



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



2023-0228

Officer Involved Critical Incident - 18697 Bagley Rd., Cleveland, OH  
44130, Cuyahoga County

**Prosecutor Summary**

***INVESTIGATION REGARDING:***

Officer-Involved Critical Incident – Bryan Bailey, Southwest General Police Department  
Officers [REDACTED] [REDACTED] Sergeant [REDACTED] Southwest General Medical  
Center Staff Registered Nurse Jeffrey Rubel, Paramedic Brandon Mason, and Paramedic Juan  
Crespo

***INVESTIGATING AGENCY:***

Ohio Bureau of Criminal Investigation

***CASE NUMBERS:***

|              |   |
|--------------|---|
| 2022-0228    | BCI Special Investigations Unit           |
|              | BCI Criminal Intelligence Unit            |
| 22-00640     | Southwest General Police Department       |
| IN2022-01901 | Cuyahoga County Medical Examiner's Office |

***DATE OF INCIDENT:***

Tuesday, October 18, 2022

***DATE OF REPORT:***

May 25, 2023



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## Investigative Request

On Monday, January 23, 2023, at approximately 1841 hours, the Ohio Bureau of Criminal Investigation (BCI) was requested by the Ohio Attorney General's Office Special Prosecutions Section to conduct an independent investigation of the facts and circumstances surrounding the October 18, 2022, death of a patient at Southwest General Hospital. The request indicated the patient's death was the result of police action. BCI Special Agent (SA) Matthew Armstrong (Armstrong) was assigned as the lead investigator.

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## Preface:

This report serves as a synopsis of the investigation into the October 18, 2022, use of force incident at Southwest General Medical Center. This report only summarizes the information that the investigative team determined to be the most useful in achieving an overall understanding of what occurred during this incident. Every fact and detail are not presented in this summary report. Therefore, it is recommended that each individual report from which this document is derived be read in order to obtain a complete understanding of this investigation. Further, audio and/or video recordings exist for all of the interviews conducted, revealing further details of statements given regarding the incident.

This investigation was conducted with the purpose of determining, to the extent possible, the facts and circumstances surrounding this incident. As unbiased collectors of fact, the investigative team has not and will not render any opinion of the legality of officers' or medical staff actions. Instead, it is anticipated that this investigation will provide the basis of information for decisions to be rendered by the appropriate authorities.



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## Investigative Team

BCI Special Agent Matthew Armstrong from the Special Investigations Unit was assigned as the lead investigator. He received assistance from BCI Special Agent Nicholas Valente.

BCI Criminal Intelligence Analyst Andrea Bujorian obtained records and background information utilized in the investigation.

The investigation was supervised by Special Agent Supervisor Jonathan Lieber.



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## Summary of Process

The following is a partial list of investigative activities or methods which were employed during the course of this investigation by the investigative team in an effort to thoroughly and accurately locate and document all pertinent facts and circumstances regarding this incident:

1. Video recorded interviews of the three officers and three medical staff involved in the use of force
2. Audio recorded interviews of staff members who witnessed the use of force
3. Audio recorded interview of the subject's girlfriend who was present at the hospital
4. Reviewed EMS records pertaining to the transport of the subject to the Southwest General Medical Center
5. Photographed the Emergency Department and the exam room where the incident occurred
6. Canvass for surveillance video cameras in the area where the incident occurred
7. Review of all available surveillance video which captured the subject's arrival at the hospital and the activity of his visitors while he was present at the hospital
8. Obtained and reviewed records of prior law enforcement contacts with the subject
9. Obtained and reviewed open and closed-source biographical information on the involved subjects, to include criminal history reports, OHLEG, driving records, medical licensing information, etc.
10. Issued preservation letters for social media accounts believed to have some relevance to the incident
11. Reviewed audio communications on the radio frequencies utilized during the incident
12. Reviewed relevant dispatch/CAD reports generated by the Southwest General Police Department and the Strongsville Police Department
13. Reviewed the Southwest General Police Department incident report and investigative materials pertaining to the incident, (excluding any Garrity statements or information derived from any compelled statement)
14. Reviewed written statements completed by witnessed and involved staff at the time of the incident
15. Collected and reviewed the departmental personnel files of the officers and medical staff involved in the shooting, to include training and disciplinary records
16. Verified the Ohio Peace Officer Training Commission (OPOTC) certification status of the officers involved in the incident
17. Obtained the department's policies and procedures regarding Use of Force, Response to Resistance, and Patient Restraint for prosecutorial review

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18. Reviewed open source social media posts and searched for pertinent statements made in the media regarding the incident
19. Reviewed medical records pursuant to a search warrant for care provided to the subject while he was treated at Southwest General Medical Center on the date of the incident
20. Obtained and reviewed the Cuyahoga County Medical Examiner's autopsy report and photographs related to the autopsy performed on the subject

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## Incident Summary/Overview

On Tuesday, October 18, 2022, at approximately 15:05 hours, the Strongsville Fire Department and Strongsville Police Department responded to 16749 Whitney Road, Strongsville, Ohio for a psychiatric situation involving Bryan Bailey (Bailey). The caller reported Bailey was attempting to cut his chest open with scissors.

Upon arrival, emergency personnel learned Bailey was suicidal. Bailey agreed to be transported to Southwest General Medical Center (SGMC) for a psychiatric evaluation and he was transported by the Strongsville Fire Department. At approximately 15:43 hours, Bailey arrived at Southwest General Hospital and was taken to Emergency Department Exam Room 3.

Bailey was being held on a 72-hour psychiatric evaluation because he posed a risk of physical harm to himself. He was not free to leave the hospital. He was treated throughout the afternoon and evening and was being admitted to Oakview Behavioral Health Services pending a medical clearance.

At approximately 19:00 hours, Registered Nurse (RN) Jeffrey Rubel (Rubel) became assigned as the nurse responsible for Bailey's care. A urinalysis was the only remaining test to complete for the medical clearance. When Rubel entered Exam Room 3 to obtain the urine specimen, Bailey became aggressive and a struggle ensued. Rubel yelled for help and numerous medical personnel came to assist him. Paramedic Juan Crespo (Crespo) and Paramedic Brandon Mason (Mason) became physically involved in restraining Bailey. In addition, the Southwest General Police Department (SGPD) was called for help. At 21:55 hours, SGPD Sergeant (Sgt.) [REDACTED] Officer [REDACTED] ([REDACTED]), and Officer [REDACTED] ([REDACTED]) arrived and helped restrain Bailey. During the struggle, Bailey was flailing and kicking and using all his strength to resist being restrained. At one point, Bailey attempted to kick Officer [REDACTED] in the face and Sgt. [REDACTED] administered two strikes to Bailey's right femoral area in an attempt to gain pain compliance. Bailey stopped kicking and was secured in restraints to the bed.

While the struggle took place, Doctor (Dr.) Mark Harris (Harris) ordered the administration of [REDACTED] and [REDACTED] to medically sedate Bailey. The drugs were administered by RN Kristine Novick (Novick) intramuscularly into Bailey's right thigh area. Moments later Bailey became unresponsive and cardiopulmonary resuscitation (CPR) was initiated. At 21:05 hours, officers radioed the restraints had been removed. Medical staff continued Advanced Cardiac Life Support (ACLS) protocol unsuccessfully for 48 minutes.



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## Incident Location

This incident occurred approximately three (3) months prior to the request for a BCI investigation. When BCI became involved, there was no scene to process for physical evidence.

The incident occurred in the Emergency Department in Exam Room #3. Overall photographs were taken of the ambulance bay (*Image DSC\_0004*), the area through the emergency department leading to exam room 3, and Exam Room 3 (*Image DCS\_0018*) where the incident occurred.



*Image DSC\_0004*

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*Image DCS\_0018*

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## Video Recordings

This section contains information from the review of numerous video recordings obtained throughout the investigation. This included video footage, from surveillance cameras positioned in the ambulatory bay and the Emergency Department waiting area.

There was one surveillance camera present in the ambulatory bay/entrance which captured the arrival of the ambulance and Bailey. There were multiple surveillance cameras in the Emergency Department waiting area, but none of the surveillance cameras in the Emergency Department were positioned in an area where any portion of the incident occurred.

### Surveillance Video

Five surveillance cameras were identified as potentially capturing video footage relevant to this investigation. After reviewing all the recorded video footage, the following information was determined to be most relevant to this investigation.

#### ED EMS Squad Entrance IP Camera-2022-10-18\_15h43min00s000ms(1)

The footage was from a camera on the southeast side of the ambulance entrance which was on the north side of the hospital. The lens of the camera appeared to face northwest and captured video footage of the ambulance entrance into the emergency department (*Image 1 - ED EMS Squad Entrance IP Camera-2022-10-18\_15h43min00s000ms(1)*). There was no date and time stamp present on the video recording however, the title of the video suggested the date and time at the start of the video was 10-18-2022 at 15:43:00. None of the footage visually captured the use of force incident.





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*Image 1 - ED EMS Squad Entrance IP Camera-2022-10-18\_15h43min00s000ms(1)*

At 00:20 a Strongsville Fire Department ambulance arrived. Three fire department personnel exited the ambulance. One White female (later identified as Rebecca Thompson) exited the front passenger side door of the ambulance. She was wearing pink pants, a black coat, and carrying a pink purse. It appeared she was directed to the main entrance of the Emergency Department and walked out of view of the camera.

At 01:18 Bailey was wheeled into the Emergency Department on a cot (*Image 2 - ED EMS Squad Entrance IP Camera-2022-10-18\_15h43min00s000ms(1)*). He appeared alert and was moving his head around as he was taken out of the ambulance.



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*Image 2 - ED EMS Squad Entrance IP Camera-2022-10-18\_15h43min00s000ms(1)*

At 10:38 the EMS personnel exited the Emergency Department, returned to the ambulance, and at 13:55 departed from the ambulance bay.

### Non-relevant Surveillance Footage

Surveillance video footage was provided for four additional cameras. They contained footage captured from the exterior entrance of the Emergency Department and three different angles from within the Emergency Department waiting area.

Each of the recordings contained footage of Rebecca Thompson (Bailey's girlfriend) and her erratic demeanor throughout the day, however, none of them captured any footage related to the actual use of force incident.

For additional details related to the video footage, refer to the video files and the Investigative Report titled, *2023-02-21: Review of Surveillance Video - Emergency Department (IRW - 17)*.



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## Witnesses

BCI conducted audio and/or video recorded interviews of multiple witnesses throughout the investigation. Some of the witnesses provided written statements to the SGPD which were also reviewed by BCI. All the interviews were conducted in person.

### Jessica Herman

Herman had been employed at Southwest General Medical Center as a Registered Nurse since May of 2022. She completed a Bachelor's degree in Nursing at Cleveland State University. When working, Herman wore blue scrubs, a t-shirt with the Southwest General logo on it, and a name tag identifying her as an RN. Herman was also equipped with a radio and a pair of scissors, pens, and a stethoscope. Herman believed she was well represented as a staff member or nurse while working in the Emergency Department.

Herman was not involved in the physical restraint of Bailey. She did assist with the documentation of the ACLS protocol. When the incident occurred, RN Herman was training with RN Robert Cogar (Cogar).

Herman was in another patient room when she heard screaming. She heard the patient screaming out in general then the nurse yelled he needed some help. She went to check what was going on and when she arrived at the exam room, she observed RN Jeffrey Rubel (Rubel) and patient Bryan Bailey in a struggle. Bailey was lying across the bed on his back and RN Rubel was holding Bailey down because Bailey was trying to leave. She explained Bailey couldn't leave the emergency department because he was "pink slipped" (72-hour psychological evaluation). When she saw the struggle, she called for other people to come help because she knew based on her size she would not be able to help with anything. Other staff and police then came to the room to help.

When she first arrived, she saw Bailey lying on his back on the bed. His body was perpendicular to the sides of the bed and RN Jeffrey Rubel was knelt down holding Bailey around the upper torso. Bailey was screaming but not saying anything. She did not remember Rubel saying anything to Bailey but he was calling for help. She did not go into the room initially because she knew there was nothing she could do to help. Other staff and four or five police officers then arrived.

Medical staff and the officers then struggled to restrain Bailey. While they tried to restrain him, Bailey was spitting and thrashing his arms and legs. The officers got kicked a couple of times and she thought Bailey kneed one of the officers in the groin. He was also trying to bite staff. RN

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Herman said it was a struggle to get the restraints on Bailey because of how much he was fighting with the staff. At one point, while Herman was handing the officers restraints, Bailey kicked her on her right thigh and knocked her back against the wall. She was not injured from the kick.

During the struggle, she went to get Dr. Harris so they could get medication to calm Bailey down. Between the time she first arrived and when the medication was administered, Bailey continually fought staff and officers while they tried to restrain him. She overheard that Bailey was urinating and she saw one of the officers punching Bailey on the inner leg. She explained the officer was sitting on top of Bailey straddling Bailey's legs and hips when he struck Bailey. When she saw the punches, she thought "is that really necessary to be doing that" (21:36). Herman was asked if the strikes to Bailey's thigh were before he was restrained or afterward. She indicated the strikes were performed while they were trying to restrain Bailey and that Bailey's legs were still free and kicking when the officer struck Bailey's thigh.

It took police and staff approximately 5 minutes to get Bailey restrained. She was not sure if anyone was injured during the incident. Throughout the entire incident she was afraid and very scared. When she first saw RN Rubel holding Bailey down she thought she would definitely get hurt because Bailey was so much bigger than her. She said RN Rubel was a stronger guy and he was struggling to restrain Bailey. She described the incident as the scariest encounter she ever had with a patient and Bailey was the worst she has seen a patient act since becoming an RN in November 2021.

After the medications were administered, the medical staff realized Bailey had become unresponsive and did not have a pulse. Herman estimated that Bailey became unresponsive within 1 minute of the medication being administered. RN Rubel was in the room initially and then he disappeared. Medical staff then began ACLS protocol.

During the ACLS protocol, RN Herman completed the documentation and code sheet because RN Rubel was not present. After Bailey was deceased she sat with RN Rubel and went over the code sheet with him. During that time RN Rubel was crying and "pretty shaken up." She believed his cry was genuine. The family even tried to console him. Herman explained everyone was shaken up afterward because the outcome was not expected. RN Herman said she felt like RN Rubel possibly felt responsible for what happened. Herman was asked if she believed he felt responsible because he did something wrong. She responded saying "Maybe, maybe. It's hard to say. Like, whenever something goes wrong like, your first thought is what, what did I miss. You know. You never want anything terrible to happen to your patients so you're always like running

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through like, did I miss an allergy, did I miss an assessment piece, did I like forget to do something and I feel like that's always something that you go through in your head once you sorta like calm down and like look at everything" (16:45).

When RN Herman saw RN Rubel holding Bailey in a bear hug around his chest, she did not think that was appropriate, but said she did not know what happened that led to that situation. She believed RN Rubel could have just let Bailey walk out of the room rather than trying to stop him and keep him in the room. She believed it was not his job to stop Bailey. RN Herman said she would have let Bailey leave and called the police because that's the officer's job not hers.

For additional details related to the information provided by Herman, refer to the audio recorded interview and the Investigative Report titled, *2023-03-16: Witness Interview - Jessica Herman (IRW - 23)*.

### Robert Cogar

Cogar had been employed as a Registered Nurse since May of 2020. He completed a two-year nursing program and earned an associate's degree through Kent State University. He worked 12 hour shifts and was working 3:00 pm to 3:00 am in October 2022. When working, Cogar wore scrub pants, either a scrub style shirt or t-shirt and had a name tag on his shirt identifying him as an RN. Cogar was also equipped with a radio and a visible stethoscope. Cogar believed he was well represented as a staff member or nurse while working in the Emergency Department.

Cogar was not involved in the physical restraint of Bailey. He was involved in providing Bailey with Advanced Cardiac Life Support (ACLS). During his shift on October 18, 2022, he was training a new nurse named Jessica Herman (Herman). They were in another section of the Emergency Department when he heard a shout or a scream. He ran to the area and observed Bailey in Exam Room 3 being held down by RN Jeff Rubel and Paramedic Brandon (possible last name Mason).

Cogar explained Bailey was large so it required a lot of force to keep him down. RN Rubel was on Bailey's left side and Brandon was on Bailey's right side. Together they were holding Bailey's arms and shoulders down. Paramedic Juan Crespo then went in the room and Cogar believed he held Bailey's legs until the police arrived.

Cogar assumed the patient was becoming combative and he turned around to Dr. Harris and asked what he wanted (referring to medication). Dr. Harris ordered [REDACTED] and [REDACTED] Cogar and Registered Pharmacist (RPh) Luke Fawcett then went to the medication room to obtain and

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prepare the medications.

When Cogar exited the medication room, he went to Exam Room 3 with the medications. RN Kristine Novick was present at the exam room and the police were present. RN Novick was handed the medication and administered them intramuscularly into Bailey's right thigh.

During that time, the police were trying to place Bailey into keyed restraints because he was so out of control. Cogar explained they do not like to place patients into soft restraints. Keyed restraints are more restrictive than soft restraints and reserved for the most severe instances. Persons requiring keyed restraints are usually very combative and have caused harm or are going to cause harm to themselves or others. Cogar said Bailey required two paramedics, a nurse, and at least three officers to hold him down and they were struggling to keep him held down.

After Bailey was restrained the police exited the room but remained close by. Cogar, RN Rubel, and one of the Paramedics were still in the exam room. Approximately 3 minutes after the medication was administered, RN Rubel said, "He's not breathing too well" (20:10). Cogar noticed Baileys breathing was shallow and similar to snoring but said he would not describe it as agonal breathing. Cogar then checked Bailey for a femoral pulse while RN Rubel or the paramedic checked for a carotid pulse. A pulse was not located. They then began ACLS protocol.

Cogar identified Sgt. [REDACTED] as one officer involved in the incident but he did not know the names of the other two officers. While they were trying to restrain Bailey, Cogar saw Sgt. [REDACTED] punch Bailey on the inner thigh. At the time he thought that may have been excessive.

Cogar did not fear for his safety, but did fear for the safety of the other staff involved.

For additional details related to the information provided by Cogar, refer to the audio recorded interview and the Investigative Report titled, *2023-03-16: Witness Interview - RN Robert Tyler Cogar (IRW - 22)*.

### **Kristine Novick**

Novick had been employed as a RN at Southwest General Medical Center for approximately 12 years. She had worked in the Emergency Department for the past 8 years. She completed a Bachelor of Science in Nursing at Ursuline College. When working, Novick wore scrub pants, either a scrub style shirt or t-shirt and had a name tag on her shirt identifying her as an RN.

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Novick believed she was well represented as a staff member or nurse while working in the Emergency Department.

Novick was not involved in the physical restraint of Bailey. She was involved in administering medication to Bailey while he was being restrained by other medical staff and police officers. She also initially assisted with administering Advanced Cardiac Life Support (ACLS) protocol.

The medications she administered were provided by RN Robert Tyler Cogar (Cogar) and the pharmacist Luke Fawcett (Fawcett). She remembered she administered the medications to Bailey's right thigh.

Novick did not see anyone strike Bailey while she was present. She did not see Bailey strike or kick anyone else. She did not remember anyone giving Bailey verbal commands during the incident.

Novick did not fear for her safety or the safety of anyone else while she was present in the room. She explained this was because she felt like Bailey was restrained enough that she wasn't going to get injured.

Shortly after she finished administering the medications Bailey was fully restrained and everyone moved off of Bailey. Within 2 – 5 minutes she noticed Bailey did not look right. She explained his coloring was not right, he was flaccid, his head was tilted to the side and his eyes were gazed but not fixed. She retrieved oxygen and they began ACLS protocol. She remembered RN Jeff Rubel was in the room with her and she believed another staff member was also in the room but she did not remember who. She started an IV on Bailey's left arm and she went to get Dr. Harris and let him know Bailey was "coding." Moments later, one of the officers came in and removed the restraints.

Novick believed Bailey had an IV before the incident because she saw an IV lying on the floor and Bailey had a Tegaderm (a dressing used to protect an IV site) on his arm. She did not know why or how the IV had been removed.

Novick explained Bailey's girlfriend (unknown name) was present in the lobby and was permitted to be with Bailey prior to the incident. Novick believed her behavior was unusual. Novick had a couple encounters with her. The female had approached Novick and asked if she had a lighter or knew anyone that had a lighter. Novick informed her she did not. The female was in and out of the emergency department multiple times and when in the lobby she was constantly looking out the windows and yelling. Moments before the incident, she approached Novick and asked again if she had a lighter. Novick informed her she did not. She then asked if there was a

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gas station within walking distance. Novick informed her there was and she then exited the waiting room.

For additional details related to the information provided by Novick, refer to the audio recorded interview and the Investigative Report titled, *2023-04-11: Witness Interview - Kristine Novick (IRW - 28)*.

### Mark Harris

Harris was employed by Team Health as an Emergency Physician and was assigned to Southwest General Medical Center for approximately 15 years. Harris earned a Bachelor degree from Baldwin Wallace and his Medical Doctor degree from Medical College of Ohio (now known as University of Toledo Health Sciences). He has practiced as a physician for 18 years.

While working at Southwest General on October 18, 2022, Harris recalled being seated in the "vortex" area of the emergency department. He was between 12 and 20 feet from Exam Room 3. He estimated the patient had been in the emergency department for approximately 3 hours prior to the incident. The patient was present for suicidal ideations and staff needed a urine sample from the patient. The nurse, Jeff (unknown last name), went into the room to collect a urine sample. The curtain was drawn and Harris could not see into the room. He overheard Jeff yelling at the patient. He was saying "Piss or I am going to put a tube in your dick, or whatever. I mean saying stuff like that or whatever." (6:11) Harris believed the nurse was being a little more aggressive than was necessary. Immediately after hearing Jeff make that statement there was a moment of silence which lasted approximately one minute. Harris then heard Jeff or a medic saying they needed help. When other staff went to help, Jeff and the patient were engaged in a struggle.

There were four or five medical staff and two or three officers who responded to help. Harris said the officers didn't do anything. By the time they got there they held the patient's arms and legs for a few seconds but the patient was unconscious. Harris did not see anyone strike the patient and he did not see the patient strike or injure anyone else. He also never heard any yelling from the patient.

When the staff said they needed help, Harris began ordering medication to calm the patient down. He believed he ordered Geodon. While Harris ordered the medication, someone came to him and said "he's arresting." Initially Harris thought why are they arresting him. The staff then clarified the patient was in cardiac arrest. Harris responded to the room and he and staff administered Advanced Cardiac Life Support (ACLS). Harris said Jeff disappeared during ACLS protocol and he believed it was very odd that Jeff was not present.

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Harris said the patient's girlfriend was present throughout the day and her behavior was weird. She was in and out of the emergency room smoking cigarettes outside and seemed like a "druggie." He mentioned some staff suspected the girlfriend may have given illicit drugs to the patient but he did not know if that occurred.

Harris never feared for the safety of the staff during the situation. Another employee mentioned Jeff had the patient in a choke hold. Harris never saw that but he believed it was a medic that made the comment.

Approximately 20 to 30 minutes after the patient was deceased, Jeff made a snarky comment to Harris saying "I guess he should have pissed" (14:52). Jeff did not appear distraught, or emotionally shaken up about the patient's death.

For additional details related to the information provided by Harris, refer to the video recorded interview and the Investigative Report titled, *2023-03-28: Witness Interview - Dr. Mark Harris (IRW - 27)*.

### Annette Trowbridge

Trowbridge was employed at Southwest General Medical Center for approximately 23 years. She worked as a RN and has been the Emergency Department Assistant Clinical Manager for the past 5 or 6 years. The Assistant Clinical Manager serves as the shift supervisor and oversees the daily operation of the Emergency Department. Trowbridge earned a Bachelor degree in Psychology and Criminal Justice at Kent State University and completed a Diploma Registered Nurse program through Fairview Hospital School of Nursing.

During her shift on October 18, 2022, Trowbridge was looking for a piece of equipment in the emergency department offices. She was aware of the psychiatric patient in Exam Room 3 because she had made note of his girlfriend who was present and acting strangely throughout the day. As she exited the trauma storage room, she saw RN Jessica Herman (Herman) looking for the "crash cart" (a cart containing drugs and other equipment used when a patient is in cardiac arrest). Herman indicated it was needed for bed 3. Trowbridge explained she was shocked because the patient had been pretty relaxed and was sleeping most of the day but Herman indicated the patient had "lost it."

Trowbridge went to the room and saw staff performing CPR on the patient. She asked what happened and noticed everyone in the room looked like they were in shock. Staff members told

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her the patient came after all of them and it had taken all of them to keep him from attacking them. They told her he was like a bear and was kicking, spitting, and biting and had "lost his shit." Then they noticed he wasn't breathing and they immediately started CPR.

Trowbridge said a lot of people were all talking at once and she could not remember who told her the specifics of what the patient had done. When she arrived at the exam room, she recalled RN Jeff Rubel (Rubel) was outside the room. She remembered Juan Crespo, Brandon Mason, Christine Novick, and Jessica Herman were present in the room. Dr. Harris was in and out of the room and there were one or two officers standing outside the room.

Rubel was the patient's nurse. Trowbridge noticed Rubel was white as a ghost. She went to him and asked what happened. She explained "He's like, he was white as a ghost. He's like 'it was like a bear just' his words were 'it was a bear.' He's like, 'It was just this bear that just came off the bed'" (9:08). Rubel went on to explain he went into the room to get a urine specimen and he drew the curtain because he thought they were going to have to catheterize the patient because he hadn't been able to give a urine sample throughout the day. As he drew the curtain, the patient came off the bed and wrapped him up like a bear and started pulling him down. Rubel told her he fell down with the patient and was struggling to get away from the patient. Trowbridge said Rubel was shaking as he told her what happened.

Trowbridge said she found it odd that Rubel was not assisting with Advanced Cardiac Life Support (ACLS). She found his behavior unusual, but said everyone handles shock differently. She believed Rubel's absence was related to him being in shock from his physical encounter with the patient.

Trowbridge said Rubel's reaction appeared genuine and she did not believe he could fake the reaction he was having. She reiterated Rubel looked genuinely scared, freaked out, and was white, and shaking.

Trowbridge believed the patient's girlfriend displayed odd behavior throughout the day prior to the incident. She was walking around the emergency department like she was lost and constantly coming in and out. She was asking staff for a lighter and Trowbridge suspected she had been using drugs when she was going outside. Within the same hour as when the patient went into cardiac arrest, Trowbridge noticed there was a distinct change in the girlfriend's demeanor and behavior. Trowbridge associated it with the use of drugs and believed she had gone outside and used. Trowbridge said she specifically noticed the girlfriend was wondering around, went to a corner and stood against the wall. Her back was to the wall and she was shaking as she slowly

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sank down the wall to a seated position of the floor. Trowbridge directed her back to Exam Room 3 and told her she needed to stay in the room.

After the incident was over, Trowbridge wondered if the girlfriend had given drugs to the patient. She questioned how the patient went from being a zoned-out zombie most of the day to suddenly becoming a bear who was attacking staff.

Trowbridge did not witness any of the employees do anything that was out of the ordinary or unnecessary.

For additional details related to the information provided by Trowbridge, refer to the audio recorded interview and the Investigative Report titled, *2023-04-12: Witness Interview - Annette Trowbridge (IRW - 30)*.

### **Rebecca Thompson**

Thompson began dating Bailey on August 15, 2022. When Bailey woke up on October 18, 2022, she sensed that something wasn't right with him mentally. She did not know if it was his emotions or if he was missing his mother who had passed away, but he told her he wanted to go talk to his grandmother.

Bailey lived with his grandmother on Whitney Road in Strongsville but had stayed that night with Thompson at her residence. Thompson took Bailey to his grandmother's house. She went upstairs there and fell asleep while Bailey talked with his grandmother.

She did not know how long Bailey was talking with his grandmother but she recalled being woken up by Alyssa, Bailey's cousin. Alyssa was in a panic saying Bailey was trying to harm himself with a pair of scissors. Alyssa told her Bailey was trying to stab himself in the heart and the neck with the scissors but she was able to get the scissors away from him. Thompson indicated she was asleep when that happened.

The police and EMS were called and Bailey agreed to go to the hospital for help. Thompson rode in the ambulance with Bailey and he was transported to Southwest General Medical Center (SGMC).

Thompson believed Bailey had been diagnosed as being bi-polar. Bailey was not taking medication for mental illnesses. She was unaware of whether he was prescribed medication for mental illnesses. She said Bailey did not have any anger toward law enforcement. Thompson

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did not know details about Bailey's drug history. She said she smoked marijuana all day every day, but Bailey did not smoke marijuana with her because he was on probation. Although she did not know specifics about Bailey's drug use, she said it would not surprise her if she learned he had methamphetamine, heroin, or fentanyl in his system. Thompson said she did not provide Bailey with any illicit substances and she did not see him use any drugs that day.

When the ambulance arrived at SGMC, the medics took Bailey into the emergency department. She had to enter the hospital through the main entrance. When she was permitted to go back and be with Bailey, she noticed Bailey had become extremely tired. She thought he may have been medically sedated and asked Bailey if they gave him something. Bailey told her he was not given anything.

At one point, a nurse came in and said they needed to get a urine sample from Bailey. Bailey was sleeping and she told them she could try to wake him up, but she was not going to forcefully wake him up because he was sleeping and she normally can't "just wake him up." Thompson explained, Bailey had previously told her that when he is in a deep sleep he believed he was actually present in his dreams. She had also been told by multiple other family members that when Bailey is in a deep sleep, you cannot try to wake him up or he will become aggressive. Because of that, she had never tried to wake Bailey when he was asleep.

The staff then let several hours pass without coming in to check on Bailey. A male nurse then came into the room and in a rude, mean, and vile manner said "Mr. Bailey. If you do not wake up right now and provide us with a urine sample, I will go get two police to forcibly hold you down as I force a catheter in you" (18:12). She told the nurse if that's what he was going to do, she could not be there. The nurse then told her "Ma'am, you do what you have to do" (19:00). Thompson then left the room and Bailey was still snoring. Thompson explained when the male nurse came in and said this, Bailey never woke up or acknowledged the nurse.

When Thompson came back to Bailey's room, she saw two police officers, two male doctors, one female nurse, and a male nurse all in Bailey's room. She knew something was not right. The staff then escorted her to a separate room where she later learned Bailey had died.

For additional details related to the information provided by Thompson, refer to the audio recorded interview and the Investigative Report titled, *2023-04-26: Interview - Rebecca Thompson (IRW - 32)*.





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## Involved Medical Staff

BCI conducted video recorded interviews with the involved medical staff and reviewed their personnel files and background information. Included within this section are abbreviated versions of the staff members account of his or her actions pertaining to this incident. More detailed accounts can be found by reading the reports written by the interviewers and by reviewing the video recorded interview.

### Paramedic Juan Crespo

#### Interview

Crespo was employed at Southwest General Medical Center for approximately one and a half years. He had initially worked as a paramedic in the emergency department, but had become a registered nurse (RN) and began working in that capacity for the past two months. He completed paramedic school and completed a nursing program at Lorain County Community College in December 2022. When working as a paramedic, he wore black scrub pants and a Southwest General Police Department t-shirt.

During his shift on October 18, 2022, Crespo was working as a medic. He was with RN Cogar when Cogar received a call indicating staff needed help in Exam Room 3. He responded to the room with RN Cogar and while doing so began to hear yelling coming from the room.

When he first arrived at the room, he observed Bailey standing up and paramedic Brandon (unknown last name) and nurse Jeff (unknown last name) trying to get the patient into the exam bed. All three of them were standing on the left side of the bed (patient's right side) and Bailey was facing the door tensed up and screaming. RN Jeff was behind Bailey holding him in a hug around the torso area. Brandon was in front of Bailey and pushing him back toward the bed. Crespo went to the right side of the bed (patient's left side) grabbed hold of Bailey's left arm and used his body weight to force Bailey to the bed.

His goal was to help get Bailey on the bed so he was less powerful. Once he forced him to the bed, Bailey continued trying to get up. He held Bailey's left arm and left upper body down to the bed. He told everyone to keep the patient's head, neck, and chest free because he wanted to make sure the patient had an open airway. Crespo said everyone left the head and neck area open and Bailey continued yelling and thrashing and was contracting his abdomen trying to sit up. He explained Bailey was using all his strength to get up while they held him down. While holding Bailey down, the police arrived. He remembered officer [REDACTED] (unknown last name) trying to control Bailey's legs by getting on top of him and straddling Bailey's hips and

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upper legs. Crespo explained Officer [REDACTED] was not a large person and the straddle position was only “somewhat” effective.

Their goal was to hold Bailey down for his own safety. He said Bailey was suicidal and they needed to prevent him from leaving the room and entering another patient room or leaving the hospital and harming himself.

While they held Bailey down, he heard someone say [REDACTED] (a medication) was in. Moments later, Bailey started to slowly calm down and the staff began backing away from him. He thought the medication was working and then someone said he wasn't breathing. Crespo noticed Bailey looked “limp” but his arms were still tensed up. Medic Brandon then began CPR and Crespo retrieved a heart monitor. Crespo was present and assisted in providing ACLS until Bailey was pronounced deceased.

Crespo described Bailey as a large individual and estimated he was 5'11” – 6'0.” His arms were bigger and he was strong and was able to buck and move a 180-pound police officer in full gear while the officer was straddling him.

During the struggle he heard Officer [REDACTED] say Bailey had urinated on him. He did not see anyone strike Bailey or Bailey strike or kick anyone else.

