

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE March 31, 2015

FROM Detective John Morgan #241

TO Sergeant Sharpe

SUBJECT Interview of [REDACTED]

COPIES TO Lt. Smith, File

On March 30, 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.

On this date we had the occasion to interview [REDACTED] at her home located at [REDACTED], Ohio. [REDACTED] had been previously identified in the Cleveland Police Use of Deadly Force Investigation, however, all material learned during the interview had been redacted. The following is a synopsis of the interview which was audio recorded.

[REDACTED] B/F/31, DOB [REDACTED] SSN: [REDACTED] ADDRESS: [REDACTED] ST,
MOBILE TX: [REDACTED]

[REDACTED] stated that she has been residing at this address for approximately 10 years. She stated that on the day of the shooting her son was at the Cudell Recreation Center playing basketball. [REDACTED] stated that she has a habit of looking out of the kitchen window whenever she is in or around the kitchen area. On this day she recalled looking out of the kitchen window and seeing a "Little boy" outside playing with another "Little Boy" at Cudell Recreation Center.

[REDACTED] stated that the one "Little boy" playing outside she identified as Tamir Rice and she did not know the identity of the other male playing with Tamir. She stated that she did not personally know Tamir RICE but her son Calvin went to elementary school with him.

[REDACTED] stated that about 30 minutes later her friend had arrived to pick her up to take her to the store. She stated that when she walked outside and was about to enter the passenger side door of the vehicle, she heard three gunshots and some yelling. Specifically [REDACTED] described hearing two gunshots "Bang Bang" then hearing someone yell, "Freeze.. Show me your hands!" then she heard a third and final "Bang."

[REDACTED] stated that when she heard the first gunshots she became frozen in place. Stated that she then entered her friend's car and attempted to call the recreation center to advise the counselors not to let the kids outside because something had just happened. She stated that by the time she had called she saw kids running outside.

[REDACTED] stated that when the kids came running out of the recreation center she witnessed a girl running towards the area where the police car was located. As the girl approached the area a police officer "clothes lined" her to the ground. She could hear this girl screaming, "That's my brother!" [REDACTED] stated that she could see this girl fighting with one Caucasian police officer who then handcuffed her and placed her in the back of the car.

[REDACTED] stated that she believed that the officer that fired the gun was the officer that "clothes lined" the girl. When asked if she had saw any other officers there at the time of the shooting; [REDACTED] explained that she saw a second police officer there, he came from behind the car, but appeared to be hurt because he was breathing heavy and was leaning on the car.

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██████████ stated that she did eventually get inside of her friends car because she became cold. She stated that before they left the area a fire truck was at the scene and because she had rolled down the window, she could hear what she described as ambulance sirens getting closer to the area.

At the conclusion of the interview ██████████ demonstrated to investigators where she was located when she heard the gunshots.

Note: ██████████ ██████████ residence is located on the other side of a chain linked fence >8 feet in height which stands between her residence and the Cudeli Recreation Center. She resides in a unit of side by side single level homes located on west side of West 98th Street. Further the audio recording device failed to capture the entire interview. For a more detailed account of the interview refer to the audio recorded interview.

This matter to be further investigated.

Detective John Morgan #241

CUYAHOGA COUNTY SHERIFF'S OFFICE

013-00

FILE NO. 15-00004

DATE 04/02/2015

FROM Detective David Jacobs

TO Sergeant Eugene Sharpe

SUBJECT Weather conditions for November 22nd, 2014

COPIES TO File

The following investigation is in conjunction with the Cleveland Police Department Use of Deadly Force incident which occurred at the Cudell Recreation Center (CRC), November 22nd, 2014 at approximately 3:30pm. The information listed below were the weather conditions for the aforementioned date:

November 22nd, 2014

High temperature: 49 degrees Fahrenheit

Low temperature: 16 degrees Fahrenheit

Mean temperature: 29.9 degrees Fahrenheit

Precipitation: 0.16 inches

Visibility: 9.2 miles

Snow Depth: 1.2 inches

Mean Wind Speed: 11.39 miles per hour

Maximum Sustained Wind Speed: 14.0 miles per hour

Maximum Wind Gust Speed: 24.17 miles per hour

The weather conditions referenced above were obtained from weather underground (wunderground.com), and cross referenced from two other separate historical weather websites.

Respectfully Submitted,

Detective David Jacobs

CUYAHOGA COUNTY SHERIFF'S OFFICE

07393

FILE NO. 15-00004

DATE April 3, 2015

FROM Detective John Morgan #241

TO Sergeant Sharpe

SUBJECT Synopsis of video recorded interview of [REDACTED]

COPIES TO Lt. Smith, File

On March 20, 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 this date investigators had the occasion to interview [REDACTED] at the Cleveland offices of The Alcohol Tobacco and Firearms located at 5055 Rockside Road Suite 700, Independence, Ohio. The following is a synopsis of the video recorded interview.

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

[REDACTED] stated that she has been employed as a teacher with the Cleveland Metropolitan School District since 1992. She stated that she is currently an Art teacher at Marion-Seltzer Elementary School and was the Art Teacher for Tamir RICE.

[REDACTED] explained that Marion Seltzer is a kindergarten through 8th Grade school and that RICE was a sixth grader in the Special Education Program. [REDACTED] explained that this program was for the emotionally disturbed children and that the class size was not larger than 10 children but RICE'S class only had 6 children.

