



**Ohio Bureau of Criminal Identification & Investigation**  
**INVESTIGATIVE REPORT**



**12/26/2012 INTERVIEW OF LT. CHERYL BROWN**

**Summary**

The Cleveland Police Officers involved in the shooting on November 29, 2012 were interviewed at the BCI Richfield Offices. Also present with the officer was Attorney Robert M. Phillips, along with Fraternal Order of Police President Brian Betley and Fraternal Order of Police Vice President Jerry Zarlenga representing the union. The interview was conducted by Ohio BCI Special Agent Scott Stranahan and Special Agent Thomas Verhiley.

Lieutenant Cheryl L. Brown was advised of her "Miranda Rights" which she stated she understood. Brown advised her attorney and Special Agent Verhiley that the interview was going to be a "custodial interrogation." Special Agent Verhiley advised Brown it was not a "custodial interrogation" and further explained what BCI's position was in the investigation. Special Agent Verhiley advised Brown she had the option to leave at any time and not answer any questions if she so desired. Brown agreed to participate in the interview.

The interview was video recorded and submitted to the case file as Exhibit #92

**Details**

Brown is a Lieutenant assigned to the 5<sup>th</sup> District as a Watch Commander 3<sup>rd</sup> Shift C-Platoon and is a twenty-six year veteran of the Cleveland Police Department. On Thursday, November 29, 2012 Brown was working 1900 hours to 0500 hours, with Monday, Tuesday, and Wednesday off. Brown's supervisor was Commander Wayne Drummond.

and no substance abuse issues. She does not wear corrective lenses only reading glasses occasionally. Brown does not currently work any part-time jobs.

Brown was wearing her issued Cleveland Police Department uniform with the exterior bullet resistant vest. All of Brown's department magazines were at full capacity and she was not carrying a back-up weapon. Brown has been in two officer involved shootings in the past.

<b>File Number: SI-18-12-82-1493</b>	<b>File Title: Timothy R. Russell (S) Malissa A. Williams (S)</b>
<b>Case Agent: Mark Kollar</b>	<b>Authoring Agent: Verhiley, T. #76</b> <i>TV</i>
<b>Date of Report: December 26, 2012</b>	<b>Exhibit #: 92</b>
<b>Investigative Activity: Interview of Lt. Cheryl Brown</b>	<b>Supervisor Approval: Dennis Sweet</b> <i>[Signature]</i> <b>JAN 14 2013</b>

Brown said on Thursday, November 29, 2012 she was in the Sergeant's office of the 5<sup>th</sup> District speaking with Sergeant Janusczak #9891. She said she heard one of the dispatchers indicate there was a vehicle pursuit in progress and possibly heading into the 5<sup>th</sup> District from the 3<sup>rd</sup> District. Brown indicated she and Sgt. Janusczak departed the station in a marked Cleveland Police vehicle to assist with the pursuit. This vehicle they were in was not equipped with an in-dash camera. Brown, who was the passenger, switched the handheld radio to channel 2 (2<sup>nd</sup> District) so they could monitor the pursuit. The police vehicle radio remained on channel 5 so they could monitor the radio traffic in the 5<sup>th</sup> District. Brown said she asked the dispatch center several questions about the vehicle pursuit coming in to the 5<sup>th</sup> District, e.g. who started it, where it started, who's involved, and what's their location. Brown wasn't sure of the pursuit location; however, she heard one of the officers indicate that the suspect was "pointing a gun" at the officers.

During the pursuit, Brown heard one of the officers indicate the suspects rammed one of the police officers involved in the pursuit. Brown said the Cleveland Police officers from the west side of Cleveland were broadcasting the pursuit however they weren't familiar with the various locations; therefore, the pursuit was being called incorrectly. Brown said she wanted one of her 5<sup>th</sup> District officers to call the pursuit due to the fact they were familiar with the area. Brown said she also heard one of the officers broadcast that the suspects possible threw something out the window in the area of Interstate 90 and East 72<sup>nd</sup> Street. During the pursuit, Brown heard one of the officers broadcast the suspects were pointing a gun out the window.

Brown stated the 5<sup>th</sup> District second shift supervisors, Sergeant Saffo and Sergeant Rose, called off the pursuit and advised the 5<sup>th</sup> District officers to terminate. Brown advised the dispatch center she was going to continue with the pursuit to determine what was going on in the 5<sup>th</sup> District. Brown said based on the totality of the circumstances, she wanted to continue the pursuit. Brown said she did not countermand the sergeants, she wanted to know exactly why this pursuit started and how it related to the 5<sup>th</sup> District. Brown said the Cleveland Police Air Support was not available and if it had been, she would have used them to slow the pursuit down. Brown also said she inquired about using Road Spikes by her department or maybe an eastside suburb.

Brown said they heard the officers broadcast they were in the area of Martin Luther King Boulevard, possibly in the 3<sup>rd</sup> District. Brown again asked the dispatch center how the pursuit initiated; however, the dispatchers could not give a definitive answer. Brown heard the officers broadcast they were eastbound on Euclid Avenue in East Cleveland. Brown stated she and Janusczak were eastbound on Euclid Avenue when they heard more confusion on the location of the pursuit. Brown said they did not have their siren activated only the overhead emergency lights on attempting to find the location of the pursuit. Brown stated one of the officers broadcasted something to the effect of, "We got them stopped" or the pursuit was ending. Someone broadcast they were in a water treatment plant. Brown stated she and Janusczak had no idea where the other officers were, so they continued eastbound Euclid Avenue looking up and down the streets. Brown said she then heard an officer broadcast, "Shots fired." Brown then heard Sergeant Coleman broadcast, "Watch your crossfire."

Brown and Januszczak were unable to catch up to the pursuit vehicles and needed assistance to the officer involved shooting location. Brown said they followed one of the police officers to the area of Euclid Avenue and Wymore Avenue. Brown said as they turned southbound on Wymore Avenue the entire street was blocked with police cars, so they parked and exited their vehicle. Brown observed an Ohio State Highway Patrolman leaving the scene as they arrived.

Brown said when she walked up to the scene she observed vehicle #217 with bullet holes in the windshield and she was very concerned for the safety of the officers. Brown walked near the suspect's vehicle and looked; however, she did not touch anything or remove anything from the suspect's vehicle. Brown did not take photographs or observe any of the officers on scene taking photographs. Brown noticed the suspect's vehicle had several bullet holes in the windshield so she checked on the status of the driver and passenger. At the time, Brown thought it was two males in the front seat; however, she later learned the passenger was a female. Brown described the driver and passenger, were slumped together, shoulder to shoulder. Brown asked one of the officers on scene if someone contacted the East Cleveland Emergency Services. Brown was advised they were on the way. Brown stated she went throughout the large group of officers to determine if anyone was injured and noticed Officer Randy Patrick sustained a cut on his forehead, so she advised him to have it treated by EMS. Brown said this was East Cleveland Police Department crime scene so she did not assist with securing the scene. Brown said at this time, Deputy Chief Williams arrived at their location, so she gave him a briefing on what had happened. Brown noticed that a couple of the clergy also arrived on scene.

Brown determined that several of the officers appeared to be in shock so she went to a local gas station to purchase water for the officers. After determining the scene was secured, Brown and Januszczak departed and returned to the 5<sup>th</sup> District with her officers for a debriefing.

Brown was advised that a Cleveland Police Officer located a spent shell casing in the area of the Cleveland Police Department Headquarters, 205 West St. Clair Avenue, Cleveland, Ohio. Brown said she contacted the 3<sup>rd</sup> District with this information and they assigned an officer to investigate the possible evidence found.

Brown said at 0410 hours on Friday, November 30, 2012 she received a telephone call from Sergeant Coleman who wanted Brown to respond to the area of Interstate 90 and East 72<sup>nd</sup> Street and look for a handgun. Brown said Coleman thought the suspects may have thrown a gun out of their vehicle when they exited the interstate. Brown said she and a few of her officers responded to the location and searched the entire area; however, nothing was found.

Brown did not submit any police reports in reference to her involvement, only a duty log.

**Subject Information**

Name: Cheryl L. Brown  
Address: [REDACTED] Cleveland, Ohio 44110  
Telephone: [REDACTED]  
Employment: Cleveland Police Department  
DOB: 03/16/1958  
SSN: [REDACTED]  
Sex: Female  
Race: White  
Height: 5'-09"  
Weight: 150 lbs  
Hair: Blond  
Eyes: Blue  
S/V/W: W  
CCH: No

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