



Ohio Bureau of Criminal Identification & Investigation
INVESTIGATIVE REPORT



12/04/12

CYNTHIA MOORE INTERVIEW

Summary

On December 4, 2012, Cleveland Police Officer Cynthia Moore, who was involved in the shooting on November 29, 2012, was interviewed at the BCI Richfield offices. Also present with the officer was Atty. Patrick D'Angelo, along with Jeff Follmer and Steve Kinas representing the union. The interview was conducted by East Cleveland Police Sergeant Scott Gardner and BCI SA John Saraya.

Patrolman Cynthia Moore was advised of her "Miranda" rights which she waived and consented to speak with investigators.

The interview was video recorded and submitted to the case file as Exhibit #2.

Details

Cynthia Moore is a five-year veteran of the Cleveland Police Department. She is assigned to the 2nd District's "B" Platoon. Her shift is from 1830-0130 with Wednesdays and Thursdays off currently. On November 29, Moore's supervisor was Sgt. Lockwood.

On November 29, Moore said she felt fine and was not taking any medications. Moore was dressed in full police uniform with an external vest. She had on her person pepper spray, expandable baton, Taser, and flashlight. She was carrying a fully-loaded pistol and two extra magazines totaling 46 rounds.

In the past year, Moore had qualified with her handgun and shotgun, and received use of force training.

Moore was in car 217, partnered with Mike Brelo who was driving. This is a fully marked police car, with no dashboard camera. All equipment was in working order.

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: 12/04/12	Exhibit #: 2
Investigative Activity: Moore Interview	Supervisor Approval: Dennis Sweet <i>DS</i>

JAN 09 2013

Moore and her partner were on patrol in the area of 25th and Barber. They heard Officer Nan call out on the radio that he had been shot at. They were behind another Cleveland Police car on the Detroit / Superior Bridge. Moore identified the other police car as being a manned by Officers Seifer and Hummel. Ptl Seifer broadcast on the radio that he had the suspect vehicle. The pursuit engaged and Moore and her partner were second in line. Moore said that they heard radio traffic that the passenger was reaching around inside the car, loading a gun, and pointing a gun. Moore's observation was that the pursuit was "going on and on" and seemed to last "forever". As the pursuit progressed, Moore and her partner fell behind in line. Moore said that everyone was afraid and was being careful, again repeating the radio traffic of guns being pointed at officers. During the pursuit, neither Moore nor her partner broadcast any radio traffic.

Moore said that they were driving with their lights and siren activated. She said that there were times she did not know where they were at. There was a lot of dust on the roadway and the flashing lights made it difficult to see. She knew there were multiple police cars ahead of them now. Moore said they exited the freeway and she was not sure where they were at. Moore said she was busy "clearing intersections" for her partner; making sure no vehicle or pedestrians were going to cross in front of them. Moore identified the driveway to the school. She said as they were pulling in, they heard "shots fired!" on the radio and heard the shots themselves. She said she knew there was a police car next to them, and she saw the suspect vehicle coming at them. Moore saw the suspect vehicle ram the zone car that was next to them. Moore said she could see two subjects in the vehicle and what she thought were guns pointed at her. Moore said she heard shots, and returned fire through the windshield of the zone car. She then exited the zone car, and was standing next to it still firing. She said shots were still being fired and a lot of people yelling. Moore said the shooting was going on, "for forever". Moore said she felt she was being shot at and glass is flying at her also. Moore remembers another officer coming up and her telling him to get the shotgun out of the zone car. She does not remember who the officer was. They were "tucked down behind the zone car" because rounds were coming through the windshield.

When asked what her interpretation was of how long the shooting lasted, Moore said "forever it seemed like." "It wasn't done. It would go on and would continue to go on" and then it finally stopped.

During the pursuit while they were the second car, they did not see any activity inside the suspect car. Moore said they were dazzled by the lights on the cruiser in front of them. Moore felt they were not in a position to see anything had it been tossed out of the suspect vehicle. During the pursuit, the suspect vehicle was not yielding to stop signs. Moore said she and her partner moved slowly through intersections, especially in the residential areas. Moore said that during the pursuit, from her vantage point, no cruiser was getting too close to the suspect vehicle for fear of being shot. She continued that they were not in a position to see if anything was thrown from the suspect vehicle. Moore again stated the original radio traffic was of shots being fired at an officer. Moore continued that during the pursuit when radio traffic stated the suspects were pointing a gun out the window, officers dropped further back. Moore said they never broadcast any radio traffic.