For additional details related to the information provided by Crespo, refer to the video recorded interview and the Investigative Report titled, *2023-04-12: Involved Staff Interview - Juan Crespo (IRW - 29)*.

#### **Paramedic Crespo Background and Employment Records**

A review of background information and the personnel file of Paramedic Juan Crespo revealed Crespo had no discipline on file.

Crespo was licensed through the State of Ohio as a RN (License Number RN.518786). There was no licensing board action associated with his nursing license. Crespo was also licensed through the State of Ohio as a paramedic (Certificate Number 182467). There was no discipline associated with his paramedic license.

A review of his Computerized Criminal History (CCH) revealed no prior criminal record. An Accurant report was reviewed and revealed no other relevant information.

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For additional details refer to the actual records reviewed and the investigative reports titled *2023-02-16: Review of Personnel File - Juan Crespo (IRW - 14)* and *2023-02-03: Review of Licensing and Intelligence Information associated with Involved Medical Staff (IRW - 34)*.

## Paramedic Brandon Mason

### Interview

At the time of the interview, Mason had been employed at Southwest General Medical Center for seven months as a paramedic. He had been a paramedic for approximately three years. He completed a three-month Emergency Medical Technician (EMT) school and a one year and four-month paramedic school through University Hospital Paramedic Program. When working as a paramedic he wore black scrub pants and either a black scrub shirt or a t-shirt with a Southwest General logo. He also wore a name tag which identified him as a medic.

While working on October 18, 2022, he was in the "Vortex" area of the emergency department approximately 25 feet from Exam Room 3 when he heard RN Jeff (unknown last name) yell "I need help in here." He could hear a struggle in RN Jeff's voice and believed there was some type of emergency taking place. As he made his way to Exam Room 3, he could see the door was closed but the curtain was open. He saw Jeff standing with the patient. Jeff's back was to the door and he was holding the patient from behind, in a hug around the chest. The patient was also standing. He was unsure if the patient was trying to hurt Jeff or if he was trying to get away and walk out of the hospital. Jeff and the patient then went to the ground. Jeff did not slam the patient to the ground but he believed Jeff forced the patient to the ground during the struggle. As Mason entered the room, Jeff straddled the patient's upper chest and collar area. Mason and Jeff then began trying to lift the patient into the bed. Medic Juan Crespo (Crespo) then entered the room and helped them. Jeff lifted the upper body while Mason lifted the hips and Crespo lifted the legs. The patient continued yelling and kicking while they were lifting him.

Mason did not hear anything the patient was saying. He did not hear any staff giving specific directions but they were telling the patient to "stop." After they lifted the patient to the bed, the police arrived. The police helped them hold the patient down while they put the patient in hard restraints. He estimated it took less than five minutes to secure the patient in restraints. While they were securing the patient, one officer (unknown name) straddled the patient. That officer also struck the patient's thigh between 1 and 3 times and told the patient to stop kicking and stop moving.

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Mason described the patient as a male approximately 6' 3," 340 pounds, and pretty strong. During the struggle the patient was using all effort to stop them from restraining him. The patient was kicking his legs, flailing his arms, spitting, and urinated on the officer that was straddling him. Mason said he feared for his safety and the safety of other staff in the room. He was specifically afraid of being kicked, struck, or spit on.

At one-point he saw RN Christine Novick with a syringe. He believed she administered medication to the patient but he did not physically see it happen. He did not know who provided the medication or what drug was given.

After the patient was secured, Jeff commented that the patient was not breathing. Mason looked at the patient, saw he was blue, checked for a pulse, and then began chest compressions. Mason then remained present and assisted in administering Advanced Cardiac Life Support (ACLS). Jeff was present for approximately 3 minutes of the ACLS protocol but then he left the room. Mason did not know where Jeff went or why he left the room. Mason found Jeff's behavior unusual.

Mason had no prior encounters with the patient. After the incident, he completed a written statement for the Southwest General Police Department. Crespo consented to BCI agents obtaining and reviewing a copy of the statement.

For additional details related to the information provided by Mason, refer to the video recorded interview and the Investigative Report titled, *2023-04-17: Involved Staff Interview - Brandon Mason (IRW - 31)*.

#### **Paramedic Mason Background and Employment Records**

A review of background information and the personnel file of Paramedic Brandon Mason revealed Mason had no discipline on file.

Mason was licensed through the State of Ohio as a Paramedic and Firefighter II (Certificate Number 184505). There was no discipline associated with his paramedic or firefighter II license.

A review of his CCH revealed no prior criminal record. An Accurant report was reviewed and revealed no other relevant information.

For additional details refer to the actual records reviewed and the investigative reports titled *2023-02-16: Review of Personnel File - Brandon Mason (IRW - 13)* and *2023-02-03: Review of Licensing and Intelligence Information associated with Involved Medical Staff (IRW - 34)*.

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## Registered Nurse Jeffrey Rubel

### Interview

At the time of the interview, Rubel worked through an agency known as Total Med and he was assigned to Barberton Emergency Department. Prior to his employment at Total Med, he was employed at SGMC as a RN in the Emergency Department. While working at SGMC he wore navy colored scrub pants and shirt. He also wore a name badge which identified him as a nurse. Rubel believed he was well represented as a nurse while working in the Emergency Department.

Rubel had worked as a RN for 24 years. He had completed an Associate Degree in Nursing through Lorain County Community College in 1999, a Bachelor of Science in Nursing through Ohio University in 2014, a Master of Science in Nursing through Chamberlain University in 2017, and a Master of Business Administration through DeVry University Keller School of Business Management in 2021.

He did not believe he had any encounters with Bailey prior to the October 18, 2022 incident.

On October 18, 2022, he was assigned four or five rooms to care for during his night shift. Bailey was a patient in one of the rooms. Bailey was presented for suicidal ideations or a suicidal attempt. The last task needed to complete Bailey's medical clearance was to obtain a urine specimen. Bailey needed cleared medically so he could be evaluated by psychiatry.

Rubel explained a urine specimen was needed for the medical clearance and at times patients can be reluctant to provide a specimen because they are worried about illicit substances being present in their urine. In those instances, staff will explain they are not concerned about the presence of drugs and if the patient does not provide a specimen willingly, the staff would have to obtain a sample with a catheter.

When Rubel went into Bailey's room to obtain the urine specimen, Bailey was in the bed receiving IV fluids. A female visitor was present but left the room. Rubel told Bailey he needed to get a urine specimen and if he wasn't going to give it he would have to obtain it with a catheter. Bailey did not acknowledge his presence. He placed his hands on Bailey's shoulders and shook him a little bit trying to wake him. Bailey opened his eyes but then closed them. Bailey's eyes were opening then closing repeatedly as if he was drowsy. Rubel explained it was more than being sleepy and Rubel believed Bailey was under the influence of something. Rubel spent approximately five minutes trying to arouse Bailey and repeatedly told him he needed to give a urine specimen. Rubel explained he did not like to present the catheter method in a threatening way and his goal was to convince Bailey to provide the urine willingly.

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Rubel said at one point after repeatedly telling Bailey he needed to give the sample, Bailey “Looked at me and he was like ‘Just fucking kill me’” (13:06). Rubel told him that statement was not helping his situation. Bailey then stood up out of the bed, extended his left arm and ripped his IV out. Bailey was unsteady on his feet and Rubel moved toward him. Rubel said he did not want to get hit, but at the same time Bailey was not safe by himself so he did not believe he could just walk out of the room. As Rubel moved toward him, Bailey raised his fists, started moving toward Rubel and swung at him with one of his hands. Rubel grabbed hold of Bailey’s wrist and moved behind Bailey. He held him from behind in a firm hug and slowly walked Bailey over to the foot of the bed where they both fell into the bed. Rubel demonstrated this on SA Valente at 51:45.

Rubel then yelled for help and within five seconds the first person came to help. Rubel said he and Bailey were both hanging off the bed. Once help arrived, they tried getting Bailey further into the bed. That is when Bailey started resisting and the struggle began. The hospital police arrived and they began putting restraints on Bailey to keep him from hurting himself. Rubel remembered there were a lot of people everywhere, there was a big struggle and it was chaotic.

Rubel said he and Bailey never fell to the floor. He did not remember the names of other staff who came to assist. He remembered there was one or two other nurses, a male medic and multiple police officers. He said the male medic may have been the first to come into the room after he called for help. When asked why other staff members reported Rubel was on top of Bailey on the floor he responded “No. We were not on the floor, ever. That’s really weird” (41:05).

During the restraining process, Rubel remembered the doctor ordered medication to sedate Bailey because he was so wild. One of the nurses gave Bailey the shot in his leg and within two minutes Bailey stopped moving and the struggle was over.

Rubel then noticed Bailey’s color did not look good and he said “Hey. He’s not fucking breathing. Somebody start giving him oxygen” (18:48). They immediately began giving him breaths with an ambu bag/mask and Rubel told someone to check for a pulse. They realized Bailey had no pulse and they immediately began CPR.

Rubel excused himself from the room because he was taken back by everything that had transpired. He remembered thinking he had gone in to get a urine sample and now the patient was receiving CPR. Rubel said every effort was made to resuscitate Bailey. In the 24 years he

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has been a nurse, he had patients who died but never under these circumstances. He said "This is the most traumatic experience that I have ever had in my entire career and, I mean it's still screwing with me" (20:58). Rubel explained Bailey was a 33-year-old, young man present for a psychiatric evaluation and he went into full cardiac arrest and died. He didn't know the autopsy results, but said there was never a time when Bailey was on his stomach, in a choke hold, or had pressure on him in a way that would have prevented him from being able to breath.

Rubel described Bailey as approximately 5'9" and approximately 240 pounds. He said Bailey ended up being stronger than he would have thought. Rubel estimated the struggle lasted between 5 to 10 minutes. He said there was a lot of staff trying to get Bailey into the bed so he could be properly restrained. Bailey was using all of his strength and effort to resist being restrained. Rubel said there were six full grown men trying to control Bailey.

When Bailey raised his fists at Rubel, he believed Bailey was going to attack him. He said he did not fear for his safety too much because Bailey was unsteady on his feet. He was more concerned for Bailey's safety.

Rubel did not see any staff sitting on top of Bailey at any time. He did not see any staff strike Bailey and he did not see Bailey strike or kick any of the staff. He believed Bailey was trying to kick staff, but he did not remember Bailey making contact with any of the staff members. Rubel believed Bailey was struggling to get away from the staff. He did not remember Bailey making any noises or saying anything during the struggle. He did not remember seeing Bailey trying to bite or spit. When Bailey ripped the IV out, he thought it would have been bleeding but he did not remember seeing that happen. He said that could have been because he was focused on what was happening next and it just did not register with him.

Rubel did not witness Bailey using drugs while present in the Emergency Department. He suspected Bailey was already under the influence of drugs when he arrived. Rubel's belief was based on how drowsy Bailey was and Bailey's history of using illicit substances.

When asked if he felt guilty or responsible for Baileys death, Rubel explained he did have guilt and felt bad that Bailey died because he wasn't there for a medical problem. He said the situation was very unusual. However, he never felt like something he did or didn't do led to Bailey's death.

Rubel said he became emotional afterward because the patient was a young kid who lost his life and he wasn't even there for a medical issue. Rubel said he first became emotional in the exam room while staff was trying to resuscitate Bailey and that was the reason he excused himself

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from the room. He explained at that point there was plenty of medical help and his departure did not change the amount of care Bailey received.

Rubel was asked about two actions he documented in his progress note, one being Bailey reciting the "Our Father prayer" and Bailey wrapping himself in the bed sheet. Rubel said when Bailey first stood up out of the bed, he started reciting the "Our Father prayer" and that was another indicator that something bad was going to happen. He recalled writing about Bailey wrapping himself in the sheet but said that detail was not something that stood out to him now several months later during the interview. Rubel explained he did not think Bailey was going to use the sheet to hurt Rubel or himself. He said Bailey may have just been covering himself with the sheet.

Rubel was asked if he remembered making any comments after learning of Bailey's death. Rubel said he told the doctor "Well I guess he should have given us a urine sample" (1:09:59). Rubel said although he made the statement he did not actually feel that way. He believed the statement was part of a coping mechanism which he correlated with working in high stress environments where staff members in those environments tend to have a more cynical and twisted sense of humor.

Rubel resigned from his position following this incident because he felt as though the hospital was going to fire him. Rubel explained he had a meeting with the Director of the Emergency Department and the Vice President of Human Resources and they told him if they did not separate from him, it would look bad for the hospital if the family sued them. Rubel told them it sounded like they were terminating him and asked if he had the opportunity to resign. They told him he could resign and they would not fight him on unemployment benefits.

After the incident, he completed a written statement for the Southwest General Police Department. Rubel consented to BCI agents obtaining and reviewing a copy of his statement.

For additional details related to the information provided by Rubel, refer to the video recorded interview and the Investigative Report titled, *2023-05-01: Involved Staff Interview - Jeffrey Rubel (IRW - 33)*.

### Registered Nurse Rubel Background and Employment Records

A review of background information and the personnel file of RN Jeffrey Rubel revealed Rubel had no discipline on file. However, the following information appeared relevant to this investigation:

#### Personnel File

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- An October 19, 2022, email indicated Rubel would be paid for his time off pending the investigation.
- A memo dated November 15, 2022, documented a meeting with Rubel to terminate his employment. Concerns included Rubel's management of a situation with a patient and inconsistent documentation which failed to meet performance expectations.
- A November 16, 2022 resignation email sent from jeffreyrubel@gmail.com.
- An Elyria Municipal Court Journal Entry dated May 22, 2014, indicated Rubel was convicted of assault.
- An Elyria Municipal Court Journal Entry dated September 13, 2011, indicated Rubel was convicted of resisting arrest and persistent disorderly conduct, and the charge of obstructing official business was dismissed.
- An Elyria Municipal Court Journal Entry dated September 13, 2011, indicated Rubel was convicted of assault.

Background Information

Rubel was licensed through the State of Ohio as a RN (License Number RN.287411). There was no licensing board action associated with his nursing license.

[REDACTED]

An Accurint report was reviewed and revealed no other relevant information.

For additional details refer to the actual records reviewed and the investigative reports titled *2023-02-16: Review of Personnel File - Jeffrey Rubel (IRW - 15)* and *2023-02-03: Review of Licensing and Intelligence Information associated with Involved Medical Staff (IRW - 34)*.



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## Involved Law Enforcement Officers

BCI conducted video recorded interviews with the involved officers and reviewed their personnel files and training records. Included within this section are abbreviated versions of the officer's account of his or her actions pertaining to this incident. More detailed accounts can be found by reading the reports written by the interviewers and by reviewing the video recorded interviews.

### Officer [REDACTED]

#### Interview

At the time of the incident, Sgt. [REDACTED] was an officer working exterior patrol in a SGPD cruiser. He heard a radio call for a patient in the Emergency Department becoming aggressive with staff. The dispatcher then indicated there was a second call and the patient was becoming physically aggressive with staff. While responding, there was a third radio transmission but he could not understand what was said. He associated it with an officer being in a "scuffle" and later learned it was Sgt. [REDACTED] telling the other responding officers to "step it up."

When Sgt. [REDACTED] arrived, he saw Bailey lying on the bed, on his back, surrounded by staff. Sgt. [REDACTED] was on Bailey's legs and Officer [REDACTED] ([REDACTED] was on Bailey's right side applying restraints. Bailey was thrashing around in the bed thrusting his back and trying to turn and pull away his arms and legs. He knew Bailey was being held on a "pink slip" but he was not certain when or who provided that information.

Sgt. [REDACTED] went to Bailey's left side and grabbed a hard restraint. Medic Juan was holding down Bailey's left arm and Medic Brandon was holding down Bailey's right arm. There was other staff present but Sgt. [REDACTED] was unaware of what they were doing because he was focused on controlling Bailey's left side and applying restraints.

While he was trying to get the restraint on Bailey's left wrist, Bailey was trying to pull away from him even with another staff member holding Bailey's arm to the bed. Bailey also continued to thrash around and tried to roll onto his left side. Bailey grabbed hold of the restraint and would not let go of it. Sgt. [REDACTED] then pried it from Bailey's hand. Sgt. [REDACTED] explained he struggled to apply the restraint but he was eventually able to get the restraint on Bailey's left arm and secure the restraint to the frame of the bed. During that time, he heard someone saying Bailey was trying to bite.

Sgt. [REDACTED] then moved down to Bailey's left ankle. Sgt. [REDACTED] was sitting on Bailey's legs to control them and he applied a restraint to Bailey's left ankle. Once Bailey was restrained, Sgt.

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█ got off Bailey and the officers all exited the exam room but remained in the hallway outside the room.

Almost immediately after the officers exited the exam room, medical staff went rushing into the room. Sgt. █ overheard someone call out to remove the restraints. He then went into the room and removed all the restraints.

Sgt. █ was not certain how long it took to apply the restraints. He said it took longer than usual but less than five minutes. Bailey was larger than most of the other medical staff involved and really strong. He was able to turn over on his side with staff and officers on him. Sgt. █ explained Bailey was really fighting by moving his arms and legs, arching his back, and trying to break free in any manner he could. He was using all his energy thrashing around and there were seven or eight people in the room, not including the officers, trying to control him.

He overheard that medications were being administered but he did not see staff administer them. He was not sure if the medication was administered during the application of the restraints or moments after Bailey was restrained.

Throughout the application of the restraints, Bailey wasn't making any sense. He was out of it mentally but he was fighting. During the struggle, Sgt. █ told Bailey to let go of the restraint but he did not believe Bailey understood the command.

The hard restraints were made of nylon and Velcro and contained two locks. They were used to maintain safety for the patient, scene, and staff. Hard restraints were used as a last resort.

He did not witness Bailey cause injury to any other staff. The only force he observed was officers and staff members holding Bailey to the bed. He was aware that Sgt. █ had issued two femoral strikes to Bailey but he did not see it. Sgt. █ said he was on his knees, eye level with the bed while applying the restraints. He explained being down low was necessary to secure the restraint to the bed frame which was under the mattress.

Sgt. █ said he feared for the safety of the staff involved in the incident. He wasn't afraid for himself because as a police officer he was used to dealing with similar situations. However, he explained when someone fights as hard as Bailey was and due to the sheer strength Bailey had, it made him fearful that Bailey could have injured medical staff.

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Sgt. ██████ believed his actions were consistent with his training. He did not see anyone do anything that was unnecessary and he did not believe the incident could have been prevented.

For additional details related to the information provided by Sgt. ██████ refer to the video recorded interview and the Investigative Report titled, *2023-03-22: Involved Officer Interview - ██████ (IRW - 24)*.

Officer ██████ Employment and Training Records  
Personnel File

This file was comprised of 47 pages. It contained applicant and new hire paperwork and a transcript for internal Southwest General Medical Center Training completed between May 9, 2016 and June 4, 2019. Officer ██████ had no discipline related to the use of force.

Training Records

Officer ██████'s training record consisted of 40 pages. It included completion certificates for 34 law enforcement-related courses and the completion of the following courses on the use of force and/or crisis intervention:

- 08/10/2021 – Use of Deadly Force and Legal Guidelines
- 08/10/2018 – Crisis Intervention
- 01/01/2016 – Policing in the 21st Century: Use of Force and De-escalation Webcast

In addition, Officer ██████ completed internal departmental training on SGPD's Response to Resistance Policy on 02/07/22, Defensive Tactics on 07/21/21, and the Patient Restraint Policy on 05/20/2021.

Ohio Peace Officer Training Commission (OPOTC) records for Officer ██████ revealed the following:

Basic Training

Officer ██████ attended Police Academy class ██████ at the Medina County Law Enforcement Training Academy from 07/22/2013 through 03/26/2014. He received Certificate # ██████ on 04/15/2015, and was first appointed by the Apple Creek Police Department.

Employment

He worked for the Apple Creek Police Department as an auxiliary officer between 03/16/2015 and 01/10/2017; the Montville Township Police Department as an auxiliary officer between

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02/19/2016 and 04/14/2016, and began full-time employment with the Southwest General Police Department on 06/13/2016.

### Advanced Training

He completed five OPOTC advanced law enforcement courses related to investigations, officer wellness and leadership. He completed the following course related directly to the use of force:

- 12-13-16 - Policing in the 21st Century: Use of Force and De-Escalation Webcast

For additional details refer to the actual records reviewed and the investigative reports titled *2023-02-16: Review of Personnel File and Training Records - Officer [REDACTED] (IRW - 11)* and *2023-02-16: Review of OPOTC Records - Officer [REDACTED] (IRW - 7)*.

Officer [REDACTED]

### Interview

Officer [REDACTED] was near the ambulance bay when he was dispatched to the Emergency Department Exam Room 3 for a patient who was becoming physically aggressive with staff. He responded through the Emergency Department to Exam Room 3 in approximately 15 seconds. When he arrived, he saw Sergeant (Sgt.) [REDACTED] ([REDACTED] present in the room with an RN named Jeffrey and Paramedics named Brandon and Juan. Bailey, the patient, was on the bed being combative, flailing around, kicking his legs, and trying to get out of the bed.

Medic Brandon already had control of Bailey's right upper arm and shoulder. RN Jeffery was at the head of the bed, Medic Juan was on Bailey's left side, and Sgt. [REDACTED] was at the foot of the bed. Shortly after he arrived, Ofc. [REDACTED] arrived and went to Bailey's left side.

Ofc. [REDACTED] took control of Bailey's right wrist and arm, placed a restraint on Bailey's right wrist, and attached the restraint to the bed. Ofc. [REDACTED] then moved down to Bailey's right ankle. While trying to attach a restraint to the right ankle, Bailey tried to kick him in the face. Sgt. [REDACTED] then performed two femoral strikes to Bailey's femoral artery area.

While restraining Bailey, Ofc. [REDACTED] was knelt down next to the bed. His face was at the same height as the bed and he was trusting the other staff to control the subject while he applied the restraints. Because the patient was bucking and kicking so hard, Sgt. [REDACTED] had mounted the patient's lower legs to control them so the restraints could be applied. The patient was able to get one leg free. While Ofc. [REDACTED] was trying to apply the restraint to the right ankle, Bailey tried kicking him in the face. Ofc. [REDACTED] dodged the kick and at that point Sgt. [REDACTED] performed two strikes to the Bailey's femoral artery area. Bailey immediately stopped kicking and Ofc. [REDACTED] was able to apply the restraint and secure it to the bed.

