



Ohio Bureau of Criminal Identification & Investigation
INVESTIGATIVE REPORT



12/20/2012 REPORTs RECEIVED FROM EAST CLEVELAND P D

Summary

On December 20, 2012 Special Agent Brenda McNeely received reports from the East Cleveland P D detectives regarding the ongoing investigation into the officer involved shooting in East Cleveland, Ohio.


Details

On December 20, 2012 Special Agent Brenda McNeely 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 are listed as follows:

12/17/12 – Interview of Jennifer O'Malley, dispatcher, Cleveland Police – Exhibit #108

12/18/12 – Interview of Officer Roland Brown, Cleveland Police – Exhibit #110

All interviews have been recorded and have been placed in the file as Exhibits #108 and 110.

File Number: SI-18-12-82-1493	File Title: Timothy R. Russell (S) Malissa A. Williams (S)
Case Agent: Mark Kollar	Authoring Agent: Brenda McNeely <i>Bm</i>
Date of Report: 12/21/2012	Exhibit #: 108 and 110
Investigative Activity: Reports Received from East Cleveland Police Detectives	Supervisor Approval: Dennis Sweet JAN 17 2013 

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EAST CLEVELAND POLICE DEPT
SUPPLEMENTARY REPORT

OFFENSE/INCIDENT: HOMICIDE/OFFICER INVOLVED SHOOTING

LOCATION: 14410 TERRACE ROAD, EAST CLEVELAND, OHIO 44112

Additional details of offense or accident program of investigation, etc.

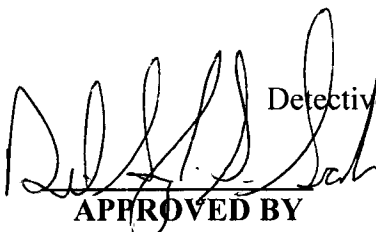
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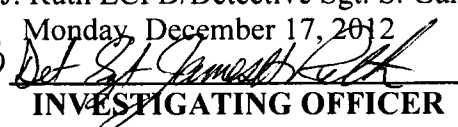
12/17/2012 CLEVELAND POLICE OFFICER INVOLVED SHOOTING DOO: 11/29/12

On December 17, 2012 Detective Sgt. James Ruth (ECPD) and Detective Sgt. Scott Gardner (ECPD) met with Dispatcher Jennifer O'Malley (CPD) along with her Union President (Charlie McGeever). O'Malley was advised Investigators were doing a Criminal Investigation and not an Internal. O'Malley acknowledged she understood and stated she would speak with us. Investigators advised O'Malley we would be speaking with her concerning her running a license plate for a Vice Officer named John Jordan and her involvement concerning the shooting that took place on November 29, 2012 in the area of 14410 Terrace Rd. East Cleveland, Ohio 44112.

Investigators asked O'Malley how many years has she worked for Cleveland Police. O'Malley stated she has been dispatching with Cleveland for 13 years and is assigned to 2nd shift 1430-2230. Investigators asked O'Malley for her address, date of birth and phone number. O'Malley stated she lives at [REDACTED] Berea, Ohio 44017, her date of birth is 12/30/77 and her phone number is [REDACTED]. Investigators asked O'Malley what location is she located while dispatching. O'Malley stated she dispatches from the main dispatch headquarters located at 2109 Payne Cleveland, Ohio.

Investigators asked O'Malley to tell us why she sounded concerned on the radio about Officer Jordan running a license plate which was later to be the same car of the officer involved shooting. O'Malley stated Officer Jordan was over by the homeless shelter and wanted to verify he was undercover and he was by himself. Investigators asked O'Malley how she knew Jordan was by himself. O'Malley stated she knew this by his call sign. Investigators asked O'Malley if Officer Jordan ever called on the phone concerning the license plate or the car. O'Malley stated no. Investigators asked O'Malley if it was typical for undercover cars to conduct traffic stops. O'Malley stated all the time. O'Malley stated Jordan only wanted car information and never stopped it. Investigators asked O'Malley what channel she worked on the night of the incident. O'Malley stated she was working on channel #3 during her shift on November 29, 2012 but they (dispatchers) are trained to work the whole city. Investigators asked O'Malley if she was able to hear radio traffic relative to the pursuit. O'Malley stated at the end there was a short period when a 2nd District car radioed that they were chasing a car in the 3rd. Investigators asked O'Malley stated she had to monitor both channels so she could advise her 3rd District cars what the 2nd District cars were doing. Investigators asked O'Malley if there is a pursuit in the 2nd District how are they notified. O'Malley stated they are notified by the District the


