



Ohio Bureau of Criminal Identification & Investigation
INVESTIGATIVE REPORT



02/04/2013 REPORT RECEIVED FROM CUYAHOGA COUNTY SHERIFF'S OFFICE

Summary

On February 4, 2013 Special Agent (SA) Mark Kollar received a report from the Cuyahoga County Sheriff's Office detectives regarding the ongoing investigation into the officer involved shooting in East Cleveland, Ohio.

Details

On February 4, 2013 Special Agent (SA) Mark Kollar received reports from the Cuyahoga County Sheriff's Office detectives regarding the ongoing investigation into the officer involved shooting in East Cleveland, Ohio. The reports received were as follows:

01/18/13 – Interview of Officer Matthew Gallagher – Exhibit #146

File Number: SI-18-12-82-1493	File Title: Timothy R. Russell (S) Malissa A. Williams (S)
Case Agent: Mark Kollar	Authoring Agent: Mark E. Kollar <i>MK</i>
Date of Report: 02/04/2013	Exhibit #: 146
Investigative Activity: Report Received from CCSO	Supervisor Approval: Dennis Sweet <i>[Signature]</i> FEB 04 2013

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CUYAHOGA COUNTY SHERIFF'S OFFICE

SUMMARY REPORT

INCIDENT CLEVELAND POLICE DEPARTMENT PURSUIT/SHOOTING 11/29/2012

On January 18, 2013, while assigned to Special Investigation in cooperation with the Ohio Bureau of Criminal Investigation and Identification (BCII) and the East Cleveland Police Department (ECPD). Detective Sergeant Jim Ruth and I Detective Sergeant Clifford E. Pinkney were assigned to interview Cleveland Police Department (CPD) Sergeant Matthew Gallagher in the presence of CPD Union representatives Lt. Brian Bentley and Jerry Zarlenga. Also present was Union Attorney Robert Phillips. The Interview took place at 4055 Highlander parkway, Richfield, Ohio 44286.

Synopsis:

Home address: [REDACTED] Strongsville, Ohio 44136

Date of Birth (DOB) 4/13/1973

Cell Phone [REDACTED]

No cell phone use at crime scene and or during incident (photos, videos)

Employed at CPD fourteen (14) years

Current Assignment Sector 2 supervisor 3rd district

Shift C Platoon 3rd shift

Supervisor Lt. Paul Wilson

Days off "P" class

No overtime/no part-time 48 hours prior to incident

Well rested yes

No issues with drugs and alcohol

No medications (current to include the night of the incident)

Corrective lenses-no

Uniform- Standard Class B

Duty Belt-CPD issued Glock 17 Standard equipment

Outer carrier bullet proof vest-

Vehicle number not sure what vehicle he was in on the night of November 29th

Call Sign-3S34

In car camera-no

Spotlight-yes, Emergency Lights-yes, Siren-yes

Radio Channel-3

Vehicle MDT-yes

Certified instructor for OPOTA

2004 or 2005 incident with 7 All Gang ambush, no one shot

DETAILS

Sgt. Gallagher said he was back at the district when he heard Sgt. Shepard call out the pursuit, Sgt. Gallagher said he believes it was after 10:00pm. Sgt. Gallagher said the pursuit left his district and he switched his radio over to channel 2 to hear what was going on. Sgt. Gallagher said the pursuit was headed west so he loaded his equipment and headed out on the road in his vehicle. According to Sgt. Gallagher the pursuit went far west then headed back eastbound towards his district. Sgt. Gallagher stated that he never got personally involved in the pursuit he just blocked off intersections for the pursuing vehicles. Sgt. Gallagher said he did see the suspect vehicle pass by around the area of East 71st and Wade Park. Sgt. Gallagher said the pursuit left the city of Cleveland headed towards the city of East Cleveland and he never left the city or his sector. Sgt. Gallagher stated that he heard over the radio shots fired and the transmissions of the officers calling for EMS at the end of the pursuit at Heritage School.

Sgt. Gallagher said he slowly made his way to Heritage school to see if he could be of any assistance at the scene. Sgt. Gallagher said when he arrived at the scene he believes that he parked on Lee road across from Heritage school. At the crime scene Sgt. Gallagher saw his Lieutenant and was instructed to help put up crime scene tape. Sgt. Gallagher said he noticed a 2nd district officer with a cut on his forehead at the crime scene but he did not know the officers name. Sgt. Gallagher said none of his officers were involved in the shooting and he was at the

crime scene only twenty (20) minutes. Sgt. Gallagher said after the crime scene was secured, he and his officers returned to the 3rd district to answer calls and perform their duties. Sgt. Gallagher said when he was leaving the crime scene the East Cleveland Police Department (ECPD) had arrived and was starting to take over the crime scene. Sgt. Gallagher said he believes that his actions and the actions of the other officers were consistent with the training. Sgt. Gallagher said he heard over the radio Sgt. Mark Shepard from the 3rd district terminate the pursuit. Sgt. Gallagher went on to say that he never exercised any supervisor authority over the pursuit and he never left his sector until the pursuit ended in East Cleveland at the Heritage school.


Detective Sergeant Clifford E. Pinkney