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Ofc. ██████ explained the strikes were to gain compliance and stop Bailey from kicking. After the two strikes, Bailey stopped kicking and Ofc. ██████ was able to apply the restraint to the patient's ankle and secure it to the bed.

At nearly the same time Ofc. ██████ finished applying the restraints to Bailey's right side, Ofc. ██████ also finished applying restraints to Bailey's left side. Once the restraints were applied, all three officers exited the exam room. Ofc. ██████ believed medical staff administered medication to Bailey through a shot. He was not sure if it was administered after the restraints were applied or during application.

Ofc. ██████ explained Bailey was being held for a mental health evaluation because he was a risk to himself or others. He was not free to leave the hospital and he needed restrained to prevent him from leaving and so staff could safely provide care to him. He said Bailey was combative, and if he wasn't restrained he could have physically assaulted other patients, visitors, or staff members.

Ofc. ██████ described Bailey as a large and strong individual. He estimated Bailey was approximately 250 – 260 pounds and over 6 foot in height. Throughout the encounter Bailey was angrily yelling sounds but not saying anything in particular. He tried to sit up and pull his arms away from staff. He tried to physically grab at people, he bucked his hips, was flailing his arms and legs. He kicked at the staff and was trying to assault them to either get out of the bed or the room. Ofc. ██████ explained it was a struggle for 6 people to hold Bailey down.

Immediately after securing the patient in restraints, the officers all exited the exam room. They remained present outside of the room but some of the staff remained in the room. Within seconds, Ofc. ██████ overheard the staff saying the patient wasn't breathing or didn't have a pulse. Ofc. ██████ then entered the room and removed the restraints from the patient.

While applying restraints, Ofc. ██████ did not see Bailey strike or injure anyone else in the room. He did not observe any other staff strike or injure Bailey.

Ofc. ██████ said he was not fearful for his own safety but was fearful Bailey could have hurt the other staff in the room.

Ofc. ██████ believed his actions and the actions of all the staff involved in the situation were consistent with their training. He was not aware of anyone involved being disciplined.

He did not have any previous knowledge or encounters with Bailey.





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For additional details related to the information provided by Sgt. [REDACTED] refer to the video recorded interview and the Investigative Report titled, *2023-03-23: Involved Officer Interview - [REDACTED] (IRW - 25)*.

Officer [REDACTED] Employment and Training Records  
Personnel File

This file was comprised of 22 pages. It contained applicant and new hire paperwork, performance evaluations, and discipline. Officer [REDACTED] had no discipline related to his use of force.

Training Records

Officer [REDACTED]'s training record consisted of 25 pages. It included completion certificates for 16 law enforcement-related courses and the completion of the following course on the use of force:

- 08/14/2021 – Use of Deadly Force and Legal Guidelines

In addition, Officer [REDACTED] completed internal departmental training on SGPD's Response to Resistance Policy on 02/07/22, Defensive Tactics on 07/21/21, and the Patient Restraint Policy on 05/20/2021.

Ohio Peace Officer Training Commission (OPOTC) records for Officer [REDACTED] revealed the following:

Basic Training

Officer [REDACTED] attended Police Academy class BAS09-091 at the Medina County Law Enforcement Training Academy from 10/05/2009 through 06/10/2010. He received Certificate #100539 on 06/24/2010, and was first appointed by the Medina Police Department.

Employment

He worked for the Medina Police Department as a special officer between 08/24/2009 and 12/03/2014. He began part-time employment with the Southwest General Police Department on 11/14/2011 and became full time on 04/19/2012.

Advanced Training

He completed 10 OPOTC advanced law enforcement courses related to investigations, officer wellness and leadership.

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For additional details refer to the actual records reviewed and the investigative reports titled *2023-02-16: Review of Personnel File and Training Records - Officer [REDACTED] (IRW - 10)* and *2023-02-16: Review of OPOTC Records - Officer [REDACTED] (IRW - 8)*.

**Sergeant [REDACTED]**

Sgt. [REDACTED] was in a stairwell (possibly Stairwell T) when he heard dispatch indicate a patient in Exam Room 4 (later corrected the location to Exam Room 3) was becoming physically aggressive with staff. He responded and arrived within nine seconds. When he arrived, he observed staff controlling the patient's (Bailey's) upper body. They were holding both his arms and his head down with an open palm. He noticed Bailey had some blood in his mouth but he did not know what it was from. RN Jeffrey Rubel (Rubel) was at Bailey's head, medic Brandon Mason (Mason) was on Bailey's right side and medic Juan Crespo (Crespo) was on Bailey's left side (23:15). He did not remember specifically how each individual staff member was holding Bailey and he could not recall which staff member was holding Bailey's head with an open palm. Bailey's legs were kicking and he radioed for the other officers to "step it up."

Sgt [REDACTED] did not believe he could control Bailey's legs by holding them alone so he laid across them with his upper body to prevent Bailey from kicking other staff. He explained Bailey was a larger man, over 6 feet tall, 230 plus pounds, and fairly strong.

Initially, Bailey was lying partially on the bed with his legs hanging off the bed. They "boosted" Bailey up into the bed so they could restrain him. Officer [REDACTED] then arrived with the restraints and began placing a restraint on Bailey's right arm. Sgt [REDACTED] was unable to control Bailey's legs by lying across them so he transitioned to a mount position and sat on Bailey's legs.

Once Sgt. [REDACTED] transitioned to the mount position he ended up closer to Bailey's hip area. He explained Bailey continued thrashing and bucking him which caused him to move forward toward Bailey's hips. Bailey was a "burly man" and the purpose for transitioning to the mount position was to utilize all his weight on Baileys legs to control them. Even in the mount position he was not able to completely control Bailey's legs. While he was in the mount position, he felt Bailey urinating on him. He did not see Bailey biting or spitting.

Officer [REDACTED] then arrived, went to Bailey's left side, and began applying restraints. Sgt. [REDACTED] remained in the mount position on Bailey's legs and Bailey continued thrashing about, actively kicking and trying to buck Sgt. [REDACTED] off of him. Bailey was making grunting noises but not saying anything. Sgt. [REDACTED] believed Bailey was trying to escape.

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While Officer ██████ was applying restraints, Bailey tried kicking Officer ██████ in the face. In response, Sgt. ██████ administered two strikes to Bailey's right femoral nerve to gain pain compliance. Sgt. ██████ said the strikes were effective. After the two strikes, Bailey stopped kicking and the officers were able to apply the restraints.

Sgt. ██████ got off Bailey immediately after his legs were secured in the restrains. He and the other officers then stood by outside the exam room. He heard someone indicate Bailey was not breathing. Officer ██████ then went into the exam room and removed the restraints. Sgt. ██████ estimated the restraints were on Bailey for less than five minutes.

Restraints can be ordered by a doctor, however, when a patient is actively fighting they do not need a doctor's order to apply restraints. Sgt. ██████ explained when a patient is that combative and actively fighting it is their policy to physically restrain the patient to prevent the patient from harming himself or others. In this instance, there was no specific order to restrain Bailey. It was an understanding and all the staff in the room knew he needed to be restrained.

Sgt. ██████ remembered at some point during the restraint process medical staff administered medication to Bailey. Sgt. ██████ said he was on Bailey's legs and it was administered to Bailey's thigh.

During the incident, Sgt. ██████ was not afraid for his own safety or the safety of staff because they were controlling Bailey most of the time. He said Bailey was in a gown and he did not have access to weapons. Sgt. ██████ did say if Bailey broke free from them, he could have hurt someone and he could have hurt Officer ██████ if he was successful in kicking Officer ██████'s face.

Sgt. ██████ did not strike Bailey at any other time during the incident. He did not believe there was anything else he could have done beside administer the two strikes when Bailey kicked toward Officer ██████'s face. He believed his actions were consistent with his training. He did not believe situation could have been handled any differently.

Sgt. ██████ did not see any other staff strike Bailey. He did not witness anything that caused him to believe someone had done something wrong. He was not aware of anyone being disciplined as a result of the incident.

Sgt. ██████ said he did not recall having any prior encounters with Bailey.

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For additional details related to the information provided by Sgt. ██████ refer to the video recorded interview and the Investigative Report titled, *2023-03-24: Involved Officer Interview - Sgt. ██████ (IRW - 26)*.

Sergeant ██████ Employment and Training Records  
Personnel File

This file was comprised of 34 pages. It contained applicant and new hire paperwork and employee evaluations. Sgt. ██████ had no discipline related to the use of force.

Training Records

Sgt. ██████'s training record consisted of 18 pages. It included completion certificates for 14 law enforcement-related courses and the completion of the following course on the use of force:

- 08/09/2021 – Use of Deadly Force and Legal Guidelines

In addition, Sgt. ██████ completed internal departmental training on SGPD's Response to Resistance Policy on 02/07/22, and the Patient Restraint Policy on 05/20/2021. He also instructed an internal Defensive Tactics training on 07/21/21.

Ohio Peace Officer Training Commission (OPOTC) records for Officer ██████ revealed the following:

Basic Training

Sergeant ██████ first completed the police academy in 2012, but did not obtain an appointment from a department to validate his certificate. He attended and completed the Academy a second time in class ██████ at the Polaris Career Center Police Academy from 09/15/2014 through 04/14/2015. He received Certificate # ██████ on 08/10/2015 and became appointed by the Southwest General Police Department.

Employment

Sergeant ██████ has worked as a full-time officer for the Southwest General Police Department since 08/10/2015. He had no other employment on file.

Advanced Training

Sergeant ██████ completed six OPOTC advanced law enforcement courses related to investigations and officer wellness. He completed the following course related directly to the use of force:

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- 10/19/2017 – Understanding and Working with Difficult People
- 12/04/2017 – Subject Control Instructor

For additional details refer to the actual records reviewed and the investigative reports titled *2023-02-16 Review of Personnel File and Training Records - Sgt. [REDACTED] (IRW - 12)* and *2023-02-16: Review of OPOTC Records - Sgt. [REDACTED] (IRW - 6)*.



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**Subject Information – Bryan Bailey**

This section contains information about the subject, Bryan Bailey.

