



Ohio Bureau of Criminal Identification & Investigation
INVESTIGATIVE REPORT



12/12/2012 HUMMEL INTERVIEW

Summary

On Wednesday, December 12, 2012 Cleveland Police Officer James Lee Hummel arrived at 4055 Highlander Parkway in Richfield, Ohio, the BCI&I Richfield Northeast Regional Office for an interview. Also in attendance were Special Agent Jean-Philippe Rigaud, Attorney Patrick D'Angelo, Jeffery Follmer and Steve Kinan of the Cleveland Police Patrolmen's Association.

Details

James Lee Hummel is currently employed by the Cleveland Police Department and is assigned as a Second District Basic Patrol Unit. He has been with the Cleveland Police Department for 12 years and had served 6 years prior with the Cleveland Emergency Medical Service (EMS). He has no specialized police training or Military experience to his credit. Hummel's Ohio Peace Officers Training Commission Certification is current and his last weapons qualification and use of force training was obtained at in-service training around October of 2012. Hummel has been in one previous shooting incident back in January of 2010.

Hummel's shift begins at 8:30 PM and concludes at 6:30 AM, and he has rotating days off in R Class. Although he stated his daily supervision might rotate, he is primarily assigned to Sergeant Martinez. Hummel works no additional police overtime or special details outside of his duties with the Cleveland Police Department. However, he does operate a private heating and cooling company in his off hours. Other than his "cheater" glasses, Hummel stated his overall general health is good and he was not under the influence of any prescribed or non-prescribed medications, drugs or alcohol, either at the time of the interview or the time of the pursuit.

On November 29, 2012, Hummel was wearing his Class B uniform that consisted of cargo pants and vest carrier. His duty belt contained his Glock Model 19 service weapon, two magazines, pepper spray, flashlight, handcuffs and portable radio. His duty magazines were full with 15

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: 12/18/2012	Exhibit #: 23
Investigative Activity: Hummel Interview	Supervisor Approval: SAS Dennis Sweet <i>[Signature]</i> JAN 14 2013

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cartridges each and there is one cartridge in the barrel. Hummel does not possess any personal recording devices.

Hummel was driving marked Cleveland Police Department 243A, a Ford Crown Victoria which displays overhead emergency lights, a spotlight, siren, and mobile two-way radio. This vehicle is absent an In-Car Camera and Mobile Data Terminal (MDT). Dave Siefer was Hummel's partner and Siefer was operating the two-way radio from the front passenger's seat.

Hummel advised that he and Siefer were at the intersection of 45th and Detroit when they heard a radio broadcast from Officer Nan advising listening units that there was an old Chevy firing a gun. Nan advised that he lost the Chevy in the area of Prospect and Huron. As Hummel and Siefer were "cresting the Detroit-Superior Bridge" Hummel saw the suspect vehicle going westbound on the bridge. Hummel advised he immediately activated his overhead lights and siren, turned around and got in behind the suspect who never made an attempt to stop, "So, the pursuit started there."

From the Detroit-Superior Bridge, the pursued vehicle continued down Detroit towards 45th. The suspect continued southbound on 45th to Lorain and then Westbound on Lorain. Hummel stated that as they slowed for the intersections they lost some distance on the suspect vehicle. It was around 65th or 73rd and Lorain when they managed to get close to the fleeing vehicle. The pursuit continued south on 85th where the pursued vehicle began to access I-90 but they chose not to and continued to Clark.

When they made the sharp turn to the right on Quigley they observed the passenger turnaround and point at them out the back window of the vehicle. Hummel states he hits the brakes quickly and makes a move to get over. "It was an oh, shit move." Siefer who was doing all of the radio broadcasting transmitted what the two had observed out of the passenger. The passenger turned around a second time and was actually up on her knees pointing once again. At this point, Graves or Fairchild asked Hummel to turn his spotlight on the vehicle, when the vehicle was lit up, the passenger turned in the seat and was facing forward again.

As the pursuit continued, the pursued vehicle lost control on 72nd and went up the hill. Hummel stated that he believed the chase was over, until the driver regained control and took off again. Winding through the streets in the 5th District, the pursuit eventually went down Euclid to Wymore and into the access road to the school.

