



**Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report**



2024-1474
Officer Involved Critical Incident - 16100 Van Aken Blvd.,
Shaker Heights, OH

Investigative Activity: Interview of Involved Officer
Involves: [REDACTED] (S)
Activity Date: 06/07/2024
Activity Location: Cleveland Heights Police Department, 40 Severance Circle,
Cleveland Heights, OH 44118
Authoring Agent: Special Agent Nicholas Valente #139

Narrative:

On June 7, 2024, at approximately 0907 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Nick Valente and SA Cory Momchilov interviewed Cleveland Heights Police Department (CHPD) [REDACTED] [REDACTED] who was accompanied by his attorney, Dan Leffler, from the Ohio Patrolmen's Benevolent Association (OPBA). Also present during the interview was OPBA Intern Anthony Corigliano. The interview took place at the CHPD located at 40 Severance Circle, Cleveland Heights, Ohio. The interview was audio and video recorded. The audio recording was attached to this report and the video recording was saved as Reference Item J.

[REDACTED] read, signed, and stated he understood the BCI Criminal Investigation Notification form prior to beginning the interview. The BCI Criminal Investigation Notification form signed by [REDACTED] was also attached to this report.

This report only summarizes the information deemed by the author to be of the most relevance to the investigation and does not purport to contain all questions and answers from the interview. It is suggested that the full recording be reviewed to clarify any content or contextual questions regarding the information from the interview.

Preliminary and Demographic Information:

Name: [REDACTED]	Rank: [REDACTED]
Badge Number: [REDACTED]	Cruiser/Vehicle Number: N/A Responded to scene in personal vehicle.
Radio Call Sign: [REDACTED]	Immediate Supervisor: SWAT Commander - Captain Mike Jansen (Euclid Police Department)

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



**Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report**



2024-1474

Officer Involved Critical Incident - 16100 Van Aken Blvd.,
Shaker Heights, OH

Radio Channel Utilized: Cuyahoga County SWAT #1	Mobile Data Terminal: Not Present
Cruiser Description: N/A - Responded to scene in personal vehicle.	Occupants of Cruiser and Seating Positions: N/A
Assignment: SWAT Call Out	Normal Shift: Not asked.
In-Car Camera: Not Present	Spotlight: Not Present
Emergency Lights: None	Siren: Not Present
Shift Day of Incident: Day Off - Called In	Duty Status: On-Duty
Days Off: Prior Saturday and Sunday	Prior Overtime or Extra Details within Preceding 48 Hours: Called in prior night from approximately 2200 hours to 0500 hours for related SWAT call out.
Hours of Sleep Prior to Incident: 6 hours	Consider Self Well Rested: Yes
Total Length as Officer: 10 years. Previous experience with Highland Hills Police Department and John Carroll University Police Department.	Length at Current Agency: 9 years.
Physical Disabilities (to include hearing aid): None	Corrective Lenses: No Corrective Lenses
Uniform Worn: Called in from gym. Arrived in shorts/civilian clothes. Changed clothing on scene to SWAT uniform. SWAT belt, pants, vest. "POLICE" patch with white lettering on front and back of vest.	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: SWAT belt with a Glock 19 handgun, 2 spare pistol magazines, 1 spare AR-15 rifle magazine, medic/trauma kit, gas mask, 2 additional AR-15 magazines on vest, eye protection, Daniel Defense 5.56 rifle, Remington 700 bolt action Sniper Rifle chambered in .308
Ballistic Vest: External Armor	Body Worn Camera: Not Present
Other Recording Devices: None	Partner: None
Injuries: None	Equipment Damage: None
Training or Areas of Specialty: Current SWAT team member. Basic SWAT school in 2017, team training 2 x a month, and one full week per year, basic sniper school in 2019, sniper training monthly. C.I.T. trained (40-hour class), firearms	OPOTC Certification: Current - Obtained from Cleveland Heights Police Academy in [REDACTED]

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



**Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report**



2024-1474
Officer Involved Critical Incident - 16100 Van Aken Blvd.,
Shaker Heights, OH

instructor for semi-automatic handguns and carbine rifles, academy instructor certification.	
Military Experience/Training: None	Use-of-Force Training: Conducts use-of-force training to his department. In the preceding weeks taught two rounds of training classes to his department's officers. Also previously completed yearly use-of-force training and a department administered test.
Prior Shooting Incidents: None	Prior Discipline or Use-of-Force Complaints: None
Medications, Prescriptions, or Drugs that might Impair Your Duties at Time of Incident: None	Medications, Prescriptions, or Drugs that might Impair You Now for Interview: None

Officer's Firearm(s):

Weapon #1

Make: Remington	Model: 700
Caliber/Gauge: .308	Serial: [REDACTED] (from collection photos)
Type: Rifle	Method of Carry: Not asked.
Magazine Capacity: 5 cartridges	Total Rounds as Carried: 5 rounds in magazine plus 1 chambered round with an unknown of additional loose cartridges in an ammunition bag.
Extra Magazines: None	Number of Rounds in Extra Magazines: N/A
Discharged During Incident? Yes	Primary or Backup Weapon: Primary
Rounds Remaining After Incident: Not counted	Number of Rounds Fired: 9 - Based off reviewing/counting cartridge casings after the incident and believed this to be the correct number.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



**Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report**



2024-1474
Officer Involved Critical Incident - 16100 Van Aken Blvd.,
Shaker Heights, OH

Right/Left-Handed Carry: Right-Handed	Ownership: Beachwood Police Department (part of regional SWAT team).
Last Qualification Date: December 2023	Type of Holster, if any: No holster.

