

THE STATE EX REL. MILLER v. PINKNEY, SHERIFF, ET AL.

[Cite as *State ex rel. Miller v. Pinkney*, 149 Ohio St.3d 662, 2017-Ohio-1335.]

Mandamus—Public Records Act—R.C. 149.43—Routine incident reports are public records—Writ granted in part and denied in part.

(No. 2015-0612—Submitted February 7, 2017—Decided April 12, 2017.)

IN MANDAMUS.

Per Curiam.

{¶ 1} Relator, Mark W. Miller, filed this original action in mandamus against the Cuyahoga County sheriff. Frank Bova held that office at the time this litigation commenced, and therefore all prior rulings in this case were issued under the caption *State ex rel. Miller v. Bova*. Clifford Pinkney currently serves as Cuyahoga County sheriff and has been automatically substituted as respondent in place of Bova. Civ.R. 25(D)(1). The mandamus action seeks to compel the production of the following records pursuant to R.C. 149.43, Ohio’s Public Records Act:

all offense or incident reports in the possession, custody or control of the Cuyahoga County Sheriff’s Office in which Edward FitzGerald was identified in any of the following capacities: (i) reportee; (ii) complainant; or (iii) victim.

Respondent Judy Blatnik, the public-records manager for the sheriff, denied the request, asserting the records were security records pursuant to R.C. 149.433(A)(3)(a)—recodified in 2016 as R.C. 149.433(A)(1), 2016 Sub.S.B. No. 321.

{¶ 2} This court sua sponte ordered respondents to

submit under seal each offense and incident report in the possession of the sheriff's office that is responsive to relator Mark Miller's request so that the court may review the records in camera to determine which reports may be released and which reports satisfy the definition of a "security record" in R.C. 149.433.

State ex rel. Miller v. Bova, 147 Ohio St.3d 1456, 2016-Ohio-8121, 64 N.E.3d 1001.

{¶ 3} Incident reports "initiate criminal investigations but are not part of the investigation." *State ex rel. Beacon Journal Publishing Co. v. Maurer*, 91 Ohio St.3d 54, 56, 741 N.E.2d 511 (2001). Routine offense and incident reports are public records and are "normally subject to immediate release upon request." *State ex rel. Lanham v. Smith*, 112 Ohio St.3d 527, 2007-Ohio-609, 861 N.E.2d 530, ¶ 13. In contrast, a security record is "[a]ny record that contains information directly used for protecting or maintaining the security of a public office against attack, interference, or sabotage." R.C. 149.433(A)(1). A security record is not a public record and "is not subject to mandatory release or disclosure" pursuant to the Public Records Act. R.C. 149.433(B)(1).

{¶ 4} Upon examination of the records delivered to this court pursuant to our order, we have determined that among the records are incident reports dated May 1, 2012; June 1, 2012; September 26, 2012; March 18, 2013; October 1, 2013; April 24, 2014; May 14, 2014; August 2, 2014; and August 27, 2014—all of which are attached to this opinion as an appendix—they are not security records and are subject to release with the redaction of exempt information. We therefore grant the writ in part and deny it in part, and we award costs and reasonable attorney fees, which will be determined upon review of Miller's filing of an itemized application.

Writ granted in part
and denied in part.

O'CONNOR, C.J., and O'DONNELL, KENNEDY, FRENCH, O'NEILL, FISCHER,
and DEWINE, JJ., concur.

The Law Firm of Curt C. Hartman and Curt C. Hartman; Koehler Fitzgerald,
L.L.C., and Daniel P. Carter; and Finney Law Firm, L.L.C., and Christopher P.
Finney, for relator.

Robert J. Triozzi, Cuyahoga County Law Director, and Robin M. Wilson,
Assistant Law Director, for respondents.

APPENDIX



Supplemental Incident & Miscellaneous Report Form

12-05-006
Building/Code:

Report title: Administrative Infor. Is this a continuation of a report Yes No

At approx: 08:50 JOE GAUNTNER, DEP. CHIEF OF STAFF HUMAN SERVICES: STATED: HE REC'D A STRANGE PHONE CALL ON HIS WORK CELL PHONE FROM A FEMALE STATING: SHE WAS COMING DOWN TO THE ADMIN. BUILDING TO TALK TO HIM AND ED FITZGERALD COUNTY EXECUTIVE: ABOUT A NEWSPAPER ARTICLE IN THE PLAIN DEALER. —

At approx: 09:10 JOE GAUNTNER REC'D A SECOND PHONE CALL FROM THE SAME INDIVIDUAL STATING SHE WAS GOING TO SEE A DOCTOR AT THE VIRGIL BROWN BUILDING - THE CALLER AS PER J. GAUNTNER STATED HER NAME WAS: RUBY CUYLER-STEVENSON A.K.A. JEAN JONES - Sgt Bradley Notified —
No threats were made at this time per above a possible mental health client —

Report completed by:

Officer Signature: [Signature] Badge: 508 Date: 05-01-12

Report reviewed and forwarded by:

Sergeant: [Signature] Badge: 24 Date: 5/1/12

Report Approved by:

Lieutenant: _____ Date: _____



Voluntary Statement

12-05-006 V

Your Name: Joseph Granter Date: 5/1/12 Time: 10³⁰ a.m.
 Your Address: 2109 W45 St City: Cleveland Ohio, Zip: 44114 Apt#: _____
 Best Phone Contact: 216.215.5593 Home Work
 Date of Incident: 5/1/12 Day of Week: Tuesday Time of Day: 8⁰⁰ a.m.
 Location of Incident: my home

Narrative: Please provide all the information you can about the incident, a brief description of events, extent of injury, property damage, weather or road conditions, lighting or other facts and details that you remember.

