authoring Agent: SA Eric T. Lehnhart <i>E.T.L.</i>
Date of Report: 01/03/2013	Exhibit #: N/A
Investigative Activity: Cleveland Police Records	Supervisor Approval: SAS Dennis Sweet <i>[Signature]</i> JAN 14 2013

This document is the property of the Ohio Bureau of Criminal Identification and Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency.

This e-mail contained Special Agent Eric Lehnhart's electronic signature at the bottom. At 2:56 PM Commander Chura forwarded the electronic mail to Lieutenant Cutlip and Sergeant Carney requesting that the documents be collected and forwarded to him for advancement to the BCI Investigative Team.

On Thursday, January 3, 2013 at 6:33 AM Commander Chura sent a portion of the requested information. The provided information was a Microsoft Spreadsheet containing the Names, Nature of Offense, and Disposition of Vehicle Pursuits that have happened in the previous three (3) years.

At 3:46 PM Commander Chura replied additionally by advising the following:

"SAS Sweet,
The below link has the personnel files that was supplied to the TV stations by the City of Cleveland, Department of Human Resources. The files provided to you on each of the officers were from our Personnel Unit. Access to the Integrity Control Section, Internal Affairs Unit, files are denied at this time. Please continue to contact me should you require any other assistance. Sincerely,"

A response was generated thanking Commander Chura for his effort and an explanation for the denial.

On Friday, January 4, 2013 at 9:30 AM, Cuyahoga County Prosecuting Attorney Timothy McGinty and Assistant Prosecutor Rick Bell met with Special Agent Supervisor Dennis Sweet and members of the BCI Investigative team at the BCI Richfield Northeast Regional Office. During the session, it was determined by the Prosecuting Attorney that the Investigative Team should have the same documentation that the news media had received. A subpoena will be issued by the Prosecutor's Office for the complete personnel files that were originally declined by Commander Chura.

✓
And IA Files

Subject Information

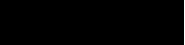
Name: James M. Chura

Address: 

Telephone:

Employment: Bureau Commander, Cleveland Police Department

DOB: 01/30/1962

SSN: 

Sex: Male

Race: White

Height: 5'06"

Weight: 165

Hair: Brown

Eyes: Blue

S/V/W: Witness

CCH: None



Eric Lehnhart

From: Eric Lehnhart
Sent: Wednesday, January 02, 2013 2:45 PM
To: JChura@city.cleveland.oh.us
Cc: Dennis Sweet; Mark Kollar
Subject: * Confidential Law Enforcement Investigatory Record - Not for public or unauthorized disclosure.
Attachments: image003.png
Importance: High

Commander,

This morning we attended a meeting in London, Ohio to review our current progress and timeline. Those in attendance asked for us to obtain some additional records and information. I am very aware that you are busy and I respect your time and attention to this additional request.

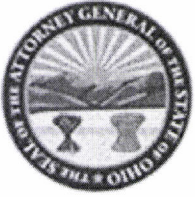
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Once again, I appreciate your time and effort.

Eric T. Lehnhart, MBA, CFE
Sr. Special Agent - Richfield Major Crimes
Office of Ohio Attorney General Mike DeWine
Office number: 330-659-4600 x342
Fax number: 866-502-7763



Cell number: [REDACTED]

4055 Highlander Parkway
Richfield, Ohio 44286

eric.lehnhart@ohioattorneygeneral.gov

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- * Confidential Law Enforcement Investigatory Record - Not for public or unauthorized disclosure.
- * Confidential Attorney - Client Communication - Not for public or unauthorized disclosure.

Recipient

JChura@city.cleveland.oh.us

Dennis Sweet

Mark Kollar

Read

Read: 1/2/2013 2:52 PM



From: Chura, James
Sent: Wednesday, January 02, 2013 2:56 PM
To: Cutlip, Bruce; Carney, Brian; Simon, Robert
Cc: Cumba, Luis A.
Subject: FW: * Confidential Law Enforcement Investigatory Record - Not for public or unauthorized disclosure.
Importance: High

Lt. Cutlip/Sgt. Carney,

Please supply the below requested information to me electronically for forwarding to the BCI Investigative Team.

Thanks,

Cmdr. James M. Chura #6114

Bureau of Special Investigations
Cleveland Division of Police
1300 Ontario Street
Cleveland, Ohio, 44113
216-623-5459

From: Eric Lehnhart [mailto:eric.lehnhart@ohioattorneygeneral.gov]
Sent: Wednesday, January 02, 2013 2:45 PM
To: Chura, James
Cc: Dennis Sweet; Mark Kollar
Subject: * Confidential Law Enforcement Investigatory Record - Not for public or unauthorized disclosure.
Importance: High

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Eric Lehnhart

From: Chura, James <JChura@city.cleveland.oh.us>
Sent: Wednesday, January 02, 2013 3:03 PM
To: Eric Lehnhart
Cc: Dennis Sweet; Mark Kollar
Subject: RE: * Confidential Law Enforcement Investigatory Record - Not for public or unauthorized disclosure.
Attachments: image001.gif

Request received. Working on it.