Moore said that the initial description of the vehicle was that it included two black males. Since that time she learned that it was male and female occupants. Moore was given the name of the suspects which were unfamiliar to her. When shown pictures of the suspects they were unfamiliar to her and she did not recall having any prior interactions with either of them.

Moore believed that the suspect vehicle, while trying to escape, did strike the cruiser she and her partner were in. When asked about the lighting in the parking lot, Moore said there were a lot of red and blue flashing lights. She could not say if she thought it was dark or well lit. Moore explained that the zone car lights are bright enough, and she estimated that there were at least seven zone cars present.

Moore said that she recalls hearing a lot of yelling, including the direction of, "Let me see your hands, let me see your hands!" She's unsure if she gave any verbal directions. Moore also noted that there were sirens still on in the immediate area. Moore said it did not look like the occupants of the car were obeying any verbal directions. From her vantage point she could not say if the occupants were doing anything. Moore said that when the suspect vehicle was approaching them, from her vantage point, the occupants of the car were holding their hands in a manner that indicated they were holding a weapon. This was immediately followed by shots being fired in her direction.

While Moore was outside of her cruiser, near the back of the car, she recalls officers Box and Patrick being near her. She knew the two officers came from behind her although she's not sure from where exactly. All three were taking cover behind the police car. Moore was given a diagram of the scene and asked to mark her position. After doing so, she initialed the diagram which was submitted as an attachment.

Moore said that she was prompted to fire by rounds being fired at her. Moore went on that the suspect vehicle was still moving when the rounds began being fired at her. However, Moore did not start shooting until after the suspect vehicle rammed the other zone car. Moore said that at the time, she did not know how many rounds she fired. During the initial investigation by members of the Cleveland Police Department, Moore was told she had fired a total of 19 rounds. She does remember reloading her gun outside of the zone car near the right rear wheel and trunk area. Her point of aim was at the driver, where she believed she had seen a weapon pointed at her. Moore said that she was trying to stay low in her zone car as she fired through her windshield. Because of this, she was unsure where her rounds were hitting. She said she kept her head down so she would not get shot.

Moore believes that her partner was also returning fire from inside of the cruiser before exiting it. Moore did not know if the other two officers that joined her behind the zone car engaged the suspect vehicle either as she was "Trying not to get killed." She further stated she cannot recall seeing any other officer shooting at the suspect vehicle.

When asked if there were any other alternatives to resolve the situation, Moore said "absolutely not." Moore continued, "If there was any other alternative, that was the alternative we would have taken."

[Moore Interview]

[SI-18-12-82-1493]

Page 4

While Moore heard somebody on the radio call for EMS, she does not know who it was.

After the shooting stopped, Moore said that she did recover her magazine and placed it in her pocket. She said she did not remember doing it.

Moore went looking for her partner after the shooting stopped. She was stopped by another officer who told her to check herself for injury. She did not find any injury nor did she find any impacts in her vest.

The atmosphere of the officers after the shooting Moore described as "shock". She went on that no one could believe what had just happened. Officers were checking on each other to make sure they were okay.

Outside of officers asking how she was doing and make sure she was okay, she has not discussed the shooting with anybody else. Moore said that she did not want to talk to anybody else until being interviewed. That night, Moore contacted her fiancé to let him know what happened, so he could take care of their child.

Moore felt that her actions, and the actions of other officers, were consistent with the training they have received.

Moore said that she did not see anyone using a camera or a cell phone camera to take pictures at the scene.

Upon prompting by her attorney, Moore discussed how they had recently received training on shooting out of the patrol car, including shooting out of windows and the windshield. This was described as "Ambush Training" that occurred in October. Moore also offered that she knew supervisors were in the pursuit because they had been broadcasting on the radio.

During the pursuit, in the city area, Moore felt their maximum speed was between 55 and 60 miles per hour.

Moore did say that during the whole turn of events, she was scared.