[REDACTED] stated that she began teaching RICE at the beginning of the 2014 school year and stated that he loved Art and that she never had a problem with him at school. She stated that about a week prior to the incident at Cudell Recreation Center RICE had been involved in an altercation at school with a boy identified as Ashanti JONES but didn't know much about the incident.

[REDACTED] further explained to investigators that RICE'S regular special education teacher was Ms. Carletta GOODWIN and that she was considered RICE'S General Education Teacher. [REDACTED] stated that she knew that RICE'S sister attended Max Hayes and that she has met his mother on only one occasion in the past. She stated that in that meeting with his mother, she seemed very concerned about his education and how he was progressing in school.

[REDACTED] stated that after the incident at Cudell, Ms. RICE contacted Ms. GOODWIN via telephone and informed her of the news that her son had passed away. [REDACTED] suggested that investigators interview Ms. GOODWIN to learn more about RICE because she is the teacher that spent the most time with him.

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013-00

[REDACTED] expressed concern for the kids at her school [REDACTED]

[REDACTED] stated that she would have never thought that RICE would be up at the recreation center with a gun, real or fake because that wasn't in his nature.

This Matter to be further investigated.

Detective John Morgan #241

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE 04/06/2015

FROM Det. Homer Allen

TO Sgt. Sharpe

SUBJECT Tamir Rice Medical Summary

COPIES TO File

On February 23, 2015 while assigned to the Cuyahoga County Sheriff's UDF Unit, I 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 a summary of medical records received from Metro Health Hospital.

On February 23, 2015, Samaria Rice signed an (Authorization to Release Protected Health Information to Another Form) affording the Cuyahoga County Sheriff's Office the right to obtain all medical records for Tamir Rice (12 Years Old) DOB: [REDACTED] SOC: [REDACTED] On same date, I provided a copy of this form to Colleen Higgins with Metro Health Hospital Records Division to obtain these records. On February 26th the records were picked up by me for review.

SUMMARY OF MEDICAL RECORDS

1. [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
2. Notes per [REDACTED] LISW-S at 11/22/2014, 6:53pm. Tamir arrived via EMS with GSW to abdomen, and transported to OR on arrival. CPD Officers Judd (1545) and Taylor (2067) arrived with Tamir. CPD reports that Tamir pulled a gun on CPD and police shot him.
 - Mother [REDACTED] Rice [REDACTED] highly escalated and yelling that she wants the news to be called and wants to speak with Chief of Police.
 - Waiting in OR was moms cousin [REDACTED], friend [REDACTED] and Tamir's maternal grandparents.
 - At approximately midnight Tamir began bleeding profusely, Dr. Patel attempted to stabilize but Tamir expired in the OR.
 - Linda Lee is evening Social Worker [REDACTED]

EMERGENCY DEPARTMENT SUMMARY

1. Per Jessica Whitmer RN on 11/22/2014 at 3:59pm 12 yr. old Tamir was admitted for GSW to abdomen-umbilical area evisceration and visible bowel. Had pulse on scene but lost pulse as soon as arrived to trauma bay.
 - Laparotomy, Exploratory by Dr. Nimitt Patel and John Como
 - 11/23/2014 at 12:54am Disposition Morgue.
 - Emergency Department Smart Form Attending note, I saw and evaluated the patient, I personally obtained the key and critical portions of the history and physical exam. I reviewed the resident's documentation and discussed the patient resident. I agree with the resident's medical decision making as documented in the residents note. (Lance D. Wilson MD.)
 - Exam notes show unresponsive, being bagged, no pulse, and Brady cardiac on monitor, no spontaneous breath sounds and gunshot wound with evisceration of abdominal fat.
 - Additional Notes, emergency intubation attempted but tube selection was for an adult male based on pre-hospital information provided and the tube would not pass vocal chords. Rather than delay for second attempt, decision made to transport to OR. (Devin Harper MD. (216) [REDACTED])

DISCHARGE SUMMARY NOTES

Author: Khadra Helmi MD. (Rotating Resident)

Filed: 01/11/2015 at 7:50pm

Co-Signer: Patel, Nimitt MD on 01/12/2015 at 8:18am

Admission: 11/22/2014

Discharge: 11/23/2014

SIGNIFICANT FINDINGS

- Small bowel colonic and extensive inferior vena cava and common iliac vein injuries cause uncontrolled bleeding from presacral plexus and pelvis.

HOSPITAL COURSE

1. Tamir came in at 3:55pm taken to OR within 5 Minutes of arrival. In OR 80-90% loss of inferior vena cava, Dr. Alexander called for Vascular Surgery. Sites of obvious bleeding had been controlled. Only additional bleeding was from right deep pelvic area. Specific source could not be identified. Multiple extensive attempts were made to control bleeding which was unsuccessful.
2. After all measures had been exhausted to control pelvic bleeding, Tamir lost his pulses for a second time and decision was made to not do additional ACLS sue to uncontrollable hemorrhage. And was declared dead at 12:54am on 11/23/2014
3. Additional medical history and medication needs during stay are included, if needed for further review.

Respectfully submitted,

Homer Allen#225

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE 04/01/2015

FROM Detective David Jacobs

TO Sergeant Eugene Sharpe

SUBJECT Phone call with [REDACTED] father, [REDACTED]

COPIES TO File

The following investigation in conjunction with the Cleveland Police Department (CPD), Use of Deadly Force incident which took place at the Cudell Recreation Center (CRC), 1910 West Boulevard, Cleveland, Ohio on November 22nd, 2014 at approximately 3:30pm.

The writer contacted [REDACTED] the father of [REDACTED] (juvenile) via his cell phone, (216) [REDACTED] [REDACTED] Cleveland, Ohio on March 31st, 2015. The purpose of the phone call was to set up an appointment for an interview of [REDACTED] [REDACTED] agreed to have [REDACTED] proceed with an interview. We agreed to meet at their residence (listed above) on April 2, 2015 at 5:30pm. Tentatively, Detective John Morgan and Detective David Jacobs will conduct the interview.

Respectfully Submitted,

Detective David Jacobs

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE 04/01/2015

FROM Detective David Jacobs

TO Sergeant Eugene Sharpe

SUBJECT Interview of Jessica Ortiz

COPIES TO File

Jessica ORTIZ, [REDACTED], Ohio, date of birth [REDACTED], cell phone number [REDACTED] was advised of the identities of the interviewing Officers and the purpose of the interview. Interviewers present were Detectives John Morgan and David Jacobs. The interview took place at 5055 Rockside Road, Independence, Ohio on March 13th, 2015 at approximately 9:15am. ORTIZ thereafter provided the following information regarding the Cleveland Police Department, Use of Deadly Force incident which took place at Cudell Recreation Center (CRC), November 22nd, 2014 at approximately 3:30pm.

ORTIZ, City of Cleveland part-time employee, "Recreation Instructor One" (1), length of employment in current position is two (2) years and one (1) month. ORTIZ generally works five (5) days a week and shifts are typically four (4) to six (6) hours in length. ORTIZ was working the front desk registration on November 22nd, 2014; her shift was 9:30am to 6:00pm. ORTIZ typically works these hours on Saturdays. ORTIZ described in detail the process for signing into the recreation. ORTIZ indicated she was working with Milton Smith on this day. ORTIZ also indicated the City of Cleveland has uniformed "off-duty" Police Officers assigned to CRC everyday with varying shifts. The Officer working this day was "Will", last name Cunningham. On Saturdays the Officers' shift is 2pm to 6pm.

ORTIZ took her lunch at approximately 3pm; ORTIZ always leaves the recreation center on her lunch break. ORTIZ usually goes home for lunch and returns an hour later. ORTIZ is seen on camera leaving CRC on November 22nd, 2014 at approximately 3:00pm. ORTIZ exited the center via the back doors (west) and drives away in her light blue Honda Accord.

ORTIZ received a phone call from her manager, Ronald Fields at approximately 3:40pm stating one of your volleyball players' brother just got shot at the recreation center. Fields told ORTIZ to return to work immediately. ORTIZ is seen on camera returning to recreation center at approximately 3:50pm, parking near the west entrance, south side, facing north. ORTIZ walked to front entrance (east doors.) ORTIZ described the scene at Cudell as follows:

Exits blocked off
A lot of Police cars near the Gazebo
Ambulance in the parking lot
People gathering near the entrance (east)

As ORTIZ walked toward the east entrance she was unable to hear anything the police officers were saying. ORTIZ was met by co-workers, Joe Munoz and Milton Smith. ORTIZ was told by Munoz that the cops shot Tamir. ORTIZ was very familiar with Tamir and his sister [REDACTED] ORTIZ had coached [REDACTED] in volleyball, and Tamir her brother, frequented the recreation center four (4) to five (5) days a week. Smith or Munoz told ORTIZ about [REDACTED] getting tackled by the police and put in the back seat. They also told her she was very upset and screaming that the police had shot her brother. ORTIZ stayed inside the recreation center upon her return. ORTIZ did not remember being interviewed by any police officers that day or any other day. ORTIZ stayed at the CRC until approximately 5:50pm on November 22nd, 2014.

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As stated earlier, ORTIZ was familiar with Tamir and [REDACTED] ORTIZ did not interact with Tamir too much. ORTIZ would typically tell Tamir "*what not to do*" indicating he was never a problem. Tamir liked to talk to girls and played very little sports while at the recreation center. ORTIZ would see Tamir mainly in the game room or in the hallways. Tamir was there almost every evening from 4pm to 7pm four (4) days a week, and was never a real problem. ORTIZ remembers that on November 22nd, 2014 Tamir came to the CRC with his sister, [REDACTED] and his friend [REDACTED] ORTIZ could not remember the exact time. ORTIZ was shown video surveillance that depicts Tamir, [REDACTED] and [REDACTED] arriving at the CRC at 11:05am on November 22nd, 2014.

ORTIZ was shown additional surveillance video from that day and ORTIZ was able to view herself among others and provide information regarding person(s) depicted. ORTIZ specifically provided information for following person(s) with regards to their respective clothing:

"Yellow jacket"-[REDACTED] (has a twin, [REDACTED]n)
"Fur coat"-Hispanic male (unsure of name)
"Plaid jacket"-Maybe "[REDACTED]" last name unknown (LNU)
"White male wearing black clothing"-[REDACTED]
"Gray"-[REDACTED]

ORTIZ was shown video surveillance from a CRC camera labeled "cam ten" the time indicated 15:30hrs, the video depicts people standing outside the west entrance. ORTIZ identifies "[REDACTED]" and "[REDACTED]" as the persons standing outside the west entrance at this time. ORTIZ also identified [REDACTED] as the person depicted in CRC video surveillance from a CRC camera labeled "cam 4", a view of the front desk, 15:31 hrs. The video surveillance depicts a child (possibly Oates) talking to "Will" the police officer, while he was seated at the front desk. [REDACTED] is seen looking out the east doors prior to having a conversation with "Will". It appears [REDACTED] tells "Will" what he just saw as he looked out the east doors. "Will" reacts by getting up and exiting CRC via the east doors.

Respectfully Submitted,

Detective David Jacobs

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE April 3, 2015

FROM Detective John Morgan #241

TO Sergeant Sharpe

SUBJECT Synopsis of interview with [REDACTED]

COPIES TO Lt. Smith, File

On April 2, 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 at the Cudell Recreation Center (CRC). The following is result of that investigation.

On this date investigators met with and conducted an interview with [REDACTED] in the presence of his father [REDACTED] at his residence located on the East side of Cleveland. The following is a synopsis of the audio recorded interview.

[REDACTED] W/M/15 DOB [REDACTED] ADDRESS: [REDACTED], CLEVELAND OHIO.
MOBILE TX: [REDACTED]

[REDACTED] stated that has lived at his current address for about one month and that in November of 2014 he was living at the address of [REDACTED] in Cleveland Ohio.

[REDACTED] explained that he didn't remember how long he had known RICE but stated that he met him and only known him from hanging out at the CRC. He stated that he occasionally would play basketball with RICE and commented that he wasn't that good of a basketball player. [REDACTED] stated that he has never visited RICE at his home and that he had never met this mother.

[REDACTED] further explained that RICE would hang around with a male he knew only as [REDACTED] and another male he knew only as [REDACTED] [REDACTED] stated that RICE explained to him that [REDACTED] was his "Play brother" but was really his cousin and that [REDACTED] was his real cousin.

[REDACTED] recalled that he was told by [REDACTED] after the incident that RICE had received the BB gun from [REDACTED]. He stated that [REDACTED] was with RICE every day at the recreation center.

[REDACTED] stated that he and [REDACTED] [REDACTED] were always together. He stated that the guys at the CRC liked to pick on RICE and bully him. He stated that kids would talk about RICE'S clothes and how he was dressed. [REDACTED] reveled that sometimes RICE would wear the same clothes that he had worn the day before or he would have a stain in his clothes on one day and he would wear the same clothes again with the same stain on another day. [REDACTED] relayed that boys at CRC picked on RICE almost every day.

[REDACTED] recalled an incident where he and RICE were playing basketball and a guy named [REDACTED] had kicked a soccer ball at RICE and it struck him in the face. [REDACTED] said that it was an accident but everyone who saw it knew that it wasn't an accident.

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█████ stated that on the day RICE was at CRC with the BB gun, he and █████ were walking from West 99th Street, walked down W.100th Street and ran into RICE and another "little boy." They were playing near the trailers located behind the Marion-Seltzer school waiting for the gym to open. He stated that RICE had showed them the BB gun and that RICE let him hold the gun.

█████ described the gun to be Black in color with some markings on it. █████ stated that he fired the gun at the trailer and that he took one shot at █████ before RICE took the gun back from him. He stated that the gun fired clear but slightly green BB's. Detective Jacobs pulled up a picture of the gun (Picture #64 from the CPD Crime scene photos) and █████ stated, "That's the gun!"

█████ stated that he didn't want to be around RICE after that because he had the BB gun. █████ explained that 3 to 4 months earlier he was involved in a similar incident with a BB gun. He stated that he had a BB gun and had pulled it out while inside of a Save-A-Lot store. He stated that someone must have called the police because he was eventually approached by a policeman inside of the store and was told to put his hands up. He was asked if he had a gun, and while his hands were in the air he told the officer, "yes." The officer then took the gun from him. He stated that he learned a lesson from that incident because he got into trouble.

█████ stated that when RICE took the gun back he and █████ decided to walk over to the CRC and RICE told him that he would be inside in a few minutes. █████ stated that he and █████ were walking around the CRC and ended up in the back by the arts building. This is where they were when they heard gunshots.

█████ stated that █████ told him that he thought he heard two gunshots but █████ believed that he had heard three gunshots. █████ stated that he heard, "Pop/Pop....Pop." He stated that he heard two gunshots close together and one gunshot after the first two.

Shortly after hearing the gunshots █████ and █████ heard a female screaming, so they ran around the building towards the park and then heard RICE'S sister yelling, "You killed my brother." █████ stated that he heard and observed two white officers telling her to calm down and they were on top of RICE'S sister.

█████ stated that he and █████ walked all the way around the pavilion and they were able to observe RICE lying on his back with his knees bent toward the entrance to CRC (North) and it appeared that he was dead. He stated that after walking around he and █████ returned to where everyone who had been inside of building was now standing.

█████ observed █████ video recording everything on his cell phone and another large older black male, who had been playing basketball in the gym, also videotaping what was happening on his cell phone. He stated that this older male was also talking during the video saying, "They done killed another one of us."

█████ was asked if he could remember where RICE had kept the gun; he stated that RICE kept the gun in inside his waistband on his left side with the barrel pointed downward and he had to lift up his jacket to pull it out when he was with him.

█████ stated that RICE told him that day that his mother bought the gun for him and that he had seven more BB guns at home. █████ stated that he never believed RICE when he said that statement. █████ believed that RICE was saying those things because he wanted to be cool. Further, █████ believed that RICE had the gun that day because wanted to appear "Cool" and this is why he was showing off the BB gun. █████ stated that as long as he had known RICE he had never seen him with a gun before that day.

At this time Detective JACOBS began showing [REDACTED] sections of the surveillance video from the CRC on November 22, 2014. The video was being shown to [REDACTED] to see if he could help identify others who were present at the center that afternoon and to confirm his whereabouts on the video.

During the playback of the video [REDACTED] stated that he didn't know the two males that walked up to everyone by the rear door of the gymnasium however [REDACTED] believes that two of the unidentified males are members of the BBE-900 gang. When questioned if RICE had any involvement in that gang; [REDACTED] stated that RICE has told him in the past that he "Rolled with" BBE-900, but again [REDACTED] stated that he thought RICE was also lying about that because he just wasn't the type of person to be involved in a gang. [REDACTED] stated that a lot of people at CRC claim to be in BBE-99 but they really are not in the gang.

[REDACTED] stated that he recalled when RICE'S mother arrived at the center. HE stated that she was on the telephone and he heard her tell someone on the phone, "I'm here...I'm here" and hung up the telephone. Further he stated that when the ambulance was pulling out of the parking lot, RICE'S mother was in the front seat of the ambulance and she had the window down, she was pointing at the cops saying, "Them cops are going to pay."

[REDACTED] stated that he and [REDACTED] stayed outside of the CRC until the ambulance pulled out with RICE. [REDACTED] and [REDACTED] hung around for a short time then went home.

This matter to further investigated.

Detective John Morgan #241

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE April 7, 2015

FROM Detective John Morgan #241

TO Sergeant Sharpe

SUBJECT Synopsis of Meeting with
[REDACTED]

COPIES TO Lt. Smith, File

On April 6, 2015 while assigned to the Cuyahoga County Sheriff's Detective Bureau writer was 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.

On this date writer had the occasion to speak with [REDACTED] at her residence located at [REDACTED], Lakewood, Ohio. [REDACTED] posted information on a blog which was included in the original Cleveland Police Use of Deadly Force Investigation. (See Attached) [REDACTED] wrote in this blog that she had interviewed two females in connection with the incident at Cudell Recreation Center and that they were friends with Tamir RICE.

Further, [REDACTED] wrote in the blog that RICE and his friends were at the Regional Transit Authority (RTA) station across the street and that a white man must have seen the gun and called the police. The kids then ran back to the park and they were sitting together when the police arrived. She stated, "The police pulled their guns on the kids, RICE'S friends backed away and told the officers that it was a BB gun w/ no bullets and went to lift up his shirt to show it to them, they shot him twice in the stomach. In front of not only his friends, but also other children and I believe his sister as well."

After being advised of the identity of the interviewing detective, [REDACTED] stated that at this time she did not want to provide writer an interview, she stated that she didn't want to get involved in this investigation in any way than she already has.

Writer explained that The Cuyahoga County Sheriff's Department was attempting to conduct a complete and impartial investigation into this incident and is interested in learning every detail into this case. [REDACTED] stated that she is currently a graduate student and that she referenced being involved in some way with Cleveland's City Counsel. At this time she refused to speak with investigators about this case.

Writer provided [REDACTED] with a business card and informed her that if she changed her mind about speaking with investigators to please contact us.

This matter to be further investigated.

Detective John Morgan #241

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE 04/08/2015

FROM Det. Homer Allen

TO Sgt. Sharpe

SUBJECT Sgt. Rutherford Summary

COPIES TO Lt. Smith, File

On March 20th, 2015 while assigned to the Cuyahoga County Sheriff's Detective Bureau Det. James Mackey and I was given an assignment by Sergeant Eugene Sharpe to conduct an interview with Sgt. Jonell Rutherford in reference to a Cleveland Police Use of Deadly Force incident which occurred on November 22, 2014. The following is result of that interview.

Interview Attendees

Sgt. Janell Rutherford
Attorney Bob Phillips FOP Lodge 8
Sgt. Zurlinga Vice President of FOP Lodge 8
Capt. Brian Bentley President of FOP Lodge 8

Interview Location

5055 Rockside Road
Independence, Ohio
Suite 700

Sgt. Rutherford has been employed by the Cleveland Division of Police for 17 years. The past 11 years as a Sergeant, she is presently assigned to supervise the 1st District Basic Patrol Division; her shift usually will start at 1:30pm or 3:30pm until she leaves (10hr. Shifts).

On November 22, 2014, Sgt. Rutherford states that she was the only supervisor for the whole district when she responded to her first UDF call, at Cudell Recreation Center. She arrived around the same times as EMS. Rutherford states, she is responsible for the following:

- Make sure officers are doing their jobs
- Make sure that the crime scene is secure
- Contact Dispatch and the District
- Make contact with Homicide

Sgt. Rutherford recalls people stating "F the Police" and several people attempting to cross the crime scene tape, and at some point the brother states he is going to spit on Det. Lentz and is eventually detained. When she first observed Tamir on scene she thought that he was 16-18 years of age as EMS passed her while placing him in the squad. Tamir's mother was brought to EMS and started to become very combative. Rutherford states that the mother never said anything about him or her daughter, but remarked "*I'm gonna have all your jobs, and if you think they got 3 million, Just Wait!*"

Rutherford states that it looked like the mother was swinging her arms in the EMS Squad, and went to check with EMS staff, to make sure they were ok, she advised them to go. Rutherford thinks that, the mother's actions could have caused a delay of care for Tamir, due to all the yelling.

Rutherford states that she has only supervised Officer Loehman for 1 month or a little longer. And that after she completed all of her duties, she went and checked on the sister and brother. She does not recall the sister or brother being charged with anything. Once Homicide arrived on scene, they are responsible for all pending cases and charges.

CUYAHOGA COUNTY SHERIFF'S OFFICE

Rutherford recalls she was off shift and searching on the internet on her I-Phone when a friend named [REDACTED] sent her a picture, the following summarizes photo origins:

- [REDACTED] son located picture on Tamir's Mothers Facebook page
- Tamir is pictured in Blue Shirt while holding 2 guns
- [REDACTED] son went to school with Tamir's older brother, and recognized picture as Tamir
- Rutherford called Detective Ray Diaz and provided a copy of photo, but she doesn't recall when
- Rutherford attempted to search for Tamir web site on another occasion with negative results

Sgt. Rutherford states she has never seen individuals, reacting like on this scene. None of the Cleveland Police vehicles are equipped with any first aid kits, or is there any type of medical training provided, besides, maybe the CPR training received back in the police academy.

Please refer to DVD copy of this interview to obtain any additional needed information.

Respectfully submitted,

Homer Allen #225

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-04 (Tamir Rice)

DATE 4/9/15

FROM James Mackey, Detective

TO Sgt. Sharpe

SUBJECT

COPIES TO File

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

CUYAHOGA COUNTY SHERIFF'S OFFICE

C/S-35

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

James Mackey, Detective

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE 4/10/15

FROM James Mackey, Detective

TO Sgt. Sharpe

SUBJECT Interview of Cleveland Police Dispatcher Beth Mandl

COPIES TO File

Summary

On Wednesday, April 8, 2015 at 4:14 pm, at the Cuyahoga County Sheriff's Department Detective Bureau in Cleveland Ohio, Detective Allen and I (Detective Mackey) interviewed Cleveland Police Dispatcher Beth Mandl. Mandl was accompanied by CPPA Counsel Keith Woulgumuth and was also joined later in the interview by CPPA President Steve Loomis and CPPA Counsel Henry Hilo. The interview was in regards to a call she dispatched to 1910 West Boulevard (Cudell Recreation Center), Cleveland OH 44102 on Saturday November 22, 2014 for a male with a gun.

Details

Beth Mandl is a dispatcher with the City of Cleveland Police Department and has been employed in that capacity since December 2010. Prior to that, she was employed as a Dispatcher with Case Western Reserve University Security/Police Department for two to three years (2-3).

I asked Dispatcher Mandl to explain the workings of the dispatch center from the layout, to how 911 calls are taken and dispatched. Mandl explained the room layout, and drew a rough sketch of the dispatch center. She said the dispatch center was one large room that houses police dispatching as well as CFD and EMS. The room is broken in two with CFD and EMS dispatching on the West end of the room and the Police dispatching on the East end of the room. She further broke down the East end of the room with an elevated supervisor's station to the North. Call takers located along the South West wall. The District Dispatchers located to the East of the supervisor station.

She explained that the call taker receives all 911 calls within the City of Cleveland. A 911 call would be answered by one of the Police Call Takers and they ascertain if it is a Police, Fire, or EMS emergency. If it is a Fire or EMS emergency the call is transferred to Fire/EMS dispatch (located on the West end of the room). If it is a Police emergency the Call Taker would gather the necessary information and enter it into the Computer Aided Dispatch (CAD) system. Once the information is typed into the CAD system, it is transferred electronically to the dispatcher responsible for the geographic area the emergency is located. Unlike the Call Takers who receives 911 calls from anywhere in the City of Cleveland. The Dispatchers are responsible for dispatching calls for service to officers within the District they are assigned to. The Cleveland Police Department has divided the City into five (5) Districts. Please refer the attached maps obtained through the City of Cleveland website for the geographical boundaries of each District.

CUYAHOGA COUNTY SHERIFF'S OFFICE

Each district has its own radio channel and is staffed by at least one (1) dispatcher. Typically there are nine (9) dispatchers on duty, five (5) for the district channels, one (1) for warrant channel, one (1) for the tow channel and two (2) relief dispatchers. She said that each dispatcher is monitoring at least six (6) computer screens and has to be proficient at multitasking. She explained that once the call taker transfers the gathered information electronically it appears in a queue of "pending calls" and it is assigned a priority (level of importance) from the call taker. The only information seen by the dispatcher is what is typed in by the call taker other than that they have no further information and typically a dispatcher has no direct contact with the caller. She did note that if additional information was needed or requested by the officer, she would call the person back and speak with them directly.

