

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.

SUPREME COURT OF OHIO

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 Fitz Gerald
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: Off. C.V. 77 Badge: 508 Date: 05-01-12

Report reviewed and forwarded by:

Sergeant: TH. A. B. Badge: 24 Date: 5/1/12

Report Approved by:

Lieutenant: _____ Date: _____



Voluntary Statement



12-05-006V

Your Name: Joseph Graham Date: 5/1/12 Time: 10³⁰ a.m.
 Your Address: 209 W 45 St City: Cleveland Ohio, Zip: 44118 Apt#:
 Best Phone Contact: 216.215.5593 Home ☐ Work ☐
 Date of Incident: 5/1/12 Day of Week: Tuesday Time of Day: 8³⁰ 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 conf. Expector. About 9:15 a.m. she called me on my work phone. She did identify herself as Ruby Cuyler-Strand. She asked who was in charge of Employment & Staff Services, I gave Mr. Jones' 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 she 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

Witness

Statement reviewed and forwarded by:

Sergeant: [Signature] Badge: 26 Date: 5/1/12

Report Approved by:

Lieutenant: _____ Date: _____

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SUPREME COURT OF OHIO

Cuyahoga County Sheriff's Office			
<i>Cuyahoga County Sheriff's Office</i>			
OCA # 12-000426, 5/1/2012 08:40 - alleged threat		Run Date: 12/21/2016 18:06	
Summary		Report Date: 6/1/2012	
<p>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.</p>			
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	
Address: 2029 W. 45 St. Cleveland, OH 44112		Location:	
<p>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.</p>			
Notified By: Bradley, Sgt.		Type: Individual	
Phone:	Method: Phone Call	Notified: 5/1/2012 08:40	
Arrived:	Cleared:	Est. Complete:	
Investigation Complete: No			
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
Home (Primary) Address 6549 Park North Solon, OH 44139 United States		

Field report

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

Arrestee:

Narrative:

Prepared By: Soprek, D.Paul (295)

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 responded that he would contact Bradley immediately.

Summary report

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

Arrestee:

Narrative:

Prepared By: Soprek, D.Paul (295)

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.

Police Report

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

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		FBI #	BCI #	CCSO # 089350
Incident Tracking #			Level		
Primary Offense					
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

Complaint Summary

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Cuyahoga County Sheriff's Office			
OCA # 12-000766, 9/25/2012 00:00 - MENACING/TELE. HARASSMENT		Run Date: 12/21/2016 15:21	
Summary		Report Date: 9/26/2012	
COUNTY EXECUTIVE RECEIVED 4 CALLS FROM THE SAME INDIVIDUAL. THE CALLS ARE INAPPROPRIATE 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.			
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	
Address: Cleveland, OH 44113		Location: ADMIN. BUILDING	
Summary: COUNTY EXECUTIVE RECEIVED 4 CALLS FROM THE SAME INDIVIDUAL. THE CALLS ARE INAPPROPRIATE 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:			

Police Report

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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

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Cuyahoga County Sheriff's Office			
Cuyahoga County Sheriff's Office			
OCA # 13-000255, 1/8/2013 00:00 - Reported Retaliation		Run Date: 12/21/2016 17:52	
Summary		Report Date: 3/18/2013	
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		Location: Administration Building/Justice Center	
Occurred From: 1/8/2013 00:00		Occurred To:	
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		Type: Law enforcement official	
Phone: (216) 443-6130		Notified:	
Arrived:		Est. Complete:	
Investigation Complete: No		Method: In Person	
		Cleared:	
Officers			
Assigned Officer: Soprek, D.Paul (295)			
Agency: Cuyahoga County Sheriff's Office			
Gender: M		Phone: 443-6000	
Badge ID: 295		Rank:	
Unit ID: BA		Unit Name: Bureau Annex	
Email: psoprek@cuyahogacounty.us			
Role: Primary			
Subject: Thomas, Clinton Rodney			
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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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: [REDACTED]	D.O.B. 1/7/1956
State ID:	D.O.D.
License:	Age: 57
Marital Status:	Est. Height: 5'7"
Residential Status: Resident	Est. Weight: 135
Birth City:	
Religion:	Build:
Citizenship: UNITED STATES	Complexion: m
Ethnicity: Black	Skin: BLACK
Gender: Male	Eyes: Gray
	Hair Color:
	Hair Length: Bald
	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:

Narrative:

Prepared By: Soprek, D.Paul (295)

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.

Police Report

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January Term, 2017

CUYAHOGA COUNTY SHERIFF'S OFFICE

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

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					
Other Offenses	Level				
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

Complaint Summary

Page 1 of 1

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 menatl 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 menatl distress/physical harm to the other person-CE.		
Notified By:	Method:	Type:
Phone:	Cleared:	Notified:
Arrived:		Est. Complete:
Investigation Complete: No		
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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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
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Name	Gates, LaRon J.			Phone	
Address				Alias	
Ethnicity	Black	Sex	M	Age	34
Height	6'2"	Weight	246	Hair	Black
D.O.B.	07/18/1979	SSN	[REDACTED]	Eyes	Brown
Birthplace				Driver License	

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

Complaint Summary

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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

Method: In Person

Type: Law enforcement official

Phone:

Cleared:

Notified:

Arrived:

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 [REDACTED] 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

Complaint Summary

Page 1 of 1

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 <rmpeters@countyofcuyahoga.us>;
Cc: Ellen Eschmeyer <eschmeyer@cuyahogacounty.us>; Effrem Speigner <espeigner@cuyahogacounty.us>;

FV/ County Executive Office/ Harassing Phone Calls

From: Tanya Hairston
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 Hairston
Administrative Assistant to
Cuyahoga County Executive Edward Kelly
20779 E. 9th Street, Rm. 8-3000, 4th Fl.
Cleveland, OH 44115
Office: 216-595-2100, Fax: 216-443-8000
thairston@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 FitzGerald
2079 E. 9th Street, Rm. 6-200, 8th Fl.
Cleveland, OH 44115
Office: 216-595-2100; Fax: 216-418-8008
thairston@cuyahogacounty.us*

of 1

8/28/2014 5:10 PM