Cmdr. James M. Chura #6114

Bureau of Special Investigations
Cleveland Division of Police
1300 Ontario Street
Cleveland, Ohio, 44113
216-623-5459

From: Eric Lehnhart [mailto:eric.lehnhart@ohioattorneygeneral.gov]
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To: Chura, James
Cc: Dennis Sweet; Mark Kollar
Subject: * Confidential Law Enforcement Investigatory Record - Not for public or unauthorized disclosure.
Importance: High

Commander,

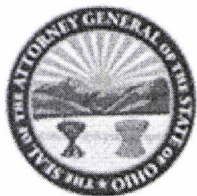
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Eric Lehnhart

From: Dennis Sweet
Sent: Thursday, January 03, 2013 4:21 PM
To: Eric Lehnhart
Cc: Mark Kollar; Steven W. Schierholt
Subject: Re: Personnel Files [REDACTED]

Eric

Email Rick Bell with the appropriate information to prepare a subpoena. He has agreed to facilitate anything we need on this matter. We need to serve the subpoena tomorrow.

Additionally Eric I would like you to print out this email and draft a report and place it in the file.

Dennis

Sent using BlackBerry

From: Chura, James [mailto:JChura@city.cleveland.oh.us]
Sent: Thursday, January 03, 2013 03:46 PM
To: Dennis Sweet
Cc: Eric Lehnhart; Mark Kollar
Subject: FW: Personnel Files, [REDACTED]

SAS Sweet,

The below link has the personnel files that was supplied to the TV stations by the City of Cleveland, Department of Human Resources.

The files provided to you on each of the officers were from our Personnel Unit.

Access to the Integrity Control Section, Internal Affairs Unit, files are denied at this time.

Please continue to contact me should you require any other assistance.

Sincerely,

Cmdr. James M. Chura #6114

Bureau of Special Investigations
Cleveland Division of Police
1300 Ontario Street
Cleveland, Ohio, 44113
216-623-5459

From: Morris, Sammy
Sent: Thursday, January 03, 2013 3:04 PM
To: Chura, James
Cc: Ciaccia, Jennifer
Subject: FW: Personnel Files [REDACTED]

Here are the records that Law released. Just click on the link and you will have access to the PDFs

Sammy Morris, Sergeant
Cleveland Division of Police
Public Information Officer
216.623.5033



Follow Us:



From: Luton, Aaeshah
Sent: Thursday, January 03, 2013 2:59 PM
To: Morris, Sammy
Subject: Personnel Files/Disc File/OPS Files of 13 Officers

<https://www.dropbox.com/████████████████████>

Aaeshah N. Luton, Public Records Assistant
City of Cleveland, Department of Law, Room 106
601 Lakeside Avenue, Cleveland, Ohio 44114-1077
Tel: (216) 664-2868 / Fax: (216) 420-8560
Email: ALuton@city.cleveland.oh.us

Note: For all correspondence sent regarding public records requests, please make sure that you copy Kim L. Roberson, Public Records Administrator at KRoberson@city.cleveland.oh.us. Thank you.

Eric Lehnhart

From: Chura, James <JChura@city.cleveland.oh.us>
Sent: Thursday, January 03, 2013 6:33 AM
To: Eric Lehnhart
Cc: Dennis Sweet; Mark Kollar
Subject: FW: * Confidential Law Enforcement Investigatory Record - Not for public or unauthorized disclosure.
Attachments: image002.gif; image003.gif; Pursuit violations.xls

SSA Lehnhart,

The information relative to pursuits you requested.

Thanks,

Cmdr. James M. Chura #6114

Bureau of Special Investigations
Cleveland Division of Police
1300 Ontario Street
Cleveland, Ohio, 44113
216-623-5459

From: Carney, Brian
Sent: Wednesday, January 02, 2013 4:01 PM
To: Chura, James
Cc: McGrath, Michael; Hennessy, Timothy
Subject: RE: * Confidential Law Enforcement Investigatory Record - Not for public or unauthorized disclosure.

Commander,

Per your request, there was only one officer in the past 4 years that resulted in “discipline” for violation of the pursuit policy (Yasenchack). The remaining officers received non-disciplinary, corrective letters of reinstruction and/or retraining. None of the officers listed below have violated the pursuit policy in the past. Please let me know if I can be of any further assistance.

Sergeant Brian Carney #9066

Office of the Chief / Case Preparation / EEO Officer

Cleveland Division of Police

1300 Ontario St., Cleveland, Ohio 44133

Office: 216.623.5022

Fax: 216.623.5584

Eric Lehnhart

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Sent: Thursday, January 03, 2013 3:46 PM
To: Dennis Sweet
Cc: Eric Lehnhart; Mark Kollar
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Attachments: image001.gif; image002.jpg; image003.gif; image004.gif

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Public Information Officer
216.623.5033



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[https://www.dropbox.com/\[REDACTED\]](https://www.dropbox.com/[REDACTED])

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