



Ohio Bureau of Criminal Identification & Investigation
INVESTIGATIVE REPORT



12/31/12

INTERVIEW OF SGT. JASON EDENS

Summary

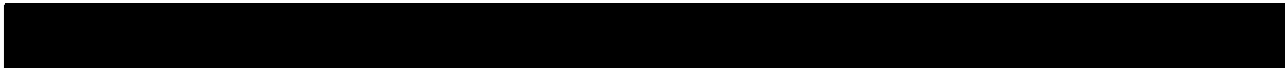
Cleveland Police supervisors, involved in the shooting on November 29, 2012, were to be interviewed. These officers, while pertinent to the investigation, were not immediately involved in the shooting. As such, they were interviewed telephonically. Also present with the officer were Brian Betley and Jerry Zarlenga representing the union. The interview was conducted by BCI SA Eric Lehnhart and BCI SA John Saraya.

The interview was audio recorded and submitted to the case file as Exhibit #99.

Details

Jason Edens is a 16-year veteran of the Cleveland Police Department. He is currently assigned to the 3rd District Patrol Division, "C Platoon" working from 2000-0600 hrs. November 29 was his day off and he was working an open shift. His supervisor that night was Lt. Paul Wilson.

Edens works open shifts from time to time plus working at Lutheran Hospital. Edens believes that he worked at the hospital on Friday.



On November 29, Edens said that he was "battling a cold like everyone else" but felt okay and was prepared for duty.

Edens is a uniformed sergeant and was wearing his Glock 17, 2 extra magazines, Taser, handcuffs, OC spray, and he has an ASP that he carries with him but not always on his belt. He does not carry a back-up weapon or personal recording device.

Edens was driving car 357, a fully marked Dodge Charger with all equipment functioning. Edens was using call sign 3S33 operating on channel 3. When dispatch advised of the pursuit, Edens said that they turned a portable on to channel 2 to monitor.

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: 12/31/12	Exhibit #: 99
Investigative Activity: Edens Interview	Supervisor Approval: Dennis Sweet <i>DS</i> JAN 14 2013

Edens had an OPOTA Instructor certificate in 2006 but had let it expire. He does not have any prior military experience. In the last 12 months, Edens has qualified with his handgun, shotgun, and supervisors also qualify with a "beanbag" shotgun. Edens has received Use of Force training in the past 12 months. He said that his OPOTA certificate is up to date.

Edens was involved in a single prior shooting incident. Edens said it occurred about 12 years ago after a lengthy pursuit, he fired his pistol. He did not strike the subject.

Edens said that he had given roll call to the shifts (early and late starts) and was in the lieutenant's office with Sgt. Shepard who was the other "sector boss". They were in a meeting to discuss Edens transferring to "B Platoon" and picking his vacation time. Around 2230 hr., channel 3 dispatcher was broadcasting and Edens said that he could tell she was struggling to get out information. The broadcast was about a chase in the 2nd District that was entering their area. Edens said that in hindsight, the chase started in their district but not by one of their cars. They switched a portable to channel 2 to listen and Edens said that the chase was at W. 48th and Lorain. "It was purely a 2nd District chase." They continued to monitor the chase as they will cross into different districts. After about 15 minutes, it sounded involved and Edens said that there, "...was a lot of talk about gunplay". He said that there seemed to be "very genuine concern" about the subjects pointing guns and officer safety. Edens listened to the pursuit and the traffic of being on Dead Man's Curve, the subjects losing a tire, that it should be over soon, and asking for assistance from Bratenahl. Edens said that he thought it exited the freeway at E. 72nd St. and traveling southbound. This would bring the chase into the 3rd District. Edens went to his car and Lt. Wilson jumped into the car with him. They headed into the area of the chase, not to participate but to be available to provide logistical support since the pursuing officers may not know the area they are now in. They also wanted to be around in case it turned into a foot pursuit. They could tell that the 2nd District officer broadcasting the pursuit was having problems calling out streets. They were northbound on either 79th or 82nd when they heard about a zone car getting rammed. Edens said they had broadcast that the chase was on Addison and he was at 79th and Addison, but he did not see anything. The next call was the subjects north on Decker, so Edens said they were about three streets away and still saw nothing. Edens said that, "Out of nowhere, on Wade Park, is where I first saw the suspect vehicle." The car went past Edens at about 55-60 MPH eastbound on Wade Park, crossing 79th. Edens did not see any zone cars immediately behind the subject, but then started to see the cars. When asked how many, Edens said that he did not count, "But it was numerous cars".

"A large amount of zone cars had passed" when Edens got to Wade Park and 79th. Edens said that he turned eastbound onto Wade Park but emphasized that they were not in the pursuit, but "were monitoring the pursuit as supervisors" and were interested if any of their cars were in it. Edens said that he did block some intersections to prevent cross traffic on Wade Park. Edens then said that "there were so many zone cars involved, that it pretty much had taken care of itself. It actually assisted to have the amount of cars because it pretty much made the other traffic around come to a standstill."

Edens says that they can see the pursuit in front of them but are not in it. They “are monitoring traffic on both channels”. Edens indicated that he did not think that CPD had the ability to link the frequencies together anymore.

Edens said that they continued to follow the pursuit eastbound on Euclid and as they were “monitoring” the situation, Edens said that it “sounded like a pretty involved and serious event. Officers appeared to be very afraid and, um, it seemed like something that would be very dangerous for them during the conclusion.”

