



Ohio Bureau of Criminal Identification & Investigation
INVESTIGATIVE REPORT



12/28/2012

REPORT RECEIVED SGT. JAMES RUTH

Summary

On December 19, 2012 Sgt. Scott Gardner and Sgt. James Ruth met officers of the Cleveland Police Department. This interview took place at 4055 Highlander Parkway Richfield, Ohio 44286.

Details

On December 19, 2012, Sgt. Gardner and Sgt. Ruth met with Ofc. Douglas O'Neill at the BCI Richfield Office. O'Neill was interviewed in regard to his participation in the officer involved shooting that occurred on November 29, 2012.

Sgt. Ruth reduced the interviews to writing for submission to the case file.

The interview was video recorded. The recording and any associated documentation were submitted to the case file Exhibit #111.

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: 12/28/12	Exhibit #: 111
Investigative Activity: Report received from ECPD - Sgt. Ruth	Supervisor Approval: Dennis Sweet <i>[Signature]</i> 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.

PAGE 1 OF 2

12/19/2012 CLEVELAND POLICE OFFICER INVOLVED SHOOTING DOO: 11/29/12

On December 19, 2012 Detective Sgt. James Ruth (ECPD) and Detective Sgt. Scott Gardner (ECPD) met with Officer Douglas O'Neill (CPD) badge #1584 along with his attorney (Pat D'Angelo) and Union Representative (Steve Kinas). O'Neill was read his Miranda Warning which he acknowledged and stated he understood them. O'Neill 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. O'Neill stated yes he would speak with us.

Investigators asked O'Neill to give us some general information about himself. O'Neill stated he lives at [REDACTED] Mentor, Ohio and his date of birth is 4/24/69. O'Neill gave us his cell phone number as [REDACTED]. O'Neill stated he has been with the Cleveland Police Department for twelve and a half years, assigned to the 5th District and his Supervisor is Sgt. Durgiser. O'Neill stated he is not on any medication and does not wear any type of corrective lenses. O'Neill states he was wearing the class B uniform and was carrying departmental issued equipment. O'Neill stated his partner was Victor Claudio. O'Neill stated Claudio was driving on this night. O'Neill stated they had no type of recording device with them. O'Neill stated on the night of this incident they were in car 511 call sign 5A21, their car radio was on channel #5 and their portable was on channel #2. Investigators asked O'Neill if he had been involved any other officer involved shootings. O'Neill stated no. Investigators ask O'Neill if he has any type of specialized training. O'Neill stated he was in the Army from 1988-1996. Investigators asked O'Neill if he qualified with his city issued weapon. O'Neill stated he qualified with his weapon this year in the summer along with his in service training for use of force. Investigators asked O'Neill if he had any prior discipline. O'Neill stated no. Investigators asked O'Neill to tell us how they first became involved in this incident and describe in detail their involvement in the pursuit.

O'Neill stated they were parked in Gordon Park when they heard the channel #5 dispatcher broadcast over the radio that 2nd district was in a pursuit of a car with a suspect waiving a gun at officers. O'Neill stated they heard the suspect car was coming northbound on the highway heading towards dead man's curve. O'Neill stated they got onto the highway westbound turned around and got onto 90 eastbound behind the parade of cars and got off on E.72nd. O'Neill stated they were at the end of the pursuit so they went to the intersection of St. Clair and E.72nd and blocked traffic for the other zone cars getting off the highway. O'Neill stated they then shadowed the pursuit on different streets. O'Neill


#0173
APPROVED BY

Detective Sgt. J. Ruth ECPD/Detective Sgt. S. Gardner ECPD

Wednesday, December 19, 2012


INVESTIGATING OFFICER

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12/19/2012 CLEVELAND POLICE OFFICER INVOLVED SHOOTING DOO: 11/29/12

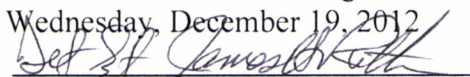
stated they went to E.123rd and one of their supervisors came over the radio and told them to terminate the pursuit. Investigators asked O'Neill which supervisor terminated the pursuit. O'Neill stated it was Sgt. Rose. O'Neill stated they were waiting when they heard over the radio shots being fired. O'Neill stated they decided to leave the city and respond to East Cleveland to see if they could assist. O'Neill stated once they arrived in East Cleveland they had to park a good distance from the shooting scene.

Investigators asked O'Neill once they arrived on scene what did he see. O'Neill stated several officers standing around a bunch of zone cars. O'Neill stated he observed several windows shot out and damaged. O'Neill stated he observed the bodies in the suspect car and they then checked to make sure all of the officers were okay and then left. Investigators asked O'Neill if they ever transmitted anything over the radio. O'Neill stated his partner did. O'Neill stated his partner transmitted that they were shadowing the suspect car east on Superior. Investigators asked O'Neill if they ever saw the suspect vehicle. O'Neill stated no. Investigators showed O'Neill the pictures of Malissa Williams and Timothy Russell and asked if he knew the suspects' names or ever had any type of interaction with them before. O'Neill stated he has heard their names from the news but never had any type of interaction with them before. Investigators asked O'Neill to describe the lighting in the parking lot. O'Neill stated from what he could remember it was dark. Investigators asked O'Neill if he could remember where officers were on scene. O'Neill stated he could not remember. O'Neill stated once they arrived on scene everything was over. Investigators asked O'Neill if he saw any officers injured while on scene. O'Neill stated no. Investigators asked O'Neill if he heard any statements by officers on scene. O'Neill stated no. Investigators asked O'Neill if he felt his actions and the actions of his fellow officers were consistent with their training. O'Neill stated yes. Investigators asked O'Neill if while on scene he ever used his cell phone for anything. O'Neill stated no. Investigators asked O'Neill if anyone has asked him to lie or otherwise tried to influence his statement to us. O'Neill stated no. Investigators asked O'Neill if there were any other questions we did not ask he felt would be important that were not asked. O'Neill stated no and the conversation ended.

Investigation Continues...


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Detective Sgt. J. Ruth ECPD/Detective Sgt. S. Gardner ECPD

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