

Response

On 11-12-2024 I received a copy of a complaint filed by EPPA President Mitchell against me. This complaint was forwarded to me by SSD Pyanowski. On 11-11-2024 I was contacted via phone by SSD to submit a written response to these complaints. It was agreed to have this rebuttal by 12-02-2024. On 11-13-2024 I met with SSD in his office and this matter was discussed. I was again advised to submit a written response.

It should be noted that Officer Mitchell has just been deemed a "Brady Officer" by the Lorain County Prosecutors Office. "A Giglio or Brady list is a list compiled usually by a prosecutor's office or a police department containing the names and details of law enforcement officers who have had sustained incidents of untruthfulness, criminal convictions, candor issues, or some other type of issue placing their credibility into question." Officer Mitchell is coming forward with numerous complaints that date back to 2022 and states that Chief Pelko is retaliatory towards her. It appears that she is the one being retaliatory since she filed this after being deemed a "Brady Officer". Numerous of these issues that she brings to the attention could have and should have been brought up through the grievance process as stated in the union contract, Article 24 grievance procedure. See attached Brady documentation.

William Pelko

 **From:** Chris Pyanowski
Sent: Monday, November 11, 2024 12:09 PM
To: 'Keating Anderson, Susan'
Cc: William Pelko
Subject: FW: Brady determination by Lorain County Prosecutor's Office
Attachments: Grievance Settlement -Mitchell.PDF

Follow Up Flag: Follow up
Flag Status: Flagged

FYI.

From: Chris Pyanowski
Sent: Monday, November 11, 2024 12:07 PM
To: Paige B. Mitchell <pmitchell@cityofelyria.org>
Subject: RE: Brady determination by Lorain County Prosecutor's Office

 I don't believe it is appropriate for Chief Pelko to request you be removed from the Brady list. I believe that it should be an independent determination made by the Prosecutors Office based on all of the information available. As I stated when we met last week. I am not convinced that a settled grievance whereby the Mayor reached the settlement agreement that he did should trump the Prosecutor Office's review and ultimate determination. I would leave that up to them to decide based on their review of the law. However, I recognize that is certainly an argument that you can make in support of your desired result. I have attached the executed grievance settlement document for your convenience so that you can provide it to the Prosecutors Office.

Chris Pyanowski, J.D., M.B.A.
Safety Service Director
City of Elyria
131 Court St., Suite 301
Elyria, OH 44035
(440) 326-1417 (O)
(440) 865-3796 (C)

From: Paige B. Mitchell <pmitchell@cityofelyria.org>
Sent: Monday, November 11, 2024 11:59 AM
To: Chris Pyanowski <cpyanowski@cityofelyria.org>
Subject: RE: Brady determination by Lorain County Prosecutor's Office

Director,
Absolutely I do. I responded to Mr. Burge's email the day he sent it requesting a hearing be scheduled, however I have not received any response from him. I will likely follow up with Prosecutor Tomlinson this week to see if he can assist with getting something scheduled.

 We are also going to follow up with Chief Pelko about his statements to Officer Constantino that he has no issue with handing over a letter with Mayor Brubaker's findings during my grievance hearing and requesting that my name be removed from the list.

Happy Veteran's Day!

-Paige.

From: Chris Pyanowski <cpyanowski@cityofelyria.org>

At: Monday, November 11, 2024 11:50 AM

To: Paige B. Mitchell <pmitchell@cityofelyria.org>

Subject: Brady determination by Lorain County Prosecutor's Office

Officer Mitchell:

In Lorain County Prosecutor Office Chief of Staff James Burge's notice that he had concluded you are a Brady officer dated October 23, 2024, he states that "[you] may appeal [his] determination by contacting [Jim Burge] to schedule a hearing before the three attorneys in the (LCPO's) major trial division." Have you scheduled such an appeal hearing or do you intend to do so?

Chris Pyanowski, J.D., M.B.A.

Safety Service Director

City of Elyria

131 Court St., Suite 301

Elyria, OH 44035

(440) 326-1417 (O)

(440) 865-3796 (C)

GRIEVANCE SETTLEMENT

This Grievance Settlement Agreement ("Agreement") is entered into between the City of Elyria ("City"), the Elyria Police Patrolman's Association ("Union"), and Paige Mitchell ("Grievant") (collectively, "the Parties.")

WHEREAS, The City and Union are parties to a collective bargaining agreement ("CBA") that expires December 31, 2024 and Grievant is a member of the Union;

WHEREAS, Grievant filed a grievance ("Grievance") challenging the issuance of a thirty (30) day suspension without pay on August 27, 2024 ("Thirty Day Suspension") for violations of certain departmental policies relating to incident 2023-13785, occurring at 123 Garvin Ave on May 11, 2023;

WHEREAS, the City denies that it violated the CBA in issuing the Suspension;

WHEREAS, to provide certainty to this matter, in consideration of legal precedent and to avoid the time and expense of further proceedings, the Parties now wish to memorialize their agreement relative to a resolution applicable to the disputed issues involved in this Grievance only.

NOW THEREFORE, the Parties agree as follows:

1. The Suspension issued to Grievant shall be based on the following violations of departmental policy, as identified in the August 1, 2024, discipline recommendation by Chief Pelko:
 - 1.01 Violation of Rules
 - 1.02 Unbecoming Conduct
 - 1.04 Conformance to Law
 - 1.11 Unsatisfactory Performance
 - 1.25 Courtesy
 - 1.50 Arrest, Search and Seizure
 - 3.01 Mission, Vision and Core Values
 - 4.02 Arrest, Search and Seizure
 - 4.02.2 Field Interview and Pat-Down Searches

Section 1.45, Truthfulness, is not included as a basis for the discipline.

2. The Suspension shall be amended to a total suspension without pay of fifteen (15) days, with five (5) days held in abeyance pending good behavior and no additional misconduct and/or policy violations for a period of six (6) months from Grievant's execution of this Agreement. The ten (10) suspension without pay days served by the Grievant shall be charged in eight (8) hour shifts.

3. The Suspension shall be retroactive to May 11, 2023 for purposes of Article 33, Section 33.3C of the CBA.
4. The Parties agree that this Agreement resolves all outstanding issues surrounding the Suspension.
5. The Union and Grievant agree that, upon execution of this Agreement by all Parties, the Grievance shall be deemed withdrawn with prejudice.
6. The Parties agree that the negotiation of this Agreement and the subject matters contained within it, including without limitation the number of hours charged per shift during a suspension without pay, are non-precedent setting. This Agreement cannot be used in any other dispute between any of the Parties that is unrelated to the subject matter of this Agreement and/or Grievant.
7. Nothing contained herein shall constitute an admission of fault or liability of any kind by the City.

CITY OF ELYRIA

By: K.A. Re
Kevin A. Brubaker, Mayor

Date: 10-4-24

**ELYRIA POLICE PATROLMEN'S
ASSOCIATION**

By: [Signature]
Its: EPPA AGORCEY

Date: 9/24/2024

GRIEVANT

[Signature]
Paige Mitchell

Date: 09/24/2024



October 23, 2024

LORAIN COUNTY PROSECUTOR
J.D. TOMLINSON

225 Court Street, 3rd Floor, Elyria, Ohio 44035
P: 440-329-5389 • F: 440-329-5430 • E: lep@lcprosecutor.org

An Evaluation of the Interview of Elyria Police Officer Paige Mitchell
by Captain Michael Groomes on June 5, 2024
under *Brady v Maryland*, 373 U.S. 83 (1963)

Facts

On May 11, 2023 at approximately 6:00 P.M., Officers Paige Mitchell, Colty Hersh and Chris Lewis were dispatched to 401 Lake Avenue, Elyria, Ohio 44035, the location of the Family Dollar Store. There the officers met with Brittany Warner. Ms. Warner requested the officers' assistance in obtaining personal property from her former boyfriend, Raul Ortiz, at 123 Garvin Avenue, Elyria, Ohio 44035.

Upon speaking further with Warner, she advised the officers that she had left her boyfriend and the Garvin Avenue residence in order to get sober and to begin attending AA meetings. She claimed that she still receives mail at that address and had personal property there as well. Warner stated she had lived at the Garvin Avenue property for approximately two years. However, the officers were not able to determine that Warner was currently a resident of that address.

After briefing, the officers followed Warner to the Garvin Avenue address. Warner waited on the sidewalk, while officer Lewis knocked on the door. Warner's ex-boyfriend, Raul Ortiz, responded by yelling to the officers that they were trespassing and that he would not open the door.

At the same time, Warner advised Officer Mitchell that a female, identified as Deborah Fusik, was seated in a vehicle parked in the street. Learning that Fusik is Ortiz's mother, Officer Mitchell attempted to enlist Fusik's assistance in getting Ortiz to cooperate. Neither Ortiz nor Fusik wanted to cooperate with the officers.

After being unsuccessful in persuading Ortiz to cooperate, Officer Mitchell advised Warner that if she were still a resident of at the Garvin Avenue address, Warner could force entry. Warner followed Mitchell's advice by kicking and breaking the front door. She entered the residence, followed by the police and climbed the stairs, passing Ortiz to retrieve her property. A fight ensued, involving Ortiz and the three officers. Although Ortiz's mother, Deborah Fusik, had entered the residence and climbed to the scene of the altercation, she did not get involved in the physical confrontation. She was escorted by Officer Mitchell back down the stairs. Finally, Officers Lewis and Hersh were able to place Ortiz under arrest. Ortiz was taken to University Hospital, Elyria, where he remained in police custody. The officers returned to the station.

At 8:45 P.M., Daniel Bolger, the landlord and owner of the Garvin Avenue address, arrived at the Elyria Police Department with Deborah Fusik. There, Fusik was served with an arrest warrant for obstructing official business (R.C. 2921.31, F-5). She was transported to the county jail. Bolger was advised that Warner's damage to the front door of his rental property was a civil matter.

The Brady Issue

The Elyria Police Department alleges that Officer Paige Mitchell was dishonest when she was interviewed by Captain Michael Groomes regarding the incident at the Garvin Avenue address.

At least three questions that the department claims drew untruthful responses from Officer Mitchell are the following:

Question:

1. Mitchell was asked by Captain Michael Groomes why she didn't prevent Brittney Warner from kicking and breaking through the front door of the Garvin Avenue property.

Answer:

Mitchell answered Captain Groomes by claiming that she was distracted by Warner's A-A sponsor, who had accompanied Warner to assist in obtaining her property. Mitchell claimed the two were involved in a conversation and that she was looking at Warner's sponsor when Warner broke the door and entered the residence. Mitchell admitted to Captain Groomes, however, that she gave Warner authorization to break the door.

The Truth:

The truth of the matter is that Officer Mitchell had advised Warner that, having established residence at the property, Warner was free to break the door and enter. It is also true that that Officer Mitchell was not engaged in conversation with Warner's A-A sponsor at the time of the breach, but

rather, was looking directly at Warner as Warner broke the door and walked through it.

Question:

2. Officer Mitchell was asked by Captain Groomes why she "drive stunned" Raul Ortiz with her taser after he told her that he had a heart condition.

Answer:

Officer Mitchell answered that she was in the process of applying her taser to Ortiz for the "drive stun" at the same time Ortiz was claiming to have a heart condition.

The Truth:

The truth of the matter is that a full five seconds elapsed between the time Ortiz advised Mitchell of his condition and Mitchell's application of the taser.

Question:

3. During his interview with Officer Mitchell, Captain Groomes, after reviewing her training records (both as a trainee and an FTO), observed that Mitchell had not been trained to advise forced entry in circumstances where a party's residence is in question, or where the occupant will not cooperate. He asked her why she chose to do it in this case.

Answer:

In response, Officer Mitchell argued that she was, in fact, trained to answer a call exactly as she handled the Garvin Avenue matter. Below is Captain Groomes' account of his discussion with Mitchell:

“... Officer Mitchell's response was, “Well that's where I would volley the argument that I didn't just go rogue. This was taught to me in some way. Somewhere.” When Captain Groomes referred back to Officer Mitchell's misapplication of, “It's not illegal to break your own stuff,” Officer Mitchell replied, “I think you talked to a couple supervisors in the building, not the whole building.” When Captain Groomes advised Officer Mitchell that he had spoken with all supervisors, she replied, “But your supervisors, which are, you know, a dozen or two dozen employees is not a fair representation of our department.”

Captain Groomes advised Officer Mitchell that he had spoken with all of the FTO's as well, to which she replied: “They're either not being honest with you, or they're not being honest with me.”

The Truth:

The truth of the matter is that Officer Mitchell was not trained to handle the Garvin Avenue call in the manner that she did. The record of Mitchell's training and the record of Mitchell's training of other officers establish clearly that Officer Paige Mitchell was neither trained by her Field Training Officers to conduct the Garvin Avenue call in the manner that she conducted it; nor, did Officer Mitchell, in her capacity as a Field Training Officer, ever instruct a probationary officer to conduct a similar call in the manner that Mitchell conducted the Garvin Avenue call.

The foregoing exhibits reflect that during her training as a probationary officer and in her training of other probationary officers, Officer Mitchell was instructed that, in disputes over the possession of personal or real property, where the rights of the parties are not clearly established, the police should always advise that the matter is a civil dispute, and that any remedies should be pursued by the parties in civil court.

Brady v Maryland

"Brady Officer"

The term "Brady officer" arises from two cases decided by the U.S. Supreme Court: Brady v Maryland and Giglio v United States. These cases stand for the principle that when a case is prosecuted (state or federal), if the prosecutor has information in his file that would be helpful to the defendant, the information must be provided to the defense. This rule also extends to information that could be used to challenge or impeach the credibility of a witness, including the credibility of a policeman. Therefore, if there are facts about an officer that could be used to challenge his credibility and the prosecutor is aware of those facts, then that information must be given to defense counsel. There is no time period that limits the use of "Brady information" or "Brady material." The information must be furnished to defense counsel on every occasion when the officer testifies, and until the officer retires.

Brady Event

For purposes of this evaluation, a "Brady event" is any conduct by a police officer that results in a documented incident of police officer dishonesty. Brady

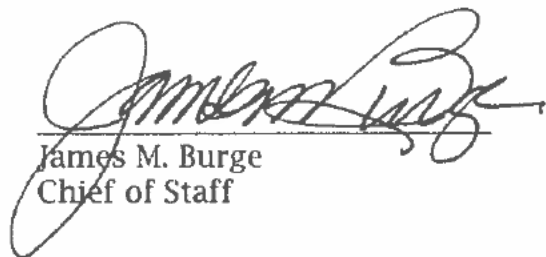
events can also include expressions of bias on the basis of race, gender, etc. These expressions are not relevant here.

A Brady List

Developing and maintaining an accurate Brady list is crucial to the functioning of the prosecutor's office. If we fail to notify the defense that a Brady officer will be testifying in one of our cases and the failure is discovered after the case is finished, the defendant will be awarded a new trial. If a court were to find that the failure to produce this discovery was intentional, the case would be reopened and dismissed.

In the foregoing analysis, there are three clearly documented instances in which Officer Paige Mitchell provided answers to questions in a departmental investigation that were clearly false, and that Officer Mitchell knew her answers were false at the time the answers were given.

I find that Officer Paige Mitchell is a "Brady Officer."


James M. Burge
Chief of Staff

COMPLAINT

1

Complaint #1 is in regards to Lt. Frank's support vehicle being parked in the street at his residence, which is outside of the city, and a vehicle striking his parked support vehicle. One of the allegations involved Officer Mitchell stating that Chief Pelko "changed this policy in hindsight, without documenting it, to protect Lt. Frank from having disciplinary actions issued to him for this crash."

Section VIIB, dated revised 01-05-2022, of this policy states "The assigned officer will drive the support car to and from work when reporting on and off duty. The vehicle will be parked at the officer's place of residence when not being used (except as provided for in section IX, D). The Officer may park his support car on a city street assuming that legal parking is permitted. This is a visible deterrent and a reassurance for neighbors that a police officer resides in that neighborhood. If an Officer lives outside the city he may park the vehicle in the street (in accordance with any applicable laws/ordinances), preferably out of sight of the motoring public." The policy change that was made on 01-05-2022 was to change to a new format and to reflect requirements for eligibility. In speaking with Sgt. Buckway, who is in charge of revisions and dissemination of these policies, he reports that it was on this 01-5-2022 revision that officers that lived outside the city were permitted to park on the street. For an unknown reason he did not document this wording change. According to Sgt. Buckway, it was then revised again on 04-05-2022 due to the fact that it was brought to his attention that he forgot to amend section IIIA to allow officers to take their support vehicle after their probationary period. This policy change that is being questioned relative to Lt. Frank's crash was revised on 01-05-2022 which is well before Lt. Frank's crash that occurred on 04-17-2022. See attached documents.

Officer Mitchell also cites that she recalls that this policy still stating the "Officers can NOT park their cruiser on the street as of early 2022, when Officer Patrick Jama was disciplined for issues involving his support car". Chief Pelko did not immediately recall Officer Jama being disciplined for a support car violation in 2022. It should be noted in checking Officer Patrick Jama's file, discipline could not be located for issues involving his support car in 2022. Patrick Jama did have a supervisor report in 2022 yet it was for an incident involving tampering with evidence. In checking his discipline file, he did have documentation for support car issue on or about 02/22/2018.

This would make Officer Mitchell's allegations false.

It should be noted that this policy was changed on 01-05-2022, as it is documented in Power DMS. The section (IIIA) that was changed benefited officers as the prior wording stated "Police officers will be eligible to participate in the support car program after they have attained two (2) years of service as an Elyria Police officer." The new wording stated officers would be eligible to participate after completion of their 'probationary period'.

This change was made due to a request made by officers and/or union officials to update the policy to permit new officers to take home at an earlier time than the two years. Chief Pelko agreed with this as it is more convenient for the officer to have his support vehicle, they can respond directly from their home if needed and most officers take better care of their vehicle when it is their issued support car.

Officer Mitchell makes allegations that the union was not served notice of this policy change and it shall be discussed and signed off on by union officials prior to implementation. It is my



understanding that they (union) were aware of this change since it was brought to my attention and requested to be changed. In speaking with Sgt. Buckway, who handles the dissemination of these orders, he did not supply the president or vice president a copy of the updated policy. Sgt. Buckway was also under the impression that Power DMS (system used to disseminate orders) automatically sends out the revised update to all officers once the revision is approved. It was learned from this complaint that this does not occur.

Sgt. Buckway was advised from here on out when a new, updated or revised policy is processed that it needs to be signed off on by the union president or vice president. It will also need to be sent out to all members to sign off on.

Special order 2022-01 did come out effective 04-01-2022 which stated:

Effective 04-01-2022 the Elyria Police Department General Order 4.25 for Support Car Operations will take effect. At this time those officers that are issued a support car and living outside the city will need to submit payment to their team sergeant or appropriate supervisor by April 1, 2022. All previous special orders issued in regards to EPD General Order 4.25 due to Covid will be rescinded. This was done as during COVID, Chief Whitely had suspended support car payment.

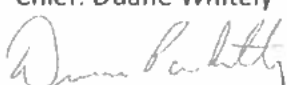
This order referenced the support car policy that was changed at the beginning of 2022.



This was signed off on by officers via Power DMS and reference the Support Car policy. No grievances were filed stating any violations had occurred nor new officers being upset that they were able to obtain a support car sooner rather than waiting until the two-year mark.

If the union is upset that this policy was amended to the benefit of their officers I can change it back to its original wording to include officers would need two years to take the vehicle home and that if they lived outside the city they would have to park the vehicle in the driveway.



Chapter 4 4.25	ELYRIA POLICE DEPARTMENT POLICY MANUAL	
Effective: 9-1-96 Revised: 5-6-14 Law Director Review: 9-30-96 Training: 5-6-14		
Chief: Duane Whitely 	SUPPORT CAR OPERATIONS	

I. Purpose

The Department has long recognized the value of off-duty activities which assist the overall goals of the support car program. Officers who assist citizens, provide assistance, stand by for on-duty units, and who take enforcement action contribute to a safer community. Since the inception of the support car program, officers who accept the assignment of a support car have accepted the responsibility for service to the community.

II. Goals of the support car program

- A. To promote the security of the citizens of Elyria through higher visibility of police units.
- B. To deter crime by limiting the opportunity for the commission of criminal acts.
- C. To provide faster response times to the community for serious complaints.
- D. To provide for the quick and efficient call-out of off-duty personnel for emergencies.

III. Operation of support car program

- A. At the direction of the Safety-Service Director, the Police Department formed a Support Car Board in 1980. That Board was continued by departmental directive until July 13, 1999. Effective July 13, 1999, the Support Card Board is disbanded. This action is due to that fact that there are established operational policies place and the need for a support board is no longer of value to the police department. The EPPA members and FOP members may submit in writing any recommendations that they wish to the Service Division Commander's office for consideration.
- B. Supervisors are responsible for the reporting of all violations of support car procedures. A Supervisor's Report will be submitted through channels to the Chief of Police.



IV. Assignment of support cars

- A. Police officers will be eligible to participate in the support car program after they have attained two (2) years of service as an Elyria Police officer. The department must also have enough vehicles to maintain a fleet. This eligibility to participate in the Support Car program applies only to those Officers hired in December 1996 or after and who reside inside the city limits. If any of these Officers hired in December 1996 or after move outside the city limits they will lose their eligibility to participate in the program.
 - 1. This restriction does not apply to any officer hired prior to that date.
 - 2. Per Safety Service Director, this restriction does not apply to officers assigned as active canine officers and officers assigned to positions that require they respond directly to a scene from their residence. This includes officers assigned to the following duties: Command Staff, Special Response Team, Crime Scene Investigators (CSI only), Investigative Unit, senior accident investigators (specifically those officers trained/assigned to investigate serious injury/fatal crashes). The Safety Service Director or the Chief of Police can eliminate or change this policy at any time.
- B. Officers who reside outside Lorain County are not authorized to participate in the Support Car Program.
- C. The Chief of Police may assign the Auxiliary car to the Captain of the Auxiliary to take home. The use of this vehicle is limited to departmental business and must not be used outside the authority the Auxiliary according to the Auxiliary policies and procedures. The Captain of the Auxiliary would be responsible to make sure all maintenance is completed when it is needed.



V. Support cars taken out of service

Support cars may be taken out of service for several reasons which include, but are not limited to the following:

- A. Damage or mechanical failure beyond the value of the vehicle.
- B. Reclassification of cars as required for departmental efficiency such as:
 - 1. Re-assignment to the fleet.
 - 2. Special duty vehicle for unmarked use, staff use, or other special assignments.
 - 3. Vehicles whose condition or limitations preclude regular assignment.
- C. Suspension of vehicle assignment by the Chief of Police due to violations of standards.

VI. Equipment placed on support vehicles

- A. No mechanical, electronic, or other form of equipment or accessory may be added, installed, or otherwise used to alter a support car without the approval of the Services Division.
- B. The use of citizen band radios, AM/FM radios, and scanning receivers are authorized for use in support vehicles. The installation of these items may not be made in any manner that would deface or otherwise alter the standard makeup of the support vehicle. This is to insure that the trade-in value of such vehicles will not be adversely affected by unsightly installations of additional equipment. If an officer is in doubt as to the effect of such installation, see the Services Division for approval as to the method of installation.
- C. The failure to maintain the assigned support vehicle properly may result in administrative action by official disciplinary action.
- D. Communications equipment in support vehicles will not be turned down or shut off, or disabled in any way when the vehicle is in operation, whether an officer is on or off duty. The communications equipment will be operated in such a manner as to be audible above outside interference at all times.

VII. Maintenance responsibilities for participation

- A. Support vehicles are assigned to an officer on a full-time basis. Participation in the program is not required. Officers who participate do so voluntarily and voluntarily accept the obligation and responsibility for the adherence to specific procedures governing the support cars and for the care and operation of the assigned vehicle.
- B. The individual assignment of a vehicle allows an officer to be more fully aware of the operating condition of the vehicle and of the need for repairs or other mechanical work. The assigned officer will be responsible for contacting the Central Maintenance Garage, or other approved services location, and for scheduling maintenance and other necessary work.
- C. Officer assigned to a support car will comply with directives from the Safety-Service Director and/or CMG regarding individual responsibilities for scheduling maintenance, operation of vehicles, and checking of vehicles, etc..
- D. Vehicles in need of repair or maintenance may be taken to CMG during on duty hours and may be left at CMG during on duty hours. Should an officer transport or pick up the vehicle on off duty hours, no compensation is authorized.
- E. In all instances when a vehicle (support or fleet) is taken to CMG for service, an equipment maintenance report will be completed by the assigned officer. The completed report(s) will be given to the Services Division directly or be placed in the appropriate mail basket.

- F. Support vehicles (and any other police vehicle) taken out of service for repair or maintenance, etc., will have all weapons and confidential material removed from the vehicle before being left unattended. The officer assigned to the vehicle will be responsible for the removal of the items and any other police equipment that would be subject to theft.
- G. Officers assigned to a support car have voluntarily accepted the responsibility for keeping the vehicle in a clean and attractive condition at all times. Routine washing and cleaning may be necessary to keep the vehicle in proper condition. Compensation is not authorized for such activities during an officer's off duty time. In the care of the vehicle, officers shall refrain from the following:
 - 1. Making anything but minor adjustments to the vehicle.
 - 2. Altering the body, general design, appearance or markings on the vehicle.
 - 3. Using fuel, lubricant, or other liquid additives in the vehicle other than materials approved by the City.
 - 4. Making unauthorized additions to the vehicle such as removing or adding items to improve performance that may not conform to federal regulations (EPA inspection standards, etc.).
 - 5. Contracting with any person, agency or business for the maintenance of the support car without written approval of the Department. Final authority will rest with the City (Safety-Service, Central Maintenance Garage, etc.).
- H. Field supervisors will routinely monitor the appearance and operation of the vehicles operated by personnel under the supervisor's command. Field Supervisors shall conduct quarterly inspections of the support cars operated on the respective shift and any additional inspections as directed by higher authority.
- I. Officers whose support vehicle is out of service (maintenance, etc.) will be eligible for use of the fleet vehicle(s) for on duty use only. The fleet vehicles may not be taken home or used off duty by the officer. Transportation to and from work will be the officer's responsibility. When using the fleet vehicle, the officer will be responsible for its proper operation and care (check of fluids, write-up for repairs, etc.).

VIII. Off-duty obligations

- A. An officer accepting the assignment of a support car may use the car for personal business, personal transportation to assigned schools, court appearances, and other departmental business that is conducted within the City of Elyria. The vehicle may not be used for unauthorized use outside of the City. The vehicle will be parked at the officer's place of residence when not being used (except as provided in Section IX, D). Officers should be aware that the main purpose of a Support Car is for police usage and they should restrict their personal usage.

- B. The assigned officer will drive the support car to and from work when reporting on and off duty. The vehicle will be parked at the officer's place of residence when not being used (except as provided for in section IX, D). The Officer may park his support car on a city street assuming that legal parking is permitted. This is a visible deterrent and a reassurance for neighbors that a police officer resides in that neighborhood. If an Officer lives outside the city he may not park on his residence street and should take care to park it in his drive, preferably out of sight of the motoring public.
- C. An officer may transport family members in the support car while off duty under the following conditions only:
 - 1. The transportation does not interfere with the officer's ability to respond to situations where police action is required or expected.
 - 2. The officer does not transport unattended children or other persons of such age or maturity that the individual could not care for himself or herself if left at a safe place while the officer makes a police response.
 - 3. The officer will leave the individual(s) at a safe location if the time and situation permits when responding to a dangerous situation.
 - 4. The officer accepts the responsibility for the safety of such persons and for the liability that may incur as a result of any incident or injury resulting from the transportation of the individual family member.
- D. The support car may not be operated by any unauthorized persons. Family, friends, or other non-police personnel are not authorized.
- E. Support cars will not be utilized by off-duty officers or passengers who have consumed or intend to consume alcoholic beverages or any drug of abuse. The officer-in-charge may approve an exception where it is justified (transportation of ill persons, etc.).
- F. Officers utilizing a support car while off-duty will be required to carry an approved side arm and department identification. Approval is subject to departmental procedures for qualification, etc..
- G. Two or more officers assigned to attend an outside school, departmental business, or similarly approved function will utilize only the number of vehicles required for comfortable transportation.
- H. Officers on a restricted duty status or who are under suspension are not authorized to operate any departmental equipment or vehicle. Officers assigned an unmarked support car may operate unmarked units with permission of the Chief of Police.
- I. Off-duty officers operating a support car may be called upon by citizens for assistance. Officers may also observe situations where assistance is obviously needed. Marked units particularly are highly visible and the public will not likely be aware of the officer's duty status. Officers may provide initial assistance or stand by for on-duty squads. The minimal response by an officer who is called upon by a citizen for assistance shall be to notify the police station of the called-for-

service. Where practicable, the officer will provide assistance and/or stand by for an on-duty squad. Assistance to the public contributes toward the achievement of overall goals for the support car program.

- J. Officers operating a support car who monitor an EPD "officer needs assistance" call, and who are within a reasonable distance to respond will advise the dispatcher of the unit's availability. Dispatch may use the off-duty unit(s), as necessary. Officers may volunteer to assist for other calls and may respond where specific approval is given by the dispatcher or field supervisor.
- K. Officers who witness law violations while operating a marked support car unit should take appropriate enforcement action. Citizens may be highly critical of the Department and all officers if they observe a marked unit ignore a violation and not take action. Action by an off-duty officer operating a support car will be covered by the following general guidelines:
 - 1. Although officers who live outside the City are expected to take the vehicles to and from their residence, an officer who is outside of the City limits does not have arrest authority for misdemeanors (unless otherwise provided by law).
 - 2. Extreme caution should be exercised when taking any enforcement action while in civilian attire. Officers must clearly identify themselves as an Elyria police officer before taking any action as a police officer.
 - 3. Officers operating an unmarked support car will use additional caution to refrain from becoming involved in any incident where the officer's identity as a police officer is not very clear. They should refrain from taking action on minor violations of the law and should report such to the police station for any appropriate on-duty response. Such officers should stand by such scene where practicable to provide on-duty units with proper information.
 - 4. Off-duty responses will be regulated by other departmental directives covering off-duty limitations. Generally, an off-duty officer should refrain from taking action where the officer is personally involved in the matter. The officer should contact on-duty personnel for a response and should only take action that is necessary to stabilize a situation, prevent injuries, etc.. Officers should not take action where the arrest may involve intoxicated persons and it is possible to have on-duty personnel handle the incident; it is important that an officer know when to call for on-duty assistance and when to back off so that on-duty personnel can handle the matter.
- L. Support cars will not be utilized for carrying heavy loads or excessively large loads. Objects may not protrude from the trunk or windows. The transportation of departmental equipment is an authorized exception.
- M. All accidents involving off-duty support cars will be promptly reported for an investigation by a supervisor (within the City) or other appropriate law enforcement agency (outside the City).

Officers operating departmental vehicles off-duty are responsible for the proper operation of the vehicle in accordance with the Rules and Regulations.

- N. For the purposes of departmental records (accident, disciplinary, and worker's compensation), an officer will be considered as on-duty in the event of an off-duty response or other call to duty requiring action as a police officer.

IX. Required reports

- A. All paperwork resulting from an off-duty involvement shall be completed as soon as possible, as determined by the OIC. Such reports must be turned in for supervisory approval upon the officer's return to his scheduled shift. In no cases may an officer fail to submit the reports or other paperwork before such are required for court or other administrative purposes. Off-duty arrest reports should be completed at the time of the arrest.
- B. Any suggestions for improvement in the Support Car Program should be in written form, addressed to the Services Division Commander. The Services Division Commander will review the suggestions and make appropriate recommendations to the Chief of Police.

X. Support car security

- A. Strict security measures should be taken where the support car is concerned. A large and potentially dangerous investment is open to acts of theft or vandalism. The support car will remain locked at all times when it is not occupied by the assigned officer.
- B. Extra security measures are encouraged to protect the City vehicle. Such measures may include special lighting for parking area, etc..
- C. Support cars may be parked overnight on public streets within the City of Elyria.
- D. Officers who are on vacation, or who will be out of the county for any other extended length of time, will bring the support car to the police lot for additional security. An officer may, with permission of the shift commander, temporarily transfer assignment of the support car to another officer these periods, providing such officer is eligible for assignment and not under any restriction.

XI. Off-duty employment and support vehicles

- A. Officer may use the support car for transportation to and from off-duty employment within the City of Elyria.
- B. If the use of a support car is a requirement of an off-duty employment, compensation to the City of Elyria is required as provided in the City Ordinance and in accordance with any procedures specified by the City Auditor. Prospective employers should be informed of the rate which is set

by Council. Payment to the City is separate from the payment to the officer and must be made to the Auditor.

- C. Fleet vehicles may be used in the course of off-duty employment, provided such use is authorized by the shift commander. The operation of the vehicle is subject to departmental directives, these support car rules, and any applicable City Ordinance.

XII. Compensation for activities

- A. Since the beginning of the program, officers volunteering for and accepting the assignment of a support car have agreed and accepted that the first thirty (30) minutes of an off-duty response is not eligible for compensation by the City.
- B. Off-duty incidents going past thirty (30) minutes will be compensated for the additional time at the overtime rate for actual time worked.

XIII. Compensation to the city for support cars outside city limits

- A. There will be a \$0.12 per mile charge for all officers living outside the city limits. This is based on a round trip commute for each officer per scheduled working day. This will exclude vacation/personal days, days off and seven sick days per year. Extra duty jobs, call-ins for court appearances or other departmental business, trips to the city for other reasons will not be counted.
- B. The month of April 1998 will be the first month that a payment is due. The first payment will be due on April 1, 1998. A personal check or money order made out to Auditor, City of Elyria will be turned into your team Sergeant or appropriate supervisor. The team Sergeant or supervisor will turn these checks over to the shift/unit commander who will turn them over to the Services Secretary. The Services Secretary will keep track of the checks to insure that all checks are turned in each month and then turn them into the City Auditor. A grace period of five days will be given for checks to be turned into the Team Sergeant. If the check is not turned in by the 10th of the month, the support car will be parked for thirty days. Shift supervisors will ensure that this is complied with.
- C. The method to be used by all Officers to calculate the monthly check will be as follows;

Example:

Round trip mileage of 16.6 x \$.12 = \$1.99 per day

\$1.99 x 5 days equals \$9.95 per week

7 weeks vacation deducted

7 sick days deducted

3 Personal days deducted

9 weeks total

52 weeks - 9 weeks = 43 weeks

43 weeks x \$9.95 = \$427.85 per year

\$427.85 divided by 12 months = \$35.65 per month

\$35.65 check due each month for Support car mileage

- D. There will be no "pro-rating" of this monthly check because the Support car is out of service for maintenance or due to accident repairs. See Chapter XIV for temporary assignment of a Support car if assigned car is out of service for 7 days or more.

XIV. Miscellaneous

If someone is on vacation or extended sick or injury leave, they shall turn their car in for reassignment. If a support car is out of service for seven days or more for maintenance problems or due to an accident they may request from Services a temporary Support Car. If a car is available Services will assign the officer a temporary Support Car.

Chapter 4.25.1 EFFECTIVE: 5-1-20 REVISED: NA DISTRIBUTION: All Sworn supervisors, All Auxiliary personnel	ELYRIA POLICE DEPARTMENT GENERAL ORDER	
Chief: Duane Whitely DRAFT		

I. Purpose

Auxiliary officers have been called upon to assist the Department, often times in the middle of the night and from home. Auxiliary Officers who assist citizens, stand by for on-duty units, and supplement the Department in times of emergency contribute to a safer community. Since the inception of the support car program, officers who accept the assignment of a support car have accepted the responsibility for service to the community.

II. Goals of the auxiliary support car program

- A. To promote the security of the citizens of Elyria through higher visibility of auxiliary police units.
- B. To deter crime by limiting the opportunity for the commission of criminal acts.
- C. To provide for the quick and efficient call-out of auxiliary personnel for emergencies.

III. Operation of support car program

- A. At the direction of the Safety-Service Director, the Police Department formed a Support Car Board in 1980. That Board was continued by departmental directive until July 13, 1999. Effective July 13, 1999, the Support Card Board is disbanded. This action is due to that fact that there are established operational policies place and the need for a support board is no longer of value to the police department. The EPPA members and FOP members may submit in writing any recommendations that they wish to the Service Division Commander's office for consideration.
- B. Supervisors are responsible for the reporting of all violations of support car procedures. A Supervisor's Report will be submitted through channels to the Chief of Police.

IV. Assignment of support cars

- A. Auxiliary officers will be eligible to participate in the support car program after they have attained two (2) years of service as an Elyria Auxiliary officer. The Department must also have enough vehicles to maintain a fleet. This eligibility to participate in the Auxiliary Support Car

program applies only to those Auxiliary Officers who reside inside the city limits. If any of these Auxiliary Officers move outside the city limits they will lose their eligibility to participate in the program.

- B. Auxiliary Officers who reside outside Lorain County are not authorized to participate in the Support Car Program.

V. Support cars taken out of service

Support cars may be taken out of service for several reasons which include, but are not limited to the following:

- A. Damage or mechanical failure beyond the value of the vehicle.
- B. Reclassification of cars as required for departmental efficiency such as:
 - 1. Re-assignment to the fleet.
 - 2. Special duty vehicle for unmarked use, staff use, or other special assignments.
 - 3. Vehicles whose condition or limitations preclude regular assignment.
- C. Suspension of vehicle assignment by the Chief of Police due to violations of standards.

VI. Equipment placed on support vehicles

- A. No mechanical, electronic, or other form of equipment or accessory may be added, installed, or otherwise used to alter a support car without the approval of the Services Division.
- B. The failure to maintain the assigned support vehicle properly may result in administrative action by official disciplinary action.
- C. Communications equipment in support vehicles will not be turned down or shut off, or disabled in any way when the vehicle is in operation, whether an officer is on or off duty. The communications equipment will be operated in such a manner as to be audible above outside interference at all times.

VII. Maintenance responsibilities for participation

- A. Support vehicles are assigned to an officer on a full-time basis. Participation in the program is not required. Auxiliary Officers who participate do so voluntarily and voluntarily accept the obligation and responsibility for the adherence to specific procedures governing the support cars and for the care and operation of the assigned vehicle.

- B. The individual assignment of a vehicle allows an officer to be more fully aware of the operating condition of the vehicle and of the need for repairs or other mechanical work. The assigned officer will be responsible for contacting the Central Maintenance Garage, or other approved services location, and for scheduling maintenance and other necessary work.
- C. Auxiliary Officer assigned to a support car will comply with directives from the Safety-Service Director and/or CMG regarding individual responsibilities for scheduling maintenance, operation of vehicles, and checking of vehicles, etc..
- E. In all instances when a vehicle (support or fleet) is taken to CMG for service, an equipment maintenance report will be completed by the assigned officer. The completed report(s) will be given to the Services Division directly or be placed in the appropriate mail basket.
- F. Support vehicles (and any other police vehicle) taken out of service for repair or maintenance, etc., will have all confidential material removed from the vehicle before being left unattended.
- G. Auxiliary Officers assigned to a support car have voluntarily accepted the responsibility for keeping the vehicle in a clean and attractive condition at all times. Routine washing and cleaning may be necessary to keep the vehicle in proper condition. In the care of the vehicle, officers shall refrain from the following:
 - 1. Making anything but minor adjustments to the vehicle.
 - 2. Altering the body, general design, appearance or markings on the vehicle.
 - 3. Using fuel, lubricant, or other liquid additives in the vehicle other than materials approved by the City.
 - 4. Making unauthorized additions to the vehicle such as removing or adding items to improve performance that may not conform to federal regulations (EPA inspection standards, etc.).
 - 5. Contracting with any person, agency or business for the maintenance of the support car without written approval of the Department. Final authority will rest with the City (Safety-Service, Central Maintenance Garage, etc.).
- H. Auxiliary supervisors will routinely monitor the appearance and operation of the vehicles operated by personnel under the supervisor's command. Field Supervisors shall conduct quarterly inspections of the support cars operated on the respective shift and any additional inspections as directed by higher authority.
- I. Auxiliary Officers whose support vehicle is out of service (maintenance, etc.) will be eligible for use of the fleet vehicle(s) for on duty use only. The fleet vehicles may not be taken home or used off duty by the officer. Transportation to and from work will be the officer's responsibility. When using the fleet vehicle, the officer will be responsible for its proper operation and care (check of fluids, write-up for repairs, etc.).

VIII. Off-duty obligations

- A. An officer accepting the assignment of a support car may use the car for personal business, personal transportation to assigned schools, court appearances, and other departmental business that is conducted within the City of Elyria. The vehicle may not be used for unauthorized use outside of the City. The vehicle will be parked at the officer's place of residence when not being used (except as provided in Section IX, D). Auxiliary Officers should be aware that the main purpose of a Support Car is for police usage and they should restrict their personal usage.
- B. The assigned officer will drive the support car to and from work when reporting on and off duty. The vehicle will be parked at the officer's place of residence when not being used (except as provided for in section IX, D). The Auxiliary Officer may park his support car on a city street assuming that legal parking is permitted. This is a visible deterrent and a reassurance for neighbors that a police officer resides in that neighborhood. If an Auxiliary Officer lives outside the city he may not park on his residence street and should take care to park it in his drive, preferably out of sight of the motoring public.
- C. An officer may transport family members in the support car while off duty under the following conditions only:
 - 1. The transportation does not interfere with the officer's ability to respond to situations where police action is required or expected.
 - 2. The officer does not transport unattended children or other persons of such age or maturity that the individual could not care for himself or herself if left at a safe place while the officer makes a police response.
 - 3. The officer will leave the individual(s) at a safe location if the time and situation permits when responding to a dangerous situation.
 - 4. The officer accepts the responsibility for the safety of such persons and for the liability that may incur as a result of any incident or injury resulting from the transportation of the individual family member.
- D. The support car may not be operated by any unauthorized persons. Family, friends, or other non-police personnel are not authorized.
- E. Support cars will not be utilized by off-duty officers or passengers who have consumed or intend to consume alcoholic beverages or any drug of abuse. The officer-in-charge may approve an exception where it is justified (transportation of ill persons, etc.).
- F. Auxiliary Officers utilizing a support car while off-duty will be required to carry an approved side arm and department identification. Approval is subject to departmental procedures for qualification, etc..
- G. Two or more officers assigned to attend an outside school, departmental business, or similarly approved function will utilize only the number of vehicles required for comfortable transportation.

- H. Auxiliary Officers on a restricted duty status or who are under suspension are not authorized to operate any departmental equipment or vehicle. Auxiliary Officers assigned an unmarked support car may operate unmarked units with permission of the Chief of Police.
- I. Off-duty officers operating a support car may be called upon by citizens for assistance. Auxiliary Officers may also observe situations where assistance is obviously needed. Marked units particularly are highly visible and the public will not likely be aware of the officer's duty status. Auxiliary Officers may provide initial assistance or stand by for on-duty squads. The minimal response by an officer who is called upon by a citizen for assistance shall be to notify the police station of the called-for-service. Where practicable, the officer will provide assistance and/or stand by for an on-duty squad. Assistance to the public contributes toward the achievement of overall goals for the support car program.
- J. Auxiliary Officers operating a support car who monitor an EPD "officer needs assistance" call, and who are within a reasonable distance to respond will advise the dispatcher of the unit's availability. Dispatch may use the off-duty unit(s), as necessary. Auxiliary Officers may volunteer to assist for other calls and may respond where specific approval is given by the dispatcher or field supervisor.
- K. Auxiliary Officers who witness law violations while operating a marked support car unit should take appropriate enforcement action. Citizens may be highly critical of the Department and all officers if they observe a marked unit ignore a violation and not take action. Action by an off-duty officer operating a support car will be covered by the following general guidelines:
 - 1. Although officers who live outside the City are expected to take the vehicles to and from their residence, an officer who is outside of the City limits does not have arrest authority for misdemeanors (unless otherwise provided by law).
 - 2. Extreme caution should be exercised when taking any enforcement action while in civilian attire. Auxiliary Officers must clearly identify themselves as an Elyria police officer before taking any action as a police officer.
 - 3. Auxiliary Officers operating an unmarked support car will use additional caution to refrain from becoming involved in any incident where the officer's identity as a police officer is not very clear. They should refrain from taking action on minor violations of the law and should report such to the police station for any appropriate on-duty response. Such officers should stand by such scene where practicable to provide on-duty units with proper information.
 - 4. Off-duty responses will be regulated by other departmental directives covering off-duty limitations. Generally, an off-duty officer should refrain from taking action where the officer is personally involved in the matter. The officer should contact on-duty personnel for a response and should only take action that is necessary to stabilize a situation, prevent injuries, etc.. Auxiliary Officers should not take action where the arrest may involve intoxicated persons and it is possible to have on-duty personnel handle the

incident; it is important that an officer know when to call for on-duty assistance and when to back off so that on-duty personnel can handle the matter.

- L. Support cars will not be utilized for carrying heavy loads or excessively large loads. Objects may not protrude from the trunk or windows. The transportation of departmental equipment is an authorized exception.
- M. All accidents involving off-duty support cars will be promptly reported for an investigation by a supervisor (within the City) or other appropriate law enforcement agency (outside the City). Auxiliary Officers operating departmental vehicles off-duty are responsible for the proper operation of the vehicle in accordance with the Rules and Regulations.
- N. For the purposes of departmental records (accident, disciplinary, and worker's compensation), an officer will be considered as on-duty in the event of an off-duty response or other call to duty requiring action as a police officer.

X. Support car security

- A. Strict security measures should be taken where the support car is concerned. A large and potentially dangerous investment is open to acts of theft or vandalism. The support car will remain locked at all times when it is not occupied by the assigned officer.
- B. Extra security measures are encouraged to protect the City vehicle. Such measures may include special lighting for parking area, etc..
- C. Support cars may be parked overnight on public streets within the City of Elyria.
- D. Auxiliary Officers who are on vacation, or who will be out of the county for any other extended length of time, will bring the support car to the police lot for additional security.

XIV. Miscellaneous

If someone is on vacation or extended sick or injury leave, they shall turn their car in for reassignment. If a support car is out of service for seven days or more for maintenance problems or due to an accident they may request from Services a temporary Support Car. If a car is available Services will assign the officer a temporary Support Car.

Chapter 4.25

EFFECTIVE: 9-1-96
 REVISED: 1/5/2022
 DISTRIBUTION: All Sworn personnel

ELYRIA POLICE DEPARTMENT GENERAL ORDER



Chief William Pelko

William L. Pelko #243

SUPPORT CAR OPERATIONS

I. Purpose

The Department has long recognized the value of off-duty activities which assist the overall goals of the support car program. Officers who assist citizens, provide assistance, stand by for on-duty units, and who take enforcement action contribute to a safer community. Since the inception of the support car program, officers who accept the assignment of a support car have accepted the responsibility for service to the community.

II. Goals of the support car program

- A. To promote the security of the citizens of Elyria through higher visibility of police units.
- B. To deter crime by limiting the opportunity for the commission of criminal acts.
- C. To provide faster response times to the community for serious complaints.
- D. To provide for the quick and efficient call-out of off-duty personnel for emergencies.

III. Operation of support

- A. Police officers will be eligible to participate in the support car program after they have attained two (2) years of service as an Elyria Police officer. The department must also have enough vehicles to maintain a fleet. If any of these Officers move outside the geographical boundaries set in III(B) they will lose their eligibility to participate in the program.
- B. Officers who reside in a county not adjacent to Lorain County are not authorized to take their assigned vehicle home.
- C. Supervisors are responsible for the reporting of all violations of support car procedures. A Supervisor's Report will be submitted through channels to the Chief of Police.

IV. Support cars taken out of service

Support cars may be taken out of service for several reasons which include, but are not limited to the following:

- A. Damage or mechanical failure beyond the value of the vehicle.
- B. Reclassification of cars as required for departmental efficiency such as:
 - 1. Re-assignment to the fleet.
 - 2. Special duty vehicle for unmarked use, staff use, or other special assignments.
 - 3. Vehicles whose condition or limitations preclude regular assignment.
- C. Suspension of vehicle assignment by the Chief of Police due to violations of standards.

V. Equipment placed on support vehicles

- A. No mechanical, electronic, or other form of equipment or accessory may be added, installed, or otherwise used to alter a support car without the approval of the Services Division.
- B. The use of citizen band radios, AM/FM radios, and scanning receivers are authorized for use in support vehicles. The installation of these items may not be made in any manner that would deface or otherwise alter the standard makeup of the support vehicle. This is to ensure that the value or operation of such vehicles will not be adversely affected by unsightly installations of additional equipment.
- C. The failure to maintain the assigned support vehicle properly may result in disciplinary action.
- D. Communications equipment in support vehicles will not be turned down or shut off, or disabled in any way when the vehicle is in operation, whether an officer is on or off duty. The communications equipment will be operated in such a manner as to be audible above outside interference at all times.

VI. Maintenance responsibilities for participation

- A. Support vehicles are assigned to an officer on a full-time basis. Participation in the program is not required. Officers who participate do so voluntarily and voluntarily accept the obligation and responsibility for the adherence to specific procedures governing the support cars and for the care and operation of the assigned vehicle.
- B. The individual assignment of a vehicle allows an officer to be more fully aware of the operating condition of the vehicle and of the need for repairs or other mechanical work. The assigned officer will be responsible for contacting the Central Maintenance Garage, or other approved services location, and for scheduling maintenance and other necessary work.
- C. Officer assigned to a support car will comply with directives from the Safety-Service Director and/or CMG regarding individual responsibilities for scheduling maintenance, operation of vehicles, and checking of vehicles, etc.
- D. Vehicles in need of repair or maintenance may be taken to CMG or any authorized place for repair or service during on duty hours and may be left at CMG or any authorized place for

repair or service during on duty hours. Should an officer transport or pick up the vehicle on off duty hours, no compensation is authorized.

- E. In all instances when a vehicle (support or fleet) is taken to CMG or any authorized place for repair or service, a support ticket will be completed. Support vehicles (and any other police vehicle) taken out of service for repair or maintenance, etc., will have all weapons and confidential material removed from the vehicle before being left unattended. The officer assigned to the vehicle will be responsible for the removal of the items and any other police equipment that would be subject to theft.
- F. Officers assigned to a support car have voluntarily accepted the responsibility for keeping the vehicle in a clean and attractive condition at all times. Routine washing and cleaning may be necessary to keep the vehicle in proper condition. Compensation is not authorized for such activities during an officer's off duty time. In the care of the vehicle, officers shall refrain from the following:
 - 1. Making anything but minor adjustments to the vehicle.
 - 2. Altering the body, general design, appearance or markings on the vehicle.
 - 3. Using fuel, lubricant, or other liquid additives in the vehicle other than materials approved by the City.
 - 4. Making unauthorized additions to the vehicle such as removing or adding items to improve performance that may not conform to federal regulations (EPA inspection standards, etc.).
 - 5. Contracting with any person, agency or business for the maintenance of the support car without written approval of the Department. Final authority will rest with the City (Safety-Service, Central Maintenance Garage, etc.).
- G. Supervisors will routinely monitor the appearance and operation of the vehicles operated by personnel under the supervisor's command. Supervisors shall conduct quarterly inspections of the support cars operated on the respective shift and any additional inspections as directed by higher authority.
- H. Officers whose support vehicle is out of service (maintenance, etc.) will be eligible for use of a fleet vehicle(s).
 - 1. The vehicle may be temporarily assigned as a support vehicle unless there is an insufficient number of fleet vehicles.
 - 2. In that event, fleet vehicles may not be taken home or used off duty by the officer. Transportation to and from work will be the officer's responsibility. When using the fleet vehicle, the officer will be responsible for its proper operation and care (check of fluids, write-up for repairs, etc.).

VII. Off-duty obligations

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- A. An officer accepting the assignment of a support car may use the car for personal business, personal transportation to assigned schools, court appearances, and other departmental business that is conducted within the City of Elyria. The vehicle may not be used for unauthorized use outside of the City. The vehicle will be parked at the officer's place of residence when not being used (except as provided in Section IX, D). Officers should be aware that the main purpose of a Support Car is for police usage and they should restrict their personal usage.
- B. The assigned officer will drive the support car to and from work when reporting on and off duty. The vehicle will be parked at the officer's place of residence when not being used (except as provided for in section IX, D). The Officer may park his support car on a city street assuming that legal parking is permitted. This is a visible deterrent and a reassurance for neighbors that a police officer resides in that neighborhood. If an Officer lives outside the city he may park the vehicle in the street (in accordance with any applicable laws/ordinances), preferably out of sight of the motoring public.
- C. An officer may transport family members in the support car while off duty under the following conditions only:
1. The transportation does not interfere with the officer's ability to respond to situations where police action is required or expected.
 2. The officer does not transport unattended children or other persons of such age or maturity that the individual could not care for himself or herself if left at a safe place while the officer makes a police response.
 3. The officer will leave the individual(s) at a safe location if the time and situation permit when responding to a dangerous situation.
 4. The officer accepts the responsibility for the safety of such persons and for the liability that may incur as a result of any incident or injury resulting from the transportation of the individual family member.
- D. The support car may not be operated by any unauthorized persons. Family, friends, or other non-police personnel are not authorized.
- E. Support cars will not be utilized by off-duty officers or passengers who have consumed or intend to consume alcoholic beverages or any drug of abuse. The officer-in-charge may approve an exception where it is justified (transportation of ill persons, etc.).
- F. Officers utilizing a support car while off-duty will be required to carry an approved side arm and department identification. Approval is subject to departmental procedures for qualification, etc.
- G. Two or more officers assigned to attend an outside school, departmental business, or similarly approved function will utilize only the number of vehicles required for comfortable transportation.
- H. Officers on a restricted duty status or who are under suspension are not authorized to operate any departmental equipment or vehicle; unless approved explicitly at the discretion of the Chief of
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Police. Officers assigned an unmarked support car may operate unmarked units with permission of the Chief of Police.

1. If someone is on extended sick or injury leave, they shall turn their car in for reassignment.
- I. Off-duty officers operating a support car may be called upon by citizens for assistance. Officers may also observe situations where assistance is obviously needed. Marked units particularly are highly visible and the public will not likely be aware of the officer's duty status. Officers may provide initial assistance or stand by for on-duty squads. The minimal response by an officer who is called upon by a citizen for assistance shall be to notify the police station of the called for service. Where practicable, the officer will provide assistance and/or stand by for an on-duty squad. Assistance to the public contributes toward the achievement of overall goals for the support car program.
 - J. Officers operating a support car who monitor an EPD "officer needs assistance" call, and who are within a reasonable distance to respond will advise the dispatcher of the unit's availability. Dispatch may use the off-duty unit(s), as necessary. Officers may volunteer to assist for other calls and may respond where specific approval is given by the dispatcher or field supervisor.
 - K. Officers who witness law violations while operating a marked support car unit should take appropriate enforcement action. Citizens may be highly critical of the Department and all officers if they observe a marked unit ignore a violation and not act. Action by an off-duty officer operating a support car will be covered by the following general guidelines:
 1. Although officers who live outside the City are expected to take the vehicles to and from their residence, an officer who is outside of the City limits does not have arrest authority for misdemeanors (unless otherwise provided by law).
 2. Extreme caution should be exercised when taking any enforcement action while in civilian attire. Officers must clearly identify themselves as an Elyria police officer before taking any action as a police officer.
 3. Officers operating an unmarked support car will use additional caution to refrain from becoming involved in any incident where the officer's identity as a police officer is not very clear. They should refrain from acting on minor violations of the law and should report such to the police station for any appropriate on-duty response. Such officers should stand by such scene where practicable to provide on-duty units with proper information.
 4. Off-duty responses will be regulated by other departmental directives covering off-duty limitations. Generally, an off-duty officer should refrain from acting where the officer is personally involved in the matter. The officer should contact on-duty personnel for a response and should only take action that is necessary to stabilize a situation, prevent injuries, etc. Officers should not act where the arrest may involve intoxicated persons and it is possible to have on-duty personnel handle the incident; it is important that an officer know when to call for on-duty assistance and when to back off so that on-duty personnel

can handle the matter.

- L. Support cars will not be utilized for carrying heavy loads or excessively large loads. Objects may not protrude from the trunk or windows. The transportation of departmental equipment is an authorized exception.
- M. All incidents involving off-duty support cars will be promptly reported for an investigation by a supervisor (within the City) or other appropriate law enforcement agency (outside the City). Regardless of where the incident occurs, the officer assigned to the support car shall notify the OIC of the shift, at the time the incident occurs or is discovered to have occurred. Officers operating departmental vehicles off-duty are responsible for the proper operation of the vehicle in accordance with the Rules and Regulations.
- N. For the purposes of departmental records (accident, disciplinary, and worker's compensation), an officer will be considered as on-duty in the event of an off-duty response or other call to duty requiring action as a police officer.

VIII. Required reports

- A. All paperwork resulting from an off-duty involvement shall be completed as soon as possible, as determined by the OIC. Such reports must be turned in for supervisory approval upon the officer's return to his scheduled shift. In no cases may an officer fail to submit the reports or other paperwork before such are required for court or other administrative purposes. Off-duty arrest reports should be completed at the time of the arrest.
- B. Any suggestions for improvement in the Support Car Program should be in written form, addressed to the Services Division Commander. The Services Division Commander will review the suggestions and make appropriate recommendations to the Chief of Police.

IX. Support car security

- A. Strict security measures should be taken where the support car is concerned. A large and potentially dangerous investment is open to acts of theft or vandalism. The support car will remain locked at all times when it is not occupied by the assigned officer.
- B. Extra security measures are encouraged to protect the City vehicle. Such measures may include special lighting for parking area, etc.
- C. Support cars may be parked overnight on public streets within the City of Elyria; except in times when a temporary ban has been issued by the Safety-Service Director.
- D. Officers who are on vacation, will bring the support car to the police lot for additional security. Support vehicles being parked in the police lot when off-duty (this includes departmental training at the station) shall be parked in the spaces north of the manual gate. This parking requirement shall also apply to any officer choosing not to take their support car home at the end of their tour of duty. An officer may, with permission of the shift commander, temporarily transfer assignment of the support car to another officer these periods, providing such officer is eligible for assignment and not under any restriction.



X. Off-duty employment and support vehicles

- A. Officer may use the support car for transportation to and from off-duty employment within the City of Elyria. If the use of a support car is a requirement of an off-duty employment, compensation to the City of Elyria is required as provided in the City Ordinance and in accordance with any procedures specified by the City Finance Director. Prospective employers should be informed of the vehicle use rate which is set by Council. Payment to the City is separate from the payment to the officer and must be made to the Finance Director.
- B. Fleet vehicles may be used in the course of off-duty employment, provided such use is authorized by the shift commander. The operation of the vehicle is subject to departmental directives, these support car rules, and any applicable City Ordinance.

XI. Compensation for activities

- A. Since the beginning of the program, officers volunteering for and accepting the assignment of a support car have agreed and accepted that the first thirty (30) minutes of an off-duty response is not eligible for compensation by the City.
- B. Off-duty incidents going past thirty (30) minutes will be compensated for the additional time at the overtime rate for actual time worked.



XII. Compensation to the city for support cars outside city limits

- A. There will be a \$0.12 per mile charge for all officers living outside the city limits. This is based on a round trip commute for each officer per scheduled working day. This will exclude vacation/personal days, days off and seven sick days per year. Extra duty jobs, call-ins for court appearances or other departmental business, trips to the city for other reasons will not be counted.
- B. The month of April 1998 will be the first month that a payment is due. The first payment will be due on April 1, 1998. A personal check or money order made out to the Finance Director, City of Elyria will be turned into your team Sergeant or appropriate supervisor. The team Sergeant or supervisor will turn these checks over to the shift/unit commander who will turn them over to the Services Secretary. The Services Secretary will keep track of the checks to ensure that all checks are turned in each month and then turn them into the City Finance Director. A grace period of five days will be given for checks to be turned into the Team Sergeant. If the check is not turned in by the 10th of the month, the support car will be parked for thirty days. Shift supervisors will ensure that this is complied with.
- C. The method to be used by all Officers to calculate the monthly check will be as follows;

Example:

Round trip mileage of 16.6 x \$.12 = \$1.99 per day

\$1.99 x 5 days equals \$9.95 per week



7 weeks of vacation deducted

7 sick days deducted

3 Personal days deducted

9 weeks total

52 weeks - 9 weeks = 43 weeks

43 weeks x \$9.95 = \$427.85 per year

\$427.85 divided by 12 months = \$35.65 per month

\$35.65 check due each month for Support car mileage

- D. There will be no "pro-rating" of this monthly check because the Support car is out of service for maintenance or due to accident repairs. (see Section VI sub I – Temporary Use of Fleet Vehicle)

CROSS REFERENCE TO DIRECTIVES: GO 4.31- EMERGENCY DRIVING, PURSUITS AND FORCIBLE STOPPING; GO 7.01 EQUIPMENT AND SUPPLIES

CROSS REFERENCE TO STANDARDS: CALEA 17.5.3; CALEA 41.3.2

CROSS REFERENCE TO FORMS: NONE

DATE	REVISIONS FROM PREVIOUS VERSION
1/5/2022	Directive changed to new format
1/5/2022	Directive changed to reflected requirements for eligibility

Chapter 4.25	ELYRIA POLICE DEPARTMENT GENERAL ORDER	
EFFECTIVE: 9-1-96 REVISED: 1/5/2022 DISTRIBUTION: All Sworn personnel		
Chief William Pelko 	SUPPORT CAR OPERATIONS	

I. Purpose

The Department has long recognized the value of off-duty activities which assist the overall goals of the support car program. Officers who assist citizens, provide assistance, stand by for on-duty units, and who take enforcement action contribute to a safer community. Since the inception of the support car program, officers who accept the assignment of a support car have accepted the responsibility for service to the community.

II. Goals of the support car program

- A. To promote the security of the citizens of Elyria through higher visibility of police units.
- B. To deter crime by limiting the opportunity for the commission of criminal acts.
- C. To provide faster response times to the community for serious complaints.
- D. To provide for the quick and efficient call-out of off-duty personnel for emergencies.

III. Operation of support

- A. Police officers will be eligible to participate in the support car program after they have completed their probationary period as an Elyria Police officer. The department must also have enough vehicles to maintain a fleet. If any of these Officers move outside the geographical boundaries set in III(B) they will lose their eligibility to participate in the program.
- B. Officers who reside in a county not adjacent to Lorain County are not authorized to take their assigned vehicle home.
- C. Supervisors are responsible for the reporting of all violations of support car procedures. A Supervisor's Report will be submitted through channels to the Chief of Police.

IV. Support cars taken out of service

Support cars may be taken out of service for several reasons which include, but are not limited to the following:

- A. Damage or mechanical failure beyond the value of the vehicle.
- B. Reclassification of cars as required for departmental efficiency such as:
 - 1. Re-assignment to the fleet.
 - 2. Special duty vehicle for unmarked use, staff use, or other special assignments.
 - 3. Vehicles whose condition or limitations preclude regular assignment.
- C. Suspension of vehicle assignment by the Chief of Police due to violations of standards.

V. Equipment placed on support vehicles

- A. No mechanical, electronic, or other form of equipment or accessory may be added, installed, or otherwise used to alter a support car without the approval of the Services Division.
- B. The use of citizen band radios, AM/FM radios, and scanning receivers are authorized for use in support vehicles. The installation of these items may not be made in any manner that would deface or otherwise alter the standard makeup of the support vehicle. This is to ensure that the value or operation of such vehicles will not be adversely affected by unsightly installations of additional equipment.
- C. The failure to maintain the assigned support vehicle properly may result in disciplinary action.
- D. Communications equipment in support vehicles will not be turned down or shut off, or disabled in any way when the vehicle is in operation, whether an officer is on or off duty. The communications equipment will be operated in such a manner as to be audible above outside interference at all times.

VI. Maintenance responsibilities for participation

- A. Support vehicles are assigned to an officer on a full-time basis. Participation in the program is not required. Officers who participate do so voluntarily and voluntarily accept the obligation and responsibility for the adherence to specific procedures governing the support cars and for the care and operation of the assigned vehicle.
- B. The individual assignment of a vehicle allows an officer to be more fully aware of the operating condition of the vehicle and of the need for repairs or other mechanical work. The assigned officer will be responsible for contacting the Central Maintenance Garage, or other approved services location, and for scheduling maintenance and other necessary work.
- C. Officer assigned to a support car will comply with directives from the Safety-Service Director and/or CMG regarding individual responsibilities for scheduling maintenance, operation of vehicles, and checking of vehicles, etc.
- D. Vehicles in need of repair or maintenance may be taken to CMG or any authorized place for repair or service during on duty hours and may be left at CMG or any authorized place for

repair or service during on duty hours. Should an officer transport or pick up the vehicle on off duty hours, no compensation is authorized.

- E. In all instances when a vehicle (support or fleet) is taken to CMG or any authorized place for repair or service, a support ticket will be completed. Support vehicles (and any other police vehicle) taken out of service for repair or maintenance, etc., will have all weapons and confidential material removed from the vehicle before being left unattended. The officer assigned to the vehicle will be responsible for the removal of the items and any other police equipment that would be subject to theft.

- F. Officers assigned to a support car have voluntarily accepted the responsibility for keeping the vehicle in a clean and attractive condition at all times. Routine washing and cleaning may be necessary to keep the vehicle in proper condition. Compensation is not authorized for such activities during an officer's off duty time. In the care of the vehicle, officers shall refrain from the following:
 - 1. Making anything but minor adjustments to the vehicle.
 - 2. Altering the body, general design, appearance or markings on the vehicle.
 - 3. Using fuel, lubricant, or other liquid additives in the vehicle other than materials approved by the City.
 - 4. Making unauthorized additions to the vehicle such as removing or adding items to improve performance that may not conform to federal regulations (EPA inspection standards, etc.).
 - 5. Contracting with any person, agency or business for the maintenance of the support car without written approval of the Department. Final authority will rest with the City (Safety-Service, Central Maintenance Garage, etc.).

- G. Supervisors will routinely monitor the appearance and operation of the vehicles operated by personnel under the supervisor's command. Supervisors shall conduct quarterly inspections of the support cars operated on the respective shift and any additional inspections as directed by higher authority.

- H. Officers whose support vehicle is out of service (maintenance, etc.) will be eligible for use of a fleet vehicle(s).
 - 1. The vehicle may be temporarily assigned as a support vehicle unless there is an insufficient number of fleet vehicles.
 - 2. In that event, fleet vehicles may not be taken home or used off duty by the officer. Transportation to and from work will be the officer's responsibility. When using the fleet vehicle, the officer will be responsible for its proper operation and care (check of fluids, write-up for repairs, etc.).

- A. An officer accepting the assignment of a support car may use the car for personal business, personal transportation to assigned schools, court appearances, and other departmental business that is conducted within the City of Elyria. The vehicle may not be used for unauthorized use outside of the City. The vehicle will be parked at the officer's place of residence when not being used (except as provided in Section IX, D). Officers should be aware that the main purpose of a Support Car is for police usage and they should restrict their personal usage.
- B. The assigned officer will drive the support car to and from work when reporting on and off duty. The vehicle will be parked at the officer's place of residence when not being used (except as provided for in section IX, D). The Officer may park his support car on a city street assuming that legal parking is permitted. This is a visible deterrent and a reassurance for neighbors that a police officer resides in that neighborhood. If an Officer lives outside the city he may park the vehicle in the street (in accordance with any applicable laws/ordinances), preferably out of sight of the motoring public.
- C. An officer may transport family members in the support car while off duty under the following conditions only:
 - 1. The transportation does not interfere with the officer's ability to respond to situations where police action is required or expected.
 - 2. The officer does not transport unattended children or other persons of such age or maturity that the individual could not care for himself or herself if left at a safe place while the officer makes a police response.
 - 3. The officer will leave the individual(s) at a safe location if the time and situation permit when responding to a dangerous situation.
 - 4. The officer accepts the responsibility for the safety of such persons and for the liability that may incur as a result of any incident or injury resulting from the transportation of the individual family member.
- D. The support car may not be operated by any unauthorized persons. Family, friends, or other non-police personnel are not authorized.
- E. Support cars will not be utilized by off-duty officers or passengers who have consumed or intend to consume alcoholic beverages or any drug of abuse. The officer-in-charge may approve an exception where it is justified (transportation of ill persons, etc.).
- F. Officers utilizing a support car while off-duty will be required to carry an approved side arm and department identification. Approval is subject to departmental procedures for qualification, etc.
- G. Two or more officers assigned to attend an outside school, departmental business, or similarly approved function will utilize only the number of vehicles required for comfortable transportation.
- H. Officers on a restricted duty status or who are under suspension are not authorized to operate any departmental equipment or vehicle; unless approved explicitly at the discretion of the Chief of

Police. Officers assigned an unmarked support car may operate unmarked units with permission of the Chief of Police.

1. If someone is on extended sick or injury leave, they shall turn their car in for reassignment.
- I. Off-duty officers operating a support car may be called upon by citizens for assistance. Officers may also observe situations where assistance is obviously needed. Marked units particularly are highly visible and the public will not likely be aware of the officer's duty status. Officers may provide initial assistance or stand by for on-duty squads. The minimal response by an officer who is called upon by a citizen for assistance shall be to notify the police station of the called for service. Where practicable, the officer will provide assistance and/or stand by for an on-duty squad. Assistance to the public contributes toward the achievement of overall goals for the support car program.
 - J. Officers operating a support car who monitor an EPD "officer needs assistance" call, and who are within a reasonable distance to respond will advise the dispatcher of the unit's availability. Dispatch may use the off-duty unit(s), as necessary. Officers may volunteer to assist for other calls and may respond where specific approval is given by the dispatcher or field supervisor.
 - K. Officers who witness law violations while operating a marked support car unit should take appropriate enforcement action. Citizens may be highly critical of the Department and all officers if they observe a marked unit ignore a violation and not act. Action by an off-duty officer operating a support car will be covered by the following general guidelines:
 1. Although officers who live outside the City are expected to take the vehicles to and from their residence, an officer who is outside of the City limits does not have arrest authority for misdemeanors (unless otherwise provided by law).
 2. Extreme caution should be exercised when taking any enforcement action while in civilian attire. Officers must clearly identify themselves as an Elyria police officer before taking any action as a police officer.
 3. Officers operating an unmarked support car will use additional caution to refrain from becoming involved in any incident where the officer's identity as a police officer is not very clear. They should refrain from acting on minor violations of the law and should report such to the police station for any appropriate on-duty response. Such officers should stand by such scene where practicable to provide on-duty units with proper information.
 4. Off-duty responses will be regulated by other departmental directives covering off-duty limitations. Generally, an off-duty officer should refrain from acting where the officer is personally involved in the matter. The officer should contact on-duty personnel for a response and should only take action that is necessary to stabilize a situation, prevent injuries, etc. Officers should not act where the arrest may involve intoxicated persons and it is possible to have on-duty personnel handle the incident; it is important that an officer know when to call for on-duty assistance and when to back off so that on-duty personnel

can handle the matter.

- L. Support cars will not be utilized for carrying heavy loads or excessively large loads. Objects may not protrude from the trunk or windows. The transportation of departmental equipment is an authorized exception.
- M. All incidents involving off-duty support cars will be promptly reported for an investigation by a supervisor (within the City) or other appropriate law enforcement agency (outside the City). Regardless of where the incident occurs, the officer assigned to the support car shall notify the OIC of the shift, at the time the incident occurs or is discovered to have occurred. Officers operating departmental vehicles off-duty are responsible for the proper operation of the vehicle in accordance with the Rules and Regulations.
- N. For the purposes of departmental records (accident, disciplinary, and worker's compensation), an officer will be considered as on-duty in the event of an off-duty response or other call to duty requiring action as a police officer.

VIII. Required reports

- A. All paperwork resulting from an off-duty involvement shall be completed as soon as possible, as determined by the OIC. Such reports must be turned in for supervisory approval upon the officer's return to his scheduled shift. In no cases may an officer fail to submit the reports or other paperwork before such are required for court or other administrative purposes. Off-duty arrest reports should be completed at the time of the arrest.
- B. Any suggestions for improvement in the Support Car Program should be in written form, addressed to the Services Division Commander. The Services Division Commander will review the suggestions and make appropriate recommendations to the Chief of Police.

IX. Support car security

- A. Strict security measures should be taken where the support car is concerned. A large and potentially dangerous investment is open to acts of theft or vandalism. The support car will remain locked at all times when it is not occupied by the assigned officer.
- B. Extra security measures are encouraged to protect the City vehicle. Such measures may include special lighting for parking area, etc.
- C. Support cars may be parked overnight on public streets within the City of Elyria; except in times when a temporary ban has been issued by the Safety-Service Director.
- D. Officers who are on vacation, will bring the support car to the police lot for additional security. Support vehicles being parked in the police lot when off-duty (this includes departmental training at the station) shall be parked in the spaces north of the manual gate. This parking requirement shall also apply to any officer choosing not to take their support car home at the end of their tour of duty. An officer may, with permission of the shift commander, temporarily transfer assignment of the support car to another officer these periods, providing such officer is eligible for assignment and not under any restriction.

X. Off-duty employment and support vehicles

- A. Officer may use the support car for transportation to and from off-duty employment within the City of Elyria. If the use of a support car is a requirement of an off-duty employment, compensation to the City of Elyria is required as provided in the City Ordinance and in accordance with any procedures specified by the City Finance Director. Prospective employers should be informed of the vehicle use rate which is set by Council. Payment to the City is separate from the payment to the officer and must be made to the Finance Director.
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- A. Since the beginning of the program, officers volunteering for and accepting the assignment of a support car have agreed and accepted that the first thirty (30) minutes of an off-duty response is not eligible for compensation by the City.
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- C. The method to be used by all Officers to calculate the monthly check will be as follows;

Example:

Round trip mileage of 16.6 x \$.12 = \$1.99 per day

\$1.99 x 5 days equals \$9.95 per week

7 weeks of vacation deducted

7 sick days deducted

3 Personal days deducted

9 weeks total

52 weeks - 9 weeks = 43 weeks

43 weeks x \$9.95 = \$427.85 per year

\$427.85 divided by 12 months = \$35.65 per month

\$35.65 check due each month for Support car mileage

- D. There will be no "pro-rating" of this monthly check because the Support car is out of service for maintenance or due to accident repairs. (see Section VI sub I – Temporary Use of Fleet Vehicle)

CROSS REFERENCE TO DIRECTIVES: GO 4.31- EMERGENCY DRIVING, PURSUITS AND FORCIBLE STOPPING; GO 7.01 EQUIPMENT AND SUPPLIES

CROSS REFERENCE TO STANDARDS: CALEA 17.5.3; CALEA 41.3.2

CROSS REFERENCE TO FORMS: NONE

DATE	REVISIONS FROM PREVIOUS VERSION
1/5/2022	Directive changed to new format
1/5/2022	Directive changed to reflected requirements for eligibility
04/05/2022	Wording change to Section III. A. - eligibility



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General Order

4.25 - Support Car Operations

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- Documents
- Standards Manuals
- Assessments
- Certificates
- Courses
- Tests
- Surveys

General Revisions Review Standards Assignments Signatures Activity Security

New Draft Published (1) Archived (3)

	Revision Date	File Type	Revision Comments	Attached Test	Last Modified By	Signatures	Last Published
	1/4/2022	docx			Richard Buckway	0	1/31/2022
	5/5/2014	docx	Document revised with minor formatting changes and content of Section IV. (A)(2).		Richard Buckway	84	5/9/2014
	2/12/2008	pdf	Canine Eligibility Exception		Gerald Lantz	0	3/25/2014

NUMBER: 2022-01	ELYRIA POLICE DEPARTMENT SPECIAL ORDER	
EFFECTIVE: 04-01-2022 REVISED: N/A DISTRIBUTION: ALL PERSONNEL		
Chief: William R. Pelko <i>William R. Pelko</i>	Support Car Payment	

Effective 04-01-2022 the Elyria Police Department General Order 4.25 for Support Car Operations will take effect. At this time those officers that are issued a support car and living outside the city will need to submit payment to their team sergeant or appropriate supervisor by April 1, 2022. All previous special orders issued in regards to EPD General Order 4.25 due to Covid will be rescinded.

**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT**

COPY

EMPLOYEE: Ptlm. Patrick Jama

INCIDENT DATE: 02/22/2018

LOCATION: 131 S. Lake St Amherst, Ohio

DESCRIPTION OF INCIDENT:

Private Property MVA

On 2/22/18 Ptlm. Jama was driving into work. Prior to arriving for shift, he stopped to reserve a hall at the Amherst Historical Society 113 S. Lake St Amherst, Ohio. Ptlm. Jama was driving his marked police vehicle and was attempting to back up, when he struck a building support pole with the right passenger's side of his police vehicle. The vehicle suffered damage to right corner of the vehicle, cracking the tail light assembly and damaging the bumper.

Ptlm. Jama left the Historical Society in Amherst and reported for duty. Ptlm. Jama met with Sgt. Currier who was the OIC on 02/22/18 and informed Sgt. Currier that his marked police car was hit in front of home in the City of Lorain and not in Amherst. Sgt. Currier at that time instructed Ptlm. Jama to report to the Lorain Police Dept. to have a report taken. Ptlm. Jama on 2/22/18 went to the Lorain PD and met with Officer Gelenius from LPD and filed a report stating that his police unit was struck in front of his home. Ptlm. Jama then returned to the Elyria Police Dept and worked the remainder of his shift. See LPD Report # 2018-6368

On 2/22/18 Ptlm Jama contacted Capt Hammonds and advised that his vehicle had been involved in a MVA while parked in front of his residence. Capt Hammonds was told that he was having a report completed by Lorain PD. Ptlm Jama was advised to leave the vehicle in the back lot of EPD so it could be taken to Murphy Brothers to get an estimate on the damage.

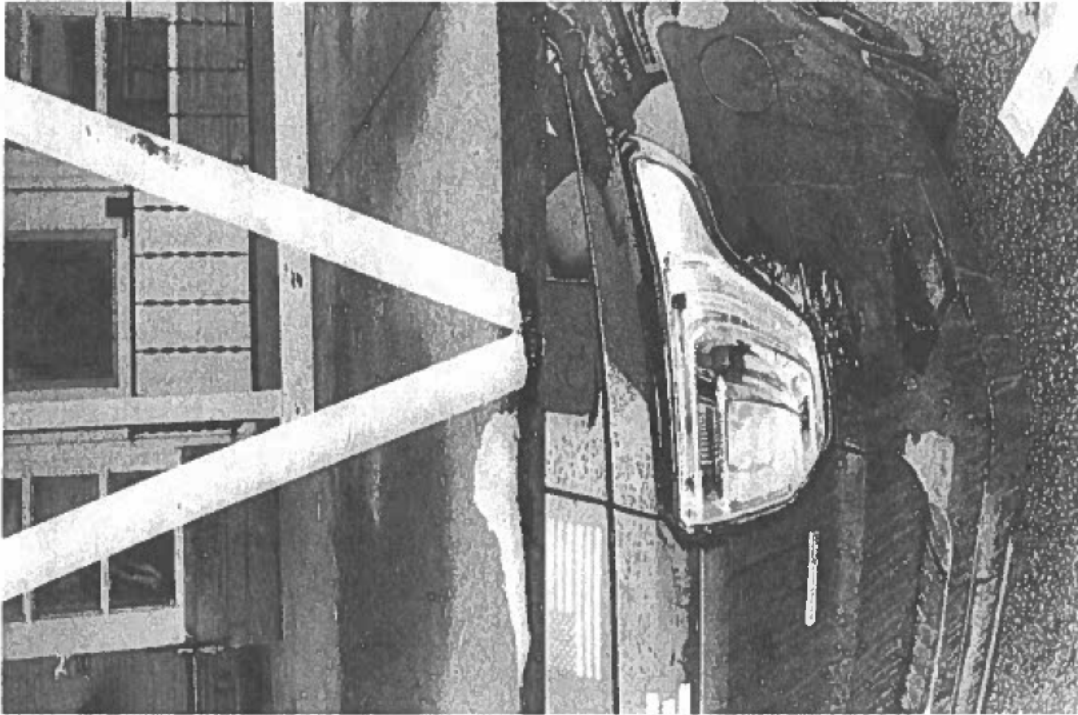
On 2/23/18 Capt. Hammonds was contacted by Lorain PD about some discrepancies in the facts that Ptlm. Jama provided the Lorain Police Dept. about the accident. Capt. Hammonds met with the Lorain Police Dept about the MVA in front of Ptlm Jama's residence and then spoke with Ptlm. Jama about the incident at his home in Lorain. At this that time, Ptlm. Jama admitted to Capt. Hammonds that his marked police vehicle was not struck in front of his home and that he in fact struck a pole in the parking lot of the historical society in Amherst on 2/22/18. Ptlm. Jama stated that he became nervous about the accident. Ptlm. Jama stated that he did not know what to do because he was in Amherst and not in direct route to the station prior to the start of his shift. Ptlm. Jama stated that he told Sgt. Currier that the crash happened in front of his house because he was fearful of the discipline he would face for accident that happened in Amherst.

On 2/23/2018, Capt. Hammonds instructed Ptlm. Jama to file a report with Amherst PD. Ptlm. Jama proceeded to Amherst PD on 2/23/18 and spoke with Sgt. Jacob Perez who completed the private property MVA report. For details see Amherst PD report #18-1487. Capt Hammonds received a copy of this report at a later date.

On 3/12/18, Capt. Hammonds followed up with the Historical Society in Amherst and located the damage to a white support pole for the building front porch. The pole is a "V" shaped pole with the base joining the other pole that supports the porch. The pole has some age to it and is painted white. Both sides of the "V" had damage to them (paint chipped off) and one of them had recent paint transfer and markings. These markings were newer and appeared fresh. The pole appeared intact, nothing disturbed at the base and no structural damage. The damage would just be the white paint chipped off. Capt Hammonds went inside the building and located the Administrative employee, a Donna Runpler, from the Amherst Historical Society. She was asked if she was aware of a private property MVA that happened on their property. She was not aware. She advised that Ptlm Jama had stopped by on 2/22/18 close to lunch time and paid for renting a hall for his son. No one had contacted them and she said Ptlm Jama was a very nice young man and wouldn't want him to be in trouble for anything.

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

Murphy Brothers Auto Body shop gave an estimate of \$1782.00 to repair the damage on the 2017 Ford Explorer. This expense would be incurred by the police department.



VIOLATION:

Rules and Regulations:

- 1.01 Violation of Rules
- 1.02 Unbecoming Conduct
- 1.04 Conformance to Laws
- 1.45 Truthfulness

Policy and Procedures:

- 1.03 Ethics
- 4.25 Support Car Operations

CHECK OF PREVIOUS SUPERVISOR'S REPORTS

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

COMPLETED BY: Lt. Frank

DATE: 03-20-18

SUPERVISOR RECOMMENDATIONS (Check all that apply)

☐ No Violation ☐ Verbal Counseling ☐ Written Reprimand ☒ Chief review for assignment or hearing
☐ Early Intervention (Describe in comments) ☐ Performance Improvement Plan ☐ Other (Describe in comments)

SUPERVISOR COMMENTS:

SUBMITTED BY: Lt. Frank

DATE: 03-20-18

SUPERVISOR REVIEW & RECOMMENDATIONS

(If "Disagree" describe in comments of original computerized copy)

TEAM SERGEANT:	DATE:	☐ CONCUR ☐ DISAGREE
SHIFT OR UNIT COMMANDER: <i>Lt. Frank</i>	DATE: <i>3-20-18</i>	☒ CONCUR ☐ DISAGREE
DIVISION COMMANDER: <i>Capt. [Signature]</i>	DATE: <i>3-23-18</i>	☒ CONCUR ☐ DISAGREE
CHIEF OF POLICE: <i>[Signature]</i>	DATE:	☒ CONCUR ☐ DISAGREE

DISPOSITION (Check all that apply)

☐ No Violation ☐ Verbal Counseling ☐ Written reprimand ☐ IA Track Track #
☒ Suspension ☐ Reduction in Rank ☐ Termination
☐ Early Intervention Completed ☐ Performance Improvement Plan Developed

COMMENTS:

SUPERVISOR COUNSELING SESSION

COUNSELED BY:	DATE:	TIME:
---------------	-------	-------

SUPERVISOR COMMENTS:

COUNSELED EMPLOYEE'S SIGNATURE:

DATE:

Employee: I agree with the disposition and/or counseling: ☐ YES ☐ NO

COUNSELLED EMPLOYEE'S COMMENTS:

**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT**

Original: Chief through channels as completed
Copies: Chief where original held for investigation/review; Division Commander; Unit Commander;
Reporting Supervisor; Officer involved in incident

LAST CHANCE AGREEMENT BETWEEN
THE CITY OF ELYRIA, THE OPBA, AND PTLM. PATRICK JAMA

The City of Elyria, Ohio ("City") and the Ohio Patrolmen's Benevolent Association ("OPBA") are currently parties to a collective bargaining agreement ("CBA") covering the terms and conditions of employment for patrol officers employed by the City, including Ptlm. Patrick Jama ("Jama"). This Last Chance Agreement ("LCA") is by and between the City, the OPBA, and Jama (collectively, "the Parties") in order to address Jama's current disciplinary charges.

WHEREAS, on or about February 22, 2018, Jama drove his department issued 2017 police cruiser to the Historical Society in Amherst on his way to work in order to conduct personal business.

WHEREAS, Jama backed his cruiser into a stationary pole causing damage to the vehicle in the amount of \$1,782.00.

WHEREAS, Jama left the scene without reporting the accidental crash, was not initially forthcoming about the incident with several members of the Elyria Police Department – including supervisors, and filed a false police report.

WHEREAS, the Elyria Police Department thoroughly investigated the incident and conducted a pre-disciplinary hearing on April 3, 2018. Jama appeared at the hearing, stipulated to the content of charges against him, and apologized for his actions and the problems that resulted from his lack of candor.

NOW, THEREFORE, the Parties, in exchange for consideration, the value and sufficiency of which is herein acknowledged, agree as follows:

- 1) Jama shall not be permitted to be assigned a take home vehicle for a period of one (1) year, commencing from the date Jama executes this LCA.
- 2) Jama shall satisfactorily complete remedial driving training, as approved by the City, within three (3) months of the execution of this LCA.
- 3) Jama shall reimburse the City for the one thousand, seven hundred, eighty-two dollars (\$1,782.00) in damage that he caused to the vehicle on or about February 22, 2018. This reimbursement shall occur in one lump sum payment by Jama within fourteen (14) days of the execution of this LCA.
- 4) The City shall issue Jama a thirty (30) day unpaid suspension, to be scheduled and implemented in no fewer than one-week increments and at the convenience and the sole discretion of the City.
- 5) This LCA shall be in effect for a period of two (2) years, commencing on the date Jama executes this LCA.

- 6) For the duration of this LCA, the City may, at its sole discretion, terminate Jama's employment should he:
- be dishonest with the City in any way, either affirmatively or by omission;
 - be determined to be at fault for any crash of a City vehicle or damage to city-owned equipment of any sort, whether on duty or off duty;
 - violate the City's policy with respect to take home vehicles; or
 - engage in any serious misconduct and/or commit any other serious violation of any policy or work rule of the Elyria Police Department or the City of Elyria.
- 7) Jama and the OPBA waive any and all rights either may have under the terms of the CBA, including but not limited to the right to grieve and advance to arbitration or in any other way challenge Jama's suspension or other terms of this LCA. Further, Jama and the Union agree that if Jama is discharged under the terms of this LCA and should the Union process a grievance to arbitration on Jama's behalf:
- a. The only issue which is subject to the grievance procedure will be the existence of the facts leading to the discharge decision for reasons described in this LCA, and not the City's termination decision itself nor the measure of discipline issued by the City; and
 - b. If the Arbitrator should find that Jama has violated any term and condition set forth in this LCA and/or engaged in serious misconduct or commit a serious violation of policy or work rules, the Arbitrator shall have no authority to reduce, modify or otherwise set aside the penalty assessed by the City.
 - c. The Arbitrator shall have no authority to amend, modify, alter, disregard or refuse to enforce any of the terms of this LCA.
- 8) The Parties further acknowledge and agree (a) each has had full and complete opportunity to review and examine the terms of this LCA and to consult with persons of their choice, including legal counsel, prior to execution of this LCA; (b) each has voluntarily executed this LCA and fully understands the rights, duties and responsibilities imposed by the LCA; and (c) there are no other terms, conditions, or agreements relating to the subject matters herein set forth aside from the provisions contained in this LCA.

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FOR THE CITY OF ELYRIA, OHIO:

By: _____
Name Date

FOR THE OPBA:

By: SM Bungard 5/16/18
Name Date

FOR THE EMPLOYEE:

By: [Signature] #164 5/16/18
Name Patrick Jama,
on his own behalf. Date

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Copy

EMPLOYEE: Ptlm. Jama 164

INCIDENT DATE: 2/28/22

LOCATION: 18 West Ave

DESCRIPTION OF INCIDENT:

Case Synopsis

On Monday February 28, 2022, Officers Patrick Jama & Brandon Szymanski responded to a reported robbery at 115 Delaware Cr, Elyria OH 44035. While officers were present the victim identified evidence at the scene that belonged to the alleged robbery suspect who was unidentified and not present at the scene. The victim identified a cell phone and clear jar containing suspected crystal methamphetamine was left at the scene by the robbery suspect. The suspect's cell phone was collected and later secured into evidence by Officer Szymanski. The clear jar with suspected methamphetamine was collected by Officer Jama. This jar that was handled/possessed by the suspect was never secured into evidence nor documented by Officer Jama in any police report. Communications between Officer Jama and other relevant parties at the time of the initial call and shortly after the reported incident support that Officer Jama disposed of the evidence impairing its availability as evidence in the robbery investigation.

Initial Complaint & Information

On Monday 03/07/2022, Sgt. Grove notified Lt. Lantz of concerns relating to Elyria PD Case #2022-4957. On Monday 02/28/2022 Elyria PD officers were detailed to 115 Delaware Cr., Elyria Ohio for a reported robbery. Sgt. Grove learned that suspected narcotics belonging to the suspect in this case was reportedly collected by an officer(s) on scene and potentially mishandled or discarded. The report and case records confirmed that no such evidence was submitted in regards to this case. Sgt. Grove shared additional details as follows:

On Tuesday 03/01/2022, Det. Walker was assigned to investigate the robbery (2022-4957).

On Monday 03/07/2022 at approximately 1020 hours, Detective Walker made contact with Sgt. Grove in reference to the robbery case (2022-4957). Detective Walker informed Sgt. Grove that on Tuesday, 03/01/2022, while at departmental training Officer Patrick Jama spoke with Detective Walker in the Police Department break room regarding the robbery victim of the above incident, M [REDACTED]. Officer Jama was the primary Officer on scene of the robbery at 115 Delaware Cr. According to Detective Walker Officer Jama shared with him that while on scene at 115 Delaware Cr., M [REDACTED] advised Officer Jama that the suspect had left methamphetamines in his bedroom. This suspect was later identified as Tarrence Scott.

Officer Jama told Det. Walker that he was given the methamphetamines by [REDACTED] while on scene. Officer Jama told Det. Walker that, "He took care of it".

Detective Walker recalled that on the morning of the Robbery, Monday 02/28/2022, Detective Walker received a phone call from Officer Jama stating that he [Officer Jama] had talked with an active Confidential Informant (CI) of Detective Walker's, the above Robbery victim, M [REDACTED]. Detective Walker advised the two spoke about the specifics of the Robbery and at NO time did Officer

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Jama mention receiving Methamphetamines from [REDACTED] Detective Walker and Officer Jama's conversation concluded.

Detective Walker advised that since the Robbery occurred, initial attempts to conduct an interview with [REDACTED] were unsuccessful, as she was out of town and her cellphone was stolen as a result of the Robbery.

On Monday 03/07/2022 Detective Walker was able to contact [REDACTED] through a neighbor, who provided Detective Walker with [REDACTED]'s new cell phone number. Detective Walker contacted [REDACTED] and conducted a formal interview.

On Monday 03/07/2022 at approximately 1020 hours, Detective Walker and Agent Carty of the Federal Bureau of Investigation (FBI), made contact with [REDACTED] at her residence of 115 Delaware Cr. Detective Walker and Agent Carty conducted an audio recorded interview with [REDACTED] [REDACTED] provided Detective Walker and Agent Carty an account of the Robbery incident. Agent Carty provided a photo line-up of suspects, where [REDACTED] positively identified Tarrance Scott. [REDACTED] escorted Detective Walker and Agent Carty to the bedroom where Scott had been staying. [REDACTED] informs Detective Walker and Agent Carty that "They" [police] found drugs, ICE (Street term for Crystal Methamphetamine), on a bamboo shelf next to G [REDACTED]'s ([REDACTED]'s boyfriend G [REDACTED]) bed. [REDACTED] stated the ICE was in a jar and a "Cop" took it.

Detective Walker and Agent Carty inspected Scott's bedroom, then concluded the interview. Sgt. Grove reviewed the audio recorded interview and the above account by Detective Walker corresponded to the recording. No other information to include a description of the drugs, size, or approximate weight was provided in this interview.

On Monday 03/07/2022, Sgt. Grove reviewed Elyria PD Case 2022-4957 and Officer Jama's initial Robbery narrative. **Sgt. Grove determined there was NO documented report of narcotics being seized and/or submitted into evidence.** Sgt. Grove observed only two items submitted into evidence in regards to this case that included Item #164-1 Unknown Suspect Cellphone and Item #186-1 Blood specimen Q-tip. No other evidence entries were made into the case as of 03/07/2022.

On Monday 03/07/2022, Sgt. Grove made contact with Lt. Lantz and advised him of these details.

Elyria PD Case 2022-4957

Lt. Lantz reviewed case 22-4957 narrative prepared by Officer Jama:

This case narrative appears to have been created on 02/28/2022 at 10:30 AM.

On Monday February 28, 2022 at approximately 0911 hours, Officers Jama, Szymanski, and Van Kerkhove were dispatched to 115 Delaware Circle in reference to a Robbery complaint. Upon arrival, Officers met with the complainant, M [REDACTED]

G [REDACTED] advised Officers that she resides at 115 Delaware Circle with her boyfriend G [REDACTED] whom was currently at a drug rehabilitation clinic for the next two weeks. Officers

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were told by [REDACTED] that she allowed an acquaintance, whom she described as a black male in his late 20's, tall, thin, with dreadlocks, stay with her since Friday February 25, 2022. The male's identity was unknown, other than he goes by the nickname "Hood" and she met him through a friend named "Rodney B."

[REDACTED] advised that on February 28, 2022 at approximately 0900 hours, she advised her guest that he was no longer permitted to stay at her residence since she had to leave to go to work. When she told him that he had to leave, the male became irate and went to the back bedroom that she was allowing him to stay in since Friday. The male then came out of the bedroom and walked up behind [REDACTED] with a belt and began strangling her with it. [REDACTED] stated that after strangling her, he took her cell phone and sat in a chair between where she was sitting and the door. The male then told her that he was taking her cell phone and was going to kill her because she was going to "call the police." [REDACTED] stated to Officers that she pleaded with the male not to hurt her and gave him the key to [REDACTED]'s silver 2007 Ford Focus (OH Registration: [REDACTED]) which was parked in her driveway. The male then took [REDACTED]'s Spectrum internet router from the wall and her cell phone (Black/Silver Samsung Galaxy 6) before leaving the residence in [REDACTED]'s vehicle.

[REDACTED] stated that she then went to her neighbor [REDACTED]'s residence at 117 Delaware Circle to contact the police. Officers were advised by Elyria Police dispatch while in route to this complaint of the registration and description of [REDACTED]'s vehicle, but were unable to locate prior to making contact with [REDACTED]. Officer Jama observed [REDACTED] to be highly upset while speaking with Officers and noticed redness around her neck area which she advised was from being strangled. Officer Szymanski took photographs of her injuries and entered them into the case documents.

Officer Szymanski took a black cell phone that [REDACTED] stated belonged her assailant and entered it into Elyria Police evidence. Officer Jama advised [REDACTED] to contact police if she has any information regarding this incident and requested that she try to obtain a serial number for the router that was taken. Officers Jama and Szymanski went to 126 Delaware Circle after speaking with [REDACTED] and were able to obtain video footage of the silver Ford Focus leaving the driveway of 115 Delaware Circle at approximately 0908 hours. The video does not show the driver getting into the vehicle, but approximately 2 minutes later, [REDACTED] is observed walking to 117 Delaware Circle. This video was entered into the Case Documents.

Officer Jama had [REDACTED]'s vehicle entered into LEADS as stolen and a BOLO was given to all available Elyria Police units regarding the stolen vehicle. At the time of the completion of this report, the identity of the suspect is unknown and there were no witnesses to this incident.

Lt. Lantz reviewed a second case 22-4957 narrative prepared by Officer Jama:

This case narrative appears to have been created on 02/28/2022 at 1:37 PM.

On Monday February 28, 2022 at approximately 1100 hours, Officer Jama was made aware that M [REDACTED] had located a nasal swab with blood believed to be from the suspect whom had been staying at her residence. Officer Jama went to 115 Delaware Circle to retrieve the evidence, but was unable to make contact. Officer Jama contacted [REDACTED]'s neighbor [REDACTED] by

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telephone and was told that [REDACTED] is not home and she had just dropped her off at her employer in Westlake, OH. Officer Jama advised [REDACTED] to have [REDACTED] contact Elyria Police immediately when she gets home so that the aforementioned nasal swab could be collected for evidence to identify the suspect.

Lt. Lantz reviewed case 22-4957 narrative prepared by Officer Laurendeau:

On 02/28/2022 at approximately 1415 Hrs, Officer Laurendeau was detailed to 115 Delaware Circle to collect evidence related to a Robbery that occurred earlier in the day. Officer Laurendeau arrived and was greeted at the street by D [REDACTED] from 117 Delaware Circle.

[REDACTED] handed Officer Laurendeau a folded piece of notebook paper advising him that it contained a bloody Q-tip. [REDACTED] advised Officer Laurendeau that the victim of the robbery, M [REDACTED] was not home and asked [REDACTED] to give the police the Q-tip telling her the blood on it was the suspects.

[REDACTED] could not provide Officer Laurendeau any information on where the Q-tip was located, why the blood on it could be the suspects, etc.

Officer Laurendeau returned to the Elyria Police Department where the Q-tip was entered into evidence locker #14 as 186-1. Officer Laurendeau observed the Q-tip to have a dry brown-red substance on both ends.

Case Review & Observations - Elyria PD Case 2022-4957

Lt. Lantz reviewed the case and related documents and noted:

Evidence/property submissions

164-1 Unknown Suspect Cellphone (Submitted by Officer Szymanski on 2-28-22)

186-1 Blood specimen Q-tip (Submitted by Officer Laurendeau on 2-28-22)

No other evidence entries were made into the case as of 03/07/2022. Lt. Lantz examined other property entries made by Officer Jama, Szymanski, Van Kerkhove and Laurendeau and did not locate any relevant entries.

Case Narratives

Upon reviewing the above case narratives there was no mention of collecting any narcotics, suspected narcotics or any other evidence other than described above.

Case Investigation Assignment

On Monday 03/07/2022, Lt. Lantz and Sgt. Grove reviewed the above information with Chief of Police William Pelko. Chief Pelko assigned Lt. Lantz and Sgt. Grove to conduct a criminal investigation into

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the missing evidence. It must be noted that methamphetamine is a schedule II controlled substance. It must also be noted that it is common knowledge in law enforcement that evidence handled by persons can be processed for touch DNA evidence.

M [REDACTED] Interview #1 (Audio Recorded)

On Tuesday 03/07/22, Lt. Lantz listened to the audio-recorded interview between Detective Walker, Agent Carty and M [REDACTED]

12 minutes and 30 seconds into the recording [REDACTED] begins explaining the drugs that were taken by police. Gawlikowski stated, "They [police] found drugs...I went in there and there was ice...on C [REDACTED]'s....there's a little bamboo shelf that C [REDACTED] has next to his bed and there was ice in a jar and a cop took it." For additional information please refer to actual recording.

Det Walker's Written Statement

On Tuesday 03/08/22, Sgt. Grove instructed Det. Walker to prepare a written statement. Det. Walker submitted the following written statement.

On Monday, February 28, 2022, at approximately 10:00 a.m., I received a telephone call from Officer Jama. At the time of the call I was driving toward downtown Cleveland for a trial at the Federal Court House. Officer Jama stated that he had just dealt with an informant of mine, M [REDACTED] in Colonial Oaks Trailer Park. Officer Jama advised that M [REDACTED] was the victim of a robbery and he took a report. Officer Jama gave a brief account of what happened, which consisted of M [REDACTED] being attacked and having her car and phone stolen. Officer Jama did not provide any other details at that time. Several minutes later, I received a telephone call from M [REDACTED] who was using her neighbors' telephone. M [REDACTED] was extremely upset and it was very difficult to gather information from her at that time over the phone. I asked M [REDACTED] for a physical description of the suspect and what his name was. M [REDACTED] gave a physical description and stated that she knew the male by his nickname, which was "Hood". I advised M [REDACTED] that I would contact her within the next several days to conduct a follow-up investigation. I then reached out to members of my unit and provided them with the information I had learned from M [REDACTED]. Members of my unit were able to identify "Hood" as Tarrence Scott. Detective Fairbanks put together a six-pack photo lineup and put it to the side for me until it could be shown to M [REDACTED]. The following day I attended the departmental training at the Elyria Police Department. Officer Jama was also attending the same training. While on break, myself, Jama and other officers gathered for a short period of time in the break room. Officer Jama began speaking with me about the robbery involving my informant. While speaking with me, Jama mentioned that M [REDACTED] had turned over a small

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amount of what she stated was methamphetamine. Jama stated that he "took care of it" in a joking manner. This statement was very brief and directly after the conversation ended and I walked away. At that time, I believed that Officer Jama was joking around and from the way he spoke about the meth it sounded as if it was an extremely small amount, with little to no evidentiary value. I did not believe that Jama was attempting to be dishonest or deceitful.

Throughout the next several days I found it difficult to schedule an interview with M [REDACTED] as I was prepping for a federal trial and working on several other active cases. Detective Walker spoke with M [REDACTED] on the telephone on several occasions and learned that M [REDACTED] was frequenting the Westlake area often and staying there out of fear of being alone at her residence. M [REDACTED] also did not have a cellular phone at this time.

On Monday, March 7, 2022, I arrived early to work and called the phone that M [REDACTED] had been using, which was her neighbors' phone. The neighbor texted me with a phone number and said I could reach M [REDACTED] at that number. I attempted to call M [REDACTED] at that number and still did not receive a response. Agent Carty was in his office at this time and I requested that he go with me to M [REDACTED]'s residence to see if she was there to conduct an interview and show her the lineup.

Agent Carty and myself went to M [REDACTED]'s residence, located at 115 Delaware Circle and were able to locate M [REDACTED]. Agent Carty utilized his recording device and we conducted a recorded interview. Agent Carty also showed M [REDACTED] the 6-pack photo lineup. During the interview, M [REDACTED] stated that the suspect, Tarrence Scott, left behind methamphetamine and that she turned it over to patrol officers. At this time, I was not sure if this item had been collected by patrol.

After completing the interview, I realized that the methamphetamine mentioned by M [REDACTED] was the same methamphetamine mentioned by Officer Jama. Once back at station I reported the discrepancy to Sergeant Grove.

Based on the conversation with Officer Jama and his light-hearted attitude I again do not believe that Officer Jama was attempting to conceal anything or take part in any wrong-doing.

M [REDACTED] Interview #2 (Audio Recorded)

On Tuesday 03/08/22 at 1417 hours, Lt. Lantz and Sgt. Grove made contact with M [REDACTED] at 115 Delaware Cr. Lt. Lantz conducted a recorded interview. Lt. Lantz first asked M [REDACTED] to explain the events that led to her contacting the police. After that Lt. Lantz asked more directed questions regarding the suspected methamphetamine collected by police.

M [REDACTED] recalled that only two officers came into her place on the date of the incident. M [REDACTED] thought that one of the officers name was Chris. Lt. Lantz asked M [REDACTED] about the "crystal". M [REDACTED] indicated that the

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crystal [drugs] was in her boyfriend, C ■■■■■'s bedroom. M ■■■■■ shared that G ■■■■■ entered rehab around February 10th and the drugs were not in his room when he left for rehab. Lt. Lantz asked M ■■■■■ to describe the drugs. M ■■■■■ shared that she's familiar with crystal-meth because she has tried it in the past.

M ■■■■■ alleges that Tarrance Scott had pulled out the suspected crystal-meth two nights before the incident and wanted her to try it. M ■■■■■ recalled the suspected crystal-meth was inside a clear jar with a lid. M ■■■■■ recalled seeing a couple rocks inside the jar that she described as clear, milky and grainy. M ■■■■■ said it was clearly drugs.

M ■■■■■ said she told one of the officers that the suspect left drugs inside her place. Lt. Lantz asked M ■■■■■ to describe which officer she was talking with about the drugs. Mary thought again that the officers name was Chris. Lt. Lantz asked M ■■■■■ to describe the officer. Mary described the officer as dark black or brown hair, 35-45 years old, 5-6 to 5-7, pale olive skin.

M ■■■■■ initially said that the officers retrieved the suspected drugs. Lt. Lantz questioned M ■■■■■ about this further and she was unsure which officer retrieved the drugs. M ■■■■■ then said that her neighbor ■■■■■ [Real name D ■■■■■] may recall which officer went back into the bedroom. M ■■■■■ never observed any officer in possession of the suspected jar of drugs. M ■■■■■ later described the second officer on scene as younger, short hair, and tall. For additional information please refer to actual recording.

Lt. Lantz photographed (3-photos) the stand that the glass jar was collected off of in the bedroom. These photos will be attached to the case documents.

**Video Recorded Interview - Officer Patrick Jama
Elyria PD Interview Room 2C**

On Wednesday 03/09/2022 at 0607 hours, Lt. Lantz and Sgt. Grove conducted an audio/video recorded interview on the second floor of the Elyria Police Department in an investigative interview room (2C), with Officer Patrick Jama reference this incident. Lt. Lantz conducted the interview as the primary investigator while Sgt. Grove assisted in the interview.

Lt. Lantz explained to Officer Jama that some concerns have come up regarding the robbery case. Lt. Lantz summarized some of the details of the case and Officer Jama indicated that he was familiar with the case. Lt. Lantz provided Officer Jama with a copy of his report and Officer Jama read his case narrative. Lt. Lantz then showed Officer Jama a photograph of M ■■■■■ and Officer Jama recalled her as the victim in the case. Lt. Lantz shared that some allegations have come up regarding this incident that are serious in nature and informed Officer Jama that Lt. Lantz and Sgt. Grove were assigned to conduct a **criminal investigation** into the matter.

Lt. Lantz provided Officer Jama with a Miranda Warning Card and advised him of his Miranda Rights. Officer Jama acknowledged his rights and agreed to speak with Lt. Lantz and Sgt. Grove.

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The following is not intended to be a verbatim account of what was said but is documented to summarize the statements made. For the actual words spoken please refer to the recorded interview.

During the interview Officer Jama admitted that he collected a jar with some sort of rock like substance inside it from the back bedroom. Officer Jama indicated that he didn't know what the substance was and never tested it. Officer Jama stated M■■■■ never told him what the substance was. Officer Jama stated that M■■■■ told Officer Jama to take the jar and "this was left behind". When questioned about the location of the jar Officer Jama indicated that he still had the jar out in his cruiser in a [patrol] bag near his [passenger] seat cover. Lt. Lantz asked Jama if any other items were collected from the scene that didn't get put into evidence. Jama replied, "No."

Lt. Lantz then questioned Jama about other evidence that was collected from the scene. Jama confirmed that a phone was collected and later submitted into evidence by Officer Szymanski.

Lt. Lantz asked Officer Jama what happened that made it so that the jar didn't make it into evidence. Officer Jama replied that he forgot about it.

Lt. Lantz asked Officer Jama to describe the jar. Jama described it as a little clear mason jar with a lid and held his fingers out giving the approximate size of the jar about 3-4 inches in length. Lt. Lantz asked Officer Jama if the substance inside was "crystal like" and Officer Jama stated, "Yes". Lt. Lantz asked Jama to explain how much of the substance was inside. Officer Jama stated, "Just one little piece." Officer Jama elaborated on the phone that was collected and stated that he believed that Officer Szymanski provided the phone to Detectives in effort to try and identify who the suspect was.

Lt. Lantz questioned Jama about the conversation that was reported to have taken place between he and Det. Walker the day after the robbery incident while at department training. Officer Jama did not recall any statements made about methamphetamines. Officer Jama did recall making a statement along the lines of "he took care of it" but indicated that he meant he took care of the report. Officer Jama confirmed that it was his intention that he was going to place the item into evidence.

At approximately 0616 hours, Lt. Lantz and Sgt. Grove leave the interview room and Sgt. Grove along with Officer Jama attempt to locate and were ultimately unable to locate the glass jar with substance from Officer Jama's vehicle. These details are described in the next section of this report.

At approximately 0647 hours, Lt. Lantz and Sgt. Grove speak further with Officer Jama. Lt. Lantz asks Officer Jama if he remembers his rights and Officer Jama stated, "Yes". Lt. Lantz attempts to clarify where exactly Officer Jama recalled placing the jar. Officer Jama described it as his seat caddy on his passenger seat...and stated "it never made it's way into evidence". Lt. Lantz asked Officer Jama why is the jar not out in his vehicle now. Officer Jama replied, "I don't know." Lt. Lantz asked Jama if he discarded it. Officer Jama replied, "No." Lt. Lantz asked where's the last place that Officer Jama recalled seeing the jar. Jama advised as he was getting ready to clear the scene he had it. Officer Jama couldn't recall seeing the jar since then. Jama confirmed that he hadn't cleaned out his vehicle since the incident. Jama confirmed that his vehicle has locked and there's been no signs of anyone breaking into his vehicle. Jama confirmed that other than the department nobody else has keys to his vehicle. Jama confirmed that nobody has used his vehicle or ridden with him. Officer Jama couldn't

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provide any explanation as to why the jar was in his vehicle immediately after the incident and now couldn't be located.

Attempt to Locate/Retrieve Evidence

As a result of the above interview, Officer Jama advised Lt. Lantz and Sgt. Grove the item in question, described by Officer Jama as a glass jar with a lid containing a small unknown rock like substance, was NOT discarded, but was in fact on the front passenger seat of Officer Jama's Elyria Police patrol vehicle (#1403) in a side pocket of his patrol equipment storage bag. Lt. Lantz paused the interview at that time, and directed Sgt. Grove and Officer Jama to take a photograph of the above-mentioned item and retrieve it.

Sgt. Grove retrieved his departmental camera and escorted Officer Jama to the rear gated employee parking lot of the Elyria Police Department. Officer Jama immediately directed Sgt. Grove to the front passenger seat where Officer Jama had his black in color patrol equipment storage bag sitting on the seat. Officer Jama advised the glass jar with the unknown rock like substance was placed in the pocket closest to the driver seat, at which time, Officer Jama began to pull out various items, pens, ibuprofen bottle, Zinc pill bottle, and other Misc. objects. Officer Jama did NOT locate the glass jar with the unknown rock like substance in the pocket closest to the driver seat. Officer Jama began to rummage through another pocket of the storage bag closest to the front passenger door, then through the larger pouch of the storage bag that contained folders with departmental forms, tickets books, and Misc. paperwork. Officer Jama did NOT locate said item in either pocket or pouch of the entire equipment storage bag. Officer Jama advised the item could have rolled around and fallen on the floor or under the seat. Sgt. Grove assisted Officer Jama with searching on the front passenger floor board and underneath the front passenger seat for the item. **Sgt. Grove did NOT locate the item and conducted a follow up inspection of Officer Jama's patrol equipment storage bag in question. Sgt. Grove again did NOT locate the item.** Sgt. Grove and Officer Jama searched the following areas of Officer Jama's patrol vehicle together and were unsuccessful in locating the glass jar with the unknown rock like substance.

- Underneath both driver and front passenger seats
- Center console and cupholders
- Behind both driver and front passenger seats
- Glove compartment
- Vehicle Visors
- Rear Seating (Cage) and rear seat floorboards

With NO success in locating the item, Sgt. Grove asked Officer Jama, if the item could have been placed in the rear trunk/storage area of the patrol vehicle. Officer Jama advised "No". Sgt. Grove proceeded with an inspection of the rear/trunk area and did NOT locate the item.

At this time, Lt. Lantz directed Sgt. Grove to take possession of Officer Jama's vehicle and pull it into the EPD Evidence Sally Port to conduct a more thorough inspection with more efficient lighting. Sgt. Grove directed Officer Jama to meet back with Lt. Lantz on the second floor of the Elyria Police Department in the investigative interview room. Sgt. Grove placed Officer Jama's patrol vehicle into the Evidence Sally Port.

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Officer Jama met with Chief Pelko and Lt. Lantz at that time. During this meeting Chief Pelko placed Officer Jama on Administrative Leave and relieved him of his Department issued firearm

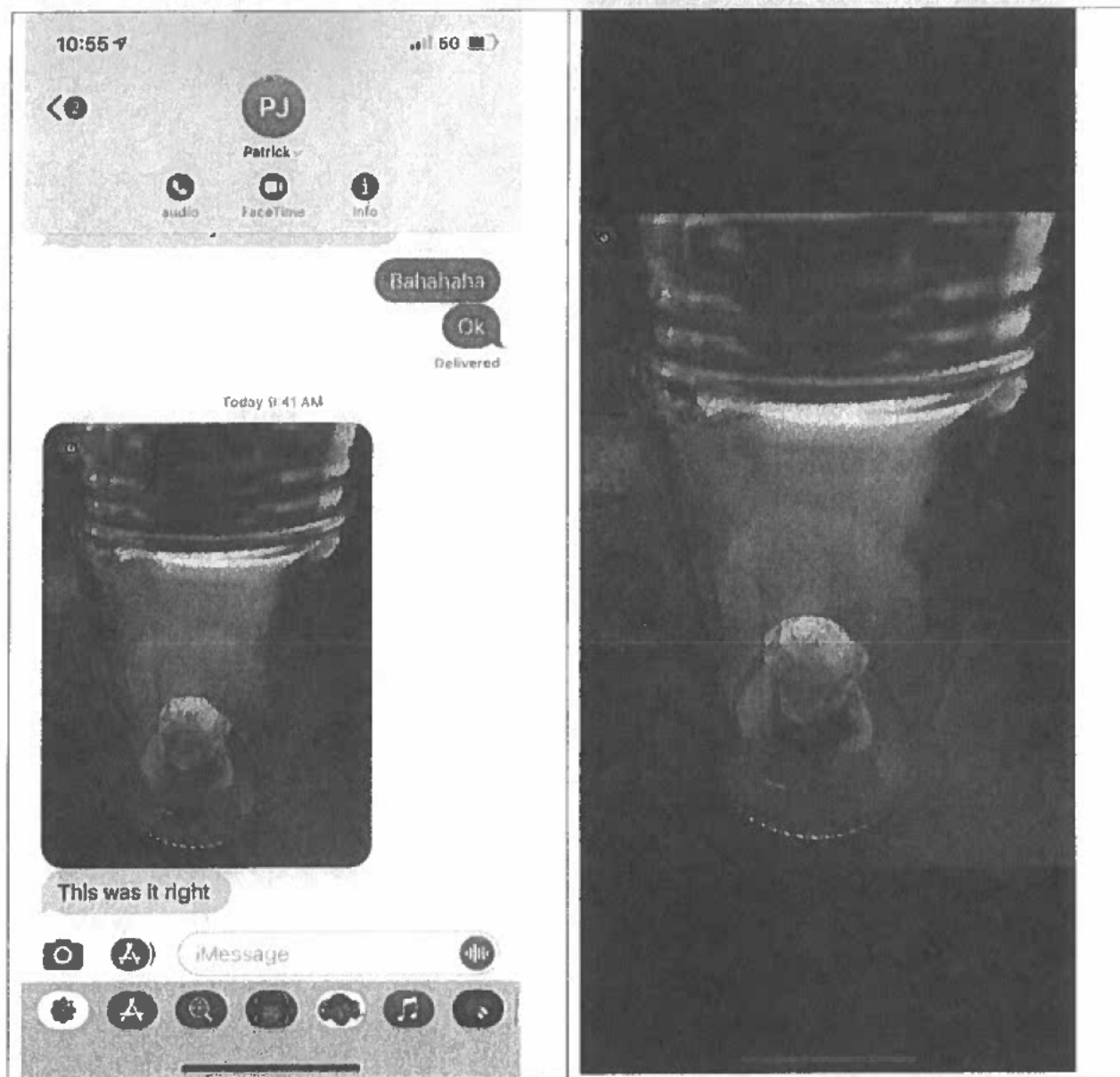
Sgt. Grove and Lt. Lantz provided Officer Jama a ride back to his residence. Officer Jama advised his departmental Benelli shotgun was currently stored in a cabinet in his garage. Lt. Lantz instructed Officer Jama that Sgt. Grove would be acquiring the shotgun from him where it would be placed into the armory. Lt. Lantz, Sgt. Grove, and Officer Jama arrived at Officer Jama's residence. Officer Jama escorted Sgt. Grove to the garage cabinet to retrieve the shotgun. The shotgun was in a safe/clear condition upon Officer Jama providing it to Sgt. Grove. Sgt. Grove took custody of the Benelli pump action shotgun, serial number V659057Y, and Lt. Lantz and Sgt. Grove cleared from Officer Jama's residence.

Once back at the Elyria Police Department, Sgt. Grove completed a tag slip affixed to the trigger guard of the shotgun, containing the make/serial number, and Officer Jama's crisis number, #164, where it was placed in the top left gun rack of the armory.

Sgt. Grove completed a secondary search of Officer Jama's entire patrol vehicle, and the glass jar with the unknown rock like substance was NOT located. It should be noted NO other firearms were located in Officer Jama's patrol vehicle. Sgt. Grove pulled Officer Jama's patrol vehicle into the rear gated employee parking lot where it was parked and secured in a North East parking space. Sgt. Grove completed a slip for Officer Jama's single ignition key and attached it to the key ring, where it currently is in the possession of Sgt. Grove.

Initial Contact with Officer Brandon Szymanski

On 03/09/2022 at approximately 1035 hours, Officer Brandon Szymanski made contact with Lt. Lantz in his office. Brandon shared that Officer Jama had reached out to him earlier this morning and informed him that he [Jama] was advised of his Miranda Rights regarding the call at 115 Delaware Cr. Jama informed Officer Szymanski that he may be questioned regarding that incident as well. After the phone call Officer Szymanski received a text of a photograph that depicted a clear jar with a single rock inside of it with a comment attached that read, "This was it right". Officer Szymanski showed the image and text to Lt. Lantz (shown below).

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Lt. Lantz informed Officer Szymanski that he was going to have to interview him regarding the matter.

**Video Recorded Interview - Officer Brandon Szymanski
Elyria PD Interview Room 2C**

On Wednesday 03/09/2022 at 1047 hours, Lt. Lantz and Sgt. Grove conducted an audio/video recorded interview on the second floor of the Elyria Police Department in an investigative interview room (2C), with Officer Brandon Szymanski reference this incident.

The following is not intended to be a verbatim account of what was said but is documented to summarize the statements made. For the actual words spoken please refer to the recorded interview.

Lt. Lantz asked Officer Szymanski if he recalled handling a call the previous week at 115 Delaware Cr. Officer Szymanski was familiar with the call and he recalled that he, Officer Jama and Officer Van

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Kerkhove responded to the call. Officer Szymanski said that only he and Officer Jama entered the residence. Officer Szymanski provided a summarized version of the contact with the victim and what she was reporting.

Lt. Lantz asked Officer Szymanski if M■■■■ made any mention of drug or narcotics inside her residence. Officer Szymanski said that Officer Jama was primarily handling the call and he was performing a back-up responsibility. M■■■■ provided officers with the suspect's phone and shared that officers may be able to use the phone to help identify the suspect. At one point M■■■■ informed the officers that the suspect had left his drugs in the back bedroom. Officer Jama, Officer Szymanski and M■■■■ then went into the back bedroom and M■■■■ stated he [suspect] left his drugs here and she wanted them out of the house. M■■■■ then pulled out or motioned towards the suspected drugs in the bedroom. Officer Szymanski thought M■■■■ implied that the item was crack but he wasn't certain.

Lt. Lantz asked Officer Szymanski about the phone. Officer Szymanski couldn't recall if he received the phone from M■■■■ or Officer Jama but ultimately he had possession of the suspect's phone when back on station and he entered the phone into evidence.

Lt. Lantz questioned Officer Szymanski about photographs at the scene. Officer Szymanski only took photographs of M■■■■ and did not photograph her residence or any evidence.

Lt. Lantz asked Officer Szymanski if he and Officer Jama had any conversations about the jar or contents of the jar. Officer Szymanski shared that as M■■■■ exited the bedroom Officer Jama says to him something along the lines of the jar was not of any evidentiary value, we couldn't prove it was his [suspects] anyway, eluding to the fact that he's going to get rid of it. Officer Szymanski says to Jama we're going to have body cameras soon you might as well get used to doing what's right now and take care of it. Officer Jama also whispered to Officer Szymanski we don't really need this. Officer Szymanski explained to Officer Jama you need to do it right that's how you taught me to do things. Officer Szymanski shared with Jama it's not like this is something we can hide six months from now.

Officer Szymanski didn't know what Officer Jama did with the evidence after that as he cleared and conducted follow up on cameras across the street.

Lt. Lantz asked Officer Szymanski if he and Officer Jama had any additional conversations about the jar. Officer Szymanski says this morning he received a call from Officer Jama. Officer Jama started the conversation by asking do you remember that call where you reminded me about body cameras. Officer Szymanski replied yeah what happened? Officer Jama then shared that he had been mirandized and they're thinking I used or sold the drugs. Officer Jama shared that he just wanted to give Officer Szymanski a heads up because they [investigators] may want to talk with you. Officer Jama shared with Officer Szymanski that he took the item but he didn't believe he put that in the report. Officer Jama then asked Officer Szymanski if he knows what he [Jama] did with it. Officer Szymanski replied he did not know.

At 0941 hours Officer Szymanski received a text from Officer Jama that contained a photograph that depicted a clear jar with a single rock inside of it with a comment attached that read, "This was it right". Officer Szymanski said he did not respond to Officer Jama. Officer Szymanski looked at the photo and reiterated to investigators that he couldn't vouch for the jar nor its contents because he doesn't know.

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Lt. Lantz photographed the photo & text and confirmed Officer Jama's contact with phone number 440-225-4688. This is the same number that Lt. Lantz communicated with Officer Jama. These photos will be attached to the case documents.

Evidence Located

At approximately 1100 hours Sgt. Grove was informed by Lt. Lantz that Officer Jama had contacted his union representation, Officers Dustin Thacker and Paige Mitchell. According to Lt. Lantz, Officer Jama informed Officers Thacker and Mitchell that he had located the glass jar in the cargo pocket, of a pair of Officer Jama's patrol (work) pants. Lt. Lantz informed Officers Thacker and Mitchell that Lt. Lantz and Sgt. Grove would be going to Officer Jama's residence to retrieve the item. Officers Thacker and Mitchell advised they would accompany Lt. Lantz and Sgt. Grove as Officer Jama's representation.

At approximately 1100 hours, Lt. Lantz and Sgt. Grove, followed by Officers Thacker and Mitchell made contact with Officer Jama at his residence of [REDACTED] Lorain, Ohio. Officer Jama was outside sitting on his front porch awaiting Officers. Lt. Lantz made contact with Officer Jama where Lt. Lantz asked Officer Jama if he had located the item. Officer Jama replied, "Yeah." Officer Jama produced a clear glass jar with a silver lid, containing (1) white/black colored rock. Sgt. Grove instructed Officer Jama to place the glass jar into the clear zip lock bag Sgt. Grove provided. Sgt. Grove took possession of the glass jar and contents. Lt. Lantz informed Officer Jama that Lt. Lantz would be in contact. No further conversation was exchanged between Lt. Lantz, Sgt. Grove, and Officer Jama. Lt. Lantz and Sgt. Grove departed Officer Jama's residence while Officers Thacker and Mitchell remained with Officer Jama. Lt. Lantz examined the jar and contents and observed what was immediately apparent to be a rock similar to those commonly used in decorative landscaping.

M [REDACTED] Interview #3 (Audio Recorded)

Lt. Lantz and Sgt. Grove left Officer Jama's residence and drove directly to M [REDACTED] residence of 115 Delaware Cr. where an audio recorded interview was conducted. Lt. Lantz and Sgt. Grove made contact with [REDACTED] [REDACTED] was explained by Sgt. Grove that clarification/description was needed regarding the glass jar and its contents from this incident. Sgt. Grove instructed [REDACTED] to offer what she thought the contents in the jar was and to describe the jar. [REDACTED] advised she thought the item(s) inside the glass jar were drugs. [REDACTED] described the jar as clear, something either olives or artichokes would come in. Sgt. Grove asked [REDACTED] to describe the contents of the jar. [REDACTED] described (2) rocks that [REDACTED] thought was Crystal Methamphetamine. Lt. Lantz asked [REDACTED] approximate sizes of the rocks for reference. Lt. Lantz asked [REDACTED] to compare the (2) rocks of what she believed to be crystal methamphetamine to the two rings [REDACTED] had on her left ring and middle fingers, as both rings had different size stones set within them. Lt. Lantz gauged the two size stones from the rings to be approximately 3/8" and approximately 1/4".

[REDACTED] agreed that the two rocks of suspected crystal meth from the glass jar that was confiscated by Police were those approximate sizes. [REDACTED] described the two rocks of suspected crystal meth as milky looking, not clear, but sparkly having crystals in them.

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Sgt. Grove produced the glass jar with the silver lid containing the (1) white/black in color rock showed it to [REDACTED] for viewing.

[REDACTED] advised she could NOT see it, and needed her glasses [REDACTED] located her glasses and Lt. Lantz asked if [REDACTED] could come closer to the front door, as it was better natural lighting than in her living room.

[REDACTED] viewed the glass jar and contents from several angles [REDACTED] advised the jar was definitely the right jar. [REDACTED] advised the substance inside the jar that was confiscated by Police was NOT that dull, but brighter and yellow in color. [REDACTED] reiterated that the glass jar taken by Police had (2) rocks in it and were NOT as big as the white/black colored rock shown to Gawlikowski by Sgt. Grove. Lt. Lantz and Sgt. Grove concluded the interview at that time. Gawlikowski had a few specific questions regarding the Robbery case and Lt. Lantz and Sgt. Grove cleared the residence.

Examination and Preliminary Testing of Evidence

Lt. Lantz and Sgt. Grove arrived shortly thereafter at the Elyria Police Department. Sgt. Grove took photographs of the glass jar with the silver lid containing (1) white/black colored rock. Sgt. Grove wearing latex gloves, emptied the glass jar and weighed the rock [9.2 grams]. Sgt. Grove conducted several field tests of the rock, tests from inside of the glass jar, and lid. The rock nor any area of the glass jar or silver lid, tested positive for the presence of Cocaine, Heroin, Fentanyl, or Methamphetamines. Sgt. Grove completed a property receipt of the above item labeled (139-1), where it was entered into evidence per policy.

Additional Interview

On Thursday 03/10/2022 Lt. Lantz contacted Officer Jama and asked if he would be willing to come in for an additional interview to clarify some remaining discrepancies. Officer Jama initially agreed and informed Lt. Lantz that he would work out a date and time with his attorney.

On Tuesday 03/15/2022, Lt. Lantz received an e-mail from Attorney Dominic Vitantonio who indicated that he was representing Officer Jama. Lt. Lantz made telephone contact with Attorney Vitantonio who indicated he needed to meet with Officer Jama and would get back with Lt. Lantz regarding the interview.

As of Wednesday 03/16/2022 Attorney Vitantonio has not got back with Lt. Lantz.

Conclusions

On Monday 02/28/2022, Officers Patrick Jama & Brandon Szymanski responded to a reported robbery at 115 Delaware Cr, Elyria OH 44035. While officers were present the victim, M [REDACTED] identified evidence at the scene that belonged to the alleged robbery suspect who was unidentified at the time of the report and not present at the scene. M [REDACTED] identified a cell phone and clear jar containing suspected crystal methamphetamine was left at the scene by the robbery suspect. The cell phone was collected and later secured into evidence by Officer Szymanski.

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Officer Jama admitted that he collected a jar from the scene with a rock like substance inside it from the back bedroom. Officer Jama indicated that he didn't know what the substance was and never tested it. During questioning Officer Jama confirmed that the substance inside the jar was "crystal like" and was "just one little piece."

Officer Jama stated M [REDACTED] never told him what the substance [in the jar] was. This statement is contradicted by M [REDACTED] who said she informed the officers that the suspect left crystal meth in the bedroom. This statement is contradicted by Officer Szymanski who said while at the scene M [REDACTED] told officers that the suspect left his drugs in the back bedroom and she wanted them out of the house. This statement is contradicted by a conversation Officer Jama had with Det. Walker where Jama discussed the robbery incident and Jama mentioned that M [REDACTED] had turned over a small amount of methamphetamine.

When asked why the evidence wasn't submitted into the evidence room Officer Jama replied that he forgot about it. When questioned about the location of the evidence Officer Jama indicated that he still had the evidence out in his cruiser where he had placed it at the conclusion of the robbery call. It was ultimately determined that the evidence was not in Jama's cruiser. Officer Jama could not explain why the evidence that he placed in his cruiser was no longer in his cruiser.

Lt. Lantz then questioned Jama about other evidence that was collected from the scene. Jama confirmed that a phone was collected and later submitted into the evidence room by Officer Szymanski. Officer Jama shared that Officer Szymanski provided the phone to Detectives in effort to try and identify who the suspect was. This supports that Officer Jama has working knowledge and experience in handling evidence and its ability to link evidence to suspects.

Officer Jama denied that he discarded the evidence but he couldn't explain how the evidence he collected from the scene never made it into evidence room while a phone collected from the same scene did make it into the evidence room. Officer Jama said it was his intention to submit the evidence yet this statement is contradicted by the fact that his report makes no mention of the evidence.

Officer Jama's assertions that he intended on submitting the evidence are further contradicted by conversations he had with two co-workers. While still at the robbery scene at the time of the report Officer Jama told Officer Szymanski we don't really need this and suggested that the jar was not of any evidentiary value as it couldn't be proved it belonged to the suspect. Officer Szymanski described this statement as Officer Jama eluding to the fact that Jama was going to get rid of it [evidence]. Officer Szymanski reiterated to Jama the importance of doing things the right and proper way.

The following day, 03/01/2022, Det. Michael Walker attended the departmental training with Officer Jama. While on break, Officer Jama began speaking with Det. Walker about the robbery involving his [Walker's] informant. While the two were talking Jama mentioned that M [REDACTED] had turned over a small amount of what she stated was methamphetamine. Jama stated that he "took care of it" in a joking manner. At that time, Det. Walker believed that Officer Jama was joking around and from the way he spoke about the meth it sounded as if it was an extremely small amount, with little to no evidentiary value.

After being interviewed by Investigators Officer Jama was transported home. Officer Jama made no mention of any other place this evidence could be. After being dropped off at home Officer Jama

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contacted Officer Szymanski. Officer Jama began this conversation by asking Szymanski if he remembered "that call where you reminded me about body cameras". This reinforces the conversation between Officer Szymanski and Jama the date of the incident and that it did occur. Officer Jama shared that there was an active investigation and he had been mirandized. Officer Jama shared that he wanted to give Officer Szymanski a heads up because they [investigators] may want to talk with him.

Shortly after their conversation Officer Jama texts Officer Szymanski a photograph that depicted a clear jar with a single rock inside of it with a comment attached that read, "This was it right". This suggests that Officer Jama was attempting to influence the investigation by providing Officer Szymanski an opportunity to view the jar and close up of its contents before he was interviewed by investigators.

Later this morning Officer Jama notified his union representatives that he had located the evidence in the cargo pocket, of a pair of Officer Jama's work pants. Lt. Lantz & Sgt. Grove responded to Jama's residence and took possession of the evidence. Lt. Lantz examined the jar and contents and observed what was immediately apparent to be an approximate one inch sized rock similar to those commonly used in decorative landscaping. The contents of the glass jar did not match the description provided by M [REDACTED] [REDACTED] described two rocks that were crystal like that were approximately 3/8" and approximately 1/4". [REDACTED] advised the substance confiscated by Police was NOT as dull as the rock investigators showed her and was brighter and yellow in color. Officer Jama's own statement contradicts the item he turned over to investigators. During the interview Officer Jama confirmed that the item was "crystal like" and he described it as "just one little piece".

Crystal methamphetamine is a schedule II controlled substance and is a chargeable criminal offense in accordance with the Ohio Revised Code. A glass jar handled by a suspect may contain the suspect's fingerprints as well as touch DNA evidence that can be used to identify a person.

Investigators first questioned Jama nine days after the initial report where he seized the evidence at the scene. During these nine days Jama never submitted the evidence nor did he describe it in any report. The above information supports that Jama did not intend on submitting the evidence and discarded the contents of the jar.

The above information supports that there is probable cause to believe that Officer Jama disposed of evidence and impaired its availability to be used as evidence in the robbery investigation. The above information supports there is probable cause to believe that Officer Jama replaced the discarded contents of the jar with a stone in effort to present it as the original contents within the jar with purpose to mislead investigators to avoid criminal and administrative actions.

Disposition

This case will be presented to the Lorain County Grand Jury for review and consideration of criminal charges.

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

VIOLATION:

- 1.01 Violation of Rules
- 1.02 Unbecoming Conduct
- 1.04 Conformance to Laws
- 1.11 Unsatisfactory Performance
- 1.39 Departmental Reports
- 1.40 Processing Property and Evidence
- 1.45 Truthfulness

CHECK OF PREVIOUS SUPERVISOR'S REPORTS

COMPLETED BY:

DATE:

EARLY INTERVENTION REVIEW (MANDATORY FIELD, SEE GO.3.12)

- ☒ NOT A TRACKED ACTIVITY
- ☐ EIS THRESHOLD NOT REACHED
- ☐ EIS THRESHOLD REACHED OR EXCEEDED (SEE SUPERVISOR COMMENTS BELOW)

SUPERVISOR RECOMMENDATIONS (Check all that apply)

- ☐ No Violation
- ☐ Verbal Counseling
- ☐ Written Reprimand
- ☒ Chief review for assignment or hearing
- ☐ Early Intervention
- ☐ Remedial Training
- ☐ Performance Improvement Plan
- ☐ Other (Describe in comments)

SUPERVISOR COMMENTS:

SUBMITTED BY: Lt. Eric R Palmer

DATE: 4/5/2022

SUPERVISOR REVIEW & APPROVAL

(If "Disapprove" describe on separate attached document)

TEAM SERGEANT OR IMMEDIATE SUPERVISOR: <i>Eric R Palmer 242</i>	DATE:	☒ APPROVE ☐ DISAPPROVE
SHIFT OR UNIT COMMANDER: <i>Eric R Palmer 242</i>	DATE:	☒ APPROVE ☐ DISAPPROVE
DIVISION COMMANDER:	DATE:	☐ APPROVE ☐ DISAPPROVE
CHIEF OF POLICE: <i>W. R. Palmer 243</i>	DATE: <i>5-18-2022</i>	☒ APPROVE ☐ DISAPPROVE

CHIEF OF POLICE ORDERED ACTIVITIES (Check all that apply)

- ☐ No Violation (Closed)
- ☐ Verbal Counseling
- ☐ Written reprimand
- ☐ Assigned to 1A Track #
- ☐ Chief to submit certification of suspension to SSD (maintain copy and SSD response with this report)
- ☐ Early Intervention
- ☐ PIP Developed
- ☐ Remedial Training Ordered
- ☒ Other (Describe below)

ACTIVITY COMPLETION BY DATE: *JAMA Resignation on 3-22-2022*COMMENTS: *JAMA Resignation on 03-22-2022*

CHIEF OF POLICE:

DATE:

*W. R. Palmer 243**05-18-2022*

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

DOCUMENTATION OF COMPLETED ACTIVITIES (Check all that apply)

☐ Counseling Session Completed ☐ Written Reprimand Issued
☐ Early Intervention Completed ☐ PIP Developed ☐ Remedial Training Completed ☐ Other (Describe below)
 Letter of: ☐ Suspension Issued (attach) ☐ Reduction in Rank Issued (attach) ☐ Dismissal Issued (attach)

COMPLETED BY:

DATE:

SUPERVISOR COMMENTS (Describe Activities): ☐ SEE ATTACHMENT

EMPLOYEE'S ACKNOWLEDGEMENT:

DATE:

EMPLOYEE'S COMMENTS:

FORWARD TO CHIEF'S OFFICE UPON COMPLETION

FINAL DISPOSITION (Complete when applicable)

INVESTIGATIVE CLOSURE

☐ Unfounded ☐ Exonerated ☐ Not Sustained ☐ Sustained ☐ Sustained-Other

All activities ordered through my office and/or the Safety Service Director has been completed.

CHIEF OF POLICE:

DATE:

COMMENTS:

**CHIEF'S SECRETARY TO SCAN COMPLETED REPORT INTO EMPLOYEE ELECTRONIC FILE
& PLACE HARDCOPY IN ADMINISTRATIVE FILE ROOM**

Original: Chief through channels as completed

Copies: Chief where original held for investigation/review; Division Commander; Unit Commander;
Reporting Supervisor; Officer involved in incident

COMPLAINT

2



Complaint #2

Officer Mitchell states that Lt. Frank in a Field Training Meeting referenced the female dispatchers as "cunts".

From my recollection of events this was only brought to my attention when the investigation began into Officer Chalkley's alleged misconduct and possible criminal activity (November of 2022). The actual incident of Lt. Frank making this comment occurred several months prior. Officer Mitchell states that this occurred in "summer-ish" of 2022. (Page 436 Exhibit 6). Officer Mitchell stated she met with Chief Pelko "over the winter sometime I would presume." She is asked if it was winter of 2022 and responds "either that or early '23, in that area." This concerns me that it seems that this was previously brought to the Union Presidents attention, however she did not address it with Chief Pelko until Officer Chalkley was being investigated. It makes me question that Officer Mitchell believed this was not an issue when it first occurred. However, now that there was an investigation into Officer Chalkley's behavior/possible criminal activity the union wanted to now bring it to the chief's attention. In hindsight this appears to be retaliatory on the union's part.



Officer Mitchell in her testimony from the Chalkley arbitration stated that she "made him (referring to chief) aware that not necessarily a complaint had been filed, but that it had been brought to my attention that that is what was said." She goes on to say "So we were just having I would say an off-the-record like friendly conversation maybe, and in that process, I told him that, you know, I has been made aware of a complaint against the field training unit commander". (Page 383, 384 Exhibit 6). This is again stated (page 435 Exhibit 6) during Chalkley's arbitration hearing where it is asked "I think you testified you had an off-the record conversation with Chief Pelko about the allegations that a promoted officer called a dispatch employee, a female dispatch employee, a cunt" and the answer was "uh-huh". Officer Mitchell from these comments made it sound as if she was not filing an official complaint nor intending for Chief Pelko to start an investigation into this complaint, rather just make him aware of what had occurred.

From my recollection Officer Mitchell would not state who the supervisor was that said this at the time, nor where it was said. Even though Officer Mitchell was not filing an official complaint, I did attempt to inquire about this. I did ask around and attempt to inquire as to who would have said this, yet I could not get any confirmation. Eventually at Chalkley's arbitration hearing it was brought up that it was Lt. Frank.

Being professional and not using derogatory words is definitely not accepted at EPD. statement. Eventually Chief Pelko had a discussion with Lt. Frank in regards to how to be professional and talk to subordinates.



The only similarities between the Officer Chalkley investigation and Lt. Frank was the word "Cunt" being used. Officer Chalkley had other issues in his investigation that led to his corrective action to include acts that could have been criminal. This also went to arbitration

and was upheld. It should also be noted that Officer Chalkley had prior supervisor reports/IA investigations with prior incidents. See attachments (IA 2021-03, IA 2021-04, IA 2022-04).

I believe that talking with Lt. Frank about this incident and how to handle it more appropriate was reasonable. There are numerous times when officers use derogatory words, however we do not discipline every one of these officers. When we learn of it we bring it to their attention and discuss how to be more professional.

If the union would like for the department to discipline an officer every time they swear we can surely do that but this does not make sense to me. I will note that we are in the process of training officers in de-escalation and how to talk with subjects for 2025. We are anticipating this will help all officers be professional in the language they use.

Also, in this arbitration it was substantiated that the "grievant's due process rights were not violated by the Employer in this case and he was afforded full opportunity to present his version of events and any information which he deemed relevant to the matter prior to the issue of discipline." (Page 46 of Arbitrator ruling).

**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT**

EMPLOYEE: Patrolman Nicholas Chalkley

Employees Involved:

Patrolman Nicholas Chalkley

Sgt. Benjamin Harris

Patrolman Zachery Kasperovich

INCIDENT DATE: July 24, 2021

LOCATION: University Hospital - 630 East River Rd.

DESCRIPTION OF INCIDENT:

Elyria PD IA # 2021-004

Incident #: 2021-20423

Contents

1. Circumstances leading to Internal Investigation (IA 2021-004)
 2. Initiation of IA 2021-004
 3. Synopsis of events provided in email by Sergeant Harris
 4. Review of Det. Kasperovich's Recorded Interview with Victim (EPD Case #:21-19785)
 5. IA 2021-004 Interview with Detective Kasperovich
 6. IA 2021-004 Interview with Sergeant Harris
 7. IA 2021-004 Interview with Detective Chalkley
 8. IA 2021-004 Interview with Patrolman Thacker
 9. Rules and Regulations/Policies being considered as violations
-
1. Circumstances leading to the Initiation of IA 2021-04

- On 7/24/2021, at approximately 0000hrs, Lt. Groomes received a phone call from Lt. Cunningham advising that patrol units were investigating a shooting, EPD Case #: 2021-18785. Lt. Groomes was advised that the victim, a 17 year-old male, was being treated at University Hospital.

- On 7/24/2021, at 0003hrs, Lt. Groomes made contact with Det. Kasperovich, advised him of the incident and asked if he could respond to University Hospital as the lead investigator of said case. Det. Kasperovich advised that he could and that he would be enroute. At 0011hrs, Lt. Groomes made contact with Det. Chalkley, advised him of the incident and asked if he could respond to University Hospital to assist Det. Kasperovich with said case. Det. Chalkley advised that he could and that he would

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SUPERVISOR'S REPORT**

be enroute. Lt. Groomes advised Det. Chalkley to contact Det. Kasperovich to coordinate their response.

At 0314hrs, Det. Kasperovich sent Lt. Groomes a text message, which stated, "Clearing now." Lt. Groomes took this to mean that Det. Kasperovich and Det. Chalkley had completed their initial investigation and were headed home. At 0341hrs, Det. Kasperovich contacted Lt. Groomes and advised that he wanted to speak, while having privacy, about an "issue." Det. Kasperovich advised that the issue was not occurring in the moment and did not need an immediate response, at which time Lt. Groomes asked to speak with Det. Kasperovich later that morning. Det. Kasperovich agreed.

- On 7/24/2021, at approximately 1000hrs, Lt. Groomes contacted Det. Kasperovich and learned the following:

While interviewing the victim in the hospital, Det. Kasperovich was interrupted by Det. Chalkley who, upon entering the ER room, immediately became confrontational with the victim. Det. Chalkley not only was being loud and disruptive, but smelled of an alcoholic beverage. Det. Kasperovich described Det. Chalkley as being "wasted," having slurred speech and acting aggressively towards the victim. Because of Det. Chalkley's state of being, Det. Kasperovich asked Sgt. Harris to take Det. Chalkley out of the ER. Det. Kasperovich did not see Det. Chalkley after that, but knew Det. Chalkley was transported back to station where he was picked up and driven home by Ptlm. Thacker. Det. Kasperovich drove Det. Chalkley's Elyria PD support car back to Elyria PD.

- On 7/25/2021, Lt. Groomes made contact with Sgt. Harris and asked him what took place with Det. Chalkley during the investigation at University Hospital. Sgt. Harris advised that following:

Det. Chalkley arrived and was being loud in the ER and had trouble standing. Because of Det. Chalkley's state and disruptive behavior, which Sgt. Harris described as "pretty bad," Det. Kasperovich asked Sgt. Harris to remove Det. Chalkley from the interview. Sgt. Harris did so and determined that Det. Chalkley was unfit to drive home. Arrangements were made for Ptlm. Thacker to pick up Det. Chalkley and drive him home. Lt. Groomes asked Sgt. Harris to pin point why he made the decision to prevent Det. Chalkley from driving home. Sgt. Harris paused, at which time Lt. Groomes asked, "Was it because of his behavior or because he smelled of alcohol?" Sgt. Harris responded, "It was both."

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Lt. Groomes advised Sgt. Harris to compose a synopsis of the events leading to his decision to send Det. Chalkley home and in doing so, preventing Det. Chalkley from driving. Lt. Groomes advised Sgt. Harris to include the "specific reasons," which he just provided, in the synopsis. Upon receiving the emailed synopsis, Lt. Groomes found Sgt. Harris's verbiage to be ambiguous when addressing the issue of alcohol. This caught Lt. Groomes off guard because specific and definitive reasons were given during the phone call with Sgt. Harris. With regard to alcohol, Sgt. Harris wrote, "Sergeant Harris did not detect a strong odor of an alcoholic beverage." The way in which this sentence is written left it open to interpretation as to whether alcohol was detected slightly, not at all, or something else.

2. Initiation of IA 2021-04

- On 7/25/2021, Lt. Groomes made contact with Captain Hammonds and advised him of the circumstances that caused Sgt. Harris to send Det. Chalkley home during a call-out, as well as prevent Det. Chalkley from driving himself home. Captain Hammonds determined that, effective immediately, Det. Chalkley be placed on paid administrative leave until the completion of an internal investigation. Captain Hammonds assigned Lt. Groomes and Sgt. Lantz to conduct IA 2021-04.

Lt. Groomes then called Det. Chalkley and advised him that an internal investigation was now being conducted and of his change in status to that of being on paid administrative leave. Det. Chalkley acknowledged such but stated, "This time is completely different than the other one." Lt. Groomes stated that he did not want to speak with Det. Chalkley, over the phone, about the incident and that Det. Chalkley should wait to make any statements. However, Det. Chalkley continued speaking and stated that this incident was different. Lt. Groomes ultimately agreed and responded to Det. Chalkley that yes, this incident is different in that he did not get into a physical altercation with someone, but that Det. Chalkley should have simply told Lt. Groomes that he had been drinking and was unable to respond to the "Call-out." Det. Chalkley agreed, but responded by saying, "This is different, I was in bed."

- On 7/26/2021, Lt. Groomes responded to Det. Chalkley's residence and took control of his support vehicle.
- On 7/27/2021, Lt. Groomes and Sgt. Lantz met with Det. Chalkley and notified him of his Garrity Hearing, which was scheduled for Monday, August 2, 2021, at 0900hrs, at Elyria Police Department. Det. Chalkley signed Elyria PD form IAD 803 Notice and Order for Interview, and was provided a copy of the form as well as copies of Elyria PD forms IAD 801 and IAD 802.

**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT****3. Synopsis of events provided in email by Sgt. Harris**

The following synopsis was cut and pasted directly from Sergeant Harris's email to Lt. Groomes:

On Friday July 23, 2021, at approximately 2335hrs Sergeant Harris was detailed to UH Elyria Medical Center at 630 East River St, in reference to a shooting. A 17-year-old male had admitted himself for a gunshot wound to the left leg. During the course of the investigation, Sergeant Harris apprised Lieutenant Cunningham of the incident, and he contacted the on-call Detective Bureau Supervisor, Lieutenant Groomes.

Detectives Kasperovich and Chalkley were called out, and Detective Kasperovich arrived approximately 0030hrs. Detective Chalkley arrived shortly after, and Sergeant Harris was outside in the Emergency Department's parking lot when he arrived. Sergeant Harris began speaking with Detective Chalkley about the incident, and noticed that Detective Chalkley appeared to be drowsy, and in an altered state. Detective Chalkley told Sergeant Harris that he was upset about being called in to work at such a late hour, and appeared that he wanted to leave.

Sergeant Harris further discussed the case with Detective Chalkley, and both officers went into the emergency department to speak with the victim, who was already being interviewed by Detective Kasperovich. Sergeant Harris noticed that while Detective Chalkley was interviewing the victim, he was having trouble standing. It should be noted that Sergeant Harris was collecting the victim's clothing at the time, and was not paying full attention to the interview.

Upon noticing Detective Chalkley's behavior, Sergeant Harris asked to speak with him outside. Sergeant Harris asked Detective Chalkley about his demeanor, and Detective Chalkley stated that he was tired, and did not feel well. During the conversations with Detective Chalkley, Sergeant Harris did not detect a strong odor of an alcoholic beverage; However, due to Detective Chalkley's behavior, Sergeant Harris did not feel it was prudent for him to be out in the field. Sergeant Harris also noted that Detective Chalkley did not appear to be armed at the time.

During the investigation, Sergeant Harris was advised there were witnesses to the shooting on station. Sergeant Harris spoke with Detective Kasperovich, and made the decision to take Detective Chalkley back to the station, so that he could still assist with the investigation. When Sergeant Harris arrived on station, the witnesses were gone. At that point, Sergeant Harris decided to send Detective Chalkley home. Sergeant Harris spoke with Detective Kasperovich, and asked if he needed another detective called out to assist him. Detective Kasperovich said that he did not need anyone else for his investigation.

Sergeant Harris did not feel Detective Chalkley could safely drive himself home, due to his current state. Sergeant Harris then advised Detective Chalkley to make arrangements for someone to pick him up from the station. Detective Chalkley made those arrangements, was later picked up from the station, and taken home.

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On July 25, 2021, Sergeant Harris was contacted by Lieutenant Groomes, in reference to the incident on the 23rd. Lieutenant Groomes requested that Sergeant Harris complete this synopsis of the incident for documentation.

END OF SYNOPSIS

Note, in the synopsis, Sgt. Harris refers to the incident on the 23rd. This incident, as it pertains to Det. Chalkley, took place during the early morning hours of the 24th.

4. Review of Det. Kasperovich's Interview Recording with Victim (EPD Case #:21-19785)

On 7/27/2021, Lt. Groomes and Sgt. Lantz listened to the audio recorded interview of that Det. Kasperovich conducted of the shooting victim at University Hospital on 7/24/2021. The following was heard:

0:00 START OF RECORDING:

Det. Kasperovich begins interviewing victim. Detective Kasperovich is attempting to get the victims statement and build rapport.

7:29:

Det. Chalkley, "Stop you're lying."

Victim: "What?"

Det. Chalkley, "You're lying."

Victim: "About what?"

Det. Chalkley, "Everything."

7:48:

Det. Chalkley, "Did you Cheddar Bob your ass here or what?"
[Detective Chalkley's speech sounds slurred]
[Cheddar Bob is street slang for "Shooting oneself?"]

Victim: "Huh?"

Det. Chalkley, "Ch....did you Cheddar Bob your ass or what?"

Victim: "No."

Det. Kasperovich then attempts to regain control of the interview.

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Det. Chalkley interjects, "We're busy man....we gotta go."

Det. Kasperovich then attempts to regain control of the interview and continues gathering the victim's statement.

8:35:

Det. Chalkley interjects, "You're lying."

Victim continues providing statement

Det. Chalkley interjects, "You're lying."

Victim continues providing statement

Det. Chalkley interjects, "You're lying."

8:56:

Det. Chalkley interjects, "Sergeant Harris....are you believing any of this?"
[Detective Chalkley's speech sounds slurred]

Sergeant Harris, "I think he's got some merit...I think there's some credence to it."

Det. Chalkley, "Okay....okay sergeant...okay."

Det. Kasperovich then asks Sergeant Harris to fill Detective Chalkley in on the case.

Det. Chalkley, "Thank you sergeant."

[Detective Chalkley's tone sounds displeased as to Sergeant Harris' response to his question]

Sergeant Harris removes Chalkley from the room.

Det. Kasperovich continues with interview

12:40:

Sgt. Harris then asks Det. Kasperovich, "Do you need Chalkley for anything?"

Detective Kasperovich, "Where's he?"

Sgt. Harris, "He's outside."

Det. Kasperovich steps away from the recording device and talks with Sgt. Harris.

14:00:

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Sgt. Harris and Det. Kasperovich are heard talking...most of the conversation is distant and unintelligible

Sgt. Harris, "I'm not gonna stop you."

Detective Kasperovich, "I've gotta do something."

Sgt. Harris and Det. Kasperovich continue talking ...most of the conversation is distant and unintelligible

Sgt. Harris, "I'll take care of it."

Sgt. Harris, "You stay here with him and I'll figure this out."

Det. Kasperovich continues with interview

23:51:

END OF RECORDING

Upon listening to the recorded interview, Lt. Groomes and Sgt. Lantz found Det. Chalkley's behavior to be as Det. Kasperovich described. Det. Chalkley was confrontational and antagonistic to the victim, and disruptive to the investigation. Det. Chalkley's speech was slurred and altered from normal pattern and cadence.

5. IA 2021-04 Interview of Detective Zach Kasperovich

On 7/27/2021, Lt. Groomes and Sgt. Lantz interviewed Det. Kasperovich. It should be noted that prior to the interview being initiated, Det. Kasperovich expressed that he was worried about being a witness in another IA and that he didn't want everyone to label him a snitch. Det. Kasperovich advised that he didn't want to say that he smelled alcohol on or about Det. Chalkley because he didn't want to get him in trouble. Lt. Groomes and Sgt. Lantz expressed their empathy for Det. Kasperovich but advised him that he was obligated to tell the truth. Lt. Groomes asked Det. Kasperovich if his description of Det. Chalkley was accurate during his initial reporting of the incident. Det. Kasperovich replied that it was. Det. Kasperovich then stated that he has too much to lose and understood that all he can do is tell the truth. The interview then started and Det. Kasperovich was asked to describe what happened at University Hospital from the time Det. Chalkley arrived on scene. The following was learned:

Det. Kasperovich had started his interview of the victim and was in the process of getting a base line story and building rapport. Approximately 10 minutes into the interview, Det. Chalkley arrived in the room and was "immediately confrontational," accusing the victim of shooting himself without hearing any of the back story from Det. Kasperovich or Sgt. Harris. Det. Chalkley did this instantaneously upon walking into the room. It was so immediate that Det. Kasperovich was not aware that Det. Chalkley had entered the room before he (Chalkley) began confronting the victim.

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It should be noted that the only information Det. Chalkley had prior to arriving at the hospital was that there was a 17 year-old male with a gunshot wound to the lower leg. This information was given to Det. Chalkley during his initial phone call from Lt. Groomes and then a phone call with Det. Kasperovich while enroute to the hospital.

Det. Chalkley was described as being loud, with slurred speech and smelling of alcohol as he moved to and stood on the opposite side of the victim's bed from Det. Kasperovich. Det. Kasperovich described Det. Chalkley's confrontational behavior, and his smelling of alcohol, as being "unexpected." Det. Kasperovich advised that he could smell the alcohol on Det. Chalkley as soon as he began speaking to the victim. It should be noted that this incident took place in a shared ER room with another patient separated only by a curtain. It is unknown by Det. Kasperovich if hospital staff was aware of Det. Chalkley's condition.

Because Det. Chalkley continued to interfere with the interview, which caused the victim to get upset and Det. Kasperovich to lose control of the conversation, Det. Kasperovich asked Sgt. Harris to speak with Det. Chalkley in a different location. Once Det. Chalkley was out of the room, Det. Kasperovich was able to regain control of the interview and obtained what he believed to be a cooperative statement, from the victim, that was found to be consistent with information and evidence gathered at the scene.

Sgt. Harris later entered the ER and spoke with Det. Kasperovich about Det. Chalkley's condition. Sgt. Harris advised Det. Kasperovich that Det. Chalkley was not "in the right state of mind" to be driving home. Though Det. Kasperovich cannot recall how Sgt. Harris phrased it, the conversation was about Det. Chalkley being under the influence of alcohol. According to Det. Kasperovich, on the recording, when Sgt. Harris said, "I'm not going to stop you," and Det. Kasperovich replied, "I've gotta do something," Det. Kasperovich was talking about calling Lt. Groomes or Sgt. Lantz to notify them of Det. Chalkley's condition. Det. Kasperovich decided to wait to call Lt. Groomes until he had privacy from all other officers.

It was then decided that Det. Chalkley would get a ride home from Ptlm. Thacker who, while off-duty, responded to Elyria PD to collect Det. Chalkley. Det. Kasperovich obtained the keys to Det. Chalkley's support car, a black GMC SUV, from Sgt. Harris and drove the vehicle, which Det. Chalkley had parked in a handicap spot, back to Elyria PD.

When asked to rely on his training and experience and to convey how would have interpreted Det. Chalkley's condition had he been a subject on the street, Det. Kasperovich stated that he would have considered him to be intoxicated and under the influence of alcohol. Det. Kasperovich described the conditions that led him to that conclusion as Det. Chalkley having the smell of alcohol, to be swaying in his stance, to have loud slurred speech and glossy watery eyes.

6. IA 2021-04 Interview of Sgt. Ben Harris:

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On 7/28/2021, Lt. Groomes and Sgt. Lantz interviewed Sgt. Harris. Prior to beginning the interview, Lt. Groomes and Sgt. Lantz explained to Sgt. Harris that during the interview, they wanted to clear up ambiguous language that was used in Sgt. Harris's written synopsis of events. Lt. Groomes specified that the language used to describe whether or not Sgt. Harris detected the smell of an alcoholic beverage on Det. Chalkley left investigators confused as to whether a small amount was detected or none at all. Sgt. Harris explained that he did not smell any alcohol on Det. Chalkley. Lt. Groomes stated that this surprised him because of the phone conversation in which Sgt. Harris indicated that he decided to send Det. Chalkley home without driving himself because of his behavior and the smell of alcohol. Sgt. Harris stated that he must have misunderstood Lt. Groomes or misspoke. This issue was revisited during the interview. The interview then began and the following was learned:

On 7/24/2021, Sgt. Harris responded to University Hospital in reference a 17 year-old with a gunshot wound. While there, Sgt. Harris observed Det. Chalkley arrive in his city issued support vehicle. Det. Chalkley arrived approximately 10 to 15 minutes after Det. Kasperovich. Upon exiting his vehicle, Det. Chalkley dropped his keys, retrieved them, and then made contact with Sgt. Harris. Det. Chalkley explained that he was tired, was upset about being called out and appeared to want to leave. During this conversation, Sgt. Harris noticed that Det. Chalkley's speech was slurred and that he was stuttering.

Sgt. Harris and Det. Chalkley then entered the ER where Det. Kasperovich had already initiated an interview with the victim. While collecting the victims clothing, Sgt. Harris noticed that Det. Chalkley was speaking "loudly" and was calling the victim a "liar." Det. Kasperovich motioned to Sgt. Harris to remove Det. Chalkley from the room, at which time Sgt. Harris took Det. Chalkley outside. While outside, Sgt. Harris continued to view the same "behavior issues" from Det. Chalkley. Sgt. Harris acknowledged that Det. Chalkley was immediately confrontation with the victim, and was disruptive to Det. Kasperovich's efforts to obtain an initial statement from said victim. Sgt. Harris then advised Det. Chalkley that he was being sent back to station and that he would not be driving.

Det. Kasperovich later exited the room and made contact with Sgt. Harris and began speaking about Det. Chalkley's "apparent impairment," to include how "fucked up" he was. Det. Kasperovich expressed concern that he (Det. Kasperovich) could get in trouble because of Det. Chalkley's state and behavior. Sgt. Harris advised Det. Kasperovich to feel free to contact Lt. Groomes and if Lt. Groomes had any questions that Sgt. Harris would speak to him as well.

Sgt. Harris drove Det. Chalkley back to Elyria PD where he told Det. Chalkley to arrange for a ride home. Det. Kasperovich drove Det. Chalkley's vehicle to station. Det. Chalkley was initially "upset" about Sgt. Harris's decision about making arrangements for a ride home. Sgt. Harris attempted to explain to Det. Chalkley why he made his decision, however; Sgt. Harris advised that it was hard to talk to him because he could not hold or maintain a conversation. During his interactions with Sgt. Harris, Det. Chalkley never mentioned any reason for his impairment.

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When asked about whether he smelled alcohol on Det. Chalkley, Sgt. Harris stated, "No." Lt. Groomes asked Sgt. Harris to explain the discrepancy of information provided during his initial phone call with Lt. Groomes and the information he was providing in the interview. Sgt. Harris stated that he didn't have a "great explanation," simply that he "misspoke" during the phone call. Sgt. Harris reiterated that he did not smell alcohol coming from Det. Chalkley.

When asked about what he thought was impairing Det. Chalkley during the call-out, Sgt. Harris stated that, at the time, he thought it could be alcohol or the combination of medication and alcohol. He went on to say that the only reason he thought it wasn't just alcohol was that Det. Chalkley was so drowsy and had trouble standing up. About his thoughts at the time, Sgt. Harris stated, "My only concern was that he's clearly not able to work with the state he's in and he can't be driving home."

Sgt. Harris was asked if, from his training and experience, he believed Det. Chalkley's poor choices, or behavior that night, were caused by his being under the influence of some substance. Sgt. Harris responded, "Absolutely." Sgt. Harris stated that it came to his attention, later on, that Det. Chalkley had possibly taken sleeping pills.

7. IA 2021-04 Interview of Det. Nick Chalkley:

On 8/02/2021, Lt. Groomes and Sgt. Lantz conducted a Garrity Hearing with Det. Chalkley in the presence of OPBA Attorney Dan Lefler and EPPA President Adam Garvin. Lt. Groomes read the Garrity Hearing Notice and the specific allegations against Det. Chalkley that were being investigated. Det. Chalkley signed and dated the IAD form 803, acknowledging his understanding of said notice. The following was learned during the course of the interview.

Det. Chalkley was asked to describe the events that took place on 7/24/21, which were ultimately what led to the interview. Det. Chalkley stated that he was contacted by Lt. Groomes and told to meet Det. Kasperovich at the hospital in reference to a gunshot wound victim. Det. Chalkley stated that he did such and spoke with the victim for approximately 10 minutes. According to Det. Chalkley, Sgt. Harris was present during this time and was eventually advised by Sgt. Harris that there were possible witnesses to be interviewed. Det. Chalkley and Sgt. Harris then left the hospital and returned to Elyria PD where they became aware that no witnesses were at station. Sgt. Harris then called Det. Kasperovich whom advised that Det. Chalkley was no longer needed, at which time Sgt. Harris advised Det. Chalkley could leave.

It should be noted that Det. Chalkley's version of events completely failed to acknowledge any details that led to this investigation, that being; his having been under the influence of a substance that impaired his ability to properly perform his duties while on duty, his inability to drive himself home, and that he was removed from an interview with a victim because of his disruptive behavior.

Lt. Groomes asked Det. Chalkley how he left and Det. Chalkley stated, "Thacker. Thacker came and picked me up." Det. Chalkley stated that, after being told he could leave, Sgt. Harris asked him if he was feeling alright and stated that Det. Chalkley was

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not acting his normal self. Det. Chalkley responded to Sgt. Harris explaining that he was not happy about being woken up and about coming in. According to Sgt. Harris, this conversation occurred at the hospital when Det. Chalkley first arrived. According to Sgt. Harris, he told Det. Chalkley to make arrangements for a ride home and attempted to explain to Det. Chalkley why he made that decision. However; Sgt. Harris had difficulty doing so because Det. Chalkley was not able to hold a conversation.

With regard to his arrival at the hospital, Det. Chalkley stated that he met with Sgt. Harris prior to entering and that the only information Sgt. Harris relayed was that they had a shooting victim from Pronesti Ln. Det. Chalkley advised that he did not make any comments to Sgt. Harris at that time and entered the hospital where he found Det. Kasperovich already conducting the interview of the victim. Det. Chalkley went to the opposite side of the victim's bed, from Det. Kasperovich, upon entering the room.

Det. Chalkley advised that he began confronting the victim about lying a couple minutes after entering the room and, "When I didn't like what he was saying." Det. Chalkley advised that he believed the victim was lying because he was being "stand-offish and passive about everything." After having listened to the recorded interview of the victim, Lt. Groomes and Sgt. Lantz do not agree with that description of the victim's demeanor and responses. Det. Chalkley advised that he confronted the victim in an "aggressive manner" because he "knew he was lying to us." When asked if Sgt. Harris or Det. Kasperovich ever indicated whether they believed he was lying or not, Det. Chalkley responded, "No." Lt. Groomes and Sgt. Lantz knew this to be incorrect because of Sgt. Harris statement to Lt. Groomes and Sgt. Lantz, which is supported by the audio recording of Sgt. Harris stating to Det. Chalkley that the victim's story has both "credence" and "merit."

Det. Chalkley admitted to having had trouble concentrating on the interview but stated that he did not realize he was "off" until Sgt. Harris brought it to his attention. Det. Chalkley advised that the next morning, after having been driven home, that he began reading up on the affects of the interaction between his daily medication (Undisclosed) and a daily sleeping aid he has taken since his last IA in May. Det. Chalkley believed the brand of his over the counter sleeping aid was [REDACTED]. The closest thing Lt. Groomes found to that was [REDACTED]. Det. Chalkley advised that through his research, he found that the combination of the two medications causes dizziness, drowsiness, confusion, difficulty concentrating and impairment in thinking and judgment. Det. Chalkley advised that he takes his prescribed medication in the morning and the over the counter sleeping aid approximately 1 hour before he wants to go to sleep. He took the sleeping aid at approximately 2200hrs on 7/23/21. According to Det. Chalkley, he did not make any mention of his medication and sleeping aid to Sgt. Harris during the incident in question. Det. Chalkley denied having consumed any alcohol prior on 7/23/21 and 7/24/21, and stated officers are incorrect if they reported smelling alcohol on him. Det. Chalkley further stated that he now only consumes alcohol every other Saturday when he does not have his kids.

As for the prescription medication, Det. Chalkley advised that his doctor never went over the potential side effects with him, there are no warnings on the bottle, and he didn't

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read any of the paperwork that came with the medication. Det. Chalkley stated that since the incident on 7/24/21, his doctor has prescribed him a new medication that does not react with the sleeping aids.

With regard to his behavior interfering with Det. Kasperovich's ability to conduct a proper interview, Det. Chalkley initially responded that it did not. However; in the same sentence of response, Det. Chalkley stated that it was obvious that the victim did not like him (Det. Chalkley), but liked Det. Kasperovich and was more likely to answer Det. Kasperovich's questions. Det. Chalkley acknowledged that if Sgt. Harris and Det. Kasperovich felt it was best to remove Det. Chalkley that it was the appropriate decision. He went on to say that he imagines Det. Kasperovich got more answers after he was removed.

When asked about having a lack of courtesy or respect when interacting with Sgt. Harris and Det. Kasperovich, Det. Chalkley stated it was probably a "large agitation." Sgt. Lantz confronted Det. Chalkley with the recorded interview of the victim, during which Det. Chalkley can be heard asking Sgt. Harris if he was believing the victims story. This is when Sgt. Harris responds that the victims story had "credence" and "merit," and is also a conversation Det. Chalkley didn't remember having, as he stated that he never learned from Sgt. Harris or Det. Kasperovich that they believed the victim was telling the truth. However; when it was brought to Det. Chalkley's attention that the tone of his response to Sgt. Harris was aggressive, argumentative, that he sounded frustrated and even arrogant when Sgt. Harris agreed with the victim, Det. Chalkley dismissed his tone and stated that he was just agreeing with Sgt. Harris and wasn't being rude. When pressed further about his tone on the recording, Det. Chalkley stated that his tone might not have been acceptable, but went on to say that he has never been disrespectful to anyone. Again, Det. Chalkley seems unaware, or unwilling to accept, that his aggressive approach with a victim, for whom he had no supporting facts to support his calling a liar, is an example of being disrespectful.

With regard to being armed during this incident, Det. Chalkley advised that he was not because his P226 is locked in a safe at his residence, and his P239 is in his desk drawer on station. Det. Chalkley acknowledged that he is aware, per policy, that he should have been armed when operating a department vehicle.

During this interview, Det. Chalkley made statements that at times contradicted himself as well as those made by Sgt. Harris and Det. Kasperovich. He did not remember a specific conversation with Sgt. Harris, which he initiated, yet can state his intentions and mindset when confronted about his lack of respect towards Sgt. Harris during that forgotten conversation. Det. Chalkley stated that that false allegations, specifically that he smelled of alcohol, had led to this investigation and, without said allegations, there would be no cause for him to be questioned.

Ultimately, Det. Chalkley states that his impairment was due to the combination of prescription medication and an over the counter sleeping aid. However; Lt. Groomes and Sgt. Lantz both were left with the impression that Det. Chalkley left the interview

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feeling as if he had no culpability during this incident, that he is a victim of false allegations, and has not accepted any responsibility for his actions.

8. 1A 2021-004 Interview with Patrolman Thacker

On 8/10/21, Lt. Groomes and Captain Pelko interviewed Patrolman Thacker. The following was learned:

Ptln. Thacker was asked to describe how he became involved with Det. Chalkley during the morning of 7/24/21. Ptln. Thacker advised that at approximately 0130hrs, he received several calls from Det. Chalkley and ended up answering his phone. Det. Chalkley asked Ptln. Thacker to pick him up at station. Ptln. Thacker, whom was off duty and with his family at their boat in Sandusky, drove to Elyria PD where he met Det. Chalkley in the Narcotics Office. Ptln. Thacker stated that Det. Chalkley didn't say much but was frustrated and "drowsy, out of it." Ptln. Thacker further stated that Det. Chalkley was unsteady to walk.

During the ride home, Ptln. Thacker attempted to see if he could smell alcohol on Det. Chalkley and, as a result, did not smell alcohol on or about him. According to Ptln. Thacker, Det. Chalkley's behavior seemed to indicate that he was "intox," however; he thought he would have smelled it on him. As for conversation, Det. Chalkley advised that he had taken something to help him sleep, but Ptln. Thacker does not know if it is prescription or if it is over the counter medication. Ptln. Thacker believed that it made sense that medication could be causing Det. Chalkley's state.

Ptln. Thacker also learned from Det. Chalkley that when Det. Chalkley received the call to come in to work, he wasn't going to say no because he doesn't refuse work. Ptln. Thacker responded to Det. Chalkley by saying, if you're on medication, you don't get paid on call, so I don't know why you're here. Det. Chalkley ultimately advised Ptln. Thacker that he is stressed about the previous incident not being resolved and that he is still assigned to the detective bureau.

Ptln. Thacker advised Lt. Groomes and Captain Pelko that Det. Chalkley was in no condition to be driving and, therefore, in no condition to be working during the morning of 7/24/21.

9. Rules and Regulations/Policies being considered as violations**1.01 Violation of Rules**

Officers shall not commit any acts or omit any acts which act or omission constitutes a violation of any of the rules, regulations, directives, or orders of the Department, whether stated in this order or elsewhere.

- Support Car General Order
- City of Elyria Fleet Management Policy

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- Core Values General Order 3.01

1.02 Unbecoming Conduct

Officers shall conduct themselves at all times, both on and off duty, in such manner as to reflect most favorably on the Department. Conduct unbecoming an officer shall include that which brings the Department into disrepute or reflects discredit upon the officer as a member of the Department, or that which impairs the operation or efficiency of the Department or officer.

1.05 Reporting for Duty

Officers shall report for duty at the time and place required by assignment, orders, or voluntary assignment, and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Judicial subpoenas shall constitute an order to report for duty under this section.

1.15 Use of Alcohol On-Duty or In Uniform

B. No member of the Department shall appear for or shall be on duty under the influence of any alcoholic beverage; nor shall any member be unfit for duty due to excessive use.

1.25 Courtesy

Officers shall be courteous to the public, including fellow officers and other departmental personnel. Officers shall be tactful in the performance of their duties, shall control their tempers, and exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation.

1.44 Carrying Firearms

Officers shall carry firearms in accordance with law and established departmental procedures.

Summary

VIOLATION:

Sustained

CHECK OF PREVIOUS SUPERVISOR'S REPORTS

COMPLETED BY: Lt. Groomes 138

DATE: 8/11/2021

EARLY INTERVENTION REVIEW (MANDATORY FIELD, SEE GO.3.12)

☒ NOT A TRACKED ACTIVITY

☐ EIS THRESHOLD NOT REACHED

☐ EIS THRESHOLD REACHED OR EXCEEDED (SEE SUPERVISOR COMMENTS BELOW)

SUPERVISOR RECOMMENDATIONS (Check all that apply)

☐ No Violation ☐ Verbal Counseling ☒ Written Reprimand ☒ Chief review for assignment or hearing
☐ Early Intervention ☐ Remedial Training ☐ Performance Improvement Plan ☒ Other (Describe in comments)

SUPERVISOR COMMENTS:

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This is the second incident, in less than 3 months, in which Officer Chalkley has displayed poor judgement and behavior due to impairment caused by a substance or substances. By his own account, Officer Chalkley's use of substances are the direct result of stress in his private life. It is our recommendation that this agency mandate that Officer Chalkley complete substance abuse counseling and anger or stress management counseling.

SUBMITTED BY: Lt. Michael P. Grooms 138

DATE: 8/11/2021

SUPERVISOR'S REVIEW & APPROVAL (All 401 approved by supervisor on separate document)		
TEAM SERGEANT OR IMMEDIATE SUPERVISOR:	DATE:	☐ APPROVE ☐ DISAPPROVE
SHIFT OR UNIT COMMANDER:	DATE:	☐ APPROVE ☐ DISAPPROVE
DIVISION COMMANDER:	DATE:	☐ APPROVE ☐ DISAPPROVE
CHIEF OF POLICE:	DATE:	☐ APPROVE ☐ DISAPPROVE

CHIEF OF POLICE ORDER/DISPOSITIONS (Check all that apply)	
☐ No Violation (Closed) ☐ Verbal Counseling ☐ Written reprimand ☐ Assigned to IA Track # ☐ Chief to submit certification of suspension to SSD (maintain copy and SSD response with this report) ☐ Early Intervention ☐ PIP Developed ☐ Remedial Training Ordered ☐ Other (Describe below)	
ACTIVITY COMPLETION BY DATE:	
COMMENTS:	
CHIEF OF POLICE:	DATE:

DOCUMENTATION ON COMPLETED ACTIVITIES (Check all that apply)	
☐ Counseling Session Completed ☐ Written Reprimand Issued ☐ Early Intervention Completed ☐ PIP Developed ☐ Remedial Training Completed ☐ Other (Describe below)	
Letter of: ☐ Suspension Issued (attach) ☐ Reduction in Rank Issued (attach) ☐ Dismissal Issued (attach)	
COMPLETED BY:	DATE:

SUPERVISOR COMMENTS (Describe Activities): ☐ SEE ATTACHMENT

EMPLOYEE'S ACKNOWLEDGEMENT:	DATE:
EMPLOYEE'S COMMENTS:	

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FORWARD TO CHIEF OF POLICE OR COMMISSION	
FINAL DISPOSITION (Complete when applicable) INVESTIGATIVE CLOSURE	
☐ Unfounded ☐ Exonerated ☐ Not Sustained ☐ Sustained ☐ Sustained-Other	
All activities ordered through my office and/or the Safety Service Director has been completed.	
CHIEF OF POLICE:	DATE:
COMMENTS:	
CHIEF OF POLICE TO SCAN COMPLETED DISPOSITION TO BUREAU OF ELECTRONIC FILES & PLACE HAND COPY IN ADMINISTRATIVE FILE ROOM	

Original: Chief through channels as completed
Copies: Chief where original held for investigation/review; Division Commander; Unit Commander; Reporting Supervisor; Officer involved in incident



ELYRIA POLICE DEPARTMENT

TO: Safety Service Director Brubaker
FROM: Chief Duane Whitely
SUBJ: Disciplinary Recommendation for Ptlm. Nicholas Chalkley
Re: See below

DATE: September 14, 2021

1.01 Violation of Rules

Officers shall not commit any acts or omit any acts which act or omission constitutes a violation of any of the rules, regulations, directives, or orders of the Department, whether stated in this order or elsewhere.

- Support Car General Order
- City of Elyria Fleet Management Policy
- Core Values General Order 3.01



1.02 Unbecoming Conduct

Officers shall conduct themselves at all times, both on and off duty, in such manner as to reflect most favorably on the Department. Conduct unbecoming an officer shall include that which brings the Department into disrepute or reflects discredit upon the officer as a member of the Department, or that which impairs the operation or efficiency of the Department or officer.

1.05 Reporting for Duty

Officers shall report for duty at the time and place required by assignment, orders, or voluntary assignment, and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Judicial subpoenas shall constitute an order to report for duty under this section.

1.25 Courtesy

Officers shall be courteous to the public, including fellow officers and other departmental personnel. Officers shall be tactful in the performance of their duties, shall control their tempers, and exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation.

1.44 Carrying Firearms

Officers shall carry firearms in accordance with law and established departmental procedures.



On July 24, 2021, Lt. Groomes called Det. Nicholas Chalkley into work at about 0011 hrs to assist in the investigation of a shooting. Det. Chalkley agreed to come into work, got dressed, and drove the

UH Hospitals Elyria in his department assigned support car to interview the shooting victim. Upon arrival, Det. Chalkley found Det. Kasperovich had already started that interview with the victim. Det. Chalkley quickly jumped into the interview calling the victim a liar and suggested that the victim shot himself. Det. Kasperovich tried to get the interview back on track but Det. Chalkley continued accusing the victim of shooting himself. Det. Kasperovich finally asked Sgt. Harris to get Det. Chalkley out of there. Sgt. Harris agreed and walked Det. Chalkley out of the hospital. At one point during the conversation, Det. Chalkley was very disrespectful towards Sgt. Harris. Both Det. Kasperovich and Sgt. Harris believed that was under some form of intoxicated state, whether it be alcohol or some other form of drug. Sgt. Harris made sure the Det. Chalkley did not drive to the station and had Det. Chalkley arrange for a ride home once he was on station. Sgt. Harris also noticed that Det. Chalkley did not have his duty weapon on him, which is required whenever driving a support car and when on duty.

During the hearing, Det. Chalkley denied that he had consumed alcohol, but did admit that he was impaired due to a combination of his prescription medication and some sleeping pills he was using. Det. Chalkley said he has since had the medication changed so there are no issues with the medications.

Det. Chalkley admitted that he knows what it feels like to be impaired and should not have responded to work. All he needed to do was to inform Lt. Groomes that he was not in the condition to go into work and Lt. Groomes would have called someone else to assist on the investigation. Instead he drove his city assigned vehicle, while feeling impaired, from his home in Strongsville to Elyria. It should be noted that Det. Chalkley did not take his firearm with him when he responded to the hospital for the callout. This is a second violation of driving a city assigned vehicle while impaired. The Unbecoming Conduct and Courtesy violations are from how Det. Chalkley acted towards both the shooting victim and Sgt. Harris. Det. Chalkley has since been transferred from the Investigative Division to the Patrol Division. The transfer was not a disciplinary move, it was requested by both the Investigative Division Commander and well as Det. Chalkley.

It is my recommendation that Det. Chalkley receive a five day suspension, with three days suspended based on his continuing alcohol treatment/counseling for one year.

Chief Duane Whitely

Xc: Via e-mail
SSD Kevin Brubaker
Capt. Pelko
Lt. Groomes
File (2)

GRIEVANCE SETTLEMENT

This Grievance Settlement Agreement ("Agreement") is entered into between the City of Elyria ("City"), the Elyria Police Patrolman/s Association ("Union"), and Nicholas Chalkley ("Grievant") (collectively, "the Parties.")

WHEREAS, The City and Union are parties to a collective bargaining agreement that expired December 31, 2021 and Grievant is a member of the Union;

WHEREAS, on August 18, 2021, Grievant filed a grievance ("Grievance") challenging the imposition of a thirty (30) day suspension without pay ("Suspension"), with such Grievance scheduled for arbitration on February 24, 2022;

WHEREAS, to avoid the time and expense of arbitration, the Parties now wish to memorialize their agreement relative to a resolution applicable to the disputed issues involved in this Grievance only and without an admission of fault by the City, Union or Grievant.

NOW THEREFORE, the Parties agree as follows:

1. The Grievant and Union agree that the City will issue a mandatory referral of Grievant to the City's Employee Assistance Program and Grievant agrees to fully cooperate with the terms and conditions related to such referral.
2. The City agrees to convert the Suspension to a twenty (20) day suspension without pay and a ten (10) day unpaid leave of absence. The Parties agree that the Grievant has already served the suspension without pay and unpaid leave days and is not entitled to any compensation by virtue of this Agreement. The City further agrees to rescind Rule II, Rules of Conduct, 1.45 Truthfulness, as grounds for the Suspension. All other grounds identified in the disciplinary record shall remain in place.
3. The Parties further agree that this Settlement resolves all outstanding issues surrounding the Suspension and the September 14, 2021 disciplinary recommendation issued by former Chief Whitely.
4. The Union agrees to pay the arbitrator's cancellation fee.
5. The Union and Grievant agree that, upon execution of this Agreement by all Parties, the Grievance shall be deemed withdrawn with prejudice.
6. The Parties agree that this Agreement provides for a one-time resolution to the issues addressed herein that is non-precedent setting.

CITY OF ELYRIA

By: K.A. Re
Kevin Brubaker, Safety Service Director

Date: 3-21-2022

ELYRIA POLICE PATROLMEN'S
ASSOCIATION

By: Dg's [Signature]

Date: 03-20-2022

GRIEVANT

in [Signature] #253
Nicholas Chalkley

Date: 03/18/2022



ELYRIA POLICE DEPARTMENT INVESTIGATION

COMPLAINANT: EPD
COMPLAINT NUMBER: IA-2021-003
DATE OF INCIDENT: 05-18-2021
DATE REPORTED: 05-18-2021

CASE #: IA-2021-003

Violations: RULES and REGULATIONS

Rule II - Rules of Conduct

1.01 Violation of Rules

Officers shall not commit any acts or omit any acts which act or omission constitutes a violation of any of the rules, regulations, directives, or orders of the Department, whether stated in this order or elsewhere.

1.02 Unbecoming Conduct

Officers shall conduct themselves at all times, both on and off duty, in such manner as to reflect most favorably on the Department. Conduct unbecoming an officer shall include that which brings the Department into disrepute or reflects discredit upon the officer as a member of the Department, or that which impairs the operation or efficiency of the Department or officer.

1.16 Use of Alcohol Off-Duty



Officers, while off duty, shall refrain from consuming intoxicating beverages to the extent that it results in obnoxious or offensive behavior which discredits them or the Department, or renders the officers unfit to report for their next regular tour of duty. An officer shall not consume any intoxicating beverages within six hours of his scheduled duty time.

1.45 Truthfulness

Upon the order of the Chief of Police, the Chief's designee or a superior officer, officers shall truthfully answer all questions directed and narrowly related to the scope of employment and operations of the Department which may be asked of them.

GENERAL ORDERS

3.01 Mission, Vision, Core Values

IV Core Values

Integrity: Integrity must be first and foremost. The willingness to do what is right at all times regardless of the situation. The Elyria Police Department is committed to the highest professional standards. Integrity and truthfulness in all relationships, and ethical conduct is expected and demanded by the members of this organization.

Respect: The Elyria Police Department personnel will treat all persons in a dignified and courteous manner and demonstrate an understanding of their cultural diversity in dealing with our public and private contacts.

4.25 Support Car Operation



VIII. Off-duty obligations

- A. An officer accepting the assignment of a support car may use the car for personal business, personal transportation to assigned schools, court appearances, and other departmental business that is conducted within the City of Elyria. The vehicle may not be used for unauthorized use outside of the City. The vehicle will be parked at the officer's place of residence when not being used (except as provided in Section IX, D). Officers should be aware that the main purpose of a Support Car is for police usage and they should restrict their personal usage.
- E. Support cars will not be utilized by off-duty officers or passengers who have consumed or intend to consume alcoholic beverages or any drug of abuse. The officer-in-charge may approve an exception where it is justified (transportation of ill persons, etc.).
- F. Officers utilizing a support car while off duty will be required to carry an approved side arm and department identification. Approval is subject to departmental procedures for qualification, etc.

CITY OF ELYRIA FLEET MANAGEMENT PROGRAM

III. VEHICLE USE

1. City Owned Vehicles

a. Passenger Cars

Employees authorized by their department head will be permitted to operate a passenger car. When the vehicle is driven for City use, only the employee authorized will be permitted to operate the vehicle. No one under the age of 18 will be permitted to operate any City vehicle at any time.

IX. DRIVER SAFETY REGULATIONS

2. Impaired driving

The driver must not operate a vehicle at any time when his/her ability to do so is impaired, affected, or influenced by alcohol, illegal drug buys, prescribed or over the counter medication, illness, fatigue or injury. Do not consume alcohol within eight (8) hours of operating a city motorized vehicle or equipment.

PARTIES INVOLVED

NICK CHALKLEY

A [REDACTED] S [REDACTED] - Chalkley's ex-wife

M [REDACTED] C [REDACTED] - A [REDACTED]'s current boyfriend

On 05-18-2021 at approximately 2130 hours Captain Pelko received a phone call from Lt. Groomes. Lt. Groomes advised that the LCSO just responded to an incident with Narcotics Detective Nick Chalkley (See LCSO report # 2021-13558, attached at the end of this report). This was at [REDACTED] Drive in Columbia Station, Ohio (A [REDACTED] S [REDACTED]'s house). A [REDACTED] S [REDACTED] is Chalkley's ex-wife and they have two children together. Chalkley was reported to be intoxicated, driving his work vehicle and involved in a physical confrontation with his ex-wife's boyfriend, M [REDACTED] C [REDACTED]. During this incident, Chalkley's personal cell phone had fallen out of his pocket. This phone was turned over to the LCSO.

Lt. Groomes and Captain Pelko began to coordinate in an attempt to locate Chalkley and ensure everyone was ok. Prior to meeting up, Lt. Groomes was advised that Chalkley was at the LCSO to retrieve his cell phone. Lt. Groomes contacted Chalkley and advised him to wait there until Lt. Groomes and Capt. Pelko arrived. On the phone, Lt. Groomes questioned Chalkley on how he arrived at the LCSO and he advised a friend had driven him.

Captain Pelko arrived on scene and Chalkley was standing at the northwest corner of the parking area. He sat in Capt. Pelko's front passenger seat and was asked if he was ok. He stated he was ok. Chalkley appeared to be under the influence of alcohol as his speech was slurred, his eyes were glassy and he smelled of alcohol. He admitted to having two drinks of vodka prior to this incident. He was asked what happened and stated that he had been set up by his ex-wife. She invited him over and upon arrival he was confronted by her boyfriend, M [REDACTED] C [REDACTED] Chalkley and C [REDACTED] then got into a "scuffle" and he (Chalkley) was on the ground with C [REDACTED] on top of him. Chalkley was eventually able to get up and left the area. He then realized his phone was gone and was advised it was given to the LCSO officers who arrived on scene. He responded to the LCSO to retrieve his phone.

Chalkley insisted that his ex-wife set him up and showed the texts on his phone. See below:

22:33

LTE M



can watch my princess while
Caesar and I get faded up

You can leave here there ans
I'll just pick her up after work

Nick why are you such a jerk?
Like why is it always my kids
my princess my C [redacted]
Please have a little respect for
me

I hate that I rebooked this
vacation. I hate that I have to
do this ans walk on eggshells
and feel shitty about myself

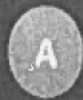
Embrace what you are and
who you are, after this
vacation our lives will change
dramatically. You're lucky I
love C [redacted] and The Princess
so much. I know C [redacted] is
looking forward to this
otherwise I'd want my money
back

As far as I'm concerned I'm on



22:33

LTE



As far as I'm concerned I'm on
vacation with my babies and
you're a necessary evil. I can
only hope our only interaction
is to split money

I'll just take the kids myself

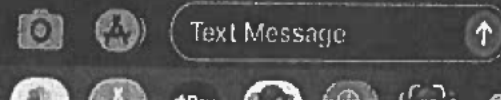
I've made a promise to my son
and will never break it. I'll get
kids on Thursday and get him
a real haircut

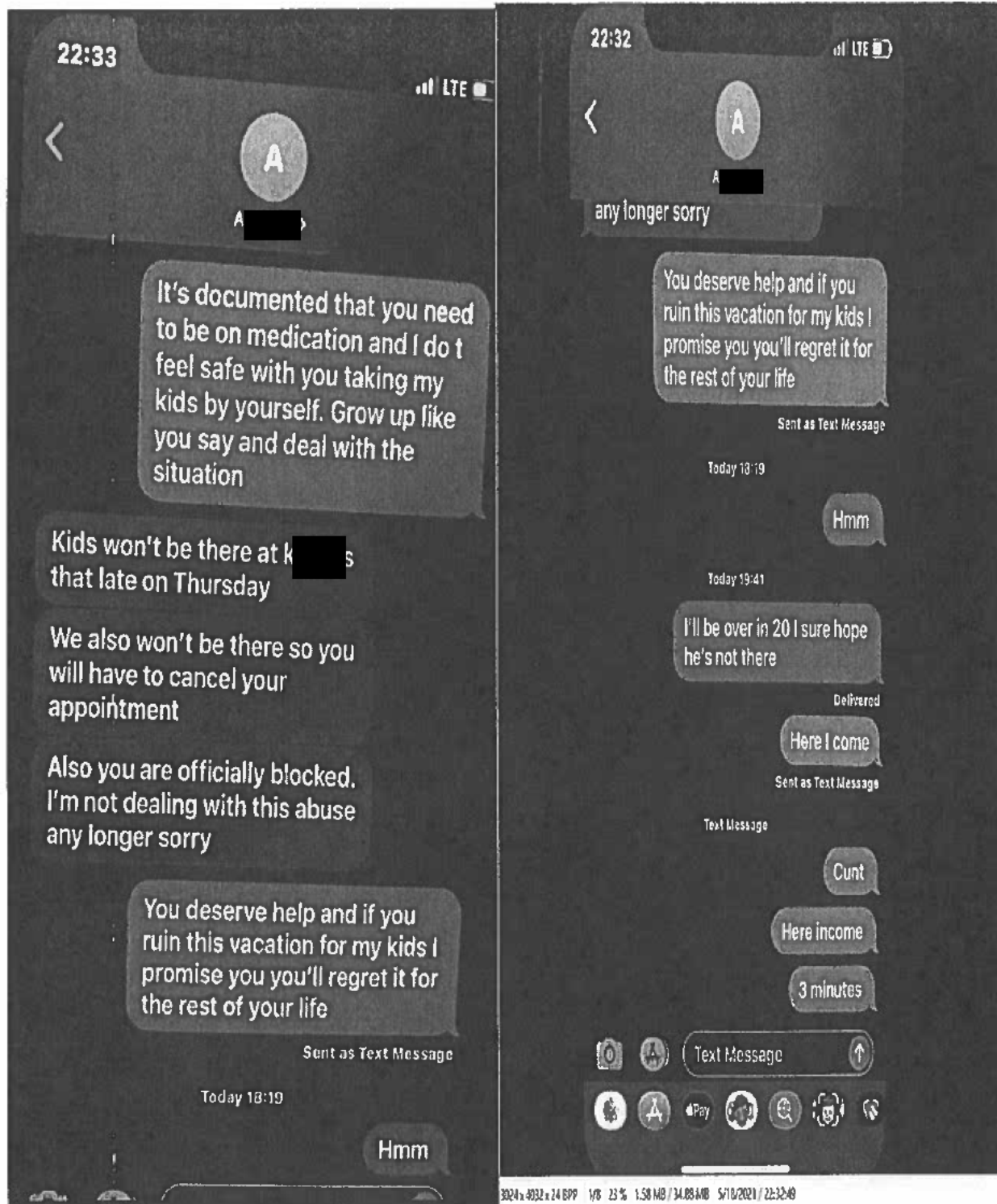
I really don't want to go with
you

I'm honestly scared for my life
with you. You have too much
anger for no reason

I'm going to take them by
myself

It's documented that you need
to be on medication and I do t
feel safe with you taking my
kids by yourself. Grow up like
you can and deal with the

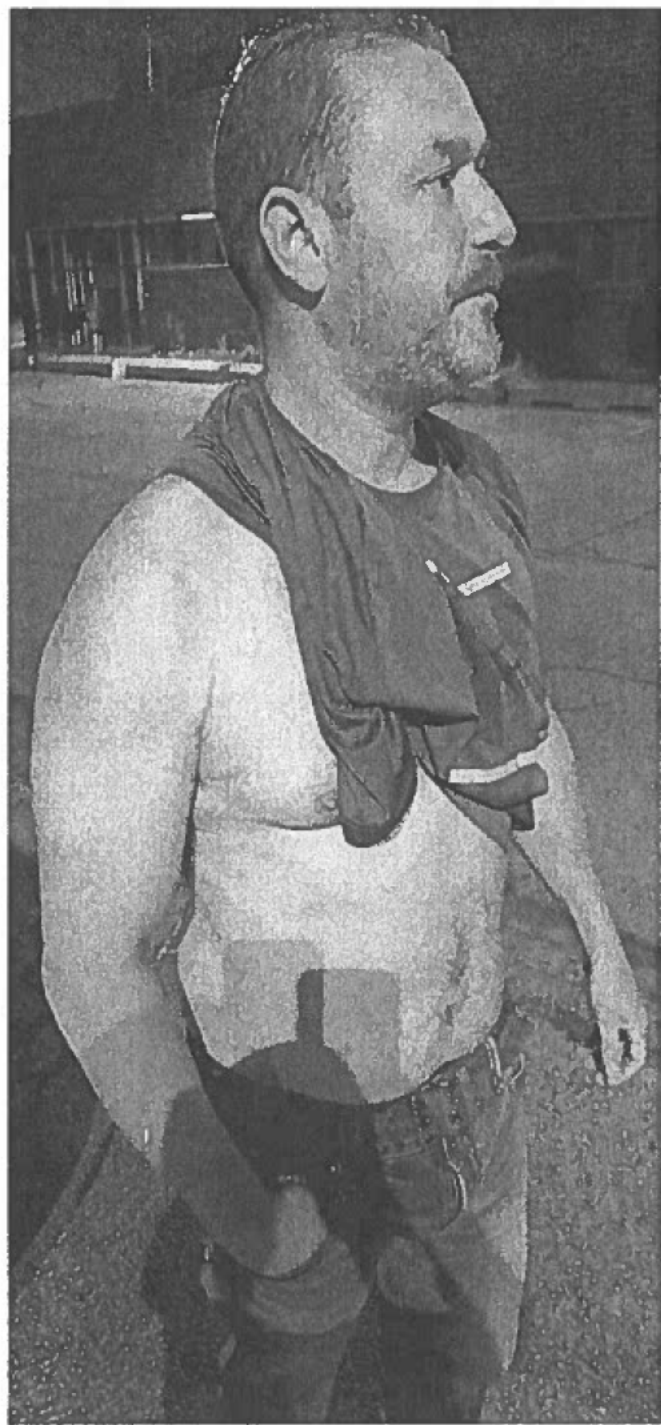


