

## CUYAHOGA COUNTY SHERIFF'S DEPARTMENT

FILE NO. 15-00004

DATE June 2, 2015

FROM Detective John Morgan #241

TO Sergeant Sharpe

SUBJECT Synopsis of CCSD Case #15-004  
Use of Deadly Force Incident

COPIES TO Lt. Smith, File

**PREFACE**

The following is a synopsis of the Cuyahoga County Sheriff's Department (CCSD) investigation into the City of Cleveland Division of Police (CPD) Use of Deadly Force (UDF) incident which resulted in the death of Tamir E. Rice (RICE). The incident occurred at the Cudell Recreation Center (CRC), 1910 West Boulevard, Cleveland, Ohio, on November 22, 2014, at approximately 1530 hours (3:30 pm).

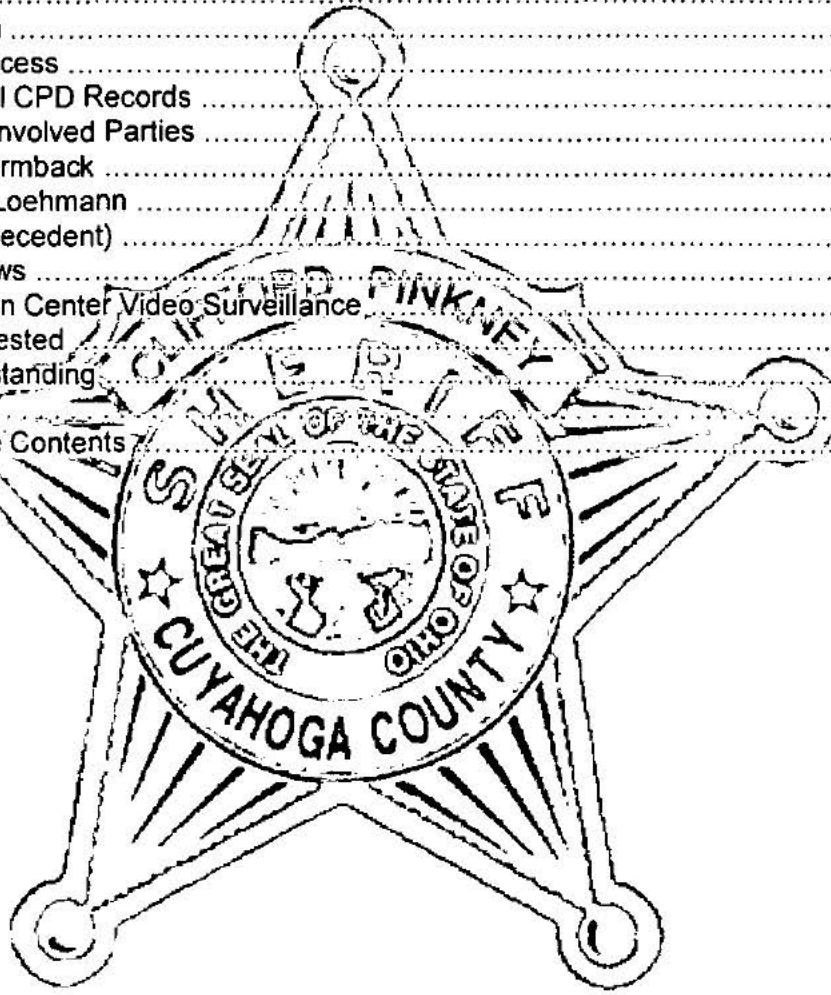
This report will only summarize the information that the CCSD investigative team deemed most relevant to provide an overarching understanding of the information obtained by CCSD regarding this incident. Because this is a summary of the investigative efforts, it is recommended the information be cross referenced with the relevant reports, video, and audio recordings provided herein. Furthermore, audio and/or video recordings exist for the majority of the interviews conducted. These audio/video recordings reveal further details of statements given regarding the incident.

Acronyms will be used throughout this summary. Each abbreviated term will be identified when initially referenced, and its acronym will follow in parenthesis. A Table of Contents and the Summary of Investigative File Contents are included to assist the reader.

Finally, the CCSD conducted this investigation for the purpose of determining, to the extent possible, the facts and circumstances surrounding this use of deadly force incident. As unbiased collectors of fact, the CCSD's investigative team has not, and will not, render any opinion of the legality of the officers' actions. Rather, those decisions are in the sole purview of the Cuyahoga County Prosecutor's Office (CCPO) and/or the Department of Justice.

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**INCIDENT SUMMARY**

On November 22, 2014, at approximately 1522 Hours, CPD Communication Center received a 911 call from a male, who only identified himself as [REDACTED] advised Dispatcher Constance Hollinger there was a male outside the CRC with a "pistol". The caller provided a clothing description of the male, that he was sitting on a swing outside of the youth center, and that the male was pulling the gun in and out of his pants and "scaring the shit out of people". [REDACTED] also stated that he could be a "juvenile" and that the gun was "probably fake", but he "couldn't tell if it was real or not".

Dispatch put out a call requesting an available unit to respond to a Code 1 at CRC. The marked CPD zone car (ZC) that was responsible for that area was occupied with another call. CPD Officers Frank Garback and Timothy Loehmann, who had just completed investigating an alarm drop near the intersection of West Boulevard and Lorain Avenue, advised dispatch they were available to respond to the call.

Dispatch informed Officers Garback and Loehmann that at "Cudell Rec Center ... there's a black male sitting on a swing ... pulling a gun out of his pants and pointing it at people." Officers Garback and Loehmann were in ZC-115A, call sign "One Adam Twenty-Five" (1A25). Officers Garback and Loehmann proceeded to the CRC.

According to the Automated Vehicle Locator System (AVL), ZC 115A traveled north on West Boulevard, turned east onto Madison Avenue, and then turned north on West 99<sup>th</sup> Street, a dead end. Encountering the dead end, ZC 115A accessed the CRC by traveling over the curb line and through the grass to access the park area. ZC 115A then passed the playground area (swing set) and came to rest between the gazebo and wooden vehicle barriers located on the grass between the gazebo and the parking lot.

During this off road approach to the CRC, the AVL recorded speeds between six (6) and fifteen (15) miles per hour. As the ZC came to a stop, Officer Loehmann exited the vehicle. Video surveillance shows RICE pulling up his outer garment with both hands near the right side of his waist. Officer Loehmann exited the ZC and discharged his duty weapon at RICE. While retreating towards the rear of the ZC, Officer Loehmann stumbled and fell backward, regained his footing, and found cover behind the vehicle's trunk on the driver's side.

According to witness interviews, it is unclear whether Officer Loehmann shouted verbal commands from inside of the ZC to RICE (who was located inside of the gazebo area) prior to discharging his weapon. Based on the weapons inspection conducted by Lieutenant Ronald Timm of the CPD homicide unit, along with the shell casings recovered at the crime scene, Officer Loehmann fired two (2) rounds at RICE, striking RICE one time in the abdomen within an approximate time frame of 1 to 2 seconds after Officer Loehmann exited the vehicle.

Even after viewing the surveillance video from the CRC, CCSD Investigators were unable to determine when exactly Officer Loehmann's rounds were discharged from his service weapon. Based upon a Trace Evidence Laboratory Examination Report submitted by Supervisor Curtiss Jones of the CCMEQ, Officer Loehmann's weapon was fired at a distance no less than 4.5 feet. Using CRC surveillance video, BCI conducted a measurement scan using a FARO Focus 3D X330 Laser Scanner/Scene WebShare Software. This scan concluded that

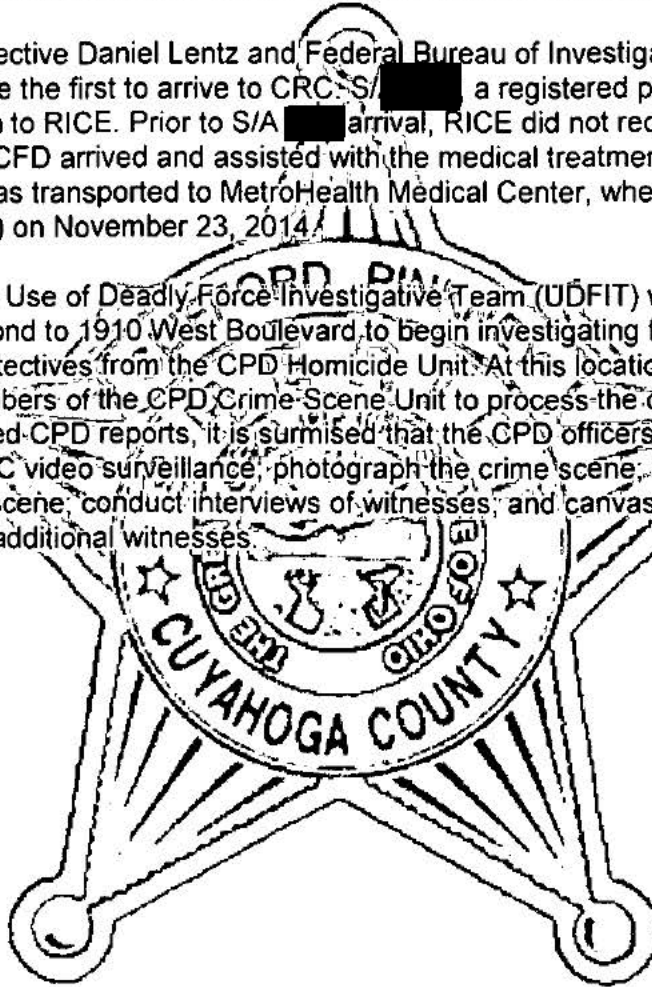
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Loehmann fired his weapon from a distance no greater than 7 feet.<sup>1</sup> Therefore, CCSD Investigators estimate that Officer Loehmann discharged his weapon at a distance between 4.5 feet and 7 feet from RICE.

The next communication was received at approximately 1529 hours (3:29 pm) from Officer Garmback, who advised CPD dispatch that there had been shots fired at the CRC. Officer Garmback immediately requested Emergency Medical Service (EMS) to respond to the scene and shortly after that transmission, again requested that dispatch contact EMS and request that they "Step it up." Officer Garmback then radioed dispatch to contact Cleveland Fire Department (CFD) to respond to the scene. All communications described above occurred within the first 3.5 minutes after Officers Garmback's and Loehmann's initial arrival on scene.

CPD Detective Daniel Lentz and Federal Bureau of Investigation Special Agent (S/A) [REDACTED] were the first to arrive to CRC. S/A [REDACTED] a registered paramedic, began to provide medical attention to RICE. Prior to S/A [REDACTED] arrival, RICE did not receive medical attention. A short time later, CFD arrived and assisted with the medical treatment of RICE. Upon the arrival of EMS, RICE was transported to MetroHealth Medical Center, where he later expired at 0054 hours (12:54 am) on November 23, 2014.

The CPD Use of Deadly Force Investigative Team (UDFIT) was contacted by the CPD dispatch to respond to 1910 West Boulevard to begin investigating the incident. CPD/UDFIT is comprised of Detectives from the CPD Homicide Unit. At this location, the CPD/UDFIT was assisted by members of the CPD Crime Scene Unit to process the crime scene. Through the review of redacted CPD reports, it is surmised that the CPD officers' primary actions were to: preserve the CRC video surveillance; photograph the crime scene; document the relevant locations at the scene; conduct interviews of witnesses; and canvass the area of the recreation center to locate additional witnesses.



<sup>1</sup> Within the software, the measurements were taken from the "B" pillar of the passenger side of the vehicle to the northwestern edge of the concrete base of the gazebo; See the attached screen shot of the approximate measurements taken by investigators utilizing the Scene WebShare software (File #9 BCI 360, Scene WebShare.pdf).

## CUYAHOGA COUNTY SHERIFF'S DEPARTMENT

PARTIES INVOLVED

## OFFICER #1

NAME: FRANK GARMBACK  
 DOB: [REDACTED]  
 AGE: 47  
 RACE: WHITE  
 ASSIGNMENT: 1<sup>ST</sup> DISTRICT PATROL  
 BADGE #: 1582  
 APPOINTMENT DATE: FEBRUARY 25, 2008  
 WEAPON: ISSUED  
 MAKE: GLOCK  
 MODEL: 19  
 CALIBER: 9MM  
 SERIAL#: MPD913  
 CAPACITY: 15+1

CPD Homicide Lieutenant Ronald Timm inspected Officer Garmback's firearm. Lieutenant Timm determined the weapon had not been fired and, therefore, it was not confiscated.

## OFFICER #2

NAME: TIMOTHY LOEHMANN  
 DOB: [REDACTED]  
 ASSIGNMENT: 1<sup>ST</sup> DISTRICT PATROL  
 AGE: 26  
 RACE: WHITE  
 BADGE #: 1231  
 APPOINTMENT DATE: DECEMBER 4, 2013  
 WEAPON: ISSUED  
 MAKE: GLOCK  
 MODEL: 17  
 CALIBER: 9MM  
 SERIAL#: FTX169  
 CAPACITY: 17+1

CPD Homicide Lieutenant Ronald Timm secured and inspected Officer Loehmann's weapon. The weapon was found to contain fifteen (15) rounds in the magazine and one (1) in the chamber. A total of two (2) rounds were fired during this incident. Loehmann's weapon was confiscated and taken as evidence.

Officer Loehmann suffered a left ankle sprain during the use of deadly force incident, and he was transported to Fairview Hospital by Cleveland EMS. Officer Loehmann was treated and released.

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## ATTIRE

Officers Garmback and Loehmann were dressed in designated CPD, law enforcement uniform with a visible badge on the outer carrier. There were CPD designation patches on each shoulder, and the officers were wearing a ballistic vest housed in an outer carrier. Both officers wore duty utility belts containing the following departmentally issued items: gun holster holding a service weapon; magazine pouches; flashlight; Taser; and portable radio.

## DECEDENT

NAME: TAMIR ELIJAH RICE  
 DOB: JUNE 25, 2002  
 SSN: XXX-██████████  
 ADDRESS: ██████████ ST; Cleveland, OH  
 NEXT OF KIN: SAMARIA RICE (MOTHER)  
 DOB: ██████████  
 SSN: XXX-██████████  
 ADDRESS: ██████████ ST; Cleveland, OH  
 WEAPON ON SCENE: REPLICIA FIREARM (RF)  
 MAKE: COLT  
 MODEL: 1911 TARGET PISTOL  
 DESCRIPTION: PLASTIC, SPRING-POWERED AIR SOFT PISTOL, EASY SLIDE-PUMP FOR QUICK LOADING, LASER SIGHT, MUZZLE VELOCITY: 230 FT/SEC  
 PRODUCT DIMENSIONS: 11.25x2.0x6.76 (INCHES)  
 MAGAZINE: 13 BB's

## MORGUE

The decedent arrived at the Cuyahoga County Medical Examiner's Office (CCMEO) on November 23, 2014. The post mortem examination was conducted by Dr. Thomas P. Gilson, M.D., Medical Examiner of Cuyahoga County, Ohio, on November 24, 2014.

## CAUSE OF DEATH

Gunshot wound of torso with injuries of major vessel, intestines, and pelvis.

## MANNER OF DEATH

Homicide

# CUYAHOGA COUNTY SHERIFF'S DEPARTMENT

## INVESTIGATIVE PROCESS

### OBTAINING OFFICIAL CPD RECORDS

On January 2, 2015 [then] CCSD Chief Clifford Pinkney notified CCSD Detectives that the CCSD would assume the UDF investigation pertaining to the incident which resulted in the death of RICE. The following is a timeline summary from acceptance of the investigation by the CCSD to the receipt of the redacted case file from the CCPO.

DATE	ASSIGNMENT
1/2/15	CCSD assumes responsibility of RICE investigation. CCSD receives the initial disclosure of the CPD/UDFIT investigative file from the City of Cleveland Law Director Barbara Langhenry.
1/5/15	CCSD Detectives meet with CCPO Assistant Prosecuting Attorneys (APA) Matt Meyer and James Gutierrez to discuss the investigation, subpoenas, and potential search warrants involved in the case. CCSD delivers case file to CCPO APA Carl Sullivan to redact the file for any <i>Garrity v. New Jersey</i> , 385 U.S. 493 (1967) statements.
1/7/15	CCSD requests CCPO to issue subpoenas for documents to the following entities: City of Cleveland, City of Euclid, City of Parma Heights, City of Independence, Cleveland Metropolitan School District, Ohio Peace Officer Training Academy, Cleveland Heights Police Academy, Akron Police Department. CCPO delivers subpoenas the following day (1/8/15).
1/8/15	CCSD requests a complete, un-redacted RICE file from the City of Cleveland.
1/12/15	CCSD receives documents requested from various entities.
1/14/15	CCSD Detectives meet with agents from the Ohio Attorney General's Office Bureau of Criminal Investigation (BCI) to discuss assistance in the utilization of current crime scene technology and methodology.
1/16/15	CCSD Detectives receive a copy of sealed, un-redacted version of RICE investigation file from City of Cleveland Law Department. CCSD delivers RICE file to CCPO to redact any <i>Garrity v. New Jersey</i> , 385 U.S. 493 (1967) statements.
1/22/15	CCPO provides CCSD Detectives with a list of witnesses that were interviewed by CPD/UDFIT.
1/23/15	CCPO issued additional subpoenas to agencies in connection with the investigation.
1/26/15	CCSD Detectives obtain the original Digital Video Recorder (DVR) from CRC.
2/13/15	CCPO provides CCSD Detectives with three (3) compact disks containing all reports, recordings, and videos associated with the CPD/UDFIT investigative file.



**BACKGROUND ON PARTIES INVOLVED**

**OFFICER FRANK GARMBACK**

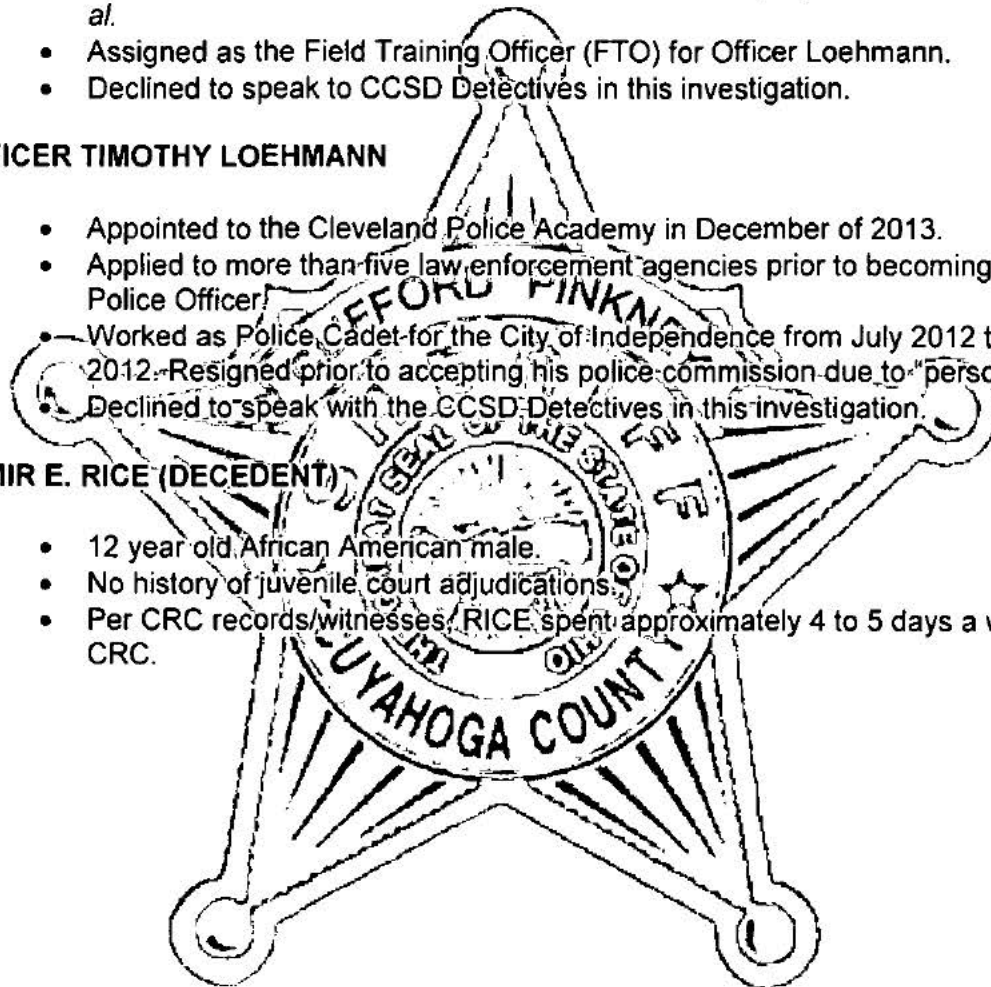
- Appointed to the Cleveland Police Academy in 2008.
- Four (4) registered complaints with the office of professional standards.
  - Two (2) were "unfounded".
  - One (1) was administratively withdrawn.
  - One (1) was a civilian withdrawal.
- Was named in a 42 U.S.C. 1983 civil action in 2012, captioned: *Eaton v. Guerra et, al.*
- Assigned as the Field Training Officer (FTO) for Officer Loehmann.
- Declined to speak to CCSD Detectives in this investigation.

**OFFICER TIMOTHY LOEHMANN**

- Appointed to the Cleveland Police Academy in December of 2013.
- Applied to more than five law enforcement agencies prior to becoming a Cleveland Police Officer.
- Worked as Police Cadet for the City of Independence from July 2012 to December 2012. Resigned prior to accepting his police commission due to "personal reasons".
- Declined to speak with the CCSD Detectives in this investigation.

**TAMIR E. RICE (DECEDENT)**

- 12 year old African American male.
- No history of juvenile court adjudications.
- Per CRC records/witnesses, RICE spent approximately 4 to 5 days a week at the CRC.





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WITNESS INTERVIEWS<sup>2</sup>

[REDACTED]

- Interviewed February 12, 2015.
- Neighbor of Rice family.
- Didn't know the mother; felt children did not have a lot of adult supervision.
- Believed RICE was very respectful of his mother.

[REDACTED]

- Interviewed February 18, 2015.
- Located Facebook.com page for "Sam Rice" and brother of Tamir Rice.

[REDACTED]

- Interviewed February 27, 2015.
- Federal Bureau of Investigation Special Agent and registered paramedic.
- Investigating a bank robbery with Cleveland Police Detective Lentz and was in the area when the "shots fired" call came for CRC.
- Arrived at scene between three (3) and four (4) minutes after the incident.
- First to provide medical care to RICE. Received assistance from a CPD officer in providing aid to RICE prior to CFD arriving on scene. He thought assistance was rendered by the training officer (Garmback).
- Cleared RICE'S airway while another officer applied pressure to the wound.
- Stated that RICE made some sort of reference to a firearm.
- Assessed Loehmann described him as distraught, complained of pain in his leg and ankle area.
- Reported that Officer Loehmann told him that the subject had a gun and reached for it after telling him to show his hands.

## RONALD FIELDS

- Interviewed March 5, 2015.
- CRC manager.
- Was not at the CRC when the incident occurred, but assisted investigators in identifying juveniles seen (on surveillance video) with RICE during the day.
- Provided information on the CRC personnel working on November 22, 2014.

[REDACTED]

- Interviewed March 5, 2015.
- "911 caller" on November 22, 2014.
- Was seated in the gazebo area and noticed an African American male with a gun.
- Described male as "probably" a juvenile waving a "fake" gun. Said the male was pulling the gun in and out of his waist band and pointing it at people. Claims that the person was "acting gangster."
- Indicated he was not sure if the gun was real.
- Left the park while concluding the call. Did not know what happened until either later that day or the next day.

<sup>2</sup> In order by date interview conducted

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- Thought RICE was 20, but still told the dispatcher that he may have been a juvenile.

- Interview conducted telephonically March 9, 2015.
- [REDACTED] name was provided on the original witness list obtained from the CPD/UDFIT file.
- Stated that she did not witness the incident, but heard screaming.

- Interviewed telephonically March 9, 2015.
- [REDACTED] name was provided on original witness list obtained from the CPD/UDFIT file.
- Stated that she was at work when the incident occurred.

- Interviewed March 11, 2015.
- Best friends with RICE.
- Disclosed that he provided RICE the "RF" that day in exchange for a cellular telephone which had Wi-Fi capability.
- Explained that the RF malfunctioned and disassembled the weapon to repair it.
- Was unable to get the "orange tip" back on the barrel during reassembly.
- While watching the video, explained to investigators when he provided RICE with the RF.
- Explained that RICE was shooting the RF at [REDACTED] and [REDACTED] (RICE's sister).
- Told RICE to be careful because the RF "looked real."

## JESSICA ORTIZ

- Interviewed March 13, 2015.
- Recreational Instructor Level 1 at the CRC.
- Remembered RICE coming to the CRC that afternoon.
- Ortiz left the CRC on her lunch break at the time that the incident occurred.
- Assisted investigators in learning the identity of other juveniles at the CRC from November 22, 2014.

- Interviewed March 16, 2015.
- [REDACTED]'s name was provided on the original witness list obtained from the CPD/UDFIT file.
- [REDACTED] did not witness the incident and did not have any information to assist in this investigation.

- Interviewed March 18, 2015.
- EMS paramedic.
- Assisted CFD with patient care while at the scene and in the back of the unit.
- Arrived at the CRC approximately eight (8) minutes after the incident occurred.
- Stated that RICE was unresponsive while en route to MetroHealth Medical Center.

- Interviewed March 20, 2015.
- Former art teacher of RICE at Marion-Seltzer Elementary School.

**JOE WISE**

- Interviewed March 20, 2015.
- Supervisor for "Old Tymers" basketball team at the CRC.
- Witnessed a "young male" (RICE) pointing a gun at the ground.
- No one else was present, so he did not focus on RICE to alarm him.

**JANELL RUTHERFORD**

- Interviewed March 20, 2015.
- Supervisor 1<sup>st</sup> District Basic Patrol Division; 17 years as a Cleveland Police Officer; 11 years as a sergeant with CPD.
- Only supervisor for the entire 1<sup>st</sup> district at the time of the incident.
- Arrived on scene approximately same time as EMS.
- Believed RICE appeared to be Sixteen (16) to Eighteen (18) years of age.

- Interviewed March 20, 2015.
- Knew RICE from the CRC.
- Was at CRC with [REDACTED] on November 22, 2014.
- Interacted with RICE prior to the incident and observed RICE and another boy shooting the gun at the tires of parked cars.

- Interviewed March 27, 2015.
- Approximately 315 feet (east of CRC on West 98<sup>th</sup> St; Cleveland, OH) from incident when incident occurred.
- Entering a friend's vehicle when she heard "Pop Pop...Freeze let me see your hands...Pop."

- Interviewed April 2, 2015.
- Only knew RICE from the CRC.
- Stated that Rice would hang around a male identified as [REDACTED] and [REDACTED].
- On November 22, 2014, [REDACTED] and [REDACTED] interacted with RICE at the CRC; RICE had a BB gun and they were shooting BB's at the trailers by the school.
- RICE kept the gun inside of his waistband [REDACTED] and [REDACTED] didn't see the incident but heard what sounded like three gunshots.
- After the incident, [REDACTED] informed [REDACTED] that [REDACTED] provided RICE with the gun.

- Interview attempted April 6, 2015.
- Provided an interview with CPD/UDFIT. (redacted)
- Declined to be interviewed by the CCSD for this investigation.

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## BETH MANDL

- Interviewed April 8, 2015.
- Dispatcher with the City of Cleveland since 2010.
- Assigned to CPD Communication Center working as 1<sup>st</sup> District Dispatcher on November 22, 2014.
- Provided overview of the process of how 911 calls are routed; clarified that dispatchers do not have contact with 911 callers.
- The call taker determines if the call is to be routed to EMS, Fire, or Police.
- Call taker documents the information and then transfers the information electronically to the dispatcher responsible for the zone where the emergency is located.
- Was not aware that the 911 caller [REDACTED] had stated that the suspect may be a juvenile or that the weapon could be fake.

## OFFICER WILLIAM CUNNINGHAM

- Interviewed April 8, 2015.
- Began his career with CPD in September of 2000; assigned to Fifth District Patrol, A Platoon; November of 2014, assigned to CPD Downtown Service Unit (DSU).
- Has worked off-duty at CRC every Saturday for 4 years.
- On November 22, 2014, a young man told him that someone was outside of the CRC shooting, but he did not investigate until he was told that the police had just shot someone outside of the CRC.
- Once outside, he heard a girl scream and watched as RICE'S sister ran by him towards the gazebo.
- Stated that Officer Loehmann stopped her from entering the crime scene.
- Stated that Officer Loehmann did not slam her to the ground; but that she slipped on the wet grass as he put his arms out to stop her.
- Stated that it was his idea to handcuff [REDACTED] RICE and place her in the back of the zone car because she was out of control screaming and kicking "You killed my brother."
- Stated that Officer Loehmann was very distraught.
- Officer Loehmann told Cunningham, "He gave me no choice. He reached for the gun and there was nothing I could do."

## CONSTANCE HOLLINGER

- Interviewed April 29, 2015.
- Dispatcher for City of Cleveland for 19 years.
- She was the call taker on November 22, 2014.
- Explained that call takers are responsible for both emergency (911) calls and non-emergency calls to Police, Fire, and EMS in the City of Cleveland.
- Described that call takers are responsible for obtaining pertinent information from the caller (i.e. name, address, location, and reason for call).
- Also responsible for assigning a priority to the call received and transferring the call electronically to the primary dispatcher for that zone.
- Refused to answer questions (per her attorney) about not relaying specific information related to the 911 call on November 22, 2014.

- Interviewed May 14, 2015.
- Stated that she was the person in the video surveillance footage from the CRC seen walking with RICE in front of the gazebo carrying a white bag.
- While leaving through the rear of CRC, stopped and talked to a female she identified as RICE'S girlfriend (actually RICE'S sister.)
- Walked to CVS to purchase some items.
- Walked through CRC on way home and encountered RICE; she met with RICE at the swings where he shows her the weapon (per video surveillance).
- Does not recall RICE having the weapon out during their conversation in front of the gazebo.

**OFFICER RICARDO ROMAN**

- Interviewed May 28, 2015.
- CPD Officer since January 2011; assigned to First District Patrol.
- Roman and his partner (Zverina) were headed to the CRC when they heard the "shots fired" broadcast.
- On scene, he observed an FBI Agent [REDACTED] and Officer Garmback providing medical attention to the suspect.
- Recalls RICE lying on the grass and observed, "...a black automatic handgun" on the ground near the "suspect".
- Described the "suspect" as "a black male, early twenties and easily over two hundred pounds".
- Believed the weapon was real until he looked closer at the magazine; even then, he still believed the weapon was real.
- Spoke to Loehmann only in regards to his injured ankle; did not have a conversation with Garmback.

**OFFICER KEN ZVERINA**

- Interviewed May 28, 2015.
- Cleveland Police Officer for 3.5 years; assigned to First District Patrol and partnered with Officer Roman.
- Observed a "full frame black semi-auto" just north of the suspect on the grass.
- Stated that "Suspect (RICE)" was lying on the ground and he believed he was 18-20 years of age, 6'0", and 200 pounds.
- Engaged in conversation with Loehmann about his ankle pain, but did not have any conversations with Garmback.
- Set up a perimeter to protect the crime scene.

**OFFICER LOU KITKO**

- Interviewed May 28, 2015.
- Cleveland Police Officer for 18 years; currently assigned as a Patrol Officer on the First District, one man car.
- On another assignment when "shots fired" was broadcast.
- Entered the CRC through the parking lot.
- Informed by Officer Garmback that it was an officer involved shooting.
- Contacted the Cleveland Police Union.
- Recalled the male lying on the ground and there was a firearm lying next to him; firearm appeared to be a semi-automatic handgun, black in color and real.

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- Went inside of the CRC and advised staff that CPD would need a copy of the surveillance video.
- Attempted to calm down Officer Loehmann.
- Told by Loehmann that "They arrived at the scene, yelling commands at the kid, they stopped the car and the kid went for the firearm and pulled it out."
- Officer Loehmann then informed Officer Kitko that he (Loehmann) shot RICE.

## DETECTIVE DAN LENTZ

- Interviewed May 28, 2015.
- Employed with Cleveland Police for 18 years; CCW instructor; currently assigned to the First District Detective Bureau.
- On November 22, 2014, he was with FBI S/A [REDACTED] conducting follow up to a bank robbery investigation.
- Responded to the CRC after hearing "shots fired" broadcast.
- Stated that S/A [REDACTED] began to provide medical attention to the wounded male (RICE).
- Checked on Officer Loehmann to determine his injuries.
- Observed a weapon in the vicinity of the wounded male; based on his knowledge and experience with weapons, he initially believed that the weapon was real.
- Discovered that the magazine and the ammunition were not real.
- While at the scene, stated that the wounded male's brother arrived and started a disturbance.
- Det. Lentz spoke with [REDACTED] while she was detained in the zone car.
- Det. Lentz and S/A [REDACTED] took the handcuffs off [REDACTED] but she remained in the back of the zone car.
- Det. Lentz learned from [REDACTED] that the wounded male was 12 years old.

## OFFICER TOM GRIFFIN

- Interviewed May 28, 2015.
- Cleveland Policeman for over 21 years; currently assigned to First District Patrol. Majority of his career has been in Basic Patrol with a short stint in a Vice unit.
- November 22, 2014 responded to CRC after broadcast of "shots fired."
- Once on the scene, he placed a bag over the firearm to protect it from the elements.
- Believed that it was an authentic firearm; later informed that the firearm was a replica.
- Assisted in setting up the perimeter and maintained the crime scene until the processing was completed.

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CUDELL RECREATION CENTER VIDEO SURVEILLANCE

- Ten cameras.
- Five hours of surveillance video; each beginning at 1100 hours to 1600 hours (11:00 am – 4:00 pm).
- Three cameras located inside the CRC.
- Seven cameras located outside CRC.
- Cameras may overlap coverage but are separate and function independently.
- The date and time appear to be accurate.
- Cross referenced time indicated in the cameras with CPD dispatch, witness statements, and log in time captured by the CRC.
- All cameras are operated and maintained by the CRC.
- The Digital Video Recorder (DVR) is located in the CRC main office.
- Camera 3 is mounted outside above the East Entrance/Exit of the CRC and was obstructed with ice; very little discernible video.
- RICE first appears on Camera 1, which is located on a utility pole outside, with a view of the gazebo facing East at 11:04:49 hours.
- RICE is viewed several different times, from several different cameras throughout the day prior to the UDF incident.
- The UDF incident occurred at approximately 15:30:23 Hours on Cameras 1 and 4.

INTERVIEWS REQUESTED

- WKSU reporter Kabir Bhatia
  - No response
- CPD Officer Frank Garmback
  - Declined per Cleveland Police Patrolman's Association (CPPA)
- CPD Officer Timothy Loehmann
  - Declined per CPPA
- [REDACTED]
  - No show/refusal
- [REDACTED]
  - No show multiple occasions
- Samaria Rice
  - Declined per [REDACTED] (Samaria's Uncle)
- [REDACTED]
  - No response from Attorney Walter Madison

*\*The CCPO will make the determination whether any of the above listed individuals shall be required to testify before a Cuyahoga County Grand Jury.*

DOCUMENTS OUTSTANDING

- Video Compilation/enhancement being completed by the Ohio Attorney General's Office Forensic Audio and Video Analysis Unit.
- Photograph comparison from the Cuyahoga County Medical Examiner's Office.



# CUYAHOGA COUNTY SHERIFF'S DEPARTMENT

## FINAL NOTES

This investigation was conducted with the purpose of determining, to the extent possible, the facts and circumstances surrounding this use of deadly force incident. As unbiased collectors of fact, the Cuyahoga County Sheriff's investigative team has not, and will not, render any opinion of the legality of the officers' actions. Instead, it is anticipated that this investigation will provide the basis of information for decisions to be rendered by Cuyahoga County Prosecutor's Office and/or the Department of Justice.

## INVESTIGATIVE FILES CONTENTS

### 1. 911-Dispatcher Folder

- 911 Recordings File
  - CECOMS File
    - Subpoena response
    - Grand Jury subpoena
    - 911 subpoena letter
    - 911 call Nov. 22, 2014
- 2<sup>nd</sup> 911 Call (Audio)
- 911 Transcription
- District 1 calls 1156-1804hrs (Audio)
- District 1, 11-22-14hrs (Audio)
- Dispatcher Hollinger 911 (Audio)
- Chief Dispatcher Foley File
  - Foley interview (Video)
  - Foley interview letter
  - Foley summary report
- Call Taker Hollinger interview File
  - Hollinger interview (Video)
- Dispatcher Mandl interview File
  - Mandl interview summary
  - Mandl interview (Video)
- Drawing of dispatch center
- (1) Dispatcher interview request
- (2) Dispatcher interview request
- (3) Dispatcher interview request follow up
- (4) Dispatcher Foley decline interview letter
- District 1 unit history forms
- District 1 event summary forms
- Hollinger summary report
- Police Districts Maps

# CUYAHOGA COUNTY SHERIFF'S DEPARTMENT

## 2. Officer Timothy Loehmann Folder

- Akron Police Department File
  - Akron subpoena response
  - Summary Report
- Cuyahoga County Sheriff Application File
  - Application and resume
  - Agility scores
  - Subpoena service
  - Eligibility list
  - Human resource subpoena
  - Deputy Sheriff posting
  - Deputy Sheriff screening questions
  - Cleveland police records request form
  - Summary Report
  - Written cognitive assessment score
- Cleveland Heights Police Department File
  - Police academy documents
  - Summary report
- Euclid Police Department File
  - Civil Service application
  - Euclid Police business card
  - Euclid test scores
  - Personal history questionnaire
  - Personal history synopsis
  - Summary Report
- Independence Police Department File
  - Independence Roster
  - Subpoena memorandum
  - Subpoena response
  - Summary report
  - Search warrant report
  - Search warrant draft
  - Search warrant return
  - Second subpoena response
  - Second search warrant service
  - Subpoena response 1-12-15
  - Third Subpoena response
- Parma Heights Police Department File
  - Background applicant report
  - Subpoena satisfied
  - Subpoena services
  - Eligibility List
  - Grand Jury Subpoena

Hiring check list

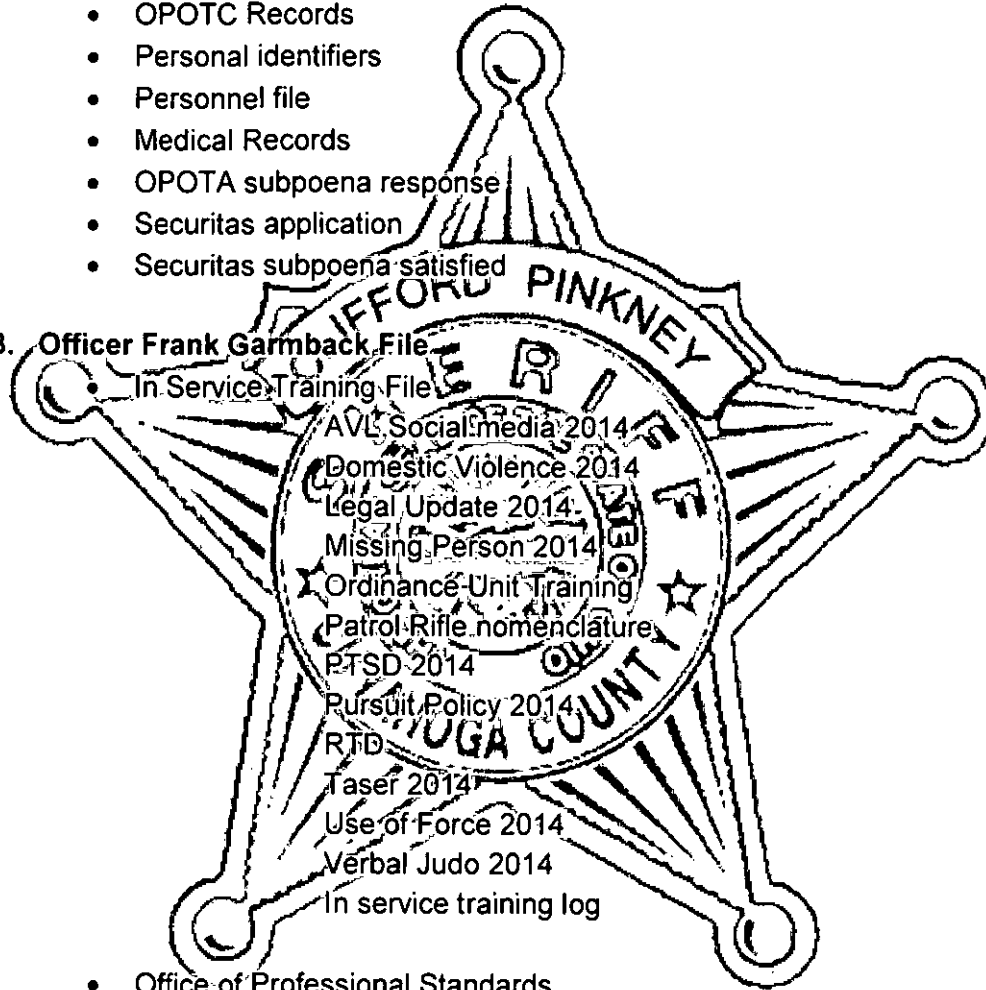
Summary report

- (1) Cleveland range Officer Urbania conversation
- (2) Cleveland range Officer Urbania follow up
- (3) Range Records provided report
- CPD Administrative documents
- Duty weapon identifiers
- CPD firearms records
- Duty report 11-22-14
- OPOTC Records
- Personal identifiers
- Personnel file
- Medical Records
- OPOTA subpoena response
- Securitas application
- Securitas subpoena satisfied

3. Officer Frank Garmback File

- In Service Training File
  - AVL Social media 2014
  - Domestic Violence 2014
  - Legal Update 2014
  - Missing Person 2014
  - Ordinance Unit Training
  - Patrol Rifle nomenclature
  - PTSD 2014
  - Pursuit Policy 2014
  - RTD
  - Taser 2014
  - Use of Force 2014
  - Verbal Judo 2014
  - In service training log

- Office of Professional Standards
  - Complaint withdrawn
  - Complaint unfounded
  - Complaint unfounded
  - Administrative withdrawal
- (1) Cleveland Range Officer Urbania conversation
- (2) Cleveland Range Officer Urbania follow up
- (3) Range Records provided report
- Duty weapon identifiers
- *Eaton v. Guerra*
- CPD firearms records



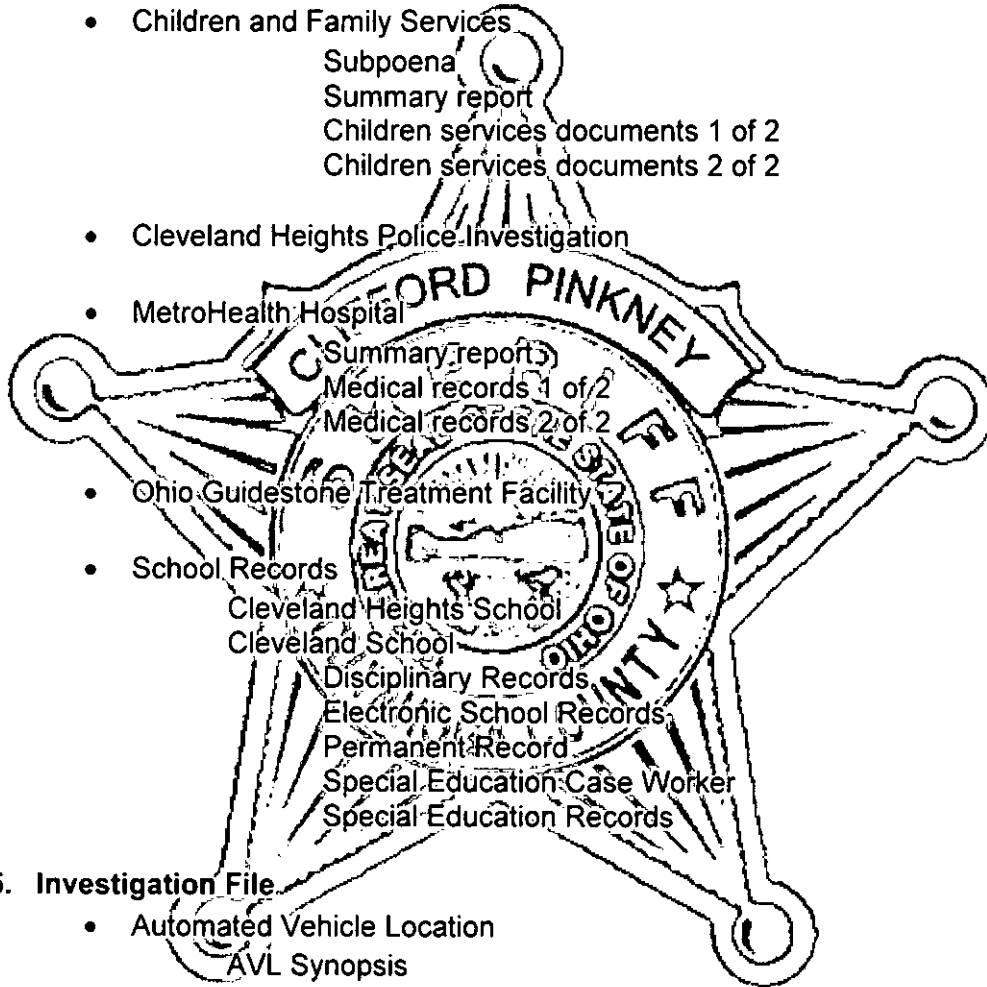
- OPOTC records
- Personnel file
- OPOTA subpoena response

**4. Tamir Rice File**

- Cellular Phone Search
  - BCI search warrant
  - Cellular phone extraction report
  - Cellular phone search warrant
- Children and Family Services
  - Subpoena
  - Summary report
  - Children services documents 1 of 2
  - Children services documents 2 of 2
- Cleveland Heights Police Investigation
- MetroHealth Hospital
  - Summary report
  - Medical records 1 of 2
  - Medical records 2 of 2
- Ohio Guidestone Treatment Facility
- School Records
  - Cleveland Heights School
  - Cleveland School
  - Disciplinary Records
  - Electronic School Records
  - Permanent Record
  - Special Education Case Worker
  - Special Education Records

**5. Investigation File**

- Automated Vehicle Location
  - AVL Synopsis
  - AVL Video
- CPD Crime Scene Photos
  - 152 Photos
- CVS File (Video)
- Colt Air pistol advertisement
- CPD Firearm lab reports
- CPD First on scene
- CPD responding
- CPD witness list
- Crime scene photo request



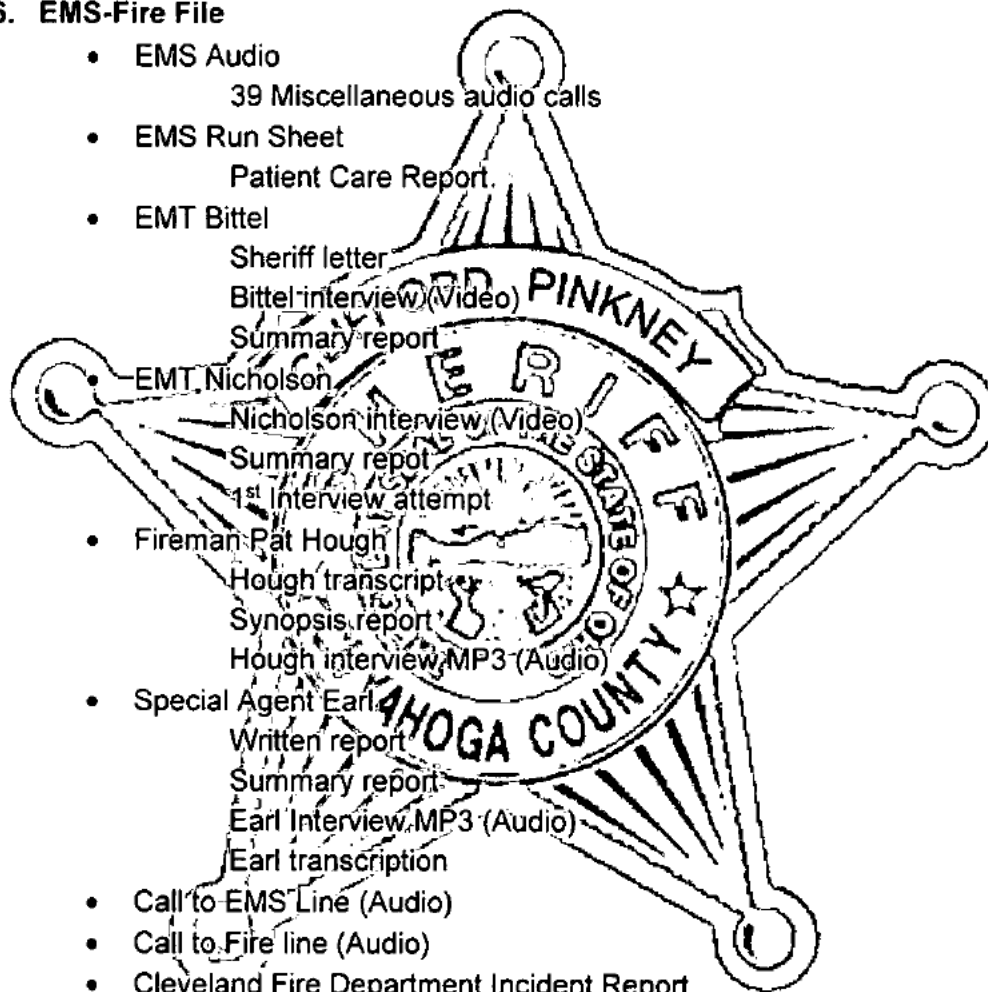
- Crime scene photo upload report
- (1) Interview request additional officers
- (2) Interview request additional officers
- (3) Interview request additional officers
- (4) Interview request additional officers
- Cudell Recreation video timeline summary
- Garmback-Loehmann duty assignments
- Officer Woyma interview

**6. EMS-Fire File**

- EMS Audio
  - 39 Miscellaneous audio calls
- EMS Run Sheet
  - Patient Care Report
- EMT Bittel
  - Sheriff letter
  - Bittel interview (Video)
  - Summary report
- EMT Nicholson
  - Nicholson interview (Video)
  - Summary report
  - 1st Interview attempt
- Fireman Pat Hough
  - Hough transcript
  - Synopsis report
  - Hough interview MP3 (Audio)
- Special Agent Earl
  - Written report
  - Summary report
  - Earl Interview MP3 (Audio)
  - Earl transcription
- Call to EMS Line (Audio)
- Call to Fire line (Audio)
- Cleveland Fire Department Incident Report

**7. Witness File**

- [REDACTED]
  - Summary
  - OHLEG Forms
- [REDACTED]
  - Leads print out 2 of 3
  - Leads print out 1 of 3



Leads print out 3 of 3

Interview (Video)

Summary report

- Det. Daniel Lentz

(1) Contact attempt

(2) Tentative Interview

(3) Interview follow-up

(4) Interview confirmation

(5) Interview delay per prosecutor talks

Interview summary

Interview (Video)

Scene photos

- [REDACTED] interview (Video)

Summary report

OHLEG Forms

- [REDACTED] transcription

summary report

MP3 (Audio)

OHLEG Forms

- Jessica Ortiz

Ortiz interview (Video)

Summary report

OHLEG Forms

- [REDACTED] interview (Video)

Summary report

OHLEG Forms

- JV Witnesses

[REDACTED]  
Synopsis

[REDACTED] Interview (Video)

Kabir Bhatia report

[REDACTED] part 1 MP3 (Audio)

[REDACTED] part 2 MP3 (Audio)

Interview request [REDACTED]

WKSU [REDACTED] audio 50 sec. MP3 (Audio)

# CUYAHOGA COUNTY SHERIFF'S DEPARTMENT

C/S-35

WKSU Request  
WKSU Summary report  
WKSU Grand Jury Subpoena

[REDACTED]  
Synopsis report  
MP3 (Audio)  
[REDACTED] father phone call report

[REDACTED]  
[REDACTED] interview (Video)  
Synopsis report

[REDACTED]  
Attempt to locate report  
(1) Interview-attempt  
(2) Interview attempt

[REDACTED]  
-Follow-up report

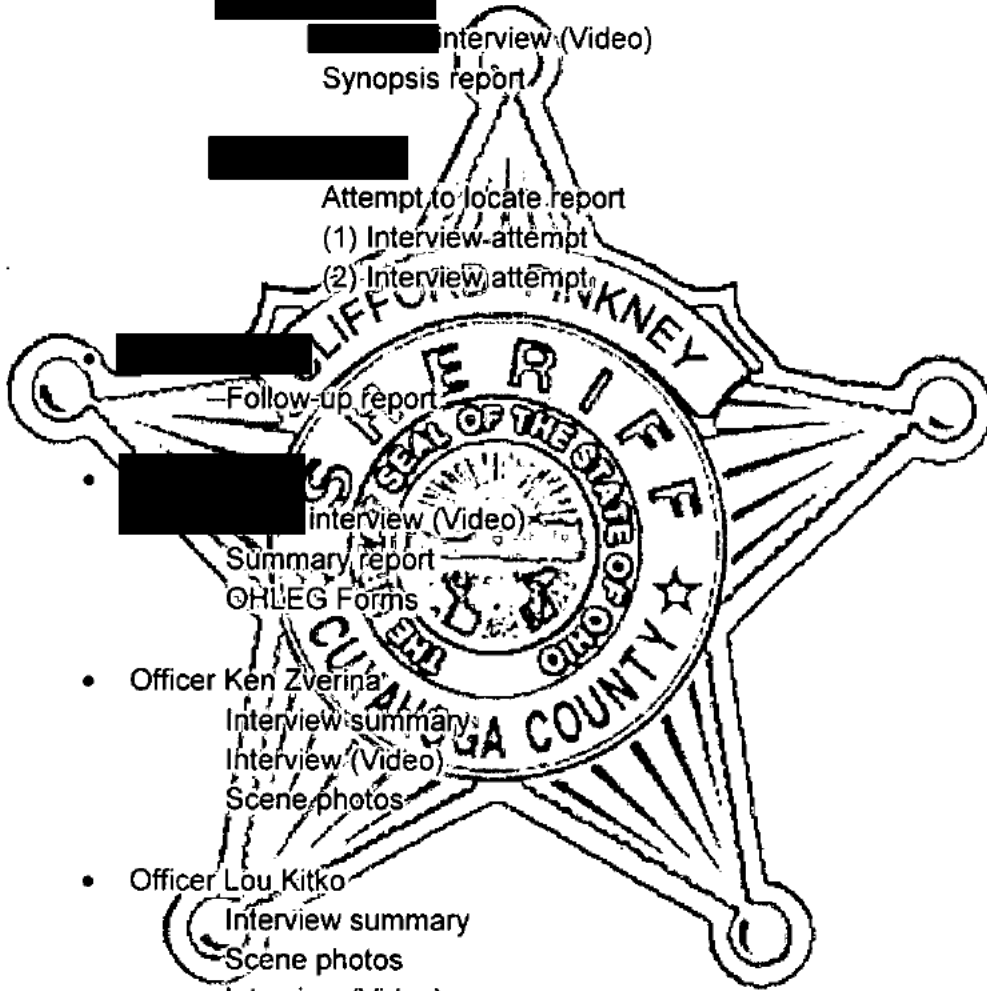
[REDACTED]  
Interview (Video)  
Summary report  
OHLEG Forms

- Officer Ken Zverina  
Interview summary  
Interview (Video)  
Scene photos

- Officer Lou Kitko  
Interview summary  
Scene photos  
Interview (Video)

- Officer Ricardo Roman  
Interview summary  
Interview (Video)  
Scene photos

- Officer Tom Griffin  
Interview summary  
Scene pictures





Interview (Video)

- Officer William Cunningham
  - Interview request
  - Synopsis of interview
  - Cunningham interview (Video)
  - Grand Jury subpoena

- [REDACTED]
  - Summary report
  - OHLEG Forms
  - [REDACTED] interview (Video)

- [REDACTED]
  - OHLEG Forms
  - [REDACTED] interview (Video)
  - Summary report

- Sgt. Janell Rutherford
  - Summary report
  - Rutherford interview (Video)

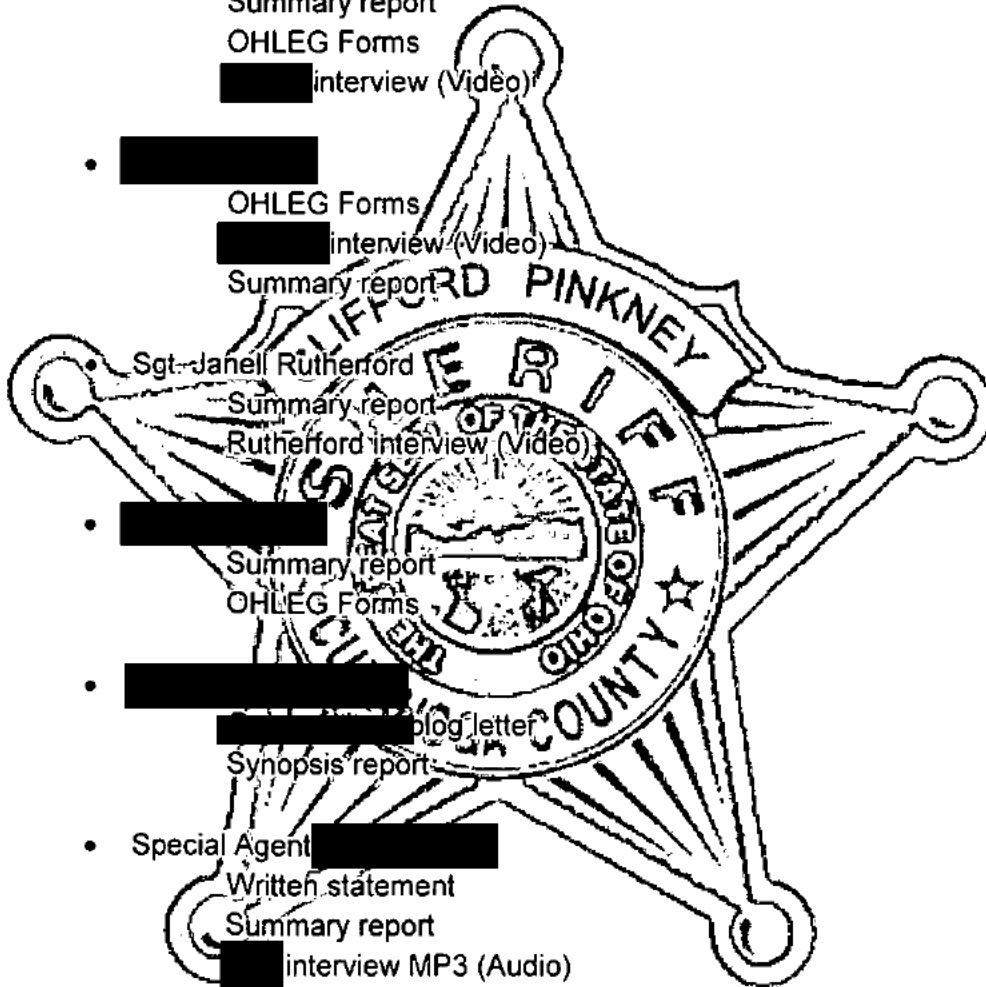
- [REDACTED]
  - Summary report
  - OHLEG Forms

- [REDACTED]
  - [REDACTED] blog letter
  - Synopsis report

- Special Agent [REDACTED]
  - Written statement
  - Summary report
  - [REDACTED] interview MP3 (Audio)
  - [REDACTED] transcription

- [REDACTED]
  - Interview attempts report

- [REDACTED]
  - Summary report
  - OHLEG Forms



- [REDACTED]
  - Folder with 36 photos
  - Photo report
  - OHLEG Forms
  - Summary report
  - Phone call report
  - Message report
  - [REDACTED] MP3 (Audio)

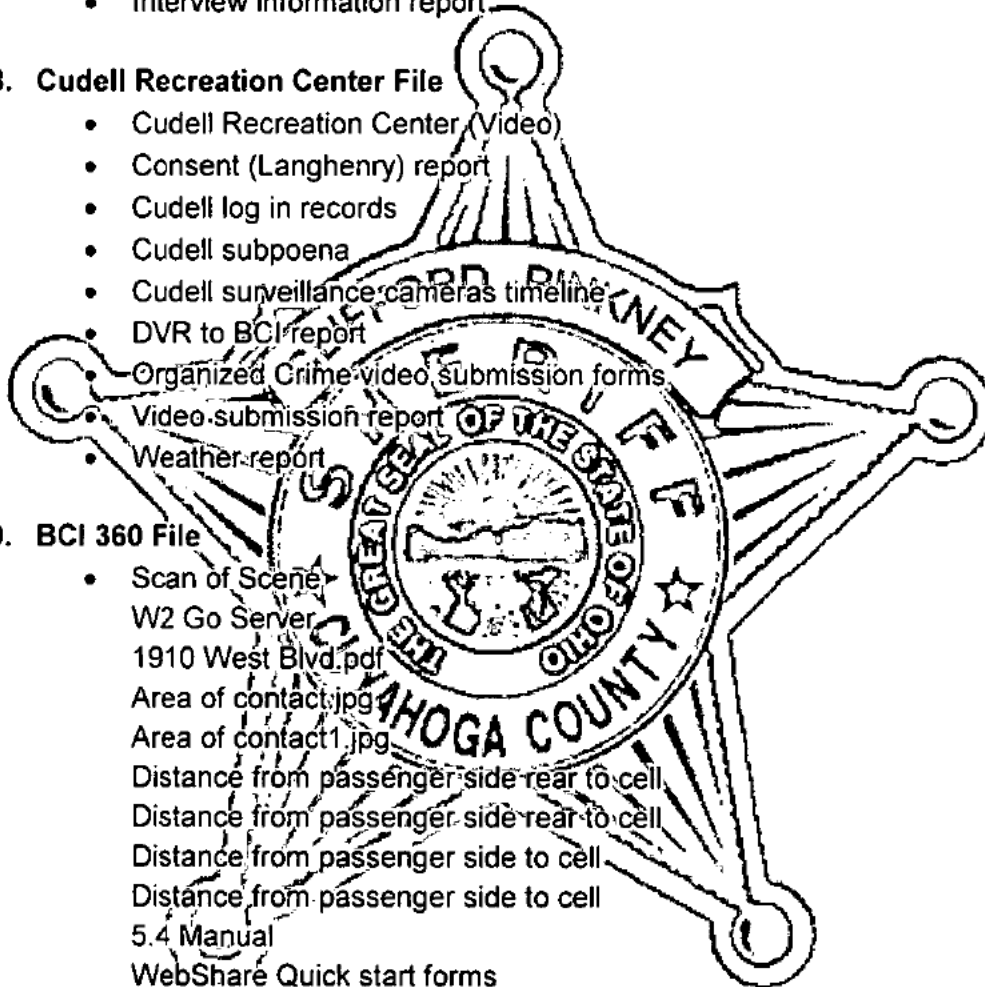
- Interview information report

**8. Cudell Recreation Center File**

- Cudell Recreation Center (Video)
- Consent (Langhenry) report
- Cudell log in records
- Cudell subpoena
- Cudell surveillance cameras timeline
- DVR to BCI report
- Organized Crime video submission forms
- Video submission report
- Weather report

**9. BCI 360 File**

- Scan of Scene
  - W2 Go Server
  - 1910 West Blvd.pdf
  - Area of contact.jpg
  - Area of contact1.jpg
  - Distance from passenger side rear to cell
  - Distance from passenger side rear to cell
  - Distance from passenger side to cell
  - Distance from passenger side to cell
  - 5.4 Manual
  - WebShare Quick start forms
  - Edge Photo of pavilion
  - Overhead with pavilion roof
  - Overhead with pavilion roof 1
  - Overhead with placards
  - Overhead with placards 1
  - Start scene
  - Video1 of Scene
  - View from passenger front
  - View from passenger front 1



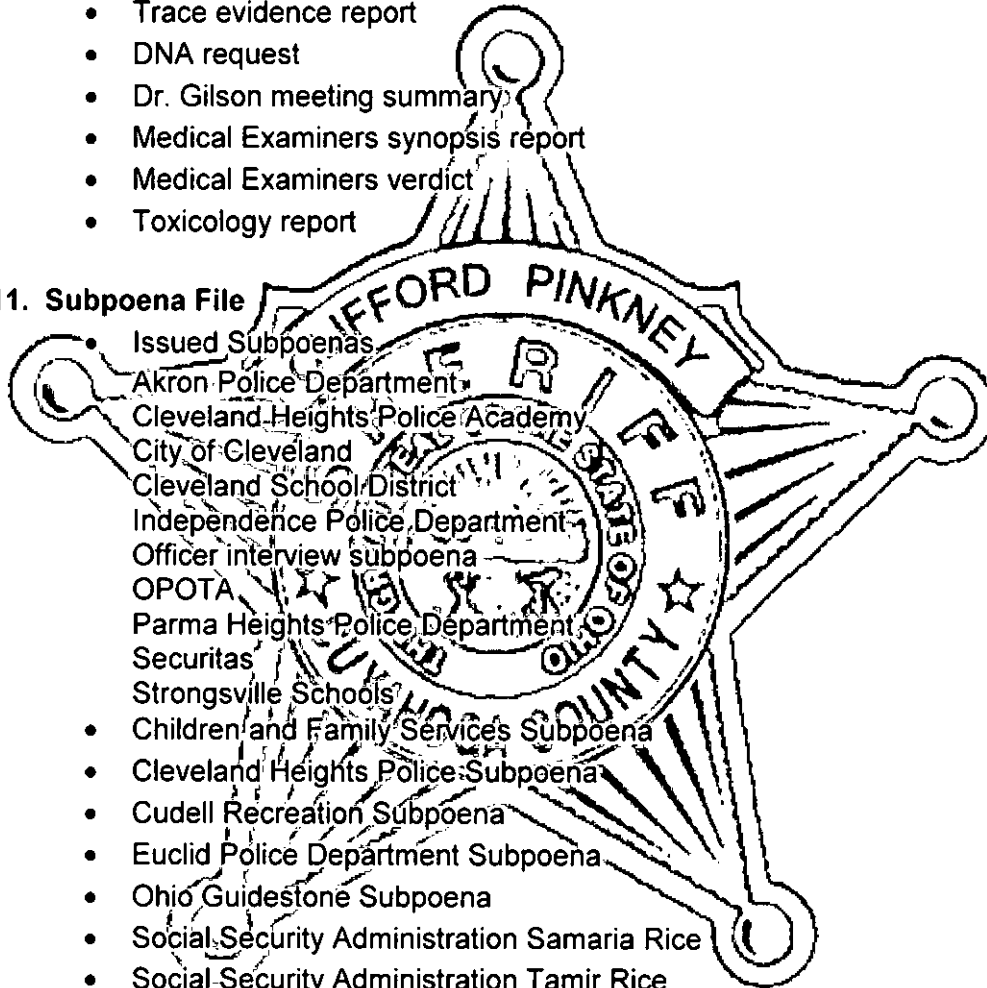
- Photos of 2014 Dodge Charger  
11 Photos
- BCI Report
- BCI Video compilation request
- SCENE WebShare.pdf

**10. Medical Examiners File**

- 2nd Meeting report
- DNA report
- Trace evidence report
- DNA request
- Dr. Gilson meeting summary
- Medical Examiners synopsis report
- Medical Examiners verdict
- Toxicology report

**11. Subpoena File**

- Issued Subpoenas
  - Akron Police Department
  - Cleveland Heights Police Academy
  - City of Cleveland
  - Cleveland School District
  - Independence Police Department
  - Officer interview subpoena
  - OPOTA
  - Parma Heights Police Department
  - Securitas
  - Strongsville Schools
- Children and Family Services Subpoena
- Cleveland Heights Police Subpoena
- Cudell Recreation Subpoena
- Euclid Police Department Subpoena
- Ohio Guidestone Subpoena
- Social Security Administration Samaria Rice
- Social Security Administration Tamir Rice
- Subpoena Issued 1-7-2015
- Subpoena Issued 1-9-15
- Subpoena Issued 1-15-15
- Subpoena service to Akron Police
- Subpoena Tracker report



**12. Facebook**

- Facebook Profiles
- Tamir Rice Pages
- [REDACTED] Pages

**13. General Police Orders**

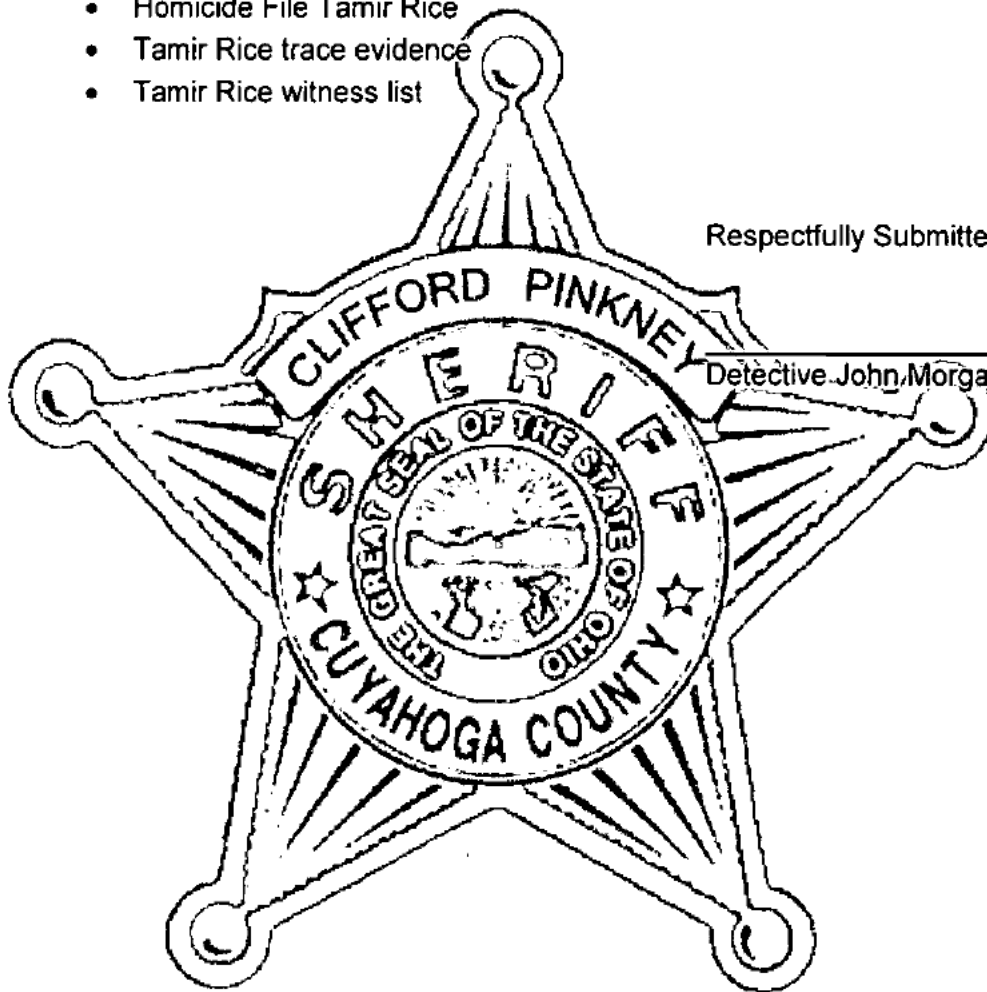
- General Police Order Book (11-21-14)

**14. Redacted CPD File**

- Homicide File Tamir Rice
- Tamir Rice trace evidence
- Tamir Rice witness list

Respectfully Submitted,

Detective John Morgan #241



# CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE 1-23-2015

FROM Detective John Morgan #241

TO Sergeant Sharpe

SUBJECT Cudell Recreation Center Subpoena

COPIES TO Lt. Smith, File

---

On January 23, 2015 while assigned to the Cuyahoga County Sheriff's Detective Bureau and in company with Detective David Jacobs, were given an assignment by Sergeant Eugene Sharpe to conduct a follow up investigation into a Cleveland Police Use of Deadly Force incident which occurred on November 22, 2014. The following is result of that investigation.

On January 20, 2015 investigators delivered Cuyahoga County Grand Jury Subpoena number 1008380 to Ron FIELDS, Manager of Cudell Recreation Center requesting items from the facility.

On January 23, 2015 investigators returned to the recreation center to retrieve the original Digital Video Recorder requested, then preceded to the City of Cleveland's Law Department to retrieve the sign in logs requested from the Cudell Recreation Center from October 1, 2014 through November 23, 2014.

This matter to be further investigated.

Detective John Morgan #241

CUYAHOGA COUNTY SHERIFF'S OFFICE

013-03

FILE NO. 15-00004

DATE 1-26-2015

FROM Detective John Morgan #241

TO Sergeant Sharpe

SUBJECT Transfer of DVR to BCI

COPIES TO Lt. Smith, File

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On January 26, 2015 while assigned to the Cuyahoga County Sheriff's Detective Bureau, writer was given an assignment by Sergeant Eugene Sharpe to conduct a follow up investigation into a Cleveland Police Use of Deadly Force incident which occurred on November 22, 2014. The following is result of that investigation.

On January 23, 2014 writer obtained through Cuyahoga County Grand Jury Subpoena the original Digital Video Recorder (DVR) from the Cudell Recreation Center which recorded the Use of Deadly Force incident on November 22, 2014.

On this date writer transported the DVR to Ohio Bureau of Criminal Investigation (OHBCI) located at 4055 Highlander Parkway, Richfield, Ohio and turned over the DVR to Alissa KRAEMER, OHBCI, to place into evidence at this facility. OHBCI will attempt to recover the original video from the DVR.

This matter to be further investigated.

Detective John Morgan #241

**CUYAHOGA COUNTY SHERIFF'S OFFICE**

01-29-13

FILE NO. 15-00004

DATE 1-29-13

FROM Detective John Morgan #241

TO Sergeant Sharpe

SUBJECT Review of Cudell Recreation Center  
sign-in logs

COPIES TO Lt. Smith, File

On January 28, 2015 while assigned to the Cuyahoga County Sheriff's Detective Bureau writer was given an assignment by Sergeant Eugene Sharpe to conduct a follow up investigation into a Cleveland Police Use of Deadly Force incident which occurred on November 22, 2014. The following is result of that investigation.

On January 23, 2015 writer received the sign-in logs from the Cudell Recreation Center located at 1910 West Boulevard, Cleveland, Ohio dated October 1, 2014 through November 23, 2014. Writer searched the documents to determine how often the decedent in this case, Tamir RICE, used the facilities at the recreation center. It is important to note that visitors of the recreation center are only required to sign-in not sign-out. The following is a list of dates and times which Tamir RICE signed in during that time period of October 1, 2014 through November 23, 2014:

<u>DATE</u>	<u>TIME</u>	<u>DAY OF THE WEEK</u>
10-03-14	6:35:30pm	Friday
10-21-14	2:30:30pm	Tuesday
10-22-14	4:13:33pm	Wednesday
10-23-14	4:46:18pm	Thursday
10-27-14	4:27:28pm	Monday
10-30-14	4:25:24pm	Thursday
11-01-14	2:18:46pm	Saturday
11-05-14	4:33:56pm	Wednesday
11-06-14	6:42:49pm	Thursday
11-08-14	12:39:41pm	Saturday
11-10-14	4:31:34pm	Monday
11-13-14	4:17:55pm	Thursday
11-14-14	3:17:12pm	Friday
11-15-14	12:10:11pm	Saturday
11-21-14	4:15:35pm	Friday



## CUDELL RECREATION CENTER DATE TIME LOG CONTINUED:

<u>DATE</u>	<u>TIME</u>	<u>DAY OF THE WEEK</u>
11-22-14	11:05:30am	Saturday

This matter to be further investigated.

Detective John Morgan #241

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE February 2, 2015

FROM Detective John Morgan #241

TO Sergeant Sharpe

SUBJECT

COPIES TO Lt. Smith, File

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This matter to be further investigated.

Detective John Morgan #241

013-333

DATE February 3, 2015

TO Sergeant Shapre

**SUBJECT** Interview with Frank Woyma #2495

COPIES TO File

[REDACTED]

[REDACTED]

[REDACTED]

\_\_\_\_\_

[REDACTED]

\_\_\_\_\_

[REDACTED]

D, [REDACTED]

\_\_\_\_\_

\_\_\_\_\_

CUYAHOGA COUNTY SHERIFF'S OFFICE

01-00

[REDACTED]

[REDACTED]

Detective John Morgan #241

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-04 (Tamir Rice)

DATE 2/4/15

FROM James Mackey, Detective

TO Sgt. Sharpe

SUBJECT Subpoena Response from [REDACTED])

COPIES TO File

---

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED])

CUYAHOGA COUNTY SHERIFF'S OFFICE

015-00

FILE NO. 15-00004

DATE February 10, 2015

FROM Detective John Morgan #241

TO Sergeant Sharpe

SUBJECT Facebook.com information

COPIES TO Lt. Smith, File

---

On February 9, 2015 while assigned to the Cuyahoga County Sheriff's Detective Bureau and in company with Detective David Jacobs we were given an assignment by Sergeant Eugene Sharpe to conduct a follow up investigation into a Cleveland Police Use of Deadly Force incident which occurred on November 22, 2014. The following is result of that investigation.

On this date investigators met with William GONZALEZ, vice president of the Cleveland Police Patrolman's Association at his office located at 1303 West 58<sup>th</sup> Street, Cleveland Ohio.

GONZALES provided investigators with manila folder containing what appeared to be a copy of Tamir RICE and [REDACTED] Facebook.com profiles and content from their social media web page. The page belonging to [REDACTED] is under the screen name of "[REDACTED]," and the web page belonging to Tamir RICE is under the screen name of "Tamir Rice." The content appeared to have been printed off from Facebook.com on 11-25 and 11-26-2014 which appeared in the lower right hand corner of the pages.

GONZALES stated that the information contained within the manila folder was sent to Cleveland Police Sergeant Janelle RUTHERFORD from a female only identified as [REDACTED]. [REDACTED] was said to have located the Facebook.com profiles of [REDACTED] and Tamir RICE, took screen shots with her mobile cellular device and forwarded the data to Sergeant RUTHERFORD who then contacted Cleveland Police Homicide Detective Raymond DIAZ and forwarded the information to Detective DIAZ via electronic mail.

GONZALES continued, stating that [REDACTED] was willing to cooperate with law enforcement in connection with this information and provided Sgt. RUTHERFORD her contact information.

This matter to be further investigated.

Detective John Morgan #241

## CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE 2/15/15

FROM James Mackey, Detective

TO Sgt. Sharpe

SUBJECT WKSU Request

COPIES TO File

I was tasked by SGT. Sharpe to contact radio station 89.7 WKSU in regards to a report published on their site by reporter, Kabir Bhatia. The report originally published on November 23, 2014 is located online at <http://www.wksu.org/news/41097>. In the report, filed by Bhatia, he spoke with a juvenile named [REDACTED]. In addition to the written recollection by Bhatia there was also about 50 seconds of audio that accompanies the report. In the audio [REDACTED] said "I was here with him when he had it and I knew I shouldn't have left cause I told him he had to be careful with it and it looked real when he had it". Bhatia also reported that [REDACTED] was the one that took off the orange cap to the BB gun.

On February 13, 2015 a call was placed to 89.7 WKSU ([REDACTED]) in regard to this article. I spoke with News Director [REDACTED] Meyer. I informed him that as a part of the ongoing investigation with regards to Tamir Rice I saw the report published by his news organization. I asked if there was additional audio of the interview that I may have a copy of or hear first-hand. He was unsure if additional audio exists but informed me I can download the posted audio from a desk top computer. I also asked if his news organization would make Kabir Bhatia available to speak with me. I further informed him that I am not seeking the identity of any unnamed or confidential sources, even though the article only made reference to named sources. He requested that I send him an email with items I request and he would run it by his legal team.

The published report, audio and my email to Mr. Meyer were placed into the case file.

I will follow up with Mr. Meyer on February 17, 2015.

It is suggested that follow up with [REDACTED] be conducted regarding his interaction with Tamir Rice.

//////S/////

James Mackey, Detective



CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE February 15, 2015

FROM Detective John Morgan #241  
SUBJECT Attempted contact with RICE Family/  
Interview of [REDACTED]  
COPIES TO Lt. Smith, File

TO Sergeant Sharpe

On February 12, 2015 while assigned to the Cuyahoga County Sheriff's Detective Bureau and in company with Detective David Jacobs, we were assigned by Sergeant Eugene Sharpe to conduct a follow up investigation into a Cleveland Police Use of Deadly Force incident which occurred on November 22, 2014. The following is result of that investigation.

Investigators attempted to contact Samaria RICE so she may sign a consent form which would authorize Metro Health Medical Center to release medical records of her son, Tamir RICE. Detectives knocked at the door of the RICE family's previously listed address of [REDACTED], Cleveland Ohio. After getting no response writer peered through the open window blinds to discover that the residence had been vacated.

In an attempt to ascertain the time frame of when the RICE family moved from the residence, investigators knocked on the door of [REDACTED] [REDACTED]. The door was answered and investigators conducted the following interview:

[REDACTED], DOB [REDACTED] ADDRESS [REDACTED]  
MOBILE TX: [REDACTED]

[REDACTED] S stated that she has been living at her current residence for approximately 3 years and stated that she didn't personally know Samaria RICE but was able to recall that the RICE family had moved in around tax time of 2014. [REDACTED] S stated that the rice family had moved out at the end of January 2015. She stated that when the family moved in there were a lot of people helping them move in. She continued, stating, "You could tell that we were going to have a lot of people living next door." [REDACTED] S explained that you could tell that there was a lot of extended family involvement in the household.

[REDACTED] stated that she didn't really have that much interaction with the RICE family even though she lived next door to them. She recalled that the kids played ball in the streets and that Tamir was nice to her and that he seemed to be a nice kid. [REDACTED] stated that he was larger than what she believed to be a normal 12 year old, but stated that if she was walking down the street at night and Tamir was walking towards her, she would not have crossed the street because he didn't seem to be an intimidating person. Further, she stated that even though he may not had appeared to be 12 years of age by his size, if you looked close at the way he carried himself and his mannerisms you could tell that he was a young boy.

[REDACTED] stated that she really didn't see much of Tamir's mother, but when [REDACTED] did see his mother, she thought that Ms. RICE may have worked at a hospital because she would see her wearing scrubs. [REDACTED] stated that she could not really tell investigators who was actually living in the residence because there were always so many people at the home, but believed that Tamir, his older sister, a baby (Toddler age), a female (Toddler's mother) and the Ms. RICE were the people living in the residence. [REDACTED] believed that the mother was not home a great deal because she didn't see a lot of adult supervision at the home; she stated that the children were self-sufficient and self-entertaining.

# CUYAHOGA COUNTY SHERIFF'S OFFICE

013-00

█████ stated that the day of the shooting she remembered that her husband was out of town; she had come home from work and took a nap. █████s stated that due to her pregnancy she had ordered food around 4 A.M. and noticed that there were a lot of people on the porch of the RICE residence. She stated that she spoke to them and they appeared to be in a very somber mood. It was later in the day that she found out that the person who had been shot and died from the incident was her next door neighbor, Tamir RICE.

█████ stated that the landlord of the apartment complex is █████ and provided a telephone contact number of █████

This matter to be further investigated.

Detective John Morgan #241

## Request regarding interview with Mr. [REDACTED]

James Mackey

Fri 2/13/2015 6:28 PM

To: [REDACTED] <[REDACTED]>

Mr. Meyer,

Regarding our phone conversation earlier today. I am inquiring about a report published by Kabir Bhatia on Sunday, November 23, 2014. The article is published on your station's site at [REDACTED]. In the article Mr. Bhatia had the opportunity to speak with a Mr. [REDACTED] about Tamir Rice. The article also contained audio of Mr. [REDACTED]

As part of the ongoing investigation with regards to Tamir Rice, would you please make Mr. Kabir Bhatia available to speak with me. In addition would you please provide me a copy of the published and unpublished audio of the [REDACTED] [REDACTED] interview.

Please contact me with any questions [REDACTED] or my cell at [REDACTED] Also let me know if you need any further documentation to aid in this request.

I appreciate any cooperation in this matter.

Thank you,  
James Mackey, Detective  
Cuyahoga County Sheriff's Department

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE 02/16/2015

FROM Detective David Jacobs

TO Sergeant Eugene Sharpe

SUBJECT Consent Form signed by Barbara Langhenry

COPIES TO File

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On February 3<sup>rd</sup>, 2015, the writer faxed a "consent to search" form to Barbara Langhenry, Law Director, City of Cleveland, Law Department. The consent to search was for the DVR received from Cudell Recreation Center. The DVR was entered into evidence and submitted to the Attorney General Office, Bureau of Criminal Investigations (BCI), Richfield, Ohio. The BCI submission number is CC-15-3-0017. Langhenry signed the "consent to search" form on February 11, 2015. The signed "consent to search" form was faxed on February 11, 2015 to BCI, Allan Buxton, Computer Forensic Specialist. A follow up phone call was made to Allisa, BCI intake stating she received it and put it to the file for Buxton.

The signed consent to search was scanned to the file and the original will be maintained. All fax receipts have also been scanned to the file.

Respectfully Submitted,

Detective David Jacobs