



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



2024-2614

Officer Involved Critical Incident - 1309 Yellowstone Road,
Cleveland Heights, Ohio 44121

Investigative Activity: Video Review: Officer Joseph El Biri's BWC Reviewed, Amped
Replay Used

Involves: Officer Joseph El Biri (W)

Activity Date: 10/28/2024

Activity Location: BCI, 4055 Highlander Parkway, Richfield, OH 44286

Authoring Agent: SA Nicholas Valente #139

Narrative:

On October 30, 2024, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Nick Valente (Valente) completed a review of the video captured from the body-worn camera (BWC) of Officer Joseph El Biri (Officer El Biri) during this incident.

Amped Replay was used to review the video.

SA Valente made a working copy of the BWC video and placed the copied video in a folder on his BCI issued laptop. The working copy of the video was used for the review.

BWC VIDEO #1:

JosephElBiri_202408292218_BWC2051974-0 - Working Copy

The Amped Replay software noted the following:

- The video was filmed at a rate of 14.98 frames per second.
- There was a total of 101,414 frames in the video.
- The video was 01:52:48.67 long.

| | |
|--------------------------|---------------------------------------|
| Frame | 0 |
| Video-Embedded Timestamp | 8/29/2024/ 22:28:31 |
| Activity/Notes | This is the first frame of the video. |

| | |
|--------------------------|--------------------|
| Frame | 101,414 |
| Video-Embedded Timestamp | 8/30/2024 00:11:20 |

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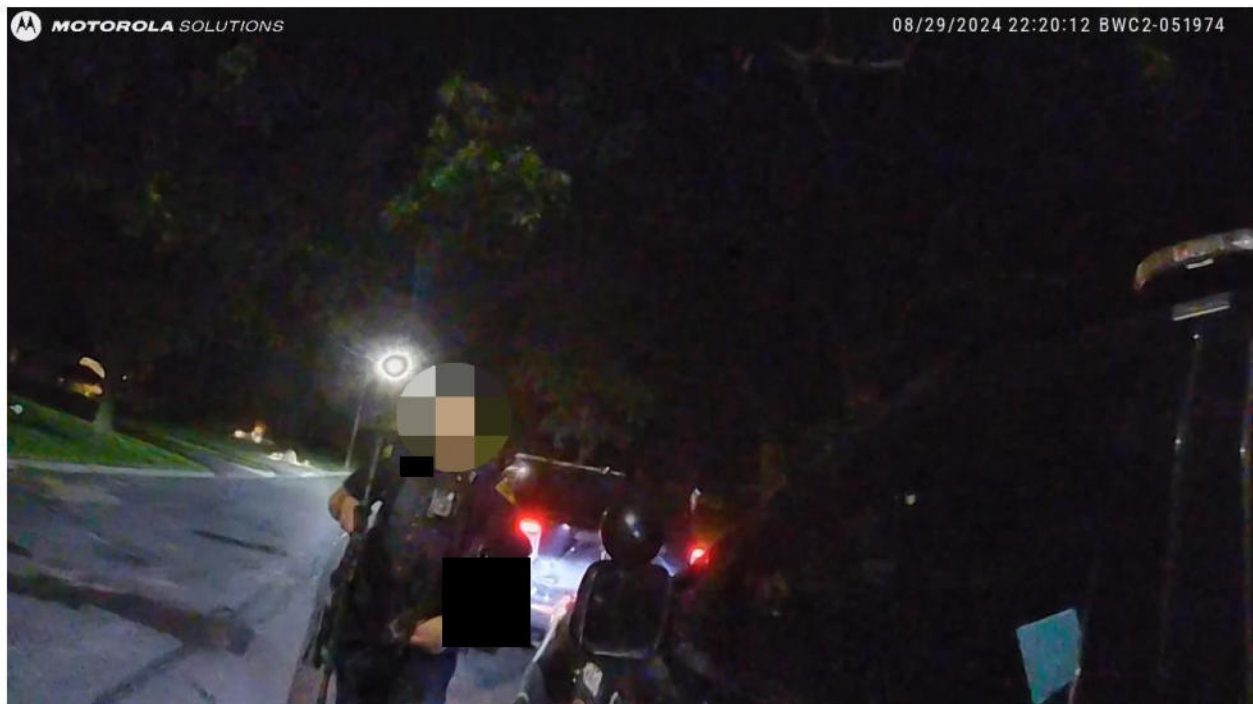


