



Ohio Bureau of Criminal Identification & Investigation
INVESTIGATIVE REPORT



12/18/2012

INTERVIEW OF OFC. JAIME CRUZ II

Summary

On Tuesday, December 18, 2012, Special Agent Cooper and Special Agent Stranahan conducted an interview with Cleveland Police Officer Jaime Cruz II regarding his involvement in the pursuit and officer involved shooting incident which occurred November 29, 2012 in Cleveland, Ohio and ended in East Cleveland, Cuyahoga County, Ohio.

Details

On Tuesday, December 18, 2012, at approximately 1100 hours, Special Agent Cooper and Special Agent Stranahan were assigned to conduct an interview with Cleveland Police Officer Jaime Cruz II regarding his involvement in the pursuit and officer involved shooting incident which occurred on November 29, 2012 in Cleveland, Ohio and ended in East Cleveland, Ohio. The interview with Officer Cruz was conducted at the Richfield BCI&I offices and was audio/video recorded and added as Exhibit #31 to the case file.

At approximately 1142 hours, Special Agent Cooper and Special Agent Stranahan met with Officer Cruz, his attorney Patrick D'Angelo and Ohio Patrolmen's Benevolent Association Representatives Jeff Follmer and Steve Kinas in the conference room at the Richfield BCI&I offices. After initial greetings, Special Agent Stranahan advised Officer Cruz of his Miranda rights which he indicated he understood and was willing to provide a statement regarding this investigation. The following information was provided by Officer Cruz during the interview.

Officer Cruz indicated he has been a Cleveland Police officer for the past four and half years. According to Officer Cruz, he has no law enforcement experience prior to working for the Cleveland Police Department and was never in the United States Military. Officer Cruz holds a current Peace Officer certification from the Ohio Peace Officer Training Academy and stated the only additional training he received since the police academy is the yearly Cleveland Police Department In-Service training. Officer Cruz stated the most recent training he received from the Cleveland Police Department was in April 2012 and covered topics related to use of force.

File Number: SI-18-12-82-1493	File Title: Timothy R. Russell (S) Malissa A. Williams (S)
Case Agent: Mark Kollar	Authoring Agent: Stranahan, S. #98 <i>SAE</i>
Date of Report: December 18, 2012	Exhibit #: 31
Investigative Activity: Interview of Jaime Cruz II	Supervisor Approval: Dennis Sweet JAN 14 2013 <i>[Signature]</i>

This document is the property of the Ohio Bureau of Criminal Identification and Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency.

Officer Cruz advised he is currently assigned to basic patrol at the Cleveland Police Department Third District Station where he works third shift (2130 hours to 0730 hours). Officer Cruz stated his shift supervisors are Lieutenant Wilson, Sergeant Gallagher and Sergeant Edens.

[REDACTED] and he does not currently take any prescription medications. Officer Cruz also indicated he does not have any issues (past or present) with drug and/or alcohol abuse.

Upon returning to active duty at the Cleveland Police Department Third District Police Station, Officer Cruz was given the opportunity to work a part-time security job at the First Merit Bank on West 107 Street near Lorain Road and East 71 Street near Harvard Road. Officer Cruz stated the hours at the First Merit Bank part-time job are split between two shifts. The first shift runs from 0800 hours to 1300 hours and the second shift runs from 1300 hours to 1800 hours. Officer Cruz stated he has only worked two to three shifts at First Merit Bank and does not recall if he worked this job prior to his shift on November 29, 2012.

On November 29, 2012, Officer Cruz was assigned to zone 1 within the Cleveland Police Department Third District which he referred to as the “downtown” zone car. According to Officer Cruz he was wearing his issued Cleveland Police uniform, vest and duty belt with issued equipment during his shift on November 29, 2012. Officer Cruz indicated he carries the following equipment on his duty belt: an ASP baton, Glock 17 pistol, two additional magazines, a flashlight, two (2) sets of handcuffs, pepper spray and a Taser with three (3) cartridges. Officer Cruz indicated he was not carrying any additional police equipment and that he does not employ the use of any personal audio/video recording devices while on duty.

Officer Cruz recalled he was partnered with Officer George Roberts and they were assigned patrol unit 301 on November 29, 2012. According to Officer Cruz, unit 301 is equipped with over-head lights, siren, police radio and Mobile Data Terminal (onboard computer). Officer Cruz indicated he was driving unit 301 and Officer Roberts was seated in the front passenger’s seat. Officer Cruz also recalled he and Officer Roberts were monitoring Cleveland Police Radio channel 3 prior to their involvement in the pursuit.

Officer Cruz then provided the following details regarding how he and Officer Roberts initially became involved in the pursuit. Officer Cruz advised he and Officer Roberts were dispatched to a call for service in the Cleveland Police Department Second District. Officer Cruz recalled that an intoxicated male reported to dispatch that his cellular telephone had been stolen at knife point in the area of East 63 (the Slavic Village area) and he wanted to report the incident. Officer Cruz stated that while enroute to handle the aforementioned call for service, he overheard a radio broadcast on channel 3 regarding the pursuit. According to Officer Cruz, he heard that a Cleveland Police officer was shot at in the area of St. Clair and Ontario. At the time of the radio

broadcast, Officer Cruz remembered hearing a description of the suspect vehicle being provided but he did not recall any of the particular details regarding the suspect vehicle's description. Officer Cruz stated that he and Officer Roberts then continued to a call for service on East 63 Street.

Officer Cruz stated he and Officer Roberts arrived on East 63 where they met with the reporting party who was found to be intoxicated. Officer Cruz and Officer Roberts spoke briefly with the reporting party and departed the area. Officer Cruz recalled he and Officer Roberts then began monitoring the radio traffic regarding the pursuit. According to Officer Cruz, the pursuit was being broadcast on both the Second District and Third District Radio channels. In order to ensure they had the most accurate information regarding the pursuit, Officer Cruz monitored channel 3 (Third District) via the in car mobile radio and channel 2 (Second District) via his portable radio.

Officer Cruz indicated he continued to monitor the radio traffic as he attempted to catch up to the pursuit. Officer Cruz stated he was finally able to catch up to the pursuit in the area of Euclid Avenue and Mayfield Road. Officer Cruz stated when he and Officer Roberts arrived in the aforementioned area he observed a "trail" of police cars ahead of him in the distance. Officer Cruz recalled hearing a radio broadcast which stated "shots fired" and "watch your crossfire." Officer Cruz also recalled hearing a radio broadcast which indicated the suspects pointed a weapon out of the window of the suspect vehicle. Officer Cruz stated that with the information available to him at this time, he felt that he was responding to an "active shooter" situation. Officer Cruz advised he followed the pursuit to an unknown side street in East Cleveland just south of Euclid Avenue. Officer Cruz was unable to recall the name of the street but observed numerous Cleveland Police vehicles parked along the roadway. Officer Cruz stated he parked unit 301 on this side street and he and Officer Roberts exited the vehicle. Once outside of the vehicle, Officer Cruz and Officer Roberts began walking up the hill toward the parking lot of Heritage Middle School which is located at 14410 Terrace Road, East Cleveland, Cuyahoga County, Ohio 44112. While walking to the aforementioned area, Officer Cruz did not hear any gun fire.

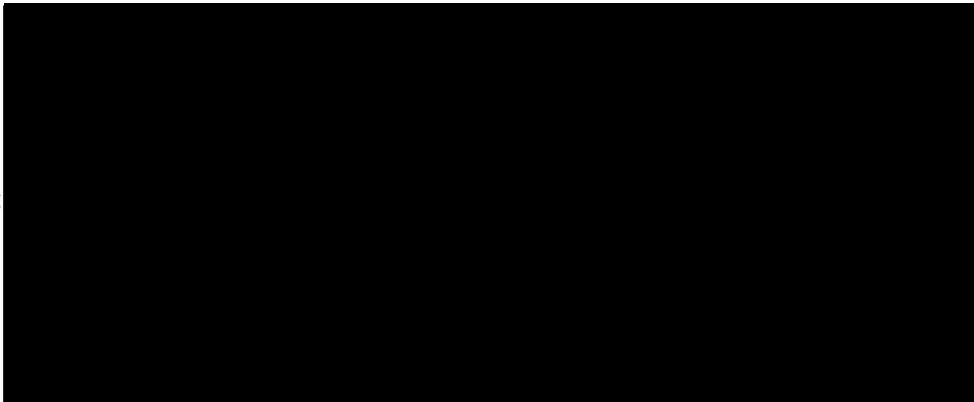
Upon arrival on scene, Officer Cruz observed numerous Cleveland Police officers in and around the parking lot of the school. Officer Cruz also observed the suspect vehicle parked in the parking lot of the school with numerous bullet holes. Officer Cruz recalled that the scene was already secured with police tape and he was approximately ten (10) to twenty (20) feet away from the suspect vehicle. Officer Cruz estimated he was at the scene for approximately five (5) to ten (10) minutes and in that time he used his cellular telephone to take a photograph of the suspect vehicle. Officer Cruz stated he took only one photograph of the suspect vehicle. Officer Cruz indicated he sent the photograph to his [REDACTED] and as well as the cellular telephone of Cleveland Police Officer Darien Laska [REDACTED]. Officer Cruz stated he did not send the photograph to anyone else. Officer Cruz agreed to email Special Agent Stranahan the aforementioned photograph. A short time later Special Agent Stranahan received the photograph via email which was later printed and included as an attachment with this investigative report.

Officer Cruz advised that the information he provided was truthful and he is unable to provide any additional details regarding this investigation. At this time the interview with Officer Cruz was concluded and Officer Cruz, his attorney and Union representative then departed area. The interview with Officer Cruz was audio/video recorded and a copy of the interview was downloaded to a DVD which was placed in this case file as Exhibit #31.

Subject Information

Name: Jaime A. Cruz II
Address: [REDACTED] Cleveland, Cuyahoga County, Ohio 44135
Telephone: [REDACTED] (personal cellular telephone)
Employment: Officer - Cleveland Police Department
DOB: 3-21-1983
SSN: [REDACTED]
Sex: Male
Race: White
Height: 5'9"
Weight: 207 lbs.
Hair: Black
Eyes: Brown
S/V/W: W
CCH: No

Name:
Address:
Telephone:
Employment:
DOB:
SSN:
Sex:



Interview – Jaime Cruz II

SI-18-12-82-1493

Page 5

Race:

Height:

Weight:

Hair:

Eyes:

S/V/W:

CCH:



Name: Darian A. Laska

Address:

Telephone:

Employment: Officer - Cleveland Police Department

DOB: 4/7/1980

SSN:

Sex: Male

Race: White

Height: 5'9"

Weight: 200 lbs.

Hair: Brown

Eyes: Brown

S/V/W: W

CCH: No