Subject Information

Name: Cynthia Moore
Address: [REDACTED] Cleveland, OH 44109
Telephone: [REDACTED]
Employment: **Cleveland Police Dept.**
DOB: 07/12/1982
SSN: [REDACTED]
Sex: F
Race: W

[Moore Interview]

[SI-18-12-82-1493]

Page 5

Height: 508

Weight: 125

Hair: Bro

Eyes: Blu

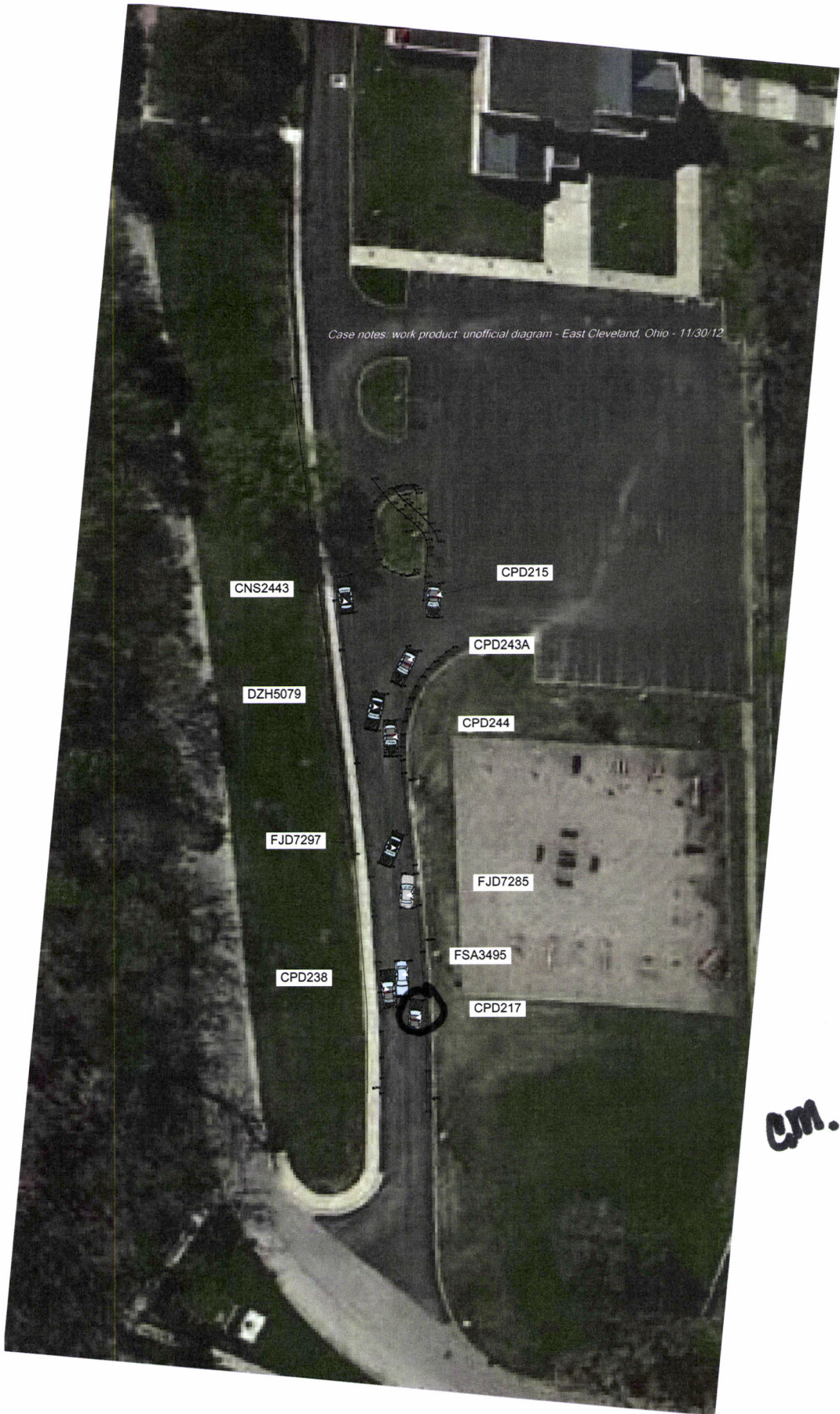
S/V/W: S

CCH:

Circuit Court

12/30/12

314 554-8170



Case notes: work product: unofficial diagram - East Cleveland, Ohio - 11/30/12

C.M.