



Ohio Bureau of Criminal Identification & Investigation
INVESTIGATIVE REPORT



01/16/13

SUBPOENA SERVICE ON MATTHEW GALLAGHER

Summary

During the investigation into the shooting on November 29, 2012, involving the Cleveland Police Department, a number of officers were interviewed. Matthew Gallagher was working as a sergeant that night, but had been off of work under FMLA leave.

Details

During the interviews of supervisors, a request was made through the FOP leadership to have various supervisors come in for interviews. At the time, it was reported that Gallagher was out on FMLA leave and told the union leadership that he was not available [REDACTED]

In a subsequent meeting, Cuyahoga County Prosecutor Tim McGinty ordered a subpoena be issued.

On Wednesday, January 16, 2013, SA Saraya made contact with the Strongsville Police and asked for a marked unit to standby [REDACTED] Gallagher was not at home, a relative accepted the paperwork on his behalf.

Gallagher later called SA Saraya and was upset that marked cars were at his house. It was explained why they were present. Gallagher was told that [REDACTED] he could schedule an interview at the BCI Richfield office on Thursday or Friday [REDACTED] Gallagher said multiple times that he was on "FMLA". He then asked if he failed to show up if he would be arrested, [REDACTED]

File Number: SI-18-12-82-1493	File Title: Timothy R. Russell (S) Malissa A. Williams (S)
Case Agent: Mark Kollar	Authoring Agent: John Saraya <i>JS</i>
Date of Report: 1/16/13	Exhibit #: 138
Investigative Activity: Gallagher Subpoena	Supervisor Approval: Dennis Sweet <i>[Signature]</i> JAN 31 2013

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[Gallagher Subpoena]

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Gallagher later called SA Saraya back. Gallagher again repeatedly mentioned FMLA and that he had questions. However, every time that SA Saraya tried to respond, Gallagher would talk over him. [REDACTED]

[REDACTED] Gallagher became more agitated and would talk over SA Saraya. SA Saraya told him to either come in Thursday or Friday to be interviewed [REDACTED]. Gallagher then began speaking that he had contacted a lawyer and there may be HIPAA violations and potential legal recourse. SA Saraya told Gallagher that if Gallagher was threatening SA Saraya with legal action the conversation was concluded. SA Saraya again told Gallagher to set up an appointment to be interviewed [REDACTED].

SA Saraya relayed this information to SAS Sweet.

Audio recordings of the first two contacts were submitted to the case file as Exhibit #138.

Subject Information

Name: Matthew Gallagher
Address: [REDACTED] Strongsville, OH 44136
Telephone:
Employment: Cleveland Police Department
DOB:
SSN:
Sex: M
Race: W
S/V/W: W
CCH:
