



Ohio Bureau of Criminal Identification & Investigation
INVESTIGATIVE REPORT



12/12/2012 INTERVIEW OF CPD OFFICER ROWLAND C. MITCHELL

Summary

On December 12, 2012 at 11:00 am, S/A Eric Lehnhart and S/A Jean-Philippe Rigaud met with Cleveland Police Officer Rowland Mitchell (DOB: 10/14/63, of [REDACTED], Cleveland Ohio, 44120, Ph. # [REDACTED] (cell)). The meeting occurred in Ohio Peace Officer Training Academy Room C113 at 4055 Highlander Parkway, Richfield, Ohio 44286. The purpose of the meeting was to gather a statement from Mitchell regarding the Cleveland Police Department officer involved shooting.

Details



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The following were also present for the interview:

- Attorney Patrick A. D'Angelo (2000 Standard Building, 1370 Ontario Street, Cleveland, OH 44113 Ph. 216-496-0664)
- Cleveland Police Patrolmen's Association President, **Jeff Follmer**, and Vice-President, **Steve Kinas** (1303 West 58th Street, Cleveland, OH 44102 Ph. 216-631-8455)

Lehnhart read Mitchell his Miranda warnings. Following this, Mitchell stated these facts:

Mitchell is assigned to the second district Vice Unit. He has rotating days off. His normal hours are 1800-0200 hrs. His normal days off are Saturday and Sunday. He has been with Cleveland Police for twenty-two (22) years. His supervisor is Sergeant Patricia Coleman. He is a certified police officer by the Ohio Peace Officer Training Academy. Mitchell re-qualified with his

File Number: SI-18-12-82-1493	File Title: Timothy R. Russell (S) Malissa A. Williams (S)
Case Agent: Mark Kollar #142	Authoring Agent: SA J. Rigaud 
Date of Report: December 12, 2012	Exhibit #: 21
Investigative Activity: Interview of Rowland C Mitchell	Supervisor Approval: Dennis Sweet 

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firearm with Cleveland Police Department recently this year. He also completed his Use of Force training at the same in-service.

Mitchell stated that he felt rested at this time.

Mitchell denies any use of drugs, alcohol, or prescription medication at this time as well on November 29, 2012. He uses corrective lenses for reading.

Mitchell described his standard uniform as 'soft clothes', shirt, jeans, and a jacket. Mitchell stated that the following equipment was on his person the evening of November 29, 2012:

1. City issued firearm (Glock 17)
2. One additional magazine- full 17 rounds
3. Handcuffs

Mitchell stated he has specialized training in narcotics through the Cleveland Police Academy. Mitchell denied the use of any personal recording devices, including his personal cell phone, for audio or video of the November 29, 2012 incidents.

Mitchell stated that on November 29, 2012:

- He was partnered with Cleveland Police Officer Detective Graves in an unmarked detective vehicle, a Ford Taurus.
 - Graves was the driver of the vehicle.
 - The vehicle contained no dash camera or Mobile Data Terminal
 - The vehicle had a mounted radio as well as a hand-held radio.
 - The vehicle is believed to have a vehicle locator
 - They would listen to radio channel 2 and Tac 2
 - Lights and sirens operated properly in the vehicle.
- Mitchell said his call sign was 2V81.
- Mitchell stated that they first became aware of the pursuit because of a radio broadcast from an officer who heard a shot from a vehicle. The officer stated he was attempting to pull the vehicle over. The vehicle's last direction of travel was westbound on Superior Bridge.
- Mitchell stated he and Graves were at 25th and Detroit. Mitchell stated they believed the vehicle had already passed 25th Street so he stated they drove westbound on Detroit only to find the suspect vehicle coming from behind them.
- Mitchell stated that Graves drove their vehicle in front of the suspect vehicle in an attempt to force the vehicle over. Mitchell stated that the suspect vehicle accelerated and would not stop.
- Mitchell stated that at 45th and Detroit the suspect vehicle suddenly turned south. Graves was unable to make this turn so Mitchell stated they turned at 48th Street and paralleled the pursuit going southbound.
- Mitchell stated that at Lorain the suspect vehicle went westbound. Mitchell stated that from Lorain they joined in the line of police cars.

- Mitchell stated the suspect vehicle then turned onto 85th Street where the suspect vehicle went southbound as if headed toward the freeway.
- Mitchell stated that the suspect vehicle did not go on the freeway, possibly due to a tow truck on the ramp. The suspect vehicle continued onto Clark heading east.
- Mitchell stated his car was possibly 5 city blocks from the suspect vehicle at this point behind other police cars in the pursuit.
- Mitchell stated that at Clark and Quigley, the suspect vehicle turned right and headed towards the steel yard. The suspect vehicle continued up the hill and turned west onto 14th. The suspect vehicle then went onto I-90 East.
- Mitchell stated that he and Graves pulled off at 90th and Superior while the pursuit continued.
- Mitchell stated that they continued paralleling the pursuit eastbound on St. Clair and the thru streets. They also monitored the pursuit by the radio traffic.
- Mitchell stated that radio traffic told them that the suspect vehicle got off on 72nd.
- Mitchell stated that they were on 71st and pulled out. Mitchell stated they were again in front of the suspect vehicle. Mitchell stated that Graves kept trying to force the vehicle over again but it would not stop.
- The suspect vehicle then turned south on 68th. Mitchell stated that they were able to make the turn onto 68th as well; however, their vehicle was blocked by cars in the parking lane.
- Mitchell stated they fell in behind the other pursuing police cars. He stated they shadowed the vehicle pursuit until around Terrace.
- Mitchell stated that as they were pulling up on Terrace by the driveway to the school, they heard radio traffic of "shots fired...shots fired". Mitchell stated that they stopped at the entrance of the road to the school by the first house. Mitchell stated they ran up the hillside toward the school parking lot.
- Mitchell stated that as they ran up the hill, they could hear the last series of shots ring out.
- Mitchell stated that he fell as he ran up the hill but did not injure himself.

S/A Lehnhart then showed Mitchell three (3) photographs from the shooting scene at the school parking lot. Lehnhart explained the photographs to Mitchell. Lehnhart then asked Mitchell to use the photographs to show where his vehicle was parked on Terrace. Mitchell also used the photographs to show where they ran up to the parking lot.

- Mitchell stated that during the pursuit he heard radio traffic from Sergeant Coleman. Coleman transmitted that the passenger kept motioning down towards the floor.
- Mitchell also remembers another transmission regarding the suspect vehicle losing a tire.
- Mitchell stated that after the shots were all over, he did look into the suspect vehicle. He stated he believed the occupants were both males. Mitchell stated that he did not know otherwise until the news the following day. He also stated he did not know either of the suspects prior to the pursuit.
- While on scene at the school, Mitchell stated that Detective Sowa from the Cleveland Police Homicide Unit had officers move away from the area. He remembers them starting to put up crime scene tape. Mitchell stated that officers were asked to divide into groups of shooters and non-shooters on the playground area.

- Mitchell stated that shortly after the shooting, East Cleveland Fire Department and EMS showed up.
- Mitchell stated that in regards to the lighting, it was dark as he ran up the hill but the scene where the vehicles were had good lighting.
- Mitchell did not hear any verbal commands from his location at the school.
- Mitchell stated that he was not injured at all from this shooting.
- Mitchell stated he did not hear any officers throughout the incident make any racial comments.
- Mitchell stated that he did believe his actions were consistent with his training. Mitchell also stated that all other officers' actions which he was able to observe were also consistent with training.
- Mitchell stated that he did not use his cell phone to record anything from the incident nor did he observe anyone else doing so.

Attorney D'Angelo asked Mitchell if he had pulled his weapon at any point in this incident. Mitchell stated that he did during their initial interaction with the suspect vehicle when it was riding close to their bumper. Mitchell stated that as the suspect vehicle pulled up some on his side of their vehicle, he pulled his gun from the holster and into the low ready position. D'Angelo asked Mitchell why he would pull his gun while he was in the car. Mitchell stated that he did because of the initial broadcast of a shot fired from this vehicle, the subsequent chase, and the fact that the suspect vehicle refused to pull over after numerous opportunities were given for it to.

Mitchell further stated that, at this point, when the suspect vehicle had pulled closer to his side, he was not sure what the subjects in the vehicle would or would not do. Mitchell stated that he then lowered his window and had his weapon out of the holster in the low-ready position. Mitchell did not want the suspect vehicle to pull up next to him and not have his weapon out.

Mitchell also took his gun out when they had pulled up on Terrace and began running to the parking lot. He re-holstered after he fell on the ground and all the shooting had stopped.

D'Angelo asked Mitchell about other radio transmissions from officers regarding the passenger pointing what appeared to be a gun. Mitchell stated that he did hear such radio traffic around Quigley and Clark streets regarding the passenger turning around from the front seat and pointing something towards the back window. Mitchell stated that these transmissions also caused him to be further prepared for what could come from the circumstances.

D'Angelo also asked Mitchell about his supervisor, Sergeant Coleman's, radio transmissions and the tone in her voice. Mitchell also stated that the voice of Sergeant Coleman was elevated and excited during her radio broadcasts during the pursuit. Mitchell stated that he believed she wanted officers to know the potential threat of a firearm in the suspect vehicle.

D'Angelo asked Mitchell if his twenty-two years of experience caused him to reach any conclusions regarding the occupants of the vehicle. Mitchell stated that he assumed that there was something seriously wrong from the suspects' ongoing actions. Mitchell further stated that it

was clear to him that the vehicle was not going to stop. Mitchell stated that a normal person would have stopped. Mitchell stated that since the occupants failed to do so, they had to assume that the suspects may possibly have weapons or that the encounter was not going to end well.

S/A Lehnhart concluded the interview by asking Mitchell if he was in fear of his safety and that of other officers during this pursuit. Mitchell stated that he most definitely was concerned for his and other officers' safety.

S/A Rigaud requested that Mitchell sign the one (1) photograph he used to identify where they stopped their car on Terrace. Mitchell signed it and the interview was ended.

S/A Rigaud submitted the following item into the case file as Exhibit #21.

- One (1) CD of video recorded interview of MITCHELL.

S/A Rigaud submitted the following document as an attachment:

- One (1) printed photograph marked and signed by MITCHELL.

Subject Information

Name: ROWLAND C MITCHELL
Address: [REDACTED] Cleveland OH 44120
Telephone: [REDACTED] (personal cell phone)
Employment: Cleveland Police Department
DOB: 10/14/63
SSN: [REDACTED]
Sex: M
Race: B
Height: 5'09"
Weight: 250
Hair: BLACK
Eyes: BROWN

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S/V/W: W

CCH: None

