



Ohio Bureau of Criminal Identification & Investigation
INVESTIGATIVE REPORT



12/28/2012 REPORT RECEIVED FROM CUYAHOGA COUNTY SHERIFF'S OFFICE

Summary

On December 28, 2012 Special Agent (SA) Mark Kollar received reports from the Cuyahoga County Sheriff's Office detectives regarding the ongoing investigation into the officer involved shooting in East Cleveland, Ohio.

Details

On December 28, 2012 Special Agent (SA) Mark Kollar received reports from the Cuyahoga County Sheriff's Office detectives regarding the ongoing investigation into the officer involved shooting in East Cleveland, Ohio. The reports received were as follows:

- 12/14/12 – 2nd Interview of Officer John Jordan – Exhibit #106
- 12/20/12 – Interview of ECPD Sgt. Jeff Williams – Exhibit #114
- 12/20/12 – Interview of ECPD Ofc. Vashon Williams – Exhibit #114
- 12/20/12 – Interview of ECPD Ofc. Seana Kelly – Exhibit #114
- 12/29/12 – Review of RTA AVL reports placed on DVD – Exhibit #128

File Number: SI-18-12-82-1493	File Title: Timothy R. Russell (S) Malissa A. Williams (S)
Case Agent: Mark Kollar	Authoring Agent: Mark E. Kollar <i>MK</i>
Date of Report: 12/28/2012	Exhibit #: 106, 114, 128
Investigative Activity: Report Received from CCSO	Supervisor Approval: Dennis Sweet <i>[Signature]</i> JAN 17 2013

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CUYAHOGA COUNTY SHERIFF'S OFFICE

SUMMARY REPORT

INCIDENT CLEVELAND POLICE DEPARTMENT PURSUIT/SHOOTING 11/29/2012

On December 14, 2012, at approximately 10:30am while assigned to Special Investigation in cooperation with the Ohio Bureau of Criminal Investigation and Identification (BCII) and the East Cleveland Police Department (ECPD). I Detective Sergeant Clifford E. Pinkney along with Special Agent John Saraya was assigned to interview Cleveland Police Department (CPD) Patrolman John Jordan in the presence of CPD Union representative Jeff Follmer and Union Attorney Patrick D'Angelo. The Interview took place at 4055 Highlander parkway, Richfield, Ohio 44286.

Synopsis:

Prior to specific questions concerning the captioned incident Patrolman Jordan was read his Miranda Warnings. Patrolman Jordan stated he understood his rights and in concurrence with Attorney D'Angelo he agreed to speak to investigators.

Special Agent Saraya asked Ptl. Jordan on Thursday November 29, you were working the downtown service unit in plain clothes and Ptl. Jordan answers yes. Then SA Saraya asked you started your shift at what time? Ptl. Jordan said he started his shift at 2000 hours. SA Saraya then asked what was going on between the hours of 2000 hours and the first encounter with the suspects. Ptl. Jordan stated that he had to get gas for his unmarked vehicle and continued with his normal routine which was to drive around the downtown area looking for panhandlers. Then he noticed a bunch of people around a vehicle outside of 2100 Lakeside the homeless shelter. Ptl. Jordan goes on to say that he pulled behind the suspect car and ran the plate through dispatch and the plate came back clean. Ptl. Jordan said there were at least 2 people on the driver's side of the suspect vehicle and 3 to 4 people on the passenger side. At that time Attorney D'Angelo told Ptl. Jordan to explain to us why he was on the phone and tell us who he was on the phone with. Ptl. Jordan said he was on the phone with his son's mother because his son was being disobedient and they were discussing his behavior. Ptl. Jordan also said that he stayed on the phone with her during the entire stop with the suspect vehicle. Ptl. Jordan went on to say that once the suspect vehicle drove off from 2100 Lakeside he decided to follow the vehicle looking for suspicious activity. Once the suspect vehicle made a left turn onto East 18th and St. Clair without using his blinker Ptl. Jordan activated his lights and siren and pulled the suspect vehicle over. The stop was on E. 18th and Rockwell and Ptl. Jordan exited his vehicle

instructing the driver to shut off the car and show his hands. Ptl. Jordan said the driver did not shut the vehicle off but he did raise his arms in the air. At that time the passenger of the suspect vehicle began to yell and scream at Ptl. Jordan and he noticed a silver and red object in the passenger's hand. Ptl. Jordan said he was hesitant to approach the suspect vehicle because he didn't have his protective vest on and the passenger of the vehicle made him nervous. Ptl. Jordan said initially he didn't know the passenger was a female until she turned around and he could hear her voice. Ptl. Jordan said he had a very eerie feeling about approaching the suspect vehicle then suddenly the driver of the suspect vehicle took off. Ptl. Jordan said at that time his son's mom asked him wasn't he going to call for back up and he told her no because the traffic stop was over and he was going to go back to 2100 Lakeside and ask the people there who the occupants were of the suspect vehicle. SA Saraya asked where the suspect vehicle went. Ptl. Jordan said the suspect vehicle continued on E. 18th and turned right onto Superior and he continued on E. 18th and turned right onto Superior and then right onto E. 17th when he noticed the suspect vehicle had disappeared. Ptl. Jordan then said his son's mom asked him wasn't he going to call it out and he said no he was going back to 2100 Lakeside.

Ptl. Jordan said he let the suspect vehicle go because he didn't get what he wanted with the traffic stop which was to see if the occupants in the suspect vehicle were dope boys or if they were going to throw something out of the vehicle. Ptl. Jordan said he would get them another day. SA Saraya asked Ptl. Jordan if he knew where the suspect vehicle went he said no because he wasn't paying attention. Ptl. Jordan did admit to having his police lights on when he followed behind the suspect vehicle when they took off but said he had them on because he always forgets to shut them off. Attorney D'Angelo asked Ptl. Jordan was the suspect vehicle in his eyesight or were they gone and Ptl. Jordan said he couldn't remember. Ptl. Jordan then said he went back to 2100 Lakeside and asked people from the shelter who the occupants were in the suspect vehicle. Ptl. Jordan said he told them they better tell him because he knows some of them had warrants because he wrote them tickets. Ptl. Jordan said that the people from the shelter started to tell him who the occupants were in the suspect vehicle and that they started describing the occupants to him. Ptl. Jordan said he recognized who the female passenger was because his partner had dealt with her before. SA Saraya asked Ptl. Jordan while performing a traffic stop, is it procedure to call it out. Ptl. Jordan said unmarked vehicles are not supposed to do traffic stops. Ptl. Jordan said he was trying to see if the occupants of the suspect vehicle were dope boys or if they were going to throw something out of the vehicle was his reason for the traffic stop. SA Saraya asked Ptl. Jordan if he ever had a vehicle take off on him before and Ptl. Jordan said no. Then SA Saraya asked Ptl. Jordan if he got upset when the suspect vehicle took off and Ptl. Jordan said no because he was scared because he was by himself.

Ptl. Jordan said he usually never wears his vest so he can move through a crowd of people undetected. I asked Ptl. Jordan why his previous statement differed from this present

statement. Ptl. Jordan said he had replayed the events in his head and he also talked to his son's mother who refreshed his memory step by step. SA Saraya asked Ptl. Jordan again the only reason why you were following the suspect vehicle was to see if they were dope boys selling or buying. Ptl. Jordan said yes because everyone who was around the suspect vehicle at 2100 Lakeside smoke dope that's how everyone knows him because he shakes them down. I asked Ptl. Jordan if he had traveled eastbound on Lakeside in front of 2100 Lakeside and have someone exit his vehicle the night of November 29th. Ptl. Jordan said no he didn't have anyone in his vehicle and no one got out of his vehicle that night. I asked Ptl. Jordan when he stopped the suspect vehicle on E. 18th and he exited his vehicle did he have his service weapon out. Ptl. Jordan said no. Attorney D'Angelo asked Ptl. Jordan if he had his weapon in the low ready position. Ptl. Jordan said no I don't think so because when the female passenger of the suspect vehicle started screaming it freaked him out and he said this doesn't feel right. I asked Ptl. Jordan if he ever engaged the female passenger in the suspect vehicle and he said no he just listen to her screaming.

SA Saraya asked Ptl. Jordan why didn't he just stop the suspect vehicle at 2100 Lakeside when he had suspicious activity there. Ptl. Jordan said he really didn't have anything and also because the people from the shelter always approach vehicles and go talk to the occupants in the vehicle. He also said homeless people park their vehicles down there and the suspect vehicle stood out to him because he had never seen it before. Ptl. Jordan said that it was a couple minutes after he returned to 2100 Lakeside that he heard over the radio that a pursuit was taking place. Ptl. Jordan said he heard Sgt. Shepard come over the radio and say terminate the pursuit and he also heard his supervisor Sgt. Peters come over the radio and tell one of the DSU units (Patrolman John Sanderson) to terminate the pursuit. Ptl. Jordan said but he heard over the radio that the pursuit was on the west side of Cleveland. Ptl. Jordan said he never heard the description of the suspect vehicle in the pursuit because he was on channel 3 and his Sergeant said to terminate the pursuit over the radio. Ptl. Jordan said he didn't find out until the next day at 8pm (November 30th) that the suspect vehicle in the pursuit was the vehicle he had stopped the day before. Ptl. Jordan said he felt bad because he should've done something. Ptl. Jordan said when he saw the news footage of the pursuit he recognized the suspect vehicle by the first three letters of the license plate. I told Ptl. Jordan that I believe his actions on the initial stop was the cause of the pursuit. Ptl. Jordan said he agreed and he felt bad because he should've called for backup when he had the suspect vehicle stopped on E. 18th and Rockwell.

SA Saraya asked Ptl. Jordan when he found out the next day that he had the suspect vehicle stopped the night before why didn't he come forward. Ptl. Jordan said because he didn't even think about it and he doesn't know why he didn't come forward he just froze. I asked Ptl. Jordan why the two different stories and Ptl. Jordan admitted to having two different stories but said it was because he didn't recall everything and he had it replayed to him and that's why

he's recanting his first story. Ptl. Jordan continued to say that he was so concerned about the female passenger that he lost train of thought and that he was scared of her actions. When asked about his in service training back in April of 2012 which consisted of vehicle stops and engaging from the vehicle. Ptl. Jordan stated that he just froze because of the female passenger. SA Saraya asked Ptl. Jordan if he had handled domestic calls before and what was so different in this situation. Ptl. Jordan said it was different because usually it's the male who is aggressive in domestic calls. SA Saraya asked Ptl. Jordan how does he deal with subjects with mental issues male or female they might fly off the handle. How does he deal with that situation. Ptl. Jordan said he's with his partner usually so it's not scary, that this one occasion he was by himself and that he's usually not by himself. I asked Ptl. Jordan when he is by himself what does he usually do during his shift. Ptl. Jordan said he usually just rides around and does nothing. I asked Ptl. Jordan even when his partner is off is there someone working in the downtown area he can call for backup and Ptl. Jordan said yes. Ptl. Jordan said no one at work talked about the pursuit the night of November 29th and he didn't see it on the news because he doesn't have cable. Ptl. Jordan admitted to being wrong and did not follow the Cleveland Police Department policy when he stopped the suspect vehicle.

I asked Ptl. Jordan when the suspect vehicle took off after he performed a traffic stop how fast was the vehicle going and approximately how many car lengths was the suspect vehicle in front of him. Ptl. Jordan said the suspect vehicle was traveling approximately 25 to 30 MPH and approximately 4 to 5 car lengths in front of him when he lost sight of the suspect vehicle. SA Saraya asked Ptl. Jordan again did he get upset when the suspect vehicle took off and Ptl. Jordan said yes he was upset but he didn't really mind because criminals usually come back to the same spot. Ptl. Jordan went on to say that he has been in two (2) car accidents and he didn't want to get into another car accident on duty. He said it was not worth it to pursue the suspect vehicle. SA Saraya asked Ptl. Jordan if he could go back to the night of November 29th what would he do differently and Ptl. Jordan said he would call for backup. SA Saraya then asked Ptl. Jordan could he bring him in for a polygraph test if need be and Ptl. Jordan said yes and that he was willing to take a polygraph test at that moment. Ptl. Jordan along with Attorney D'Angelo later declined taking a polygraph test due to policy reasons. I then asked Ptl. Jordan if he thought his actions regarding the traffic stop of the suspect vehicle and his initial contact with the suspect vehicle was the cause of the pursuit. Ptl. Jordan said yes.


Special Agent John Saraya


Clifford E. Pinkney Detective Sergeant


Sgt. Thomas



E 25th St

E 24th St

E 23rd St

Payne Ave

E 19th St

E 18th St

Mission at 2100 Lakeside Ave

Krause Ct

E 20th St

E 17th St

Rockwell Ave

Davenport Ave

E 16th St

Behl Ct

Hamilton Ave

Garfield Ct

Emerald Ct

Lakeside Ave

S Marginal Rd

S 1535
Lakeside Ave

CUYAHOGA COUNTY SHERIFF'S OFFICE

SUMMARY REPORT

INCIDENT CLEVELAND POLICE DEPARTMENT PURSUIT/SHOOTING 11/29/2012

On December 20, 2012, at approximately 10:11am while assigned to Special Investigation in cooperation with the Ohio Bureau of Criminal Investigation and Identification (BCII) and the East Cleveland Police Department (ECPD). I Detective Sergeant Clifford E. Pinkney along with Detective James Mackey were assigned to interview Sergeant Jeff Williams from the East Cleveland Police Department. The Interview took place at 4055 Highlander parkway, Richfield, Ohio 44286.

Synopsis:

Prior to specific questions concerning the captioned incident, Sergeant Jeff Williams was told that this was a criminal investigation and any statement he gave was voluntary. Sgt. Williams stated he understood and agreed to speak to investigators.

Home address: [REDACTED] Painesville Township, Ohio 44077

Date of Birth: 11/20/62

Cell Phone: [REDACTED]

No cell phone use at crime scene and or during incident (photos, videos)

Employed at ECPD for 18 years and worked at Timberlake PD part time for 1-2 years

Current Assignment: Sgt. B platoon

Shift: 7pm-7am

Supervisor: Lt. Naylor

Days off: Rotating

No overtime/no part-time 48 hours prior to incident

Rested at the time of the incident: Yes

No issues with drugs and or alcohol drinks socially [REDACTED]
[REDACTED]

No medications (current to include the night of the incident)

Corrective lenses: No just reading glasses

Uniform: Platoon uniform

Duty Belt: ECPD issued duty weapon Smith and Wesson .40 cal

Outer carrier bullet proof vest: Taser, flashlight, and 2 magazines no radio

Vehicle number: 3131

Call Sign

Partner: Patrol Officer Seana Kelly (passenger)

Driver: Ptl. Kelly

In car camera: Not sure

Spotlight: Yes, Emergency Lights: Yes, Siren: Yes

Radio Channel: Channel 1

Vehicle MDT-yes

In Service Training:

No specialized training or certifications other than K-9 Officer and Supervisor school

Prior shooting involvement: No

No prior military experience

Details

On November 29, 2012 Sgt. Williams said he was working night shift 1900 hours to 0700 hours riding with Officer Seana Kelly in unit 3131. Sgt. Williams said Officer Kelly was driving and they were in the area of Euclid Avenue and Shaw when they heard someone say over the radio that the Cleveland Police Department (CPD) was in the city in a vehicle pursuit. The pursuit was traveling eastbound on Euclid and Sgt. Williams said he was trying to figure out who the voice was over the radio because it was not someone from his platoon. Sgt. Williams said he and Officer Kelly started heading westbound on Euclid towards the pursuit with lights and sirens they could see the pursuit coming towards them around Euclid and Northfield.

Sgt. Williams said they continued to travel westbound on Euclid until they arrived at Marloes at that time the suspect vehicle turned into Happy's Pizza. Sgt. Williams said they stopped at Marloes along with Officer Bolton who was in another unit. Sgt. Williams said several CPD units turned onto Beresford and into Happy's Pizza behind the suspect vehicle and they had the suspect vehicle blocked in. At that point the suspect vehicle drove over the sidewalk back onto Euclid Avenue traveling eastbound headed towards Sgt. Williams and Officer Kelly. Sgt. Williams said the suspect vehicle was coming right at them and he instructed Officer Kelly to move and they began to drive southbound on Marloes while the suspect vehicle continued eastbound on Euclid. Sgt. Williams said he figured the suspect vehicle was trying to get up into the park so he instructed Officer Kelly to drive up Marloes southbound then turn left onto Terrace eastbound towards Lee road.

Sgt. Williams went on to say that while they were traveling eastbound on Terrace the suspect vehicle came up Wymore southbound and nearly hit them as they drove past Wymore. Sgt. Williams said he and Officer Kelly continued straight on Terrace and then turned right onto Lee road southbound while the suspect vehicle along with CPD units headed towards the Heritage school parking lot. Sgt. Williams said he instructed Officer Kelly to head to the park because he thought the suspect vehicle was headed that way to try and exit. Sgt. Williams noticed that the suspect vehicle went into the Heritage school parking lot and he knew there was no way out so he instructed Officer Kelly to turn around. At that point Officer Kelly did a U-Turn on Lee road traveling northbound and parked halfway down Lee road across from Heritage school. Sgt. Williams said once they parked and exited the vehicle they could hear shots being fired. Sgt. Williams then grabbed the car radio and notified dispatch that they had shots fired. Sgt. Williams along with Officer Kelly then ran across the street over towards Heritage school parking lot. Once they arrived at the parking lot Sgt. Williams states that he and Officer Kelly were approximately thirty (30) feet behind CPD Officers and he re-holstered his weapon because he figured there was no point for his weapon.

Sgt. Williams said that shots were still being fired and he along with Officer Kelly just got down and took cover and hoped that no rounds came in their direction. Sgt. Williams said that it seemed like two (2) minutes that shots were being fired. Sgt. Williams said it was one (1) long volley of shots with a pause then a second volley of shots. Sgt. Williams said that after the shots were no longer being fired, to him it became an East Cleveland Police Department (ECPD) crime scene and he was the senior Officer so he took over the crime scene. At that point Sgt. Williams said he went down to where the suspect vehicle along with CPD units were rested and he instructed everyone who was in the immediate area leave the area.

Sgt. Williams said he sent Officer Kelly to get some crime scene tape. Sgt. Williams noticed a CPD Officer with crime scene tape while he spoke with a CPD Lieutenant. Sgt. Williams said he

asked the CPD Lt. to separate the Officers who shot and the Officers who didn't shoot while he kept people away from the suspect vehicle. Sgt. Williams said shortly thereafter ECPD Lt. Naylor arrived at the crime scene and he turned the scene over to him while he went and got more crime scene tape and expanded the crime scene. Sgt. Williams said that he instructed Officer Bolton to keep a record of who entered the crime scene. Sgt. Williams said EMS arrived and Officer Bolton escorted them to the suspect vehicle and the EMS operator said that the occupants were dead. Sgt. Williams said he did not take any pictures or collect any evidence; once he turned the crime scene over to Lt. Naylor he waited for the Detectives to arrive. Sgt. Williams said he did not shoot because he did not have a target and he did not have all the information as to what was going on also that he did not have enough information for a reason to shoot. Sgt. Williams said he did not know the reason for the pursuit.

Sgt. Williams said he did not see anyone shoot he remembers hearing shots but all he could see were silhouettes. Sgt. Williams said he heard an Officer say "I kept shooting because they kept moving". Sgt. Williams said he did not know who the Officer was that said it and he couldn't describe who the Officer was. Sgt. Williams said the statement was something that was said around him that he found to make a lot of sense because when a person is getting shot that many times it's going to make you keep moving. Sgt. Williams said it's a good afterthought and if you don't know any better it's going to make it look like you are still being attacked. Sgt. Williams said he noticed police vehicles from Bratenahl Police Department along with vehicles from the Cuyahoga County Sheriff's Office. Sgt. Williams estimates that there were approximately fifty (50) police vehicles. Sgt. Williams said that he has no doubt that the suspect vehicle would have hit them if he and Officer Kelly would not have moved out of the way when the suspect vehicle came straight at them on Euclid and Marloes.

A handwritten signature in blue ink, appearing to be 'J. Mackey', with a stylized flourish extending to the right.

James Mackey, Detective

A handwritten signature in blue ink, appearing to be 'Clifford E. Pinkney', with a stylized flourish extending to the right.

Clifford E. Pinkney, Detective Sergeant

CUYAHOGA COUNTY SHERIFF'S OFFICE

SUMMARY REPORT

INCIDENT CLEVELAND POLICE DEPARTMENT PURSUIT/SHOOTING 11/29/2012

On December 20, 2012, at approximately 9:16am while assigned to Special Investigation in cooperation with the Ohio Bureau of Criminal Investigation and Identification (BCII) and the East Cleveland Police Department (ECPD). I Detective Sergeant Clifford E. Pinkney along with Detective James Mackey were assigned to interview Patrolman Vashon Williams of the East Cleveland Police Department. The Interview took place at 4055 Highlander parkway, Richfield, Ohio 44286.

Synopsis:

Prior to specific questions concerning the captioned incident, Ptl. Vashon Williams was instructed that this was a criminal investigation and any statement he gave was voluntary. Ptl. Williams stated he understood his rights and agreed to speak to investigators.

Home address: [REDACTED] Shaker Heights, Ohio 44122

Date of Birth: 4/29/83

Cell Phone: [REDACTED]

No cell phone use at crime scene and or during incident (photos, videos)

Employed at ECPD 6 months

Current Assignment: Basic Patrol

Shift: B Platoon 7pm-7am

Supervisor: Sergeant Jeff Williams

Days off: Rotating days off

No overtime/no part-time 48 hours prior to incident

Rested at the time of the incident: Well rested

No issues with drugs and or alcohol

No medications (current to include the night of the incident)

Corrective lenses: No

Uniform: Patrol uniform

Duty Belt: ECPD issued Smith and Wesson .40 cal, hand cuffs, and pocket knife

Outer carrier bullet proof vest: Radio, flashlight, and 2 magazines

Vehicle number: Unit 3132

Call Sign: 3132

Partner: Single unit

Driver: Ptl. Williams

In car camera: Not operating

Spotlight: Yes, Emergency Lights: Yes, Siren: Yes

Radio Channel: Channel 1

Vehicle MDT: Yes

In Service Training: Yes went over deadly force policy

No specialized training or certifications

Prior shooting involvement: No

No prior military experience

Details

On November 29, 2012 Patrolman Vashon Williams was working B platoon from 7pm to 7am along with Sgt. Jeff Williams, Officer Seana Kelly, Officer Frank Thompson, and Officer Ken Bolton. Ptl. Williams said he was at the station when he heard over the radio about the pursuit coming down Euclid Avenue traveling eastbound. Ptl. Williams said he heard over the radio that the suspect vehicle had turned into Happy's Pizza on Euclid and Beersford. At that point Ptl. Williams got into unit 3132 and saw several police cars pass with lights and sirens but he did not see the suspect vehicle at that time. Ptl. Williams joined the pursuit at the end of the convoy of police cars and ended up turning onto Wymore off of Euclid Avenue. According to Ptl. Williams he parked midway on Wymore and ran up the hill towards Heritage school. When Ptl. Williams

made it to the top of the hill at Heritage school he saw several police cars along with the suspect vehicle boxed in between two police cars. Ptl. Williams was then told to go get some crime scene tape, he went to his vehicle to retrieve the crime scene tape but an officer from the Cleveland Police Department had already begun to tape off the crime scene. Ptl. Williams was then instructed to direct traffic at the Lee road and Terrace intersection. Ptl. Williams was then contacted by radio by his Sergeant to come back to Heritage school to help secure the crime scene. Ptl. Williams said he secured the crime scene approximately 1 ½ to 2 hours until he was released to go back to answering calls in the city. Ptl. Williams said he did not hear any gun shots or see anyone shoot; also he did not know the reason for the pursuit. Ptl. Williams went on to say that he saw approximately 30 to 40 officers at the scene and he was only involved in the pursuit approximately 2 minutes.

A handwritten signature in blue ink, appearing to be 'J. Mackey', with a long horizontal flourish extending to the right.

James Mackey, Detective

A handwritten signature in blue ink, appearing to be 'Clifford E. Pinkney', with a small 'Sgt.' written at the end.

Clifford E. Pinkney, Detective Sergeant

CUYAHOGA COUNTY SHERIFF'S OFFICE

SUMMARY REPORT

INCIDENT CLEVELAND POLICE DEPARTMENT PURSUIT/SHOOTING 11/29/2012

On December 20, 2012, at approximately 9:42am while assigned to Special Investigation in cooperation with the Ohio Bureau of Criminal Investigation and Identification (BCII) and the East Cleveland Police Department (ECPD). I Detective Sergeant Clifford E. Pinkney along with Detective James Mackey were assigned to interview Patrol Officer Seana Kelly from the East Cleveland Police Department. The Interview took place at 4055 Highlander parkway, Richfield, Ohio 44286.

Synopsis:

Prior to specific questions concerning the captioned incident, Patrol Officer Seana Kelly was told that this was a criminal investigation and any statement she gave was voluntary. Patrol Officer Kelly stated she understood and agreed to speak to investigators.

Home address: [REDACTED] Lakewood, Ohio 44107

Date of Birth: 7/25/85

Cell Phone: [REDACTED]

No cell phone use at crime scene and or during incident (photos, videos)

Employed at ECPD for 3 years

Current Assignment: Basic patrol

Shift: 2nd shift

Supervisor: Sgt. Jeff Williams and Lt. Naylor

Days off: Rotating

No overtime/no part-time 48 hours prior to incident

Rested at the time of the incident: Yes well rested

No issues with drugs and or alcohol: Social drinker

No medications (current to include the night of the incident)

Corrective lenses: Yes glasses and contacts, wore glasses on 11/29/2012

Uniform: Duty uniform

Duty Belt: ECPD issued Smith and Wesson MMP .40 cal

Outer carrier bullet proof vest: Stinger, flashlight, and radio. 2 magazines in pants side pocket

Vehicle number: 3131

Call Sign

Partner: Sgt. Jeff Williams (passenger)

Driver: Ptl. Kelly

In car camera: Yes but not working

Spotlight: Yes, Emergency Lights: Yes, Siren: Yes

Radio Channel: Channel 1

Vehicle MDT: Yes

In Service Training: Basic operator, all in house training

No specialized training or certifications other than SWAT

Prior shooting involvement: No

No prior military experience

Details

On November 29, 2012 Officer Seana Kelly was working night shift and riding with Sgt. Jeff Williams when they heard over dispatch that a pursuit was headed eastbound on Euclid Avenue. Officer Kelly said that they were on Euclid and Shaw when they heard that radio traffic. Officer Kelly said they headed towards the pursuit traveling westbound on Euclid Avenue. When Officer Kelly and Sgt. Williams arrived at Euclid and Doan they saw the pursuit in front on them so they decided to block vehicle traffic when the suspect vehicle turned into Happy's Pizza. Officer Kelly and Sgt. Williams then decided to travel westbound towards the pursuit when the suspect vehicle turned out of Happy's Pizza and headed towards their direction.

Officer Kelly said that she turned south onto to Marloes then made a left turn onto Terrace traveling eastbound to parallel the pursuit of the suspect vehicle. Officer Kelly said they were approaching Lee road when the suspect vehicle along with police vehicles came up behind her vehicle off of Wymore. She notices the suspect vehicle go into the Heritage school parking lot when she turned right onto Lee rd. traveling northbound. The suspect vehicle had several police vehicles traveling behind it when Officer Kelly made a U-Turn on Lee rd. and Glynn. Officer Kelly said after the U-Turn she along with Sgt. Williams exited their vehicle and she heard gun fire coming from the direction of Heritage school. Officer Kelly said Sgt. Williams notified dispatch that shots were fired and they started running towards the police vehicles in the Heritage school parking lot.

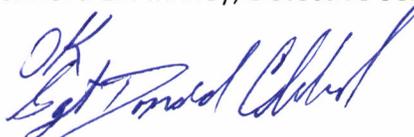
Officer Kelly said once she and Sgt. Williams arrived at the Heritage school parking lot, they took cover because shots were still being fired. After the cease fire Officer Kelly along with Sgt. Williams made their way towards the Cleveland Police Officers to assess what happened. At that point CPD Officers used crime scene tape to rope off the area. Officer Kelly said that Officer Bolton came to the crime scene and started a log while she went to direct traffic. Officer Kelly said she was at the crime scene the majority of the night until the Detectives arrived and cleared the scene. Officer Kelly said she did not fire her weapon because she felt like it wasn't any need to fire and that she didn't want to really get involved because it was a lot going on. Also because she didn't think her gun power was needed at the time. Officer Kelly said they were really never in the pursuit they just paralleled the pursuit following the directions given by dispatch. She also said that she was not aware of the reason for the pursuit and that she did not speak with anyone regarding this incident at the crime scene.



James Mackey, Detective



Clifford E. Pinkney, Detective Sergeant



Sgt. Donald Chubb

CUYAHOGA COUNTY SHERIFF'S OFFICE

Summary Report

Incident: Cleveland Police Department (CPD) pursuit and officer involved shooting,
November 29, 2012.

The following was conducted on December 29th, 2012, in conjunction with the captioned investigation. The interview was done by Detective Jacobs and was done telephonically. The interviewee's name is Chief John Joyce, Greater Cleveland Regional Transit Authority Police Department (RTAPD), cell phone [REDACTED] JOYCE was made aware of the interviewer's name and the purpose of the interview. JOYCE thereafter provided the following facts:

According to the Cleveland Police Officers involved in the captioned case there may have been RTA Police cars on scene and or may have participated in the pursuit. Chief JOYCE provided via an email the automated vehicle locator (AVL) reports for RTA Police vehicles for November 29th, and 30th, 2012. A brief review of the AVL reports was conducted on January 4, 2013. It appears that RTA unit 963 was on scene at Heritage Middle School for a short period of time. RTA unit 963 was driven by Officers Chuck Vaughn and C. Anderson. Subsequently, interviews of the aforementioned Officers will be conducted in the near future. The AVL reports were downloaded to a compact disk and they include speeds, longitudes/latitudes and addresses of the vehicle locations.



Detective David Jacobs #211
Cuyahoga County Sheriff's Office



OR