



Ohio Bureau of Criminal Identification & Investigation
INVESTIGATIVE REPORT



12/12/2012 INTERVIEW OF DYMPHNA O'NEILL

Summary

On Wednesday, December 12, 2012, Cleveland Police Officer Dymphna M. O'Neill arrived at 4055 Highlander Parkway in Richfield, Ohio, the BCI&I Richfield Northeast Regional Office for an interview. Also in attendance were Sergeant James Ruth, Attorney Patrick D'Angelo, Jeffery Follmer and Steve Kinas of the Cleveland Police Patrolmen's Association.

Details

Dymphna O'Neill is currently employed by the Cleveland Police Department and is assigned as a Second District Basic Patrol Unit. She has been with the Cleveland Police Department for 15 years. She has no specialized police training or Military experience to her credit. O'Neill's Ohio Peace Officers Training Commission Certification is current and her last weapons qualification and use of force training was obtained at in-service training in 2012. O'Neill has been in one previous shooting incident, back in 1999 at the Tree House.

O'Neill is part of B Platoon, and she has rotating days off in V Class. Lieutenant Ketterer supervises O'Neill. In addition to her normal Cleveland Police Department assignment, O'Neill also works part time details for the Cleveland Indians during baseball season. Other than her contact lenses, O'Neill stated her overall general health is good and she 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, O'Neill was wearing her Class B uniform. Her duty belt contained her service weapon, magazines, pepper spray, handcuffs and radio. O'Neill does not possess any personal recording devices.

O'Neill was the passenger in marked Cleveland Police Department 215, a Dodge Charger which displays overhead emergency lights, a spotlight, siren, and mobile two way radio and Mobile

File Number: SI-18-12-82-1493	File Title: Timothy Russell (s) Malissa Williams (s)
Case Agent: SA Mark Kollar	Authoring Agent: SA Eric T. Lehnhart <i>E.T.L.</i>
Date of Report: 12/20/2012	Exhibit #: 56
Investigative Activity: O'Neill Interview	Supervisor Approval: SAS Dennis Sweet <i>DS</i>

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Data Terminal (MDT). This vehicle is absent an In-Car Camera. Wilfredo "Freddy" Diaz was O'Neill's partner for the night.

O'Neill stated that she and her partner were responding to 25th and Clark for a code 1 for shots fired. As they were traveling eastbound on Clark there was a vehicle heading westbound at a high rate of speed. At 44th and Carlyle they stopped the vehicle to make contact. While out on this traffic stop, they hear Officer Nan "screaming" shots had been fired and to let channel 3 know. They release the driver from the vehicle stop and O'Neill calls to Channel 3 that Channel 2 had an officer with shots fired. O'Neill and Diaz immediately responded to the area where the suspect was reported and was able to get into the chase. O'Neill believed that they were 6 or 7 vehicles back in the pursuit somewhere in the area of 85th and Lorain. They remained in that position for most of the pursuit.

When the pursued vehicle made a move to cut through the parking lot of Happy's Pizza, O'Neill and Diaz became lead in the pursuit. O'Neill stated it was dark and she could not observe anything that the passengers were doing and didn't see if there was anything thrown from the vehicle. O'Neill, who stated she was unfamiliar with the area, advised that a fellow officer broadcast they were at the water treatment plant. "I was very frustrated, because I didn't know where I was at." Another broadcast stated "Be careful it's a dead-end, it's a dead-end." As the pursued vehicle got to the island it flips around. Diaz hits the pursued vehicle and both O'Neill and Diaz exit their patrol vehicle. "I thought we had them, because he clipped them pretty good." For an unknown reason their patrol vehicle began to roll backwards and O'Neill jumped back into the vehicle to put it in park. "As I put it in park, I hear shots fired. I thought it was the suspect shooting. I'm not entirely sure because I can't see." O'Neill thought she heard three or four shots fired. Both get back into the vehicle to follow the pursued vehicle as it began to take off again, as Diaz is turning the patrol vehicle around, the shooting starts down the driveway. O'Neill remembers Diaz yelling at her to get down.

Once the shooting began, O'Neill jumped back into her patrol vehicle and stayed there until the shooting stopped. She never discharged her weapon. As the shooting stops O'Neill begins to make her way toward the pursued vehicle. She advised that she could see officers on the ground and described it as being "horrible". Eventually O'Neill made it up to the pursued vehicle and advised that another officer was checking on the occupants. But to her, there was not much she could do as was apparent the occupants were deceased. According to O'Neill, Diaz, who was a former Emergency Medical Technician, tried to attend to the passenger who they thought was a male.

After the scene became secured, O'Neill advised that she and Diaz began talking. Diaz advised O'Neill that he had fired at the pursued vehicle. O'Neill stated "That's when I realized it was Freddy shooting and not them." Other than her partner, the only other people O'Neill had spoken to was the union officials.

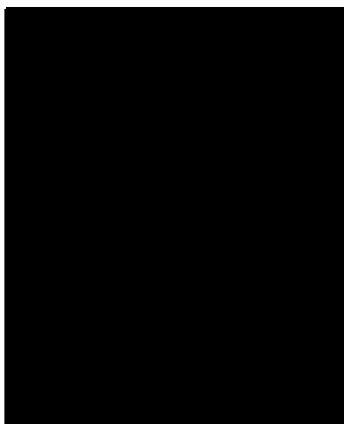
O'Neill advised that she did not use her cellular telephone to call, text, or take pictures while she was on scene. She also advised that she did not observe any other officers using their phones.

She was provided overhead aerial photographs to document her location during the final minutes of the pursuit. This was made an attachment to this report.

This interview was audio/video recorded and the disk added to the file as Exhibit #56.

Subject Information

Name: Dymphna M. O'Neill
Address: [REDACTED]
Cleveland, Ohio 44111
Telephone: [REDACTED]
Employment: Cleveland Police Department
DOB: 11/12/1962
SSN: [REDACTED]
Sex: Female
Race: White
Height: 5'10"
Weight: 145
Hair: Blond
Eyes: Blue
S/V/W: Witness
CCH: None



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



Donnell #1503
12/12/12