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| | |
|----------------|--------------------------------------|
| Activity/Notes | This is the last frame of the video. |
|----------------|--------------------------------------|

The video began as Officer Joseph El Biri (Officer El Biri) approached the subject's residence, 1309 Yellowstone Road, Cleveland Heights, Ohio. Officer El Biri stopped and stood in the street at the driver side door of a Cleveland Heights Police vehicle approximately two houses south of the subject's residence.



| | |
|--------------------------|--|
| Frame | 1,500 |
| Video-Embedded Timestamp | 8/29/2024 22:20:12 |
| Activity/Notes | ██████████ approached Officer El Biri and began to give Officer El Biri directions to retrieve ██████████ patrol rifle. A pixelation effect annotation was added over ██████████ face. |

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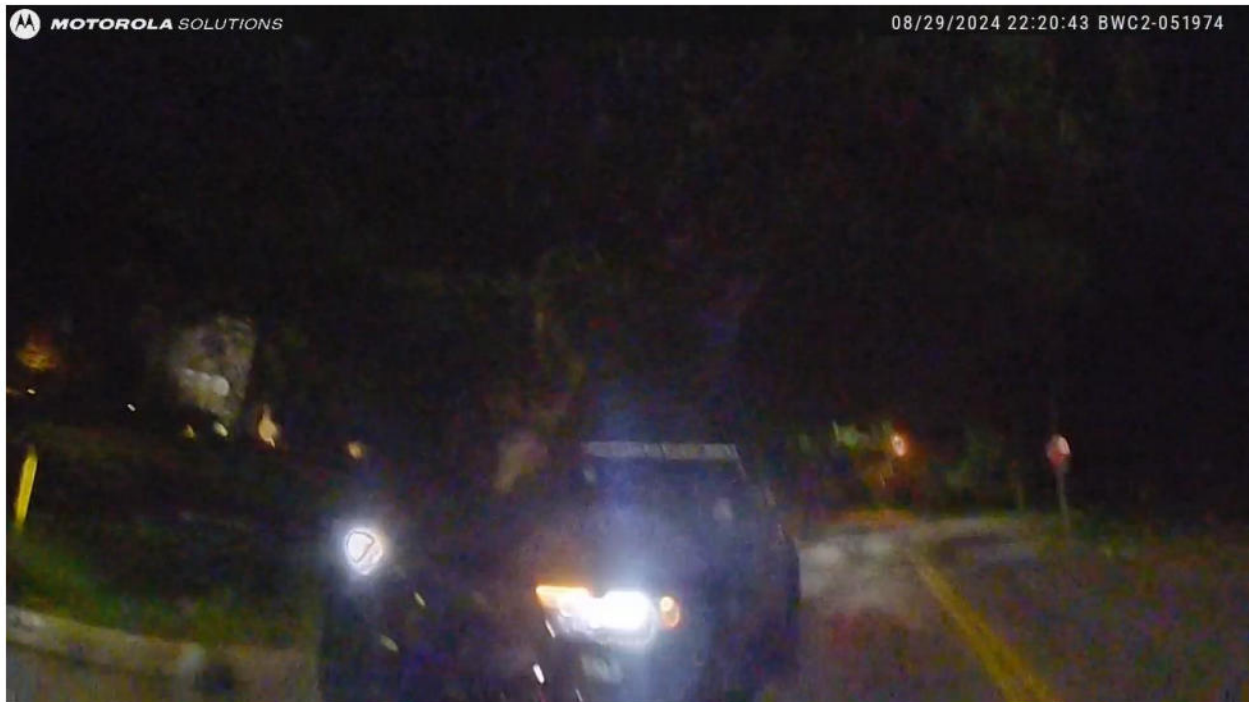
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As Officer El Biri stood in the roadway, [REDACTED] approached him holding a patrol rifle. [REDACTED] handed keys to Officer El Biri and stated, "[REDACTED] veh, take my vehicle. [REDACTED] vehicle I believe is the second one. He wants his rifle." Officer El Biri asked, "Park it down there?" [REDACTED] nodded and replied, "Yeah, so go past." [REDACTED] then began to walk away from Officer El Biri before momentarily turning around to hand Officer El Biri the key to [REDACTED] patrol vehicle. Officer El Biri then began to jog back to his patrol car which was the furthest south police vehicle from the subject's residence. As Officer El Biri jogged back to the patrol vehicle, the first loud percussive sound consistent with a gunshot was heard.



| | |
|--------------------------|---|
| Frame | 1,979 |
| Video-Embedded Timestamp | 8/29/2024 22:20:43 |
| Activity/Notes | The moment the first loud percussive sound consistent with a gunshot was heard on Officer El Biri's BWC. Officer El Biri was in the process of jogging away |

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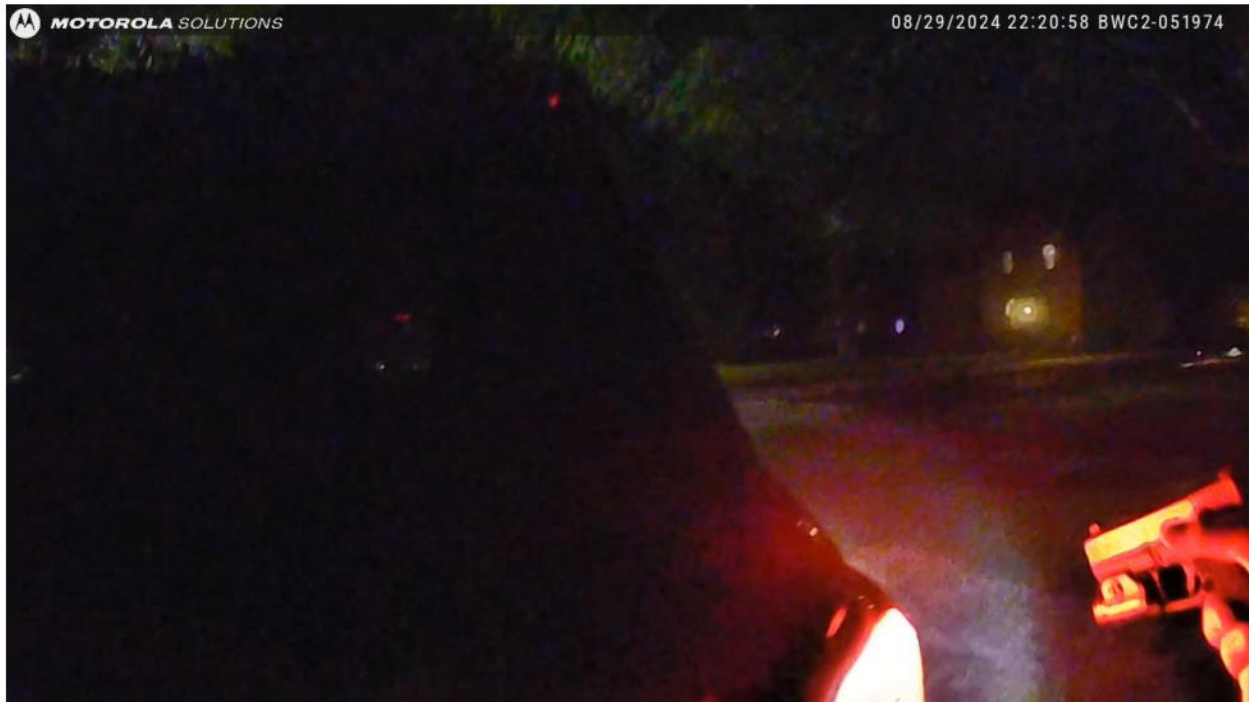
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from the subject's home to his patrol car
at this moment.



| | |
|--------------------------|---|
| Frame | 2,190 |
| Video-Embedded Timestamp | 8/29/2024 22:20:58 |
| Activity/Notes | Officer El Biri as he took cover at the rear of his patrol vehicle, as loud percussive sounds consistent with gunshots continued to ring out in quick succession. |

Once the sound of apparent gunfire ended, Officer El Biri made his way closer to the scene using the row of parked police vehicles as cover along the way.

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| | |
|--------------------------|--|
| Frame | 5,414 |
| Video-Embedded Timestamp | 8/29/2024 22:24:33 |
| Activity/Notes | Officer El Biri as he pointed to the subject's location as E.M.S. arrived. |

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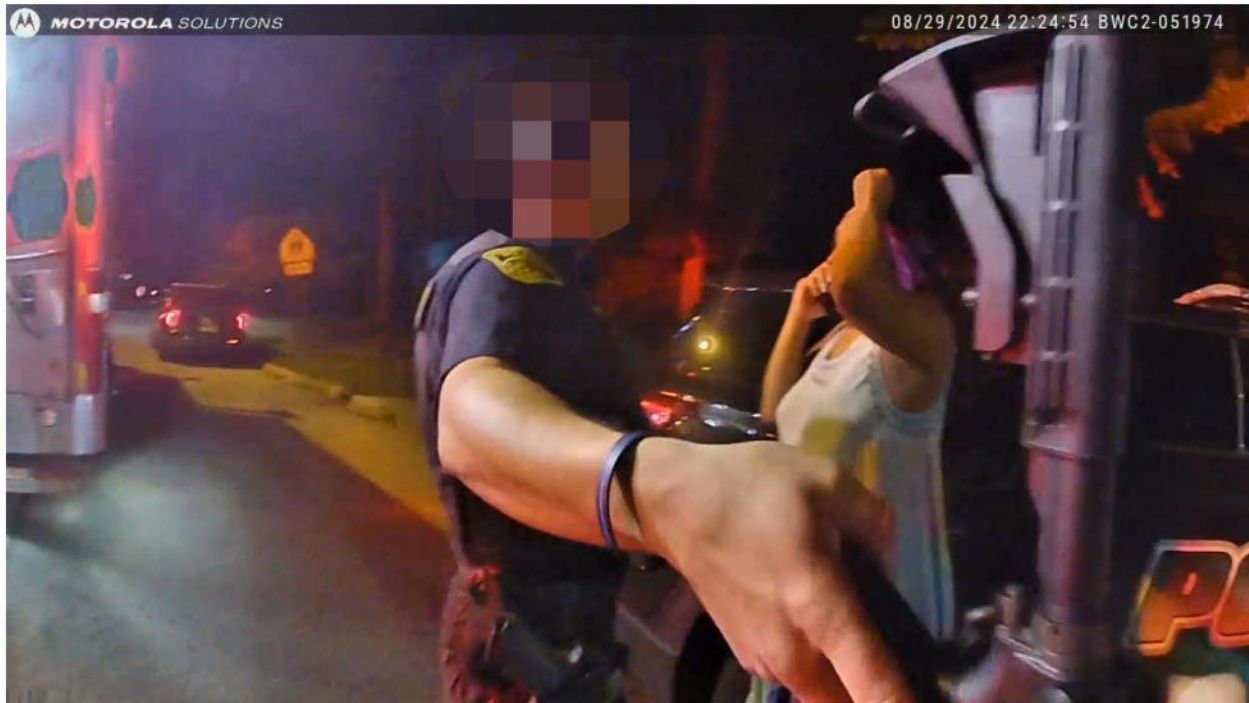


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| | |
|--------------------------|--|
| Frame | 5,726 |
| Video-Embedded Timestamp | 8/29/2024 22:24:54 |
| Activity/Notes | ██████████ handed his patrol rifle to Officer El Biri as EMS personnel began to approach the scene. A pixelation effect annotation was added over ██████████ face. |

Officer El Biri secured ██████████ rifle in their patrol vehicle.

Officer El Biri then provided security around the scene as the subject's family asked for updates on the subject's condition and complained that the subject was not placed into the ambulance. Officer El Biri also assisted in performing a welfare check of the home directly north of the subject's home.

Officer El Biri was transported from the scene to the police station by another Cleveland Heights Police Officer. Genesis Thomas (Genesis) and Jacquelyn Fortson (Jacquelyn) were also transported to the police station at the same time.

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While traveling to the police station, Officer El Biri's BWC captured audio of a conversation Genisis had on the phone with a person she referred to as mom. During the conversation, Genisis told the other party the subject shot at police and was subsequently shot by the police. This conversation began around the 53:18 mark of the BWC recording.

Once at the police station, Genisis continued the phone conversation with the party presumed to be and hereafter referred to as her mother. As the group walked into the police station, Genisis began to explain to her mother what had transpired. Genisis stated, beginning around frame 53,017/ the 00:53:58 mark of the recording, "Mom I was sleep. I was about to go to, I'm laying in the bed sleep. I hear gunshots fire." The continuation of the conversation was partially unintelligible as the group entered a building. Genisis could be heard on the BWC telling her mother the subject was acting normal earlier in the day when she was at school, and she knew he was going to be okay.

As the group walked up a stairwell, Genisis could be heard saying, "Mom, Christian been doing stuff like this. He don't know how to listen to nobody. [unintelligible] And I told him that this was gonna happen. [unintelligible] Then he gonna sit there and shoot at the police when he coming out the house. So, I mean like, of course I was yelling at him. I was like yelling [unintelligible] don't shoot, don't shoot. [unintelligible] When somebody got a gun on their ass of course they're gonna shoot. [unintelligible]"

Eventually Genisis and Jacquelyn were told the subject was pronounced dead at the scene of the shooting.

In a conversation between Genisis and Jacquelyn moments after learning the subject was deceased, Jacquelyn began by stating something unintelligible and continued, "Man, he started shooting at them." Genisis responded, "In the end, nothing they could do at that point." Jacquelyn's next statement was unintelligible but appeared to include, "What did he expect?" Genisis replied, "What was they gonna do, tackle him while he's shooting at them?" This portion of the conversation began around frame 84,866 and the 01:34:24 mark of the recording.

All frames referenced above, except for the start time and end time frames, were bookmarked as images in Amped Replay. The images were exported to the folder "Ofc. El Biri BWC 1 Derivatives and Reports."

An Amped Replay report was generated for Officer El Biri's BWC video review and bookmarked images. The report was exported to the same folder noted above. Please

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refer to the report for further details. The Amped Replay reports for the BWC videos were attached to this report. Refer to this report for further details.

The video file working copies, the Amped Replay bookmarked images, and the Amped Replay reports were copied to a USB thumb drive and were placed into the BCI physical case file as Reference Item N.

References:

Item N - USB Thumbdrive - Amped Replay Report and Derivatives for BWC Videos

Attachments:

1. Officer El Biri BWC Working Copy Report 1

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Amped Replay Report

Software Information

Software Version 33908
Report Generation Time 2024-10-31 17:28:08.000

File Information

Input File Name JosephElBiri_202408292218_BWC2051974-0 - Working Copy.mp4
Input File Hash (MD5) 5dfdbac43f18f9cd1207f3bb66cb22f3
File Size 2.0 GB
Format mov,mp4,m4a,3gp,3g2,mj2
Codec h264
Width 1280
Height 720
File Fps 14.9850
Playback Fps 14.9828
Fps adjusted based on presentation timestamps (PTS).
Length (frames) 101415
Duration (time) 01:52:48.674
Audio stream exists
Sampling Frequency 48000 Hz

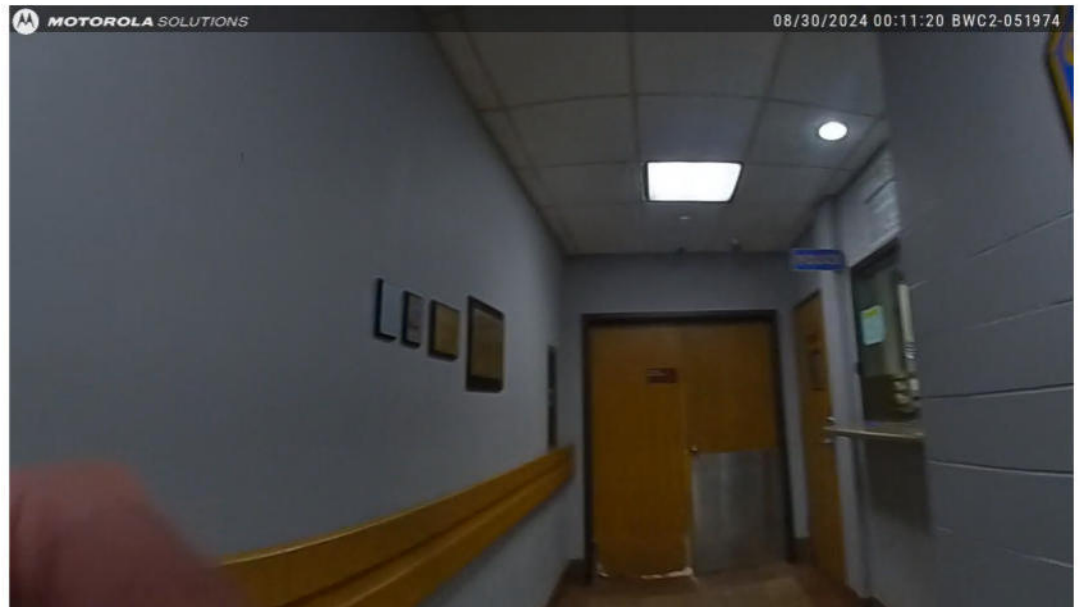
Case Information

Case: 2024-2614
Location: 1309 Yellowstone Road, Cleveland Heights, Ohio
Camera: Officer Joseph El Biri BWC
Purpose of Viewing: Investigation
Submitted by: SA Valente
Review Summary: See Report.

First Frame
Frame 0



Last Frame
Frame 101414



Range Selection No selection applied

Playback Frame Rate

Fps 14.9828

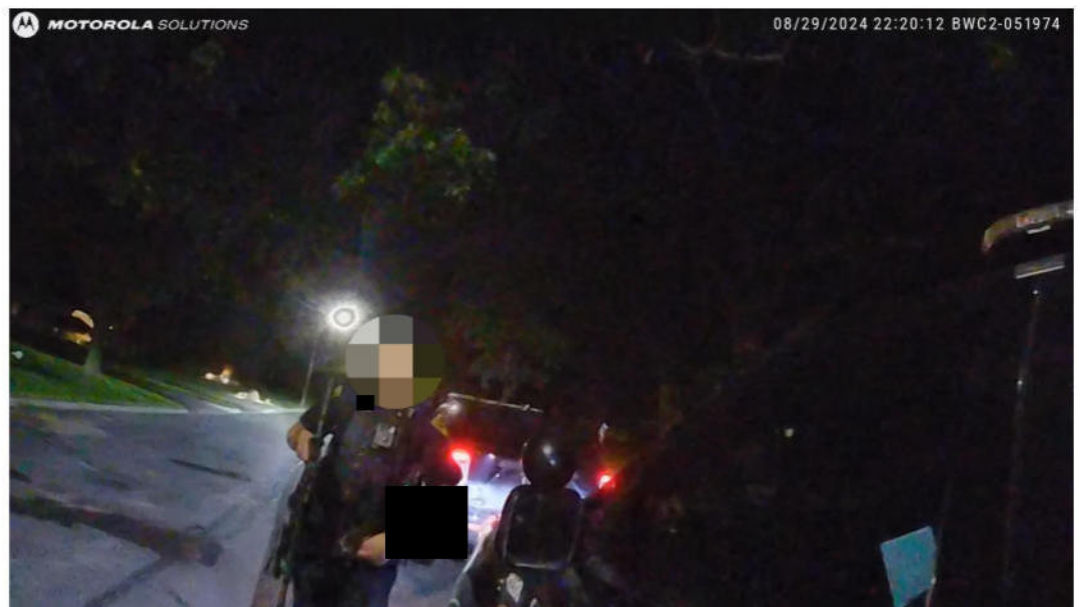
Motion Detection Information

Region of Interest Full Frame

Threshold 1

Bookmarks

Frame 1500



Description

as he approached Officer El Biri and began to give Officer El Biri directions to retrieve patrol rifle. A pixelation effect annotation was added over s face.

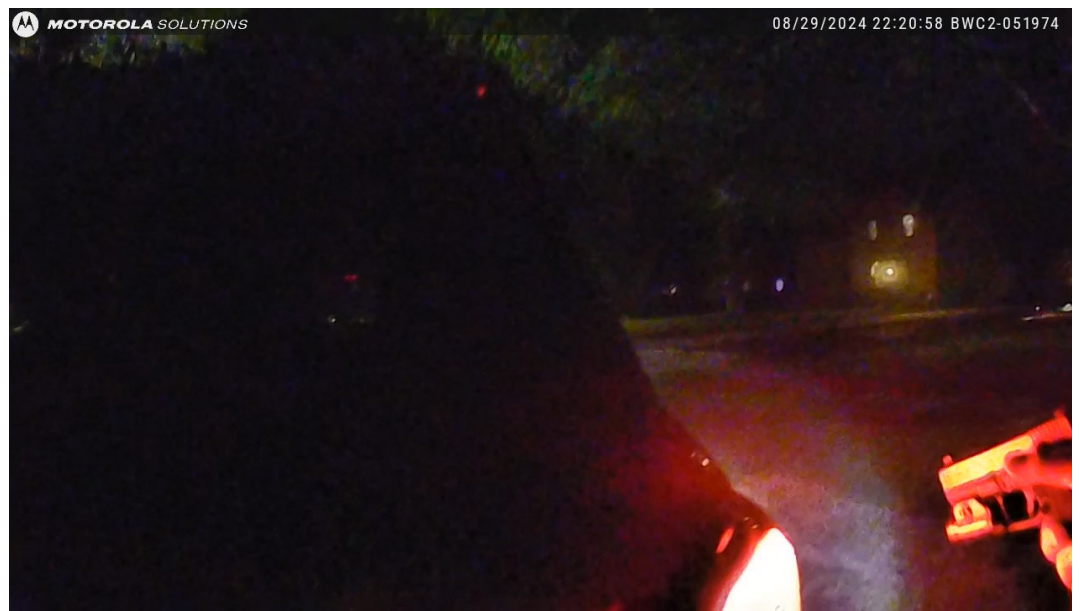
Frame 1979



Description

The moment the first loud percussive sound consistent with a gunshot is heard on Officer El Biri's BWC. Officer El Biri was in the process of jogging away from the subject's home to his patrol car at this moment.

Frame 2190



Description

Officer El Biri as he took cover at the rear of his patrol vehicle as loud percussive sounds consistent with gunshots continued to ring out in quick succession.

Frame 5414



Description

Officer El Biri as he pointed to the subject's location as E.M.S. arrived.

Frame 5726



Description

██████████ handed his patrol rifle to Officer El Biri as EMS personnel began to approach the scene. A pixelation effect annotation was added over ██████████ face.

**Motion Detection Bookmarks
Information**

No bookmarks selected

Annotations Information

Description

- Hide (Ellipse)
 - Colors: Border None
 - at frame 1500 (Center: [459, 421], Rotation: 0°, Width: 120px, Height: 114px)
- Hide (Ellipse)
 - Colors: Border None
 - at frame 5726 (Center: [565, 152], Rotation: 0°, Width: 235px, Height: 195px)

Audio Redaction Information

No audio redaction applied