**Southwest General Medical Center**

This section contains information regarding the medical records obtained for Bryan Bailey. They provided details regarding Bailey's evaluation, the treatment provided, and medications administered to Bailey on October 18, 2022. The following information was identified as being most relevant to this investigation:

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

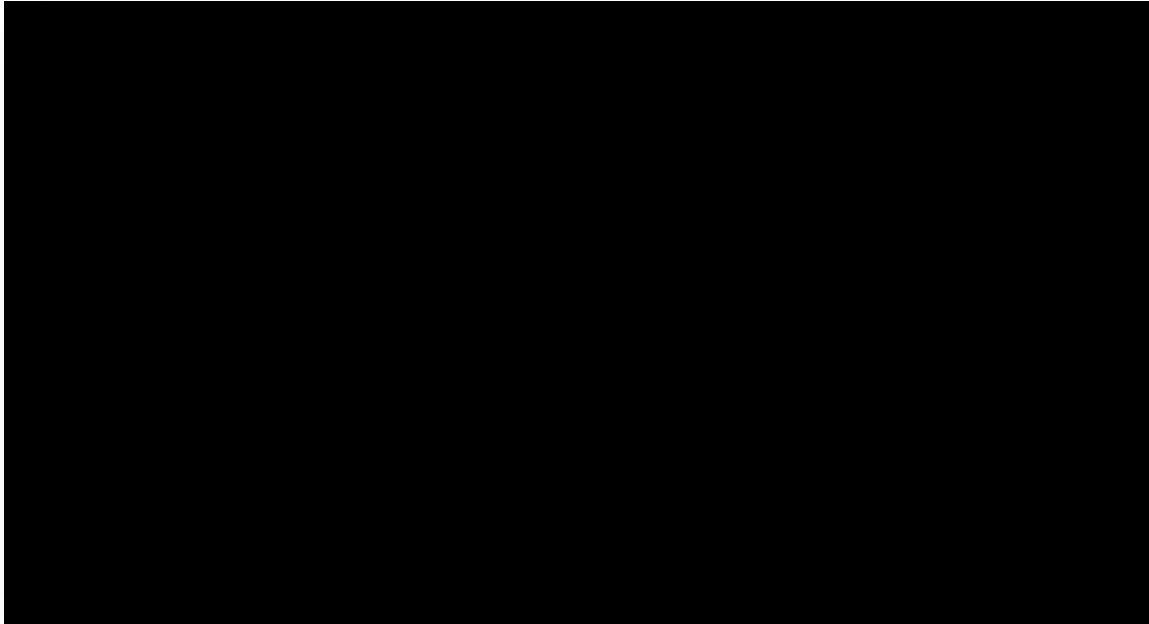


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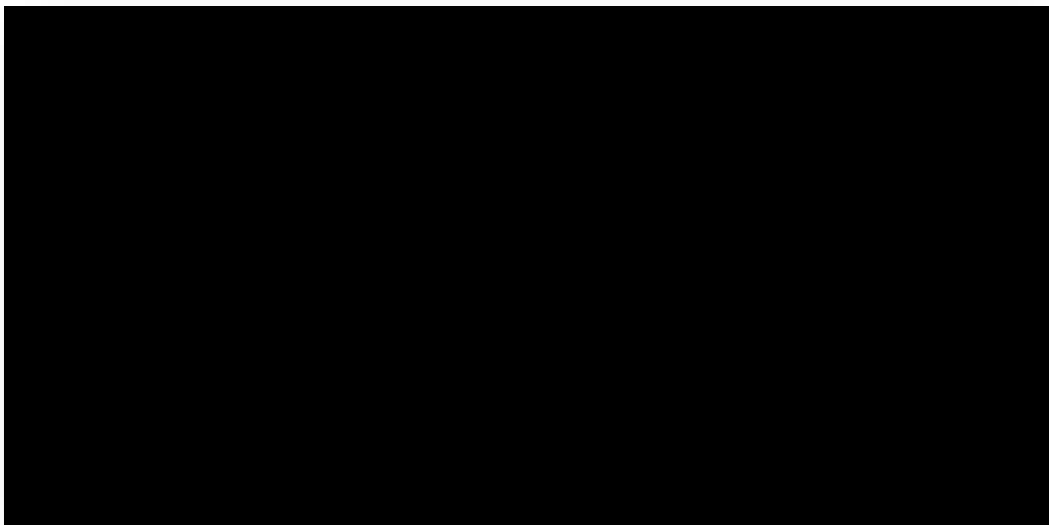


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*Image 3 – From Page 93*



*Image 4 – From Page 94*

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[REDACTED]

For additional information refer to the medical records and the investigative report titled 2023-03-09: *Review of Medical Records - Bryan Bailey (IRW - 21)*.

**Cuyahoga County Medical Examiner's Office**

This section contains information regarding cause and manner of death as determined by the Cuyahoga County Medical Examiner's Office after conducting an autopsy on Bryan Bailey.

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The autopsy was performed by Cuyahoga County Medical Examiner's Office Dr. Daniel Sullivan on October 20, 2022 at 0900 hours.

[REDACTED]

[REDACTED]

“DIAGNOSIS” section of the report listed the following relevant information:

[REDACTED]

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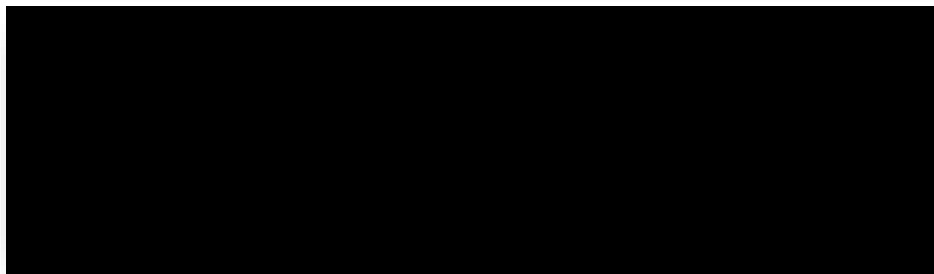
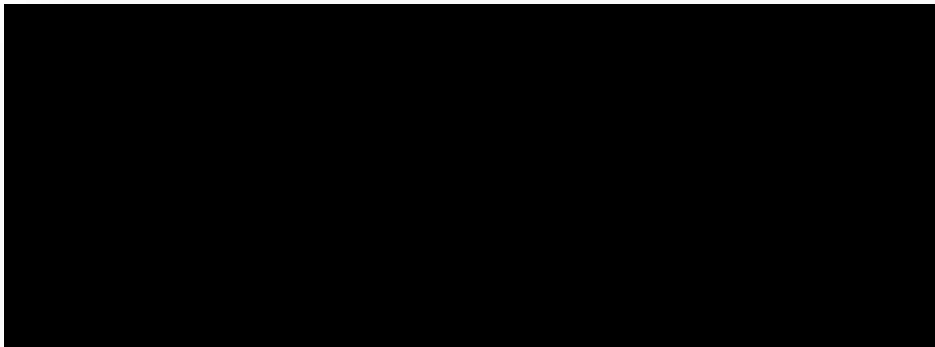
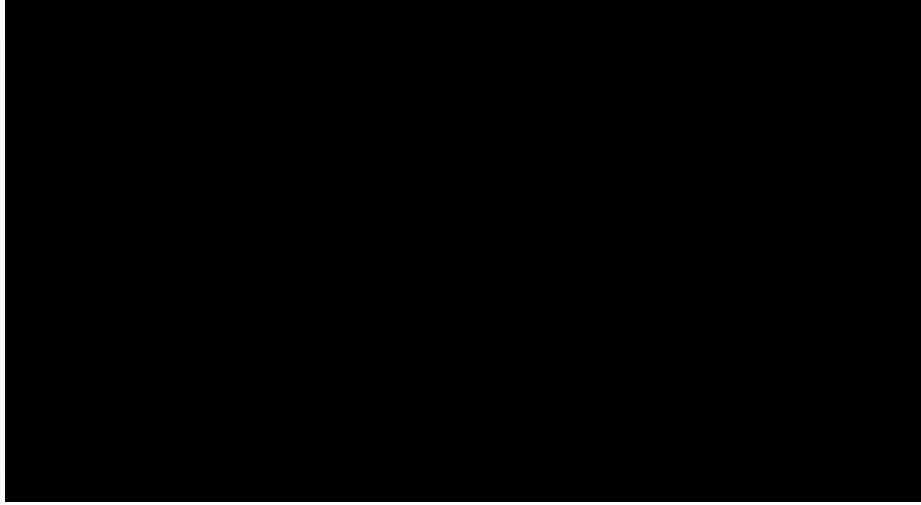
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The "Injuries" and "Therapeutic Procedures" segments within the "EXTERNAL EXAMINATION" section contained the following information:



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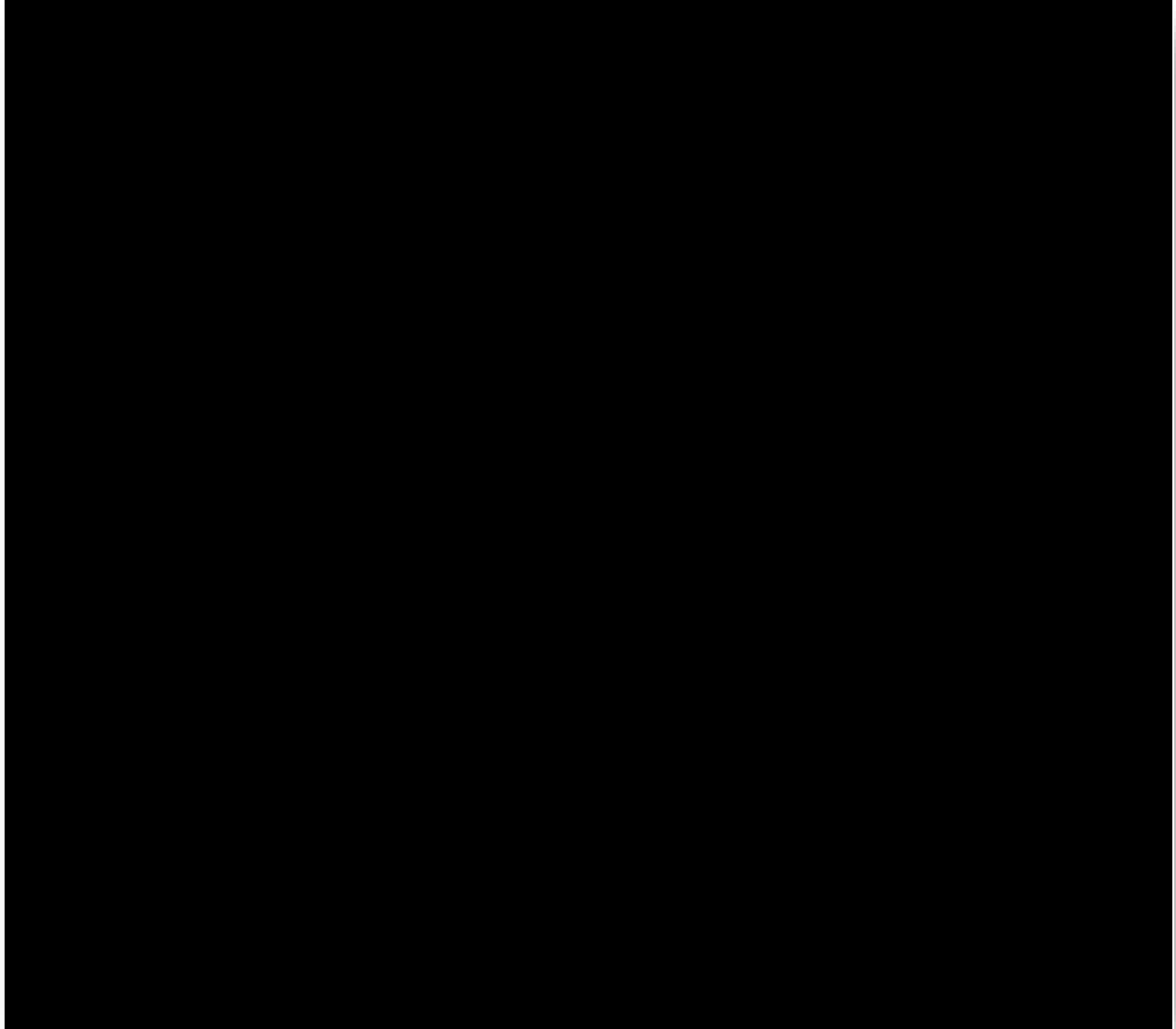
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The "TOXICOLOGY REPORT" identified the presence of Amphetamine, Methamphetamine, Cannabinoids, and Fentanyl as outlined below:



For additional information refer to the autopsy report and the investigative report titled *2023-02-22: Review of Autopsy Report (IRW - 18)*.