At 8³⁰ a.m. on May 1, 2012 I received a call while at home on my cell phone. The caller refused to identify herself but indicated she was being harassed by Southgate/Street just on Channel 19 had harassed a David Eder. She refused to give her name but she was on her way to see the court. Eventually about 9:15 a.m. she called me on my work phone. She did identify herself as Ruby Cyles-Sumner. She asked who was in charge of Employment & Staff Services, I gave her Tom's name. At no time did she make a threat - direct or implied. However she had sent correspondence to all employees; she stated content of that material but here to speculate that she may have mental health concerns.

I have read the one pages of this statement and the facts contained therein are true and correct.

X
 Signature: [Signature] Witness: Joseph Peter

Statement reviewed and forwarded by:
 Sergeant: [Signature] Badge: 26 Date: 5/1/12
 Report Approved by: _____

Lieutenant: _____ Date: _____

SUPREME COURT OF OHIO



Cuyahoga County Sheriff's Office

Cuyahoga County Sheriff's Office

Run Date: 12/21/2016 18:06

OCA # 12-000426, 5/1/2012 08:40 - alleged threat

Report Date: 6/1/2012

Summary

On or about 08:40 hrs. on May 1, 2012 Protective Services' Sgt. Thomas Bradley contacted Cuyahoga County Deputy Detective Soprek regarding a death threat received in regards to Cuyahoga County Executive Ed FitzGerald and Chief of Staff Matt Carroll. Detective Soprek was unable to respond while upon another detail. Soprek called Sgt. Schilling of the Cuyahoga County Sheriff's Office Detective Bureau. Sgt. Schilling stated he would immediately follow up with Protective Services.

Incident

Occurred From: 5/1/2012 08:40

Occurred To: 5/1/2012 08:40

Location: 2029 W. 45 St., Cleveland, OH 44112

Persons Involved

Name	Type	DOB	Phone
Cuyler-Stevenson, Mrs. Ruby	Subject	8/14/1953	

Assigned Officer

Soprek, D.Paul (295)

Phone: 443-6000

Email: psoprek@cuyahogacounty.us

Incident

County Case # 1085640

Incident # (OCA) 12-000426

Title: alleged threat

Occurred From: 5/1/2012 08:40

Occurred To: 5/1/2012 08:40

Location:

Address: 2029 W. 45 St.
Cleveland, OH 44112

Summary: On or about 08:40 hrs. on May 1, 2012 Protective Services' Sgt. Thomas Bradley contacted Cuyahoga County Deputy Detective Soprek regarding a death threat received in regards to Cuyahoga County Executive Ed FitzGerald and Chief of Staff Matt Carroll. Detective Soprek was unable to respond while upon another detail. Soprek called Sgt. Schilling of the Cuyahoga County Sheriff's Office Detective Bureau. Sgt. Schilling stated he would immediately follow up with Protective Services.

Notified By: Bradley, Sgt.

Phone:

Method: Phone Call

Type: Individual

Arrived:

Cleared:

Notified: 5/1/2012 08:40

Investigation Complete: No

Est. Complete:

Officers

Assigned Officer: Soprek, D.Paul (295)

Agency: Cuyahoga County Sheriff's Office

Gender: M

Phone: 443-6000

Email: psoprek@cuyahogacounty.us

Badge ID: 295

Rank:

Role: Primary

Unit ID: BA

Unit Name: Bureau Annex

Subject: Cuyler-Stevenson, Mrs. Ruby

Alias:

Police Report

This information constitutes a confidential law enforcement investigatory record and is not a public record subject to disclosure pursuant to R.C. 149.

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Cuyahoga County Sheriff's Office

Cuyahoga County Sheriff's Office

Run Date: 12/21/2016 18:06

OCA # 12-000426, 5/1/2012 08:40 - alleged threat Report Date: 6/1/2012

Subject: Cuyler-Stevenson, Mrs. Ruby

Status: Not arrested	RMS ID: 209243	
Accomplice: No	Holder:	
SSN: [REDACTED]	D.O.B. 8/14/1953	
State ID:	D.O.D.	
License: RF179460	Age: 58	
Marital Status:	Est. Height: 5'4"	
Residential Status:	Est. Weight: 175	
Birth City:		
Religion:	Build: LG	
Citizenship: UNITED STATES	Complexion: DARK	Hair Color: Brown
Ethnicity: Black	Skin: DARK BROWN	Hair Length: Medium
Gender: Female	Eyes: Brown	Hair Style: Straight

Involvement Description
Alleged threat

Subject Type:

Addresses	Phone Numbers	Email
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Home (Primary) Address 6549 Park North Solon, OH 44139 United States		
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Field report Soprek, D.Paul (295) - 6/13/2012

Arrestee: Prepared By: Soprek, D.Paul (295)
Narrative: Prepared Date: 6/13/2012 15:59

On May 1, 2012 at approximately 08:40 hrs. Protective Services' Sgt. Thomas Bradley contacted Cuyahoga County Sheriff's Office Deputy Detective Soprek. Bradley left a message for Soprek; he had received information that a death threat was received upon Cuyahoga County Executive Ed FitzGerald and Chief of Staff Matt Carroll. Detective Soprek was detained at another detail, henceforth he called Cuyahoga County Sheriff's Office Detective Bureau Sergeant Schilling. Sgt. Schilling reported that he would contact Bradley immediately.

Summary report Soprek, D.Paul (295) - 6/13/2012

Arrestee: Prepared By: Soprek, D.Paul (295)
Narrative: Prepared Date: 6/13/2012 16:04

Later that day Detective Soprek learned from Sgt. Schilling and Deputy Detective Kole that there was no threat upon the County Executive and Chief of Staff. A Mrs. Ruby Cuyler-Stevenson had contacted Deputy Chief of Staff Human Services, Mr. Joe Gauntner and reported to Gauntner that she was displeased over some issues and that she, Ruby was wishing to come down to the Administrative Building to speak with Gauntner and the County Executive. At no time was there any threats. Sgt. Schilling did request Sgt. Bradley to document the incident. Sgt. Bradley did forward reports. See added documents. At this point there are no other actions or investigations being conducted upon Mrs. Ruby. During this incident it was discovered, (Sgt. Bradley produced documents no one was privy too), that there have been some issues regarding Mrs. Ruby sending some letters to the County Executive on or about July 2011. The letters where inconsistent and hard to follow. [REDACTED] she writes "...my reading is at a fourth grade level..." NOTE: Mrs. Ruby does carry a permit for CCW from Lake County Sheriff's Office.

SUPREME COURT OF OHIO



Complaint Summary

Cuyahoga County Sheriff's Office

Run Date: 12/21/2016 15:21

County Complaint # 1093050-1 OCA# 12-000766 CIF # 47728E Report Date 09/26/2012

Name DRAKE, Mr. CALVIN Phone _____
 Address _____ Alias _____
 Ethnicity Black Sex M Age 61
 Height 5'6 Weight 140 Hair Black Eyes Brown
 D.O.B. 03/15/1951 SSN _____ Driver License _____
 Birthplace CLE.

Orig. Agency Cuyahoga County Sheriff's Office Date of Offense 9/25/2012 - 9/26/2012
 Arresting Agency _____ Date of Arrest _____
 Location of Offense Cleveland, OH 44113
 Incident Tracking # _____ FBI # _____ BCI # _____ CCSO # 089350
 Primary Offense _____ Level _____
 Other Offenses _____
 Accomplice(s) _____
 Direct Indictment: No Arrested: No Warrant: No Holders _____

Synopsis of Offense:

COUNTY EXECUTIVE RECEIVED 4 CALLS FROM THE SAME INDIVIDUAL. THE CALLS ARE INAPPROPRIATE AND THREATENING IN MANNER.

Drugs:

Weapons:

Suspected Injury to Victim:

Officer	Badge #	Rank	Role	Phone	Agency	Assigned
Soprek, D.Paul (295)	295		Primary	443-6000	Cuyahoga County Sheriff's Office	Yes



Cuyahoga County Sheriff's Office

Cuyahoga County Sheriff's Office

OCA # 12-000766, 9/25/2012 00:00 - MENACING/TELE. HARASSMENT

Run Date: 12/21/2016 15:21

Report Date: 9/26/2012

Summary

COUNTY EXECUTIVE RECEIVED 4 CALLS FROM THE SAME INDIVIDUAL. THE CALLS ARE INAPPROPRATE AND THREATENING IN MANNER.

Incident

Occurred From: 9/25/2012 00:00

Occurred To: 9/26/2012 00:00

Location: Cleveland, OH 44113 - ADMIN. BUILDING

Persons Involved

Name	Type	DOB	Phone
DRAKE, Mr. CALVIN	Offender	3/15/1951	

Offenses

DRAKE, Mr. CALVIN

Statute - Description

No offenses.

Level

Assigned Officer

Soprek, D.Paul (295)

Phone: 443-6000

Email: psoprek@cuyahogacounty.us

Incident

County Case # 1093050

Incident # (OCA) 12-000766

Title: MENACING/TELE. HARASSMENT

Occurred From: 9/25/2012 00:00

Occurred To: 9/26/2012 00:00

Location: ADMIN. BUILDING

Address: Cleveland, OH 44113

Summary: COUNTY EXECUTIVE RECEIVED 4 CALLS FROM THE SAME INDIVIDUAL. THE CALLS ARE INAPPROPRATE AND THREATENING IN MANNER.