I asked if the call taker ever walks over, calls the dispatcher or yells across the room to clear up any vague information and she said no, the information is sent electronically from the call taker to the dispatcher.

On Saturday November 22, 2015 Dispatcher Mandl was assigned to dispatch for the First District and recalls dispatching cars to Cudell Recreation Center for a report of a man with a gun. The dispatch audio (Dist1, 11-22-14.mp3) was played for her. At the beginning when the call appeared in her queue of calls to be assigned she had no cars "free" that she could assign the call to. She radioed for a "Road Boss" and informed the female who responded that she did not have any cars available for a "Code 1" at Cudell for guy sitting on the swings pointing a gun at people.

Mandl dispatched the call to two cars (A26 and A25) that were able to clear from their current assignment.

"It's at Cudell Rec Center, 1910 West Boulevard, 1910 West Boulevard. [REDACTED] is calling he said in the park by the youth center, there is a black male sitting on the swing. He is wearing a camouflage hat, a grey jacket with black sleeves. He keeps pulling a gun out of his pants and pointing it a people. It's a code one... 1528" (3:28pm).

At time stamp 4:14 a male voice can be heard *"Radio um shots fired. Male down, um black male maybe 20, um black revolver (inaudible)... send EMS this way and a road boss."* Mandl asked if they were at Cudell and at time stamp 4:46 the male voice *"yes ma'am at Cudell, he has a gunshot wound to the abdomen."* Mandl said at this time she phoned across the dispatch center to EMS. Time stamp 5:10 *"we are fine my rookie hurt his ankle."* Time stamp 5:41 screaming could be heard in the background and the male voice asking *"radio can you speed EMS up".* She said she called EMS and asked them to "step it up". Time stamp 6:21 another request was transmitted *"radio step it up".* Other radio traffic can be heard requesting that EMS step it up. Mandl informed that EMS had been advised. Mandl said, initially she didn't know it was a police shooting. Once she realized an officer discharged his weapon she made notification to her supervisor so they can start their protocol.

Prior to the conclusion of the interview Attorney Henry Hilow read, for the record, an email from APA Meyer.

The interview was video recorded and placed into the case file. Please refer to the video recording for further details.

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James Mackey, Detective

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE 04/10/2015

FROM Det. Homer Allen

TO Sgt. Eugene Sharpe

SUBJECT EMT Bittel Summary

COPIES TO Lt. Smith, File

On March 18th, 2015 at 11:00am while assigned to the Cuyahoga County Sheriff's Detective Bureau Sergeant Eugene Sharpe and I conducted an interview with EMT Ryan Bittel in reference to a Cleveland Police Use of Deadly Force incident which occurred on November 22, 2014. The following is result of that interview.

Interview Attendees

EMT Ryan Bittel
Daniel Linnel (Local 1975)

Interview Location

5055 Rockside Rd.
Independence, Ohio

Ryan Bittel has been employed by the City of Cleveland EMS for 4 years. He previously worked for Rural Metro Ambulance Services since he was 18 years old. 6 Months of training was needed for his basic EMT certification and 1 full year was needed for his Paramedic Certification.

On November 22, 2014, Bittel was assigned with EMT Aaron Nicholson on Medic #30 based out of E.102nd and St. Clair Avenue working 7am to 7pm. The following is a summary of information received from Bittel during this interview:

- They are dispatched either thru radio or via their computer in the ambulance, which gives location and description of incident. Their Ambulance has a GPS Locator for dispatch placement.
- They were en-route at 3:32 pm and arrived on scene at 3:40 pm. (8mins)
- Bittel recalls multiple police cars and a lot of people on scene.
- They started patient care on him near the gazebo, fire was providing care upon their arrival.
- Shooting calls are considered a "Load and Go" situation; *"Put in back of ambulance and get going"*
- All intervention is done en-route and a fireman is asked to drive the ambulance (he doesn't recall who drove).
- They loaded up Tamir in the ambulance at that time he had a pulse, but he was unresponsive.
- He didn't know it was an officer involved shooting until arriving at the hospital, Bittel states he has been on approximately 20-50 shooting calls.

Bittel states that firemen and police officers occasionally enter the EMS truck. With that being said, if anyone is delays or hinders care, they will be removed from the EMS truck. Bittel recalls the mother being irate, stating she wanted the Chief of Police called.

Respectfully submitted for your review,

Homer Allen

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE 4/12/15

FROM James Mackey, Detective

TO Sgt. Sharpe

SUBJECT Contact Attempt to CPD Det. Lentz

COPIES TO File

In relation to the above titled investigation, I was assigned by Sgt. Eugene Sharpe to arrange an interview with Cleveland Police Detective Daniel Lentz of the 1st District. Det. Lentz was riding with FBI Special Agent [REDACTED] conducting follow up investigation to an unrelated bank robbery in the 1st District. According to SA [REDACTED] they heard a radio transmission for shots fired and they responded to assist.

On Sunday April 12, 2015 I left a voice mail message on the 1st District Detective line requesting Det. Lentz to contact me. My contact information was left.

A follow up call will be place on Tuesday April 14, 2015 in the event I do not receive a call from him.