APPROVED BY

Detective Sgt. J. Ruth ECPD/Detective Sgt. S. Gardner ECPD
Monday, December 17, 2012

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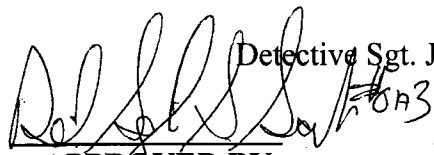
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12/17/2012 CLEVELAND POLICE OFFICER INVOLVED SHOOTING DOO: 11/29/12

pursuit is in. Investigators asked O'Malley what she heard on the radio relative to the pursuit.

O'Malley stated she had two Detectives were at prospect and following the suspect car. O'Malley stated she heard a zone car key up and say the suspect car fired at one of the zone cars. O'Malley stated she heard the location of the suspect car and broadcasted it over the radio to her cars. O'Malley stated one of her zone cars got behind the suspect car and she heard her sector supervisor (Mark Sheppard car 3S23) call off the pursuit. O'Malley stated she heard the pursuit go into the 1st District. O'Malley stated once the pursuit was out of her area she handed the dispatching over to another dispatcher. O'Malley stated she heard Sgt. Peters (9604) also call off the pursuit. Investigators asked O'Malley why Sgt. Peters had a different call sign. O'Malley stated Sgt. Peters is in charge of the DSU (downtown service unit). Investigators asked O'Malley if she made the connection between the car Officer Jordan ran earlier and the pursuit. O'Malley stated she did make the connection. Investigators asked O'Malley in what time frame did she make the connection concerning the car Jordan ran and the pursuit. O'Malley stated she did not make the connection until last week. Investigators asked O'Malley if she had made or received any text messages, pictures from any of the officers or dispatchers regarding this incident. O'Malley stated no. Investigators asked O'Malley if she was assigned to any special unit while dispatching. O'Malley stated no and that she is assigned to the all 3rd District radio traffic. Investigators asked O'Malley if it was normal for Officer Jordan to call in plates. O'Malley stated yes and that DSU is always in the area of the homeless shelter. Investigators asked O'Malley if she remembers Officer Jordan doing a traffic stop while as a one man unit. O'Malley stated Jordan has done traffic stops before and believes he has done them as a one man unit. Investigators asked O'Malley if there was anything else she would like to add to her interview and she stated no.

Investigation Continues...


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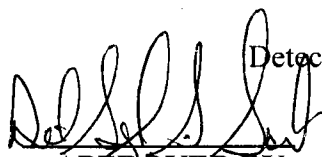
12/18/2012 CLEVELAND POLICE OFFICER INVOLVED SHOOTING DOO: 11/29/12

On December 18, 2012 Detective Sgt. James Ruth (ECPD) and Detective Sgt. Scott Gardner (ECPD) met with Officer Roland Brown (CPD) badge #637 along with his attorney (Pat D'Angelo) and Union Representative (Steve Kinas). Brown was read his Miranda Warning which he acknowledged and stated he understood them. Brown was asked that having his rights in mind would he speak with us concerning the officer involved shooting that took place on November 29, 2012 in the area of 14410 Terrace Rd. East Cleveland, Ohio 44112. Brown stated yes he would speak with us.

Investigators asked Brown to give us some general information about him. Brown stated he lives at [REDACTED] in Cleveland and his date of birth is 3/30/71. Brown gave us his cell phone number as [REDACTED]. Brown stated he has been with the Cleveland Police Department for 17 years and assigned to the 3rd District and his Supervisor is Lt. Wilson and Sgt. Gallagher. [REDACTED]

[REDACTED] and does not wear any type of corrective lenses. Brown states he was wearing the class B uniform and was carrying departmental issued equipment. Byrant stated his partner was Scott Alridge who was driving on this night. Brown stated they had no type of recording device with them. Brown stated on the night of this incident they were in car 312 call sign 3A32, their car radio was on channel #2 and there portable was on channel #3. Investigators asked Brown if he had been involved any other officer involved shootings. Brown stated no. Investigators ask Brown if he has any type of specialized training. Brown stated he has training in Crisis Intervention. Brown stated he has prior military (Army) experience from 1989-1993. Investigators asked Brown if he had any prior discipline. Brown stated he had two incidents that were dismissed. Brown stated one was for not submitting a report and the other was for mishandling property. Investigators asked Brown to tell us how they first became involved in this incident and describe in detail their involvement in the pursuit.