Notified By:

Phone:

Method:

Type:

Arrived:

Cleared:

Notified:

Investigation Complete: No

Est. Complete:

Officers

Assigned Officer: Soprek, D.Paul (295)

Agency: Cuyahoga County Sheriff's Office

Gender: M

Phone: 443-6000

Email: psoprek@cuyahogacounty.us

Badge ID: 295

Rank:

Role: Primary

Unit ID: BA

Unit Name: Bureau Annex

Offender: DRAKE, Mr. CALVIN

Alias:

SUPREME COURT OF OHIO



Cuyahoga County Sheriff's Office

Cuyahoga County Sheriff's Office

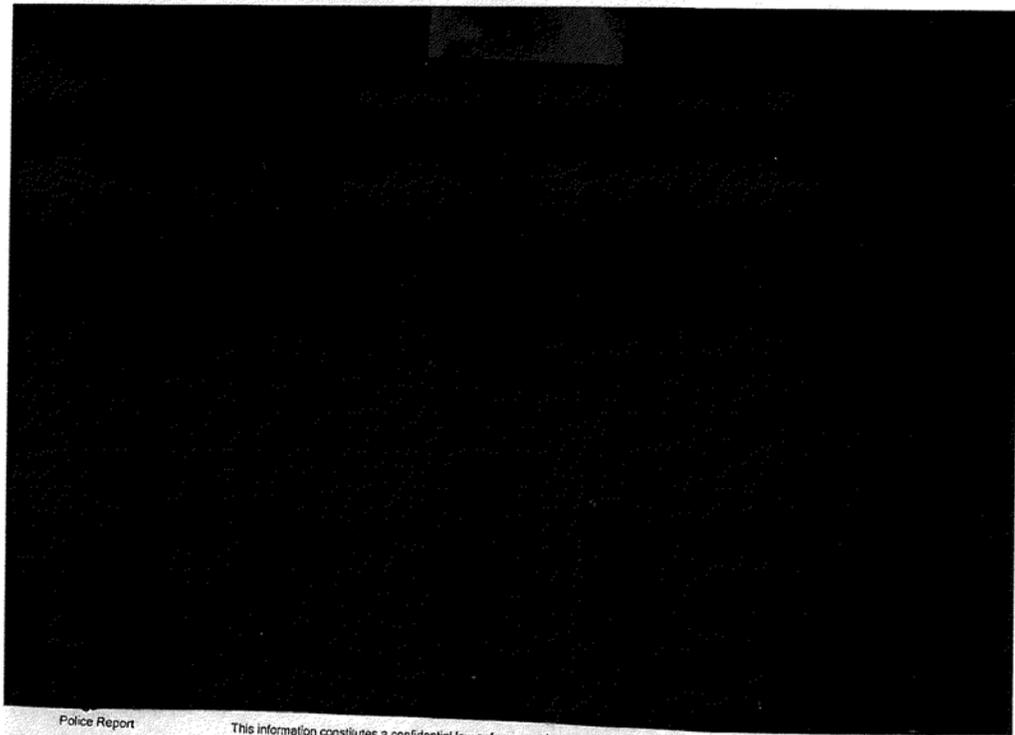
OCA # 12-000766, 9/25/2012 00:00 - MENACING/TELE. HARASSMENT

Run Date: 12/21/2016 15:21

Report Date: 9/26/2012

On September 26, 2012 Protective Services Supervisor Sgt. Thomas Bradley forwarded information to Detective Bureau Supervisor Lt. Peters a complaint regarding telephone harassment upon the County Executive, Ed FitzGerald. Lt. Peters forwarded the information for an investigation to detective Soprek-Principal Protection Liaison.

The County Executive, CE, at phone number 216-443-7178, Ameritech DBA AT&T received a call on Tuesday September 25, 2012 at 18:04 hours and at 20:04 hours and on Wednesday September 26, 2012 at 03:09 hours and 06:27 hours. The calls were difficult to understand. The caller sounds that he is heavily intoxicated or that he has some disabilities. The caller makes odd and strange statements regarding the CE as a "fag...running around with his fag group...beaten up niggers...impersonating police...driving around in your police car..." mentioning other politicians, Cleveland Police Detectives and so on all corrupting blacks with crack, sexual exploits with black children and assaulting children and that the CE slid into his position. The call is irrational and does not make any sense. The County Executive perceives this caller as being unstable and sees this call as aggressive threat towards the CE. The caller's delusional statements are being taken with seriousness.



Police Report

This information constitutes a confidential law enforcement investigatory record and is not a public record subject to disclosure pursuant to R.C. 149.