Narrative:

After obtaining the above preliminary information, [REDACTED] provided the following information:

[REDACTED] had not watched any body-worn camera (BWC) or security /surveillance video recordings of the incident prior to his interview with agents.

[REDACTED] was off duty on the day of the officer-involved shooting when he received a notification through Active 911, a cell phone application, requesting he respond to an address in Shaker Heights, Ohio for a SWAT team call out. The gist of the message, sent to him by SWAT Commander Jansen, was “the Marshall’s have the shooter from last night pinned down. (13:02)”

[REDACTED] explained he had also responded to a SWAT call out the previous night and participated in an effort to locate the subject, De’Shawn Vaughn (Vaughn), after Vaughn shot and killed Euclid Police Officer Jacob Derbin (Officer Derbin) earlier that night. In that incident, [REDACTED] participated in clearing a house near where the murder of Officer Derbin occurred. [REDACTED] next participated in searching the surrounding area with smaller groups of officers. After several hours of attempting to locate Vaughn unsuccessfully the operation was ended. While on the scene of that call out, [REDACTED] was advised of Vaughn’s name and shown a picture of him.

[REDACTED] also watched a video Vaughn posted on Instagram where Vaughn was driving around and claimed to have shot Officer Derbin during that call out.

The following day, when [REDACTED] received the second SWAT call out relating to apprehending Vaughn, he was the first member of the EDGE SWAT team to arrive at the meeting area. Upon his arrival, [REDACTED] noted that the U.S. Marshals were on scene and had a good perimeter set up around the building Vaughn was inside.

[REDACTED] spoke with a female U.S. Marshal whose name he did not know. The marshal told [REDACTED] that Vaughn was confirmed to be in a specific apartment. Vaughn’s presence in the specific apartment was confirmed by the female tenant, and by a robot which was sent into the apartment and observed Vaughn in the bedroom of the apartment.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



**Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report**



2024-1474

Officer Involved Critical Incident - 16100 Van Aken Blvd.,
Shaker Heights, OH

██████████ entered the apartment building and learned Vaughn was armed with a handgun and was trying to hide in the bedroom behind a mattress or bed. ██████████ met with other officers and joined in a stack formation in a stairwell near the subject apartment unit. One of the officers in this group asked ██████████ to reposition himself to a nearby building where he could obtain a position of high ground and possibly see into the apartment through a window.

██████████ who is a sniper on the SWAT team, left the apartment for this purpose. While leaving the apartment, ██████████ heard Vaughn shooting. At the time of this shooting, ██████████ did not know who or what Vaughn was shooting at. ██████████ later learned Vaughn was shooting at a police robot and police drones that were sent into the apartment to observe him.

██████████ obtained his SWAT team issued Remington 700 sniper rifle from his personal vehicle and first took a position in the turret of the SWAT team bearcat vehicle which was then on scene outside the apartment building. ██████████ could not see into the subject apartment located on the third floor very well from this position. ██████████ left the bearcat and took a new position on the roof of an apartment complex building directly across the parking lot from the subject apartment building. ██████████ believed the roof of the building he was then on was four or five stories tall. This new position allowed ██████████ a downward view at/into the subject apartment.

As ██████████ was setting up on the roof of the building across the parking lot from the building Vaughn was inside, he received information that Vaughn was in the far south corner bedroom of the apartment. As ██████████ was setting up, Euclid Police ██████████ was on the roof with him and was assigned to be his spotter. While getting into position and adjusting the optic on his rifle, ██████████ observed *"Three to seven rounds came flying out a window two windows down, um, I believe in our direction. It was at our, almost our elevation. I looked over and I was kind of stunned by it. Um, at that point my spotter, uh, returned fire with his, uh, AR-15. I think he fired, I don't know, four or five, six rounds. I'm not sure. Um, and then I determined that I was not in a great spot because I had zero cover. So, I moved over and got behind a um, an or a air conditioning condensing unit, one of the big ones on top the roof. So, that's where I was stationed at. I felt I had pretty good cover behind that. I didn't think his handgun rounds were gonna go through an air conditioning condenser so, um, that's where I um, stationed up at. At that point we talked to Captain Jansen. He gave the delta order which means if you do see this gentleman through the window you are allowed to shoot him because he's already confirmed*

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



**Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report**



2024-1474

Officer Involved Critical Incident - 16100 Van Aken Blvd.,
Shaker Heights, OH

killed an officer and shot at officer's multiple times. (18:42)" When asked if he believed Vaughn was intentionally firing at him as he got into position on the roof, ██████ stated he did believe that.