Brown stated they had just finished up at the Justice Center and were going to refuel. Brown stated he heard a Cleveland car broadcast on the radio that a 2nd District car was following a car downtown. Brown stated that is when they switched their car radio to channel #2 and put there portable on channel #3. Brown stated he heard the zone car was following the car because it had just fired a shot near the Justice Center. Brown stated they were in the area of E.40th and St. Clair when they heard the broadcast about the shot. Brown stated they continued onto refuel. Brown stated after refueling they headed back toward the district to finish some reports.


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Brown stated he heard on the radio that the car was on the freeway heading back into their district. Brown stated they then hovered in the area of E.55th but when the car didn't get off at E.55th they went to Superior. Brown stated he heard the chase went into the 5th district so they stayed in the area of E.55th and Superior. Brown stated when the chase came back toward them they began to parallel. Brown stated they ended up in East Cleveland as they paralleled and ended up on Terrace Rd. when the shots were fired which they heard outside not on the radio.

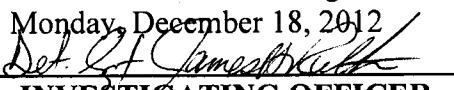
Investigators asked Brown what type of broadcast they heard on the radio at the time of the shots being fired. Brown stated he heard almost at the same time the shots outside and the broadcast of the shots being fired. Brown stated they parked on Terrace Rd. near the front of the school. Brown stated there must have been a dozen other police cars parked on Terrace Rd. Brown stated a short time later he heard on the radio "send EMS" and then there were no other broadcast. Brown stated he didn't know if an officer was hurt so they went up to the scene.

Investigators asked Brown once he was up at the scene what did he see. Brown stated he saw someone putting away a patrol rifle and someone else putting away a shotgun. Brown stated other than that, it was a subdued scene. Investigators asked Brown if he ever broadcasted on the radio or if he saw the suspect auto. Brown stated they never broadcasted on the radio but did see the suspect auto when it passed them on E.71st while they were sitting on Superior. Brown stated the suspect's car must have been going between 70-80 m.p.h. Investigators asked Brown if he was aware of the suspect's description. Brown stated he was aware of the suspect's car description but not the suspects. Brown stated he heard there were two occupants in a late model Chevy. Investigators asked Brown if he had any prior knowledge of the suspects Timothy Russell or Malissa Williams. Brown stated he found out the names later but never had any type of interaction with the two. Investigators asked Brown to describe the lighting in the parking lot. Brown stated it was a dark parking lot and that East Cleveland is dark period. Investigators asked Brown if he heard any verbal commands when he came on scene. Brown stated no. Brown stated Sgt. Gallagher came on scene got some crime scene tape and he helped Sgt. Gallagher. Brown stated after helping Sgt. Gallagher they returned to their zone car and went back on the air. Investigators asked Brown if he heard EMS being called. Brown stated yes but could not tell us who or what channel it came over. Investigators asked Brown if he saw anyone moving anything around the crime scene while


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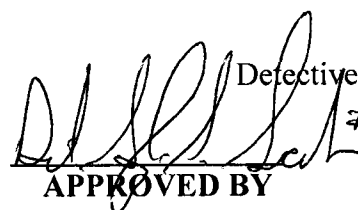
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he was there. Brown stated no. Investigators asked Brown if he saw anyone with injuries. Brown stated only the occupants in the vehicle. Investigators asked Brown if he heard any officer make any statements. Brown stated no. Investigators asked Brown if he had any conversation with anyone about this incident. Brown stated he spoke to his original partner advising him that there had been a shooting and all officers were okay. Investigators asked Brown if he ever heard gun shots or if he had seen any type of gun or object discarded from the vehicle. Brown stated no. Investigators asked Brown if he felt his actions and the actions of his fellow officers were consistent with training. Investigators asked Brown if he ever used his cell phone while on scene to call or take pictures. Brown stated no. Investigators asked Brown if he ever received any text or pictures from any other officers from the crime scene. Brown stated no. Investigators asked Brown if anyone has asked him to lie or otherwise try to influence his statement to us. Brown stated no. Investigators asked Brown if he heard any racial comments made while on scene. Brown stated no. Investigators asked Brown if there were any other questions we did not ask he felt was important. Brown stated no and the interview ended.

Investigation Continues...


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Det. Sgt. J. Ruth #0173

Monday, December 18, 2012


INVESTIGATING OFFICER