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Cuyahoga County Sheriff's Office

Cuyahoga County Sheriff's Office

Run Date: 12/21/2016 17:52

OCA # 13-000255, 1/8/2013 00:00 - Reported Retaliation

Report Date: 3/18/2013

Summary

At this time Cuyahoga County Sheriff's Office has not discovered any credible evidence, conclusive witnesses, and no other indicators that specifically are presenting that Clinton Thomas has threatened or intent to harm the County Executive Ed FitzGerald.

Incident

Occurred From: 1/8/2013 00:00

Occurred To:

Location: Cleveland, OH 44113 - Administration Building/Justice Center

Persons Involved

Name	Type	DOB	Phone
Thomas, Clinton Rodney	Subject	1/7/1956	

Assigned Officer

Soprek, D.Paul (295)

Phone: 443-6000

Email: psoprek@cuyahogacounty.us

Incident

County Case # 1103602

Incident # (OCA) 13-000255

Title: Reported Retaliation

Occurred From: 1/8/2013 00:00

Occurred To:

Location: Administration Building/Justice Center

Address: Cleveland, OH 44113

Summary: At this time Cuyahoga County Sheriff's Office has not discovered any credible evidence, conclusive witnesses, and no other indicators that specifically are presenting that Clinton Thomas has threatened or intent to harm the County Executive Ed FitzGerald.

Notified By: Schilling, Sgt

Phone: (216) 443-6130

Method: In Person

Type: Law enforcement official

Arrived:

Cleared:

Notified:

Investigation Complete: No

Est. Complete:

Officers

Assigned Officer: Soprek, D.Paul (295)

Agency: Cuyahoga County Sheriff's Office

Gender: M

Phone: 443-6000

Email: psoprek@cuyahogacounty.us

Badge ID: 295

Rank:

Role: Primary

Unit ID: BA

Unit Name: Bureau Annex

Subject: Thomas, Clinton Rodney

Alias:

Police Report

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SUPREME COURT OF OHIO



Cuyahoga County Sheriff's Office

Cuyahoga County Sheriff's Office

Run Date: 12/21/2016 17:52

OCA # 13-000255, 1/8/2013 00:00 - Reported Retaliation

Report Date: 3/18/2013

Subject: **Thomas, Clinton Rodney**

Status: Other	RMS ID: 242388	
Accomplice: No	Holder:	
SSN: ██████████	D.O.B. 1/7/1956	
State ID:	D.O.D.	
License:	Age: 57	
Marital Status:	Est. Height: 57	
Residential Status: Resident	Est. Weight: 135	
Birth City:		
Religion:	Build:	
Citizenship: UNITED STATES	Complexion: m	Hair Color:
Ethnicity: Black	Skin: BLACK	Hair Length: Bald
Gender: Male	Eyes: Gray	Hair Style:

Involvement Description

Subject Type:

Addresses	Phone Numbers	Email
(Primary) Address		
1300 Superior Ave. E. Apt # 1910		
Cleveland, OH 44114		
United States		

Supplemental report

Soprek, D.Paul (295) - 3/18/2013

Arrestee:

Prepared By: Soprek, D.Paul (295)

Narrative:

Prepared Date: 3/18/2013 15:15

On January 8, 2013 Clinton Rodney Thomas (B/M, DOB 01/07/1956-57) was asked to leave a Cuyahoga County Council meeting at the Justice Center due to his previous actions at County Facilities. Thomas left on his own accord with out an incident. But on January 9, 2013 Thomas made aggressive demands to speak with the County Executive, C.E., at the Administration Building. Thomas's actions were understood by Protective Services as an act of retaliation against the C.E. Protective Services reported Thomas to the Sheriff's Office Detective Bureau for investigation.

At this time Cuyahoga County Sheriff's has not discovered any credible evidence, conclusive witnesses, and no other indicators that specifically are presenting that Clinton Thomas has threatened or intent to harm the County Executive, Edward FitzGerald.

Thomas does have a long criminal history. He does not have any wants or warrants as of January 9, 2013. Thomas is under probation (sentenced 12/12/2012) to Judge Kathleen Ann Sutula for CR 566297 (Having Weapons Under Disability). Thomas does also have a talent to constantly be loud and disruptive at many Cuyahoga County facilities, which he often visits from the Justice Center, Administration Building, Virgil Brown Building and so on. Some of these events are well documented.

Clinton currently is not prohibited from any County Facilities, Council Meetings, or Buildings. Thomas is troublesome and annoying but has not violated the O.R.C. at this moment.

January Term, 2017

CUYAHOGA COUNTY SHERIFF'S OFFICE

CS-35

FILE NO. _____

DATE 1-9-13 _____

FROM Deputy Bruce Lourie#62

TO Sgt. Wagner

SUBJECT Clinton Thomas

COPIES TO _____

Sir,

On 1-8-13 while assigned to Sheriff's Patrol Unit I was posted at Cuyahoga County Council meeting. At approximately 1800 hrs, the council meeting was already progress, Mr. Thomas Clinton opened the door processed to walk in the meeting. I immediately recognized Thomas from several other incidents in the building. Cuyahoga county jail visitation has a jail photo of him posted by the access doors because of his constant harassment of jail staff, as well as constantly making a disturbance in the justice center. In order to prevent future incidents Mr. Thomas was advised council was in session and was asked to leave, in which he did voluntarily with out incident. At this point County council Chief of staff Joseph A. Nanni ask what happened, I briefed him upon the situation Mr. Nanni responded,(ok that's fine).