The pursuit entered into the Heritage Middle School parking lot. After passing the playground, the pursued vehicle spun out completing a 180 and facing back towards the pursuing police vehicles. Hummel stated once again that he believed that the pursuit was going to end at this point. The pursued vehicle "gunned" his engine and drove up over the parking lot island towards Officer Diaz who was already out of his vehicle. Hummel stated he heard Diaz fire his weapon at the vehicle and Officers O'Neill and Siefer transmit "shots fired". Believing he only heard one shot, the pursued vehicle passes by the officers and proceeds back down the school entrance where it encounters two Cleveland Police vehicles on the west end of the playground.

As the pursued vehicle crashes into the patrol cars Hummel hears the shooting begin. "it was so loud, intense, fast, it sounded like a machine gun going off. I was like wow I could just picture this guy spraying bullets." Hummel drops down behind his vehicle door and then retreats to the back of his patrol car to obtain cover. As Hummel moves towards the pursued vehicle, he sees two vice officers on his right, advancing on the cars. Because these officers were still shooting, Hummel stops and seeks cover from behind one of the vice vehicles until the shooting completely stops.

Hummel makes his way up to the pursued vehicle and notices Officer Diaz on the hood of CPD238 checking the passenger for a pulse. He assists Diaz down from the car and walks around to the other side to view the driver. Hummel then backs away and begins to check on his fellow officers to make sure everyone is alright. Hummel notices at this time that East Cleveland Police have arrived on scene and begin to move Cleveland Officers back to set up a perimeter.

Hummel advised that he found out the following day, via the Cleveland news, that the passenger in the vehicle was a female. He had assumed from the early radio traffic that both occupants were males. He had not recognized the names and to the best of his recollection had never had dealings with either one in the past.

When asked about the overall atmosphere of the scene, Hummel advised that after the chase he was in his own little world. Other officers were commenting to Siefer that he called a good pursuit as they knew exactly where they were. This was Hummel's second police involved shooting in the last two years. He was amazed that neither he nor anyone else was injured in the incident.


Hummel advised that he contacted his wife through his cellular telephone to advise her he was involved in the pursuit and that he was alright. He stated the pursuit was the "topic of conversation" around the department for several days following the pursuit. Hummel provided Agents consent to retrieve the images he took with his cellular telephones camera while on scene.


Although Hummel never sees a weapon, he stated that the actions of the passenger along with the initial radio traffic, led him to believe there was a gun in the vehicle. "I thought someone was going to shoot. It made me duck in the car." He further advised that he believed the actions that he took and the actions of those officers around him were consistent with the training they have received from the Cleveland Police Department.

Hummel was provided overhead aerial photographs to document his location during the final minutes of the pursuit which was added as an attachment to this report. This interview was recorded and added to this file as Exhibit #23.

Subject Information


Name: James Lee Hummel

Address: 
Brunswick, Ohio 44212

Telephone: 

Employment: Cleveland Police Department

DOB: 12/04/1967

SSN: 

Sex: Male

Race: White

Height: 5'06"