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### Bryan Bailey – Background, Computerized Criminal History

Background information for Bailey was compiled and reviewed. It included researching past police reports involving Bailey, criminal history records, court records, open/closed source database inquires and social media posts.

#### Database Searches

An Accurant report was obtained and reviewed. Nothing relevant to the investigation was observed.

#### Social Media

Bailey's Facebook profile was located and identified with username: *Bryan Bailey*. It was accessible at <https://www.facebook.com/bryan.bailey.330>. It appeared the profile was set to private and there was no information relevant to this investigation that was publicly available on the profile.

#### Prior Police Encounters

SGPD Chief Harker provide provided five police reports detailing previous encounters the agency had with Bailey on three previous dates. Each encounter occurred while Bailey was a patient in the Emergency Department. None of the encounters involved Sgt. [REDACTED] Officer [REDACTED] or Officer [REDACTED]

Ohio Law Enforcement Gateway (OHLEG) records indicated Bailey had no documented encounters with law enforcement in OHLEG.

The Strongsville Police Department completed a query and indicated they had eight previous encounters with Bailey not including the incident on October 18, 2022. Four CAD reports and four police department incident reports were provided.

A review of the reports revealed Bailey first had contact with the Strongsville Police Department in 2009. The following three contacts appeared relevant to this investigation as they outlined a pattern of mental health concerns.

- CAD Call 12271316

This incident occurred on September 19, 2012. The call was for a psychiatric situation. The report detailed the following:



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**Narrative**

COMP STATES HER 21 YR OLD SON IS OUT OF CONTROL, PUNCHING HOLES IN THE WALLS AND SCREAMING. HE HAS MENTAL HEALTH ISSUES AND HE NEEDS HELP.

BRYAN L BAILEY N ROYALTON NOT VALID/NIF  
LAURA F BANGHART WHITNEY RD STRONGS VALI/DNIF  
1959 HRS - 7181 TAKING BRYAN VOLUNTARILY TO SOUTHWEST FOR AN EVAL  
2006 HRS - 7181 AT SOUTHWEST

\*\* BRYAN, HIS BROTHER, JOSH, AND THEIR MOM, LAURA, GOT INTO A VERBAL ARGUMENT WHICH GOT SLIGHTLY PHYSICAL BETWEEN BRYAN AND JOSH. DURING ARGUMENT BRYAN MADE STATEMENTS ABOUT HURTING HIMSELF AND SCRATCHED HIS WRIST WITH SOME KIND OF UTENSIL. HE ALSO PUT HIS HEAD THROUGH THE WALL. THEY ALL DECIDED THE BEST THING WOULD BE TO GO TO SOUTHWEST AND TALK TO SOMEONE. BRYAN AGREED AND WENT VOLUNTARILY.

- CAD Call 15854429

This incident occurred on December 21, 2015. The call was for a welfare check. The report detailed the following:

**Narrative**

25 YOM FEELING SUICIDAL - NO WEAPONS- HAS BEEN DRINKING BUT HAS NOT TAKEN ANY MEDS - THERE ARE SEVERAL PEOPLE IN THE APT C/B/A

\*MALE HUNG UP AND WENT TO VOICE MAIL ON CALL BACK

\*ENRT PARMA HOSP

-- Clearance From Unit 5443 12/21/2015 17:53:25 --

male transported to parma for eval, 10-8

- Incident 19104627

This incident occurred on October 30, 2019. The call was for an attempted suicide. The report detailed the following:



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On October 30, 2019, I responded to 16749 Whitney Rd for a report of attempted suicide. The original call was as follows:

COMP STATES SOMEONE IS TRYING TO KILL THEMSELVES  
 THERE IS A ALOT OF NOISE IN THE BACKGROUND  
 COMP STATED THERE IS A KNIFE BUT SHE IS IN THE OTHER ROOM  
 THE PERSON W/ THE KNIFE IS IN THE KITCHEN  
 2ND COMP STATED DID CUT HIMSELF W/ THE KNIFE  
 HE CUT HIMSELF IN THE FOREARM

When officers arrived, they located Bailey outside with a towel wrapped around his left forearm. Bailey indicated he wasn't going to hurt anyone except for himself. After Bailey was transported to the hospital, officers learned he had an argument with his sister and locked himself in the bathroom. His sister became afraid that Bailey might hurt himself and knocked on the door. Bailey then kicked open the door, grabbed a knife, and cut himself below his left elbow.

**Computerized Criminal History (CCH) and/or Court Records**

[REDACTED]

For additional information related to background information obtained for Bailey, refer to the actual documents referenced and the investigative report titled *2023-02-16: Review of Intelligence Information - Bailey (LEADS/CCH/Prior LE Contacts/Social Media) (IRW - 16)*

**Dispatch-Related Information**

This section contains dispatch-related information associated with the incident. The information reviewed was obtained from the Southwest General Police Department and the Strongsville Police Department.

**Audio recorded Calls to Police**

There were two calls made to the police department by staff in the Emergency Department. The audio recordings were titled *22006401* and *22006402*. There was no date or time associated with the recordings. SA Armstrong reviewed each recording and noted the following:

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22006401:

The recording was 22 seconds. A female dispatcher answered the call and a female voice stated "Hey umm, can we have you guy the guys over here for room three, he's pink slipped and he's acting up." The dispatcher asked what the subject was doing and the caller said: "I don't know they just told me to call you." The dispatcher said "Ok" and the recording ended.

22006402:

The recording was 23 seconds. When the recording began, a female dispatcher can be heard dispatching officers to Exam Room 3 in the Emergency Department. A male voice can be heard screaming in the background. After dispatching the officers, the dispatcher said "Southwest Police Department." A female voice then said "Hi. I need police to exam room 3 in the ED." The dispatcher indicated they had received a call for it and asked what was going on. The female caller then said: "A patient's getting physically aggressive with staff." The dispatcher said "Ok" and the recording ended.

**SGPD CAD Report & SPD CAD Report**

There were three SGPD CAD reports associated with this incident. They were identified with the following separate incident numbers: 2230351; 2230354; 2230374.

Incident 2230351:

The CAD report was generated on 10-18-2022 at 21:54:23 hours. The location was *EMERGENCY ROOM EX03* and the call type was *STAND BY INVEST*. Three officers of SGPD were dispatched at 21:54 hours and arrived at 21:55 hours. They were Units 13, 26, and 27. Chief Harker provided a Police Department Roster which identified Officer's by their Unit numbers. Based on the roster, the following three officers were dispatched:

- Unit 13 – Sgt. [REDACTED] ([REDACTED])
- Unit 26 – Officer [REDACTED] ([REDACTED])
- Unit 27 – Officer [REDACTED] ([REDACTED])

The Narrative portion provided the following explanation:

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**Narrative**  
 ER staff requesting officers, pink slipped patient becoming aggressive with staff. received two separate calls from staff regarding patient escalating. advised responding Officers of this.  
 -- 10/18/2022 21:55:26 Disp 52 --  
 Out of 4pts at 22:05, per Unit [REDACTED]  
 -- 10/18/2022 22:14:13 Disp 52 --

The officers cleared the call at 22:32 hours.

Incident 2230354:

The CAD report was generated on 10-18-2022 at 22:50:39 hours. The location was *EMERGENCY ROOM EX03* and the call type was *STAND BY INVEST*. The call was generated by Sgt. [REDACTED] (Unit 13) and Officers [REDACTED] and [REDACTED] were also assigned to the call. All three were shown on scene at 22:50 hours.

The Narrative portion provided the following explanation:

**Narrative**  
 Unit 13 advised Officers will be standing by the ER consult room. Medical staff with be speaking with patient's family  
 -- 10/18/2022 22:50:55 Disp 52 --  
 Unit [REDACTED] advised clear for now, spoke with family  
 -- 10/18/2022 23:01:06 Disp 52 --  
 -- From 10/18/2022 23:01:14 To 10/18/2022 23:01:54 Disp 52 --

The officers cleared the call at 23:01 hours.

Incident 2230374:

The CAD report was generated on 10-19-2022 at 03:22:16 hours. The location was *NECROPSY* and the call type was *BODY RELEASE*. Sgt. [REDACTED] Officer [REDACTED] and Officer [REDACTED] were assigned to the call. Sgt. [REDACTED] was on scene at 03:23 hours and Officers [REDACTED] and [REDACTED] were on scene at 03:26 hours. All three officers cleared at 03:36 hours.

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The Narrative portion provided the following explanation:

**Narrative**  
Cooler #2 (from ER)  
  
Coroners case  
Released by Unit 29 and 32  
10/19/2022 13:48:01 Disp 56

It appeared Unit 29 and Unit 32 released the body to the coroner's office. They were identified with the roster as Officers Michael Doctor (Unit 29) and Andy Rodenhauser (Unit 32).

#### Audio Recorded Police Radio Traffic

The radio traffic provided included six individually recorded radio transmissions. There was no date or time associated with the recorded radio transmissions. Most of the transmissions were unintelligible. The following information was noted:

#### Recording 22006403:

A female voice dispatched officers to the emergency room stating: "Radio to Units. I need you in the ER for Exam 3, pink slipped, acting out." Three units acknowledge the dispatch and then the dispatcher stated "Units be advised, second call, he's becoming physically aggressive with staff."

#### Recording 22006404:

An unidentified unit radioed "I'm Here."

#### Recording 22006407:

Unit [REDACTED] radioed "Out of four point at [unintelligible]."

#### 22006408:

The dispatcher asked about the four point. A male unit responded "Taken out at 2205."

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For additional details associated with dispatch related information refer to the documents and files referenced and the investigative report titled *2023-02-15: Review of Dispatch Related Information - CAD Report/Audio Recorded Phone Calls/Radio Traffic (IRW - 5)*.



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## Conclusion

This use of force incident involved six Southwest General Medical Center staff members; RN Jeffrey Rubel, Paramedic Juan Crespo, Paramedic Brandon Mason, Sgt. [REDACTED] Officer [REDACTED] and Officer [REDACTED]. Based upon the facts and evidence obtained throughout the investigation, statements from witnesses, statements from assisting medical personnel, statements of those involved in the use of force, and the totality of the investigation, it is concluded that the involved staff used physical force to restrain Bailey after his actions posed a risk of harm to himself and others.

This conclusion was based on the totality of the investigation. Throughout the investigative process, investigators continually evaluated the facts and evidence, in conjunction with audio and video recordings, forensic findings, witness statements, involved staff statements, and other information to ensure all relevant facts and circumstances surrounding this incident were obtained.

This investigation focused on the actual use of force incident. This investigation did not encompass the clinical decisions and/or application of medical interventions.



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## Contact Information

The preceding information comprises only a portion of facts and circumstances collected during the investigation. For further review of specific information or documentation collected during the investigation, please refer to the individual reports and documents from which this summary was derived. Any questions regarding the content or context of the information contained in this document can be directed to the attention of Special Agent Matthew Armstrong. SA Armstrong who can be reached via email at [Matthew.Armstrong@OhioAGO.gov](mailto:Matthew.Armstrong@OhioAGO.gov) or by telephone at 234-400-3395.