Respectfully Submitted,



Deputy Bruce Lourie # 62

SUPREME COURT OF OHIO



Complaint Summary

Cuyahoga County Sheriff's Office

Run Date: 12/21/2016 17:29

County Complaint # 1116590-1 OCA# 13-000895 CIF # 3956BF Report Date 10/01/2013

Name Litwinowicz, Mr. Christopher Michael Phone _____
 Address 21970 Morris Ave, Euclid, OH 44123, United States Alias _____
 Ethnicity White Sex M Age 34
 Height 6'00 Weight 150 Hair Brown Eyes Hazel
 D.O.B. 05/27/1979 SSN [REDACTED] Driver License RS894708
 Birthplace _____

Orig. Agency Cuyahoga County Sheriff's Office Date of Offense 8/30/2013 - 9/24/2013
 Arresting Agency _____ Date of Arrest _____
 Location of Offense 1219 Ontario St, Cleveland, OH 44113
 Incident Tracking # _____ FBI # _____ BCI # _____ CCSO # 0268708
 Primary Offense _____ Level _____
 Other Offenses _____
 Accomplice(s) _____
 Direct Indictment: No Arrested: No Warrant: No Holders _____

Synopsis of Offense:

Early reports of Mr. Christopher Litwinowicz threatening the County Executive and Law Department. An analysis by Sheriff's Office no sound information indicating such matters currently...

Drugs:

Weapons:

Suspected Injury to Victim:

Officer	Badge #	Rank	Role	Phone	Agency	Assigned
Soprek, D.Paul (295)	295		Primary	443-6000	Cuyahoga County Sheriff's Office	Yes

Paul Soprek - re: Threatening individual

From: Tarah Pulling
To: Paul Soprek
Date: 9/24/2013 11:01 AM
Subject: re: Threatening individual
CC: Frank Bova; Laura (Lu) Chandler

Hi Paul,

The Sheriff advised that you handle this matter. An individual named Christopher Litwinowicz is calling over to the Executive's Office and Law Department and leaving threatening messages. From what I understand, his issue is with the City of Euclid and the Board of Elections. His e-mail is mikelitwinowicz@yahoo.com; he calls from different phone numbers but the two I was given are 216-835-8173 and 216-731-8909. Please call Laura Chandler at 6464 if you should have any questions.

Thanks, Tarah

Tarah Pulling
Secretary to Sheriff Frank Bova
Cuyahoga County Sheriff's Office
1215 West 3rd Street
Cleveland, Ohio 44113
216-443-6066 (phone)
216-348-4353 (fax)
tpulling@cuyahogacounty.us

SUPREME COURT OF OHIO



Cuyahoga County Sheriff's Office

Cuyahoga County Sheriff's Office

Run Date: 7/28/2014 16:21

OCA # 14-000421, 4/21/2014 00:00 - Menacing 2903.22

Report Date: 4/24/2014

Summary

Allen Porter knowingly cause another to believe that he will cause serious menat/ distress/physical harm to the other person-CE.

Incident

Occurred From: 4/21/2014 00:00

Occurred To: 4/21/2014 00:00

Location: 17801 Detroit Ave, Lakewood, OH 44107 - Beck Center

Persons Involved

Name	Type	DOB	Phone
Porter, Allen	Subject	11/2/1942	

Assigned Officer

Soprek, D.Paul (295)

Phone: 443-6000

Email: psoprek@cuyahogacounty.us

Incident

County Complaint # 1131971

Incident # (OCA) 14-000421

Title: Menacing 2903.22

Occurred From: 4/21/2014 00:00

Occurred To: 4/21/2014 00:00

Location: Beck Center

Address: 17801 Detroit Ave
Lakewood, OH 44107

Summary: Allen Porter knowingly cause another to believe that he will cause serious menat/ distress/physical harm to the other person-CE.

Notified By:

Phone:

Method:

Type:

Arrived:

Cleared:

Notified:

Investigation Complete: No

Est. Complete:

Officers

Assigned Officer: Soprek, D.Paul (295)

Agency: Cuyahoga County Sheriff's Office

Gender: M

Phone: 443-6000

Email: psoprek@cuyahogacounty.us

Badge ID: 295

Rank:

Role: Primary

Unit ID: DB

Unit Name: Detective Bureau

Police Report

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Page 1 of 2



Complaint Summary

Cuyahoga County Sheriff's Office

Run Date: 12/21/2016 17:22

County Complaint # 1133161-1 OCA# 14-000501 CIF # 15288G Report Date 05/14/2014

Name Gates, LaRon J. Phone _____
 Address _____ Alias _____
 Ethnicity Black Sex M Age 34
 Height 6'2" Weight 246 Hair Black Eyes Brown
 D.O.B. 07/18/1979 SSN [REDACTED] Driver License _____
 Birthplace _____