Weight: 190

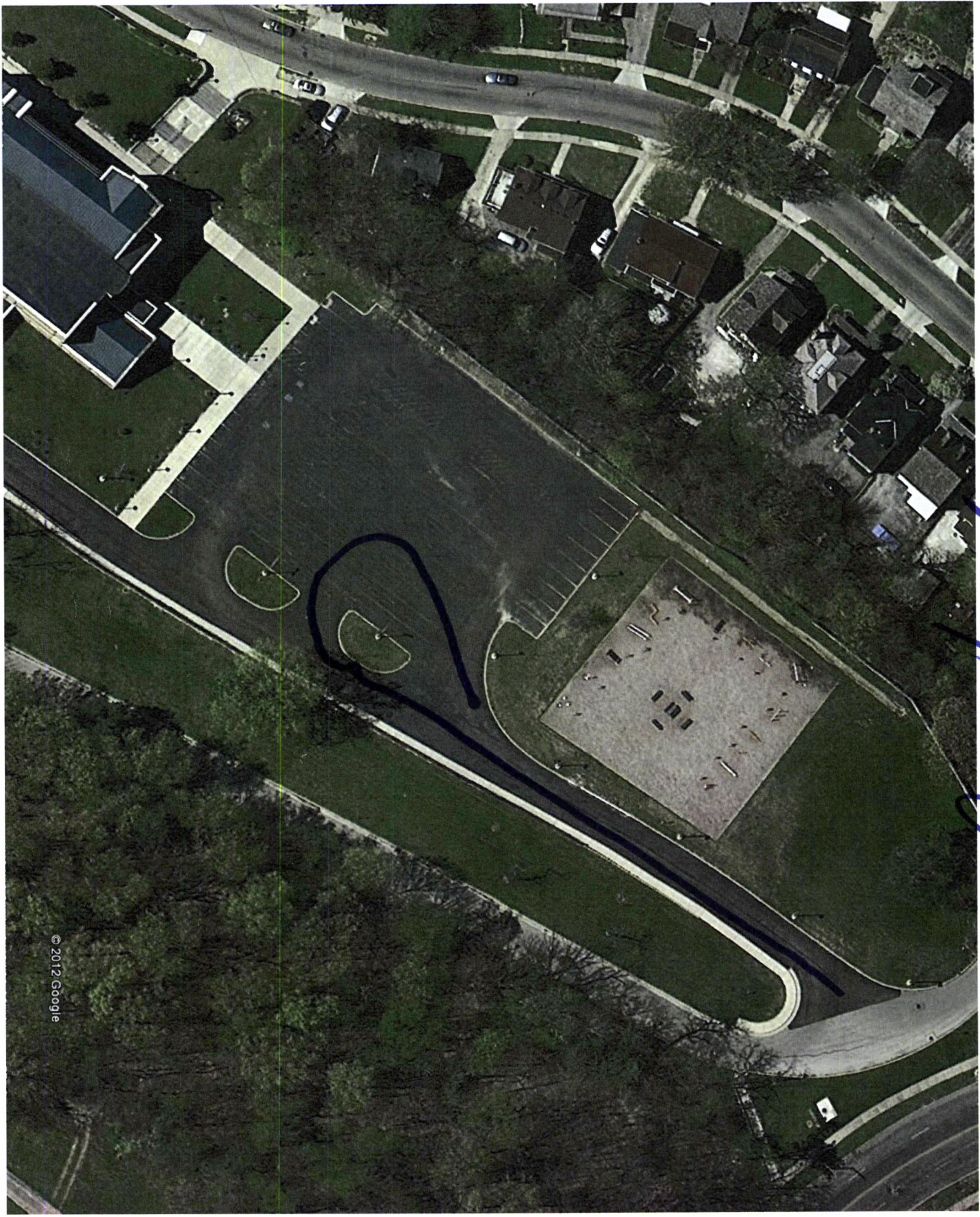
Hair: Brown

Eyes: Hazel

S/V/W: Witness

CCH: None





Jim Hamrick 1038

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



CONSENT TO SEARCH

Date:

Time:

I, James L. Hummel having been informed by S/A Eric T. Connant has identified him/herself as a Peace Officer and or a Law Enforcement Officer, of my Constitutional right to not have a search made, exemplars taken, or evidence seized from me without a search warrant, and having been told of my right to refuse such a search or seizure, hereby authorize the above identified law enforcement officer to:

1. Conduct a search of my computer, further identified as (describe computer in detail include serial number:

Apple iPhone 5 [redacted] 16 63
MEID: [redacted] S/N [redacted]

- a. Said search may include all data contained on the referenced Hard Disk Drive or other storage media contained in the referenced computer and any other storage media which may be located such as but not necessarily limited to floppy disk, zip disk, Personal Data Assistant (PDA), secure media cards smart cards, CD, CDR/W, digital camera media such as compact flash cards, magnetic tape or optical storage devices all other devices, in any format and, whether the data is stored in files, tables, other data structures, or unallocated spaces;
- b. Said search may include production and examination of a duplicate Hard Disk Drive or analysis files which contain all the data on the referenced Hard Disk Drive and or storage media, said duplicates, files, and data becoming the sole property of the Ohio Attorney General's Office – Ohio Bureau of Criminal identification and Investigation.

The above individuals are further authorized by me to take possession of any stolen property, implements of a crime, instrumentalities, or other property or data which may have been used, obtained, or possessed in violation of law of Ohio, any other States, or of the United States, and any physical evidence which is believed to be evidence of a suspected criminal offense known or unknown at the time; or any items that are believed to be relevant to the investigation of a suspected criminal offence

This written permission is being given by me to above named Social Guard voluntarily and without threat or promises of any kind, and is given with my full and free consent.

JAMES L. HUMMEL
Person Granting Consent (name/print)

James L. Hummel
Person Granting Consent (signature)

Person Granting Consent (name/print)

[redacted]
Brunswick, Ohio 44212

Person Granting Consent Address

December 04, 1967
Person Granting Consent (date of birth)

S/A Eric Connant
Witness/Title (name/print)

S/A Eric T. Connant
Witness/Title (signature)

Witness/Title (name/print)

Witness/Title (signature)