Edens said that he does not know what is beyond his borders and was not sure where the pursuit was going when it was broadcast that it was headed to a “Water treatment plant”. He knew the pursuit south, so he followed other cruisers. He believes he is now driving on Terrace. Radio traffic became more frantic and then gunfire could be heard over the radio. As Edens was pulling up “to a sea of police cars” is when there is radio traffic calling for EMS. Edens said of the 20-25 cars present, he does not know which district they belonged to.

Edens and Wilson walked to the scene. Wilson was ahead of Edens and told him to “look at the car” indicating the subject vehicle. Edens began to walk towards the car but said the he never got closer than a few feet. Edens heard Sgt. Dailey come across the radio inquiring about “his guys”, from the 2nd District. Edens and Wilson began checking on officers. Edens went up and looked into the car. Edens described the scene as “Frantic”. He clarified this by saying that after an event where there is trauma, people are in shock. He did not recall people saying anything out of the ordinary. Edens did say that he remembered an officer saying, “He tried to kill us or he tried to ram us”. Edens did not know the officer but said that the officer seemed to be pretty upset and in fear. Edens described this officer as a young white male from another district. Near him was a female officer that also appeared shaken up.

Edens said that as a supervisor, one of the things that they teach is to start documenting the scene immediately. He began looking at things and after officers were talking about a gun he gave a cursory look for a gun. Edens also said that at that time he did not know if he was in East Cleveland or Cleveland Heights. Edens said that he ran into an East Cleveland sergeant who told him that he had to get his guys back. Edens quickly deferred saying he did not think these were any of his guys. Edens began to get barricade tape out to secure the scene and urge officers to back up out of the scene. Edens said a female officer tried to get into car 217 to retrieve her wallet that was above the visor and he stopped her and told her to confer with the East Cleveland sergeant.

Edens did not become aware of the sex of the occupants until the next day. Edens was asked if he was familiar with either Williams or Russell to whom he said he was not.

When asked for his opinion on the lighting in the parking lot, Edens said that pulling up, he was blinded by the overheads. The scene itself, 150’-300’ away from his car on foot, he said he did not remember it being lit very well. He did not recall if the parking lot lights were on. He did remember seeing “Heritage” on the side of the building.

[Edens Interview]

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Edens was asked if, when he heard gunfire over the radio, he could actually hear the shots. He said that with the sirens and such, he did not recall actually hearing the shots, but it was possible. While he was driving, Edens said that he did have his overheads on but not his siren. He said again that he was not in the pursuit. He may have used his siren when they left the district, but then using them "as needed" as he drove along.

Not being at the scene when the shooting began, Edens said that he cannot answer if there were any other options available that could have been used.

Edens said that upon his arrival, his was in a supervisory role. As such, the East Cleveland sergeant was overwhelmed and asked for help. They were trying to establish a crime scene perimeter and Edens said that he could hear casings being kicked around. That was the role that they took on was to protect and establish the crime scene. After listening to the radio traffic, Edens said that he thought officers had been shot and he was trying to establish if there were any other injuries. Edens did not recall making any calls while at the scene, but did use his phone to take 2 photos. He took them to document the scene as a supervisor. Edens said he does not have a camera issued and the one at the district is unreliable, so he uses his cell phone and emails the images for inclusion in the report. When he realized the jurisdiction, he did not email the images. Edens still had the images on his phone. He described the images as two showing the front of the subject vehicle, no images of the occupants. Edens was asked to forward the images to SA Saraya and was provided an email address. Edens later did. The images were printed and submitted to the case file as an attachment. After forwarding the images, Edens said that he was going to delete the images from his phone.

Edens said that while at the scene, he knew Ereg and recognized him. Edens said that he approached Ereg and asking if he was all right. Edens also said that he recognized three detectives from the 3rd District.

Edens said that no one had tried to influence his statement.

Subject Information

Name: Jason Edens
Address: [REDACTED] Avon, OH 44011
Telephone: [REDACTED]
Employment: Cleveland Police Department
DOB: 05/20/1971
SSN: [REDACTED]
Sex: M
Race: W
Height: 510
Weight: 230
Hair: Red
Eyes: Blue
S/V/W: W
CCH:

John S. Saraya

From: Jason Edens <[REDACTED]>
Sent: Monday, December 31, 2012 3:22 PM
To: John S. Saraya
Subject: Fwd: Documentation photo 2 from 11-29-12

Sorry John, sent to .com instead of .gov

Sgt. Jason Edens

Sent from my iPhone

Begin forwarded message:

From: Jason Edens <[REDACTED]>
Date: December 31, 2012 2:47:06 PM EST
To: john.saraya@ohioattorneygeneral.com
Subject: Documentation photo 2 from 11-29-12

Sir, here is photo two, again, never disseminated or downloaded in any manner, strictly business.
No other photos taken. Sgt. Jason Edens

John S. Saraya

From: Jason Edens <[REDACTED]>
Sent: Monday, December 31, 2012 3:26 PM
To: John S. Saraya
Subject: Fwd: Documentation picture one upon my arrival 11-29-12

Sorry John, sent to .com instead of .gov
Sgt. Jason Edens

Sent from my iPhone

Begin forwarded message:

From: Jason Edens <[REDACTED]>
Date: December 31, 2012 2:42:05 PM EST
To: "john.saraya@ohioattorneygeneral.com" <john.saraya@ohioattorneygeneral.com>
Subject: Documentation picture one upon my arrival 11-29-12

Sir,

Here is picture one, never disseminated or downloaded from my phone. Taken to preserve scene upon my arrival. Sgt. Jason Edens