Orig. Agency Cuyahoga County Sheriff's Office Date of Offense 5/12/2014
 Arresting Agency _____ Date of Arrest _____
 Location of Offense 1215 West 3rd St, Cleveland, OH 44113
 Incident Tracking # _____ FBI # _____ BCI # _____ CCSO # _____
 Primary Offense _____ Level _____
 Other Offenses _____
 Accomplice(s) _____
 Direct Indictment: No Arrested: No Warrant: No Holders _____

Synopsis of Offense:

LaRon Gates has been committing telecommunications harassment for years to the Sheriff's Office Radio Room and has been tolerated until he knowingly caused a dispatcher to believe that he will cause serious physical harm (a "promise") to the dispatcher, as well as, others in the Sheriff's Office as well as County Executive.

Drugs: _____ Weapons: _____ Suspected Injury to Victim: _____

Officer	Badge #	Rank	Role	Phone	Agency	Assigned
Soprek, D.Paul (295)	295		Primary	443-6000	Cuyahoga County Sheriff's Office	Yes

SUPREME COURT OF OHIO



Cuyahoga County Sheriff's Office

Cuyahoga County Sheriff's Office

Run Date: 12/21/2016 17:22

OCA # 14-000501, 5/12/2014 00:00 - Tel. Har./Menacing

Report Date: 5/14/2014

Summary

LaRon Gates has been committing telecommunications harassment for years to the Sheriff's Office Radio Room and has been tolerated until he knowingly caused a dispatcher to believe that he will cause serious physical harm (a "promise") to the dispatcher, as well as, others in the Sheriff's Office as well as County Executive.

Incident

Occurred From: 5/12/2014 00:00

Occurred To: 5/12/2014 00:00

Location: 1215 West 3rd St, Cleveland, OH 44113 - Justice Center

Persons Involved

Name	Type	DOB	Phone
Gates, LaRon J.	Offender	7/18/1979	

Offenses

Gates, LaRon J.	Statute - Description	Level
	No offenses.	

Assigned Officer

Soprek, D.Paul (295)

Phone: 443-6000

Email: psoprek@cuyahogacounty.us

Incident

County Case # 1133161

Incident # (OCA) 14-000501

Title: Tel. Har./Menacing

Occurred From: 5/12/2014 00:00

Occurred To: 5/12/2014 00:00

Location: Justice Center

Address: 1215 West 3rd St
Cleveland, OH 44113

Summary: LaRon Gates has been committing telecommunications harassment for years to the Sheriff's Office Radio Room and has been tolerated until he knowingly caused a dispatcher to believe that he will cause serious physical harm (a "promise") to the dispatcher, as well as, others in the Sheriff's Office as well as County Executive.

Notified By: Venables, Sgt

Phone:

Method: In Person

Type: Law enforcement official

Arrived:

Cleared:

Notified:

Investigation Complete: No

Est. Complete:

Criminal

Officers

Assigned Officer: Soprek, D.Paul (295)

Agency: Cuyahoga County Sheriff's Office

Gender: M

Phone: 443-6000

Email: psoprek@cuyahogacounty.us

Badge ID: 295

Rank:

Role: Primary

Unit ID: DB

Unit Name: Detective Bureau

Offender: Gates, LaRon J.

Alias:

Police Report

This information constitutes a confidential law enforcement investigatory record and is not a public record subject to disclosure pursuant to R.C. 149.

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Complaint Summary

Cuyahoga County Sheriff's Office

Run Date: 12/21/2016 16:41

County Complaint # 1137743-1 OCA# 14-000790 CIF # 4267BG Report Date 08/02/2014

Name Coon, Michael E. Phone _____
 Address 5508 Edgewater Dr, Toledo, OH 43611, United States Alias _____
 Ethnicity White Sex M Age 58
 Height 5'10 Weight 182 Hair Brown Eyes Hazel
 D.O.B. 03/10/1956 SSN _____ Driver License _____
 Birthplace _____

Orig. Agency Cuyahoga County Sheriff's Office Date of Offense 8/2/2014
 Arresting Agency _____ Date of Arrest _____
 Location of Offense Cleveland, OH 44113
 Incident Tracking # _____ FBI # _____ BCI # _____ CCSO # _____
 Primary Offense _____ Level _____
 Other Offenses _____
 Accomplice(s) _____
 Direct Indictment: No Arrested: No Warrant: No Holders _____

Synopsis of Offense:
 OSP-Frwd Online threat to county Executive.....

Drugs: _____ Weapons: _____ Suspected Injury to Victim: _____

Officer	Badge #	Rank	Role	Phone	Agency	Assigned
Soprek, D.Paul (295)	295		Primary	443-6000	Cuyahoga County Sheriff's Office	Yes

SUPREME COURT OF OHIO



Cuyahoga County Sheriff's Office

Cuyahoga County Sheriff's Office

Run Date: 12/21/2016 15:38

OCA # 14-000889, - Tel. Har./Menacing

Report Date: 8/27/2014

Summary

At this time an unknown subject has been knowingly leaving voice messages-telecommunications from a device numerous times from July 2014 to August 25, 2014 to another. The caller has not identified himself to the recipient of the telecommunications with the purpose to harass, describe, suggests, other person to engage in sexual activity, the callers purpose to harass another person. The caller may have been previously told in 2012 not to make a telecommunication to these premises or to any person at those premises.

Incident

Occurred From:

Occurred To: 8/25/2014 00:00

Location: Cleveland, OH - Administrative Office

Assigned Officer

Soprek, D.Paul (295)

Phone: 443-6000

Email: psoprek@cuyahogacounty.us

Incident

County Case # 1139100

Incident # (OCA) 14-000889

Title: Tel. Har./Menacing

Occurred From:

Occurred To: 8/25/2014 00:00

Location: Administrative Office

Address: Cleveland, OH

Summary: At this time an unknown subject has been knowingly leaving voice messages-telecommunications from a device numerous times from July 2014 to August 25, 2014 to another. The caller has not identified himself to the recipient of the telecommunications with the purpose to harass, describe, suggests, other person to engage in sexual activity, the callers purpose to harass another person. The caller may have been previously told in 2012 not to make a telecommunication to these premises or to any person at those premises.

Notified By: Bradley, Sgt Thomas

Type: Individual

Phone:

Method: In Person

Notified: 8/25/2014 00:00

Arrived:

Cleared:

Est. Complete:

Investigation Complete: No

Criminal

Officers

Assigned Officer: Soprek, D.Paul (295)

Agency: Cuyahoga County Sheriff's Office

Gender: M

Phone: 443-6000

Email: psoprek@cuyahogacounty.us

Badge ID: 295

Rank:

Role: Primary

Unit ID: DB

Unit Name: Detective Bureau

Police Report

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January Term, 2017

FW: Harassing Caller - Paul Soprek

<https://mail.cuyahogacounty.us/owa/#viewmodel=ReadMessageItem&..>

FW: Harassing Caller

Thomas Bradley

Mon 8/25/2014 11:46 AM

To: Paul Soprek <psoprek@cuyahogacounty.us>; Frank Bowe <fbowe@cuyahogacounty.us>; Clifford Pinkney <cpinkney@cuyahogacounty.us>; Richard Peters <rmrpeters@countyofcuyahoga.us>;
cc: Ellen Eschmeyer <eschmeyer@cuyahogacounty.us>; Effrem Speigner <espe-gner@cuyahogacounty.us>;

FW: County Executive Office/ Harassing Phone Calls

From: Tanya Halston
Sent: Monday, August 25, 2014 11:41 AM
To: Thomas Bradley
Subject: Harassing Caller

Regarding my call to you about the harassing caller, I cleared eight voice messages from my ext., 2100, this morning beginning on Fri., 8/22 at 10:21 pm, 8/23 at 1:55 am, 5:29 am, 5:39 am, Sun., 8/24 at 9:18 am, 10:38 am, 11:16 pm, and Mon., 8/25 at 12:43 am. The caller sounds like an African American male, mature in age maybe mid to late 50's or 60's. His messages are rambling and sounds as though he could have some mental issues or could even be intoxicated. The messages began approximately the second or third week of July, with only one or two being left between one to several times a week. For the past two weeks he's been leaving two or three several times a week. This last incident was the most calls that he's ever left. The phone number that appears in my directory is, 216-575-8703. He never leaves a name.

Thank You,
Tanya

*Tanya Halston
Administrative Assistant 6
Cuyahoga County Executive, Edward Taylor Hall
20779 E. 9th Street, Rm. 8-3000 6th Fl.
Cleveland, OH 44115
Office: 216-595-2100, Fax: 216-443-8000
thalston@cuyahogacounty.us*

14-024

of 1

8/25/2014 12:00 PM

SUPREME COURT OF OHIO

Additional Harassing Calls - Paul Soprek

<https://mail.cuyahogacounty.us/owa/#viewmodel=ReadMessageItem&..>

Additional Harassing Calls

Tanya Hairston

Thu 8/28/2014 4:55 PM

To: Thomas Bradley <tbradley@cuyahogacounty.us>; Paul Soprek <psoprek@cuyahogacounty.us>

There were four calls on my voice message, ext. 2100 this morning from the same caller, pH# 216-575-8703. The calls came in at, 7:49 & 10:19 pm on 8/27 & 3:05 & 8:03 am on 8/28.

Thank You,
Tanya

*Tanya Hairston
Administrative Assistant to
Cuyahoga County Executive Edward Fitzmaurice
2079 E. 9th Street, Rm. 8-200, 8th Fl.
Cleveland, OH 44115
Office: 216-575-2100 Fax: 216-413-8008
thairston@cuyahogacounty.us*