████████ then spent several hours looking through the optic of his rifle into the apartment where Vaughn was located. ██████'s view into the apartment was mostly blocked by the pull-down blinds inside the window. Officers tried to break the blinds inside the window to see better into the apartment. At the same time, officers sent additional robots into the apartment from the hallway. Every time a robot was sent into the apartment, Vaughn would shoot it, break it, cover it up, or otherwise interfere with it.

Officers shot multiple foam bullets through the window blinds in an effort to knock the blinds down and increase visibility into the apartment. The foam bullets penetrated the blinds but did not knock the blinds down and were generally not effective at increasing the visibility into the apartment. Officers evacuated the surrounding apartments and entered the apartment directly above the subject apartment. From the apartment directly above the subject apartment officers used a halogen tool to reach below and break out the subject apartment window and further break apart the blinds, increasing visibility into the subject apartment for ██████

Officers then sent a drone into the subject apartment through the window. Vaughn again fired bullets at the drone that was flown through the open window. At that point in time, ██████ had received reliable information from other officers that Vaughn was barricaded between the exterior brick wall in the corner of the apartment bedroom and a mattress. ██████ believed his bullets would not have been able to penetrate the brick wall and strike Vaughn, so he did not try to shoot through the wall.

"It was determined that we were gonna try to um, flush him out at that point, after several hours. So, they were trying to hang an explosive breach on the door. Um, and they wanted suppressive fire while they were trying to send officers up to um, to lay that breach on the door. So, uh, Assistant SWAT Commander, um, David Carpenter, he's also from Euclid, he um, asked for the snipers to shoot some rounds through the window in a downward angle. Um, and that's what I did. I shot, um, he wanted it to last a long time. He wanted just controlled fire to try to distract him while we were shooting foam rounds through the window, the 308 rounds through the window, while they were trying to hang the charge. Um, so I did that. I probably fired for I guess the whole situation took place several minutes. I don't know how many. I would guess

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



**Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report**



2024-1474

Officer Involved Critical Incident - 16100 Van Aken Blvd.,
Shaker Heights, OH

between three and four minutes. Um, after that we ceased fire. Um, about a minute to two minutes later I heard a muffled pop, um, coming from that area. It sounded like (a) gunshot but muffled. Um, after, you know another hour and a half or so they put a dog in and they found that Mr. Vaughn had uh, shot himself in the head and that was it. (21:22)"

██████████ himself never entered the subject apartment at any point.

When asked what he believed his distance was from the subject apartment, ██████████ stated he believed it was approximately 20 to 30 yards.

When asked, ██████████ explained that he received the delta order both over the radio and during a conversation he had directly with SWAT Team Commander Jansen as the two communicated directly from the roof and ground below. Detective Jansen stated he believed he first asked Captain Jansen if a delta order was in place and Captain Jansen said yes. Captain Jansen later reported the delta order over the radio.

When asked what the decision for the delta order was based on, ██████████ said "It's based on, he's already a credible threat, he's already fired (at) officers, he's confirmed killed an officer so, it's a totality of all the information that you have about him that yeah. (24:58)"

When asked, ██████████ confirmed that when he fired his rifle, he did so for the purpose of providing cover to the officers assigned to place the breach on the door.

When asked, ██████████ confirmed all of his shots were fired during the time the officers were placing the breach charge on the door of the apartment.

When asked, ██████████ stated he never actually saw the subject through the window of the apartment.

When asked what his point of aim was, ██████████ stated his point of aim was just above where he believed Vaughn's feet were based on the information relayed to him by other officers.

References:

J - DVD Recorded Video Interview of ██████████

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



**Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report**



2024-1474

Officer Involved Critical Incident - 16100 Van Aken Blvd.,
Shaker Heights, OH

Attachments:

1. Audio Interview of [REDACTED]
2. [REDACTED] Criminal Investigation Notification Form

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



Criminal Investigation Notification

1. This investigation is being conducted in order to determine whether any criminal laws have been violated on the part of those involved in this incident. Specifically, to collect facts and information to be provided to the prosecutor and/or grand jury in order for them to determine whether the conduct involved is authorized or prohibited by criminal statutes.
2. Your participation in this interview is voluntary and you may decline to answer or cease the interview at any time. You are entitled to have an attorney present if you wish.
3. The criminal investigation is separate from any internal, administrative investigation which your employer may or may not be independently conducting. You are not being compelled to give any statement or answer any questions. This is not a "Garrity" interview (where you could be required to answer).

Printed Name of Interviewee

06/07/2024, 0905 HRS
Date / Time

S _____

NICK VALENTE #139
BCI Agent (Printed)

[Signature]
BCI Agent (Signature)