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

James Mackey, Detective

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE 04/16/2015

FROM Det. Homer Allen

TO Sgt. Sharpe

SUBJECT Joe Wise Summary

COPIES TO Lt. Smith, File

On Friday March 20th, 2015 while assigned to the Cuyahoga County Sheriff's Detective Bureau Sgt. Sharpe advised Detective Mackey and me to interview Joe Wise in reference to a Cleveland Police Use of Deadly Force incident which occurred on November 22, 2014. The following is summary of that interview.

Joe Wise reported to 5505 Rockside Rd. Independence and states that he has previously provided a statement to Cleveland Police Department. Wise states the following:

- He is 81 Years Old
- Worked for the City and Board for 34 years as a teacher in physical education and recreation
- Retired in 1985 and came back as a consultant.
- Is supervisor of the "Old Tymers" Basketball Team that practices at Cudell Recreation for the last 2 years.
- Has been with Basketball organization for 46 years.
- On Nov. 22nd arrived around 1:40-1:45 for basketball practice and parked in handicap parking spot.
- He saw a young male 20 feet from his car, pointing a black gun towards the ground.
- No one else was out there so he didn't focus on him or alarm him, young male turned and walked away.
- Young male was wearing a grey jogging suit with blue arms.

Once Joe Wise observed the two coaches arrive, he exited his car and entered the building thru the rear doors closest to the basketball courts. He has only spoken with one kid, which was going to Central Catholic High School for Basketball and doesn't have any dealing with any other kids from Cudell Recreation Center.

Please refer to DVD copy of this interview to obtain any additional needed information.

Respectfully submitted for your review,

Homer Allen

CUYAHOGA COUNTY SHERIFF'S OFFICE

01-30

FILE NO. 15-0004

DATE 04/16/2015

FROM Det. Homer Allen

TO Sgt. Sharpe

SUBJECT EMS Supervisor Foley Summary

COPIES TO Lt. Smith, File

On Thursday March 19th, 2015 while assigned to the Cuyahoga County Sheriff's Detective Bureau Sgt. Sharpe and I conduct an interview with EMS Chief Supervisor Foley in reference to a Cleveland Police Use of Deadly Force incident which occurred on November 22, 2014. The following is summary of that interview.

Interview Attendees

Chief Dispatcher Supervisor Renee Foley #218
Dan Ressler (OBPA) Representative

Interview location

5505 Rockside Rd.
Independence, Ohio

Renee Foley has been employed by the City of Cleveland since 1994 as a dispatcher. For the last 3 years she has been the Chief Dispatcher responsible for 27 Dispatchers, payroll, scheduling, field calls, and talk to supervisors on the street. Her years of experience and a month long, on the job supervisor training have prepared her for this position.

911 Call Process

- Call received by call takers, usually (8-10) on each shift
- Call takers enter data into computer about call (Will scream across room) "Guy in park with a gun"
- Call automatically transferred to district for dispatcher to assign
- Dispatcher has a certain number of cars to dispatch from each sector, right away
- If no open cars available, dispatcher can send another car depending on priority of call

Shots Fired Process

- Once she is notified of Shots Fired, everyone is paged thru paging system, along with the following:
 1. Chief of Police Williams (Contacted on phone directly)
 2. Commander of District McCartney (Contacted on phone directly)
 3. UDFIT "Use of Deadly Force Investigation Team" (Paged)
 4. Union Representation (Paged)
 5. All Commanders in City (Paged)
 6. Safety Director (Paged)

This protocol has remained the same since she has been here. There is a policy and procedure for this order and a separate policy and procedure for Dispatchers and Dispatcher Supervisors. All calls are recorded, but she doesn't know how long the records are kept. When all calls and pages are sent and acknowledged she produces a Chiefs Items list to forwarded, completing her roll. Foley feels that protocol was followed, and nothing seems out of ordinary about actions of her dispatchers and herself.

Respectfully submitted for your review,

Homer Allen

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE 4/20/15

FROM James Mackey, Detective

TO Sgt. Sharpe

SUBJECT Tentative Interview [Lentz / Hollinger] Follow up with CPPA President Loomis

COPIES TO File

On Friday April 17, 2015 a follow up call was placed to CPPA Union President Steve Loomis advising him that a tentative interview was set up with Detective Lentz for Wednesday April 22, 2015 at 5:30 pm. On Monday April 20, 2015 I spoke with Loomis via phone and again relayed the information to him about the tentative interview with Det. Lentz. I also again requested that if schedules allow that Dispatcher Hollinger also be scheduled for the same day. He informed me that he would check the schedule of Union Attorneys.

A follow up call will be placed on Tuesday April 21, 2015 to confirm.

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

James Mackey, Detective

CUYAHOGA COUNTY SHERIFF'S OFFICE

FILE NO. 15-00004

DATE

FROM James Mackey, Detective

TO Sgt. Sharpe

SUBJECT Det. Lentz Tentative Interview

COPIES TO File

On Monday April 14, 2015 I spoke with Det. Lentz at 1st District Detective Bureau by phone. I requested an interview with him regarding his observations and recollections after responding to 1910 West Blvd., Cleveland Ohio on November 22, 2014. A tentative meeting has been set for Wednesday April 22, 2014 at the Cuyahoga County Sheriff's Detective Bureau.

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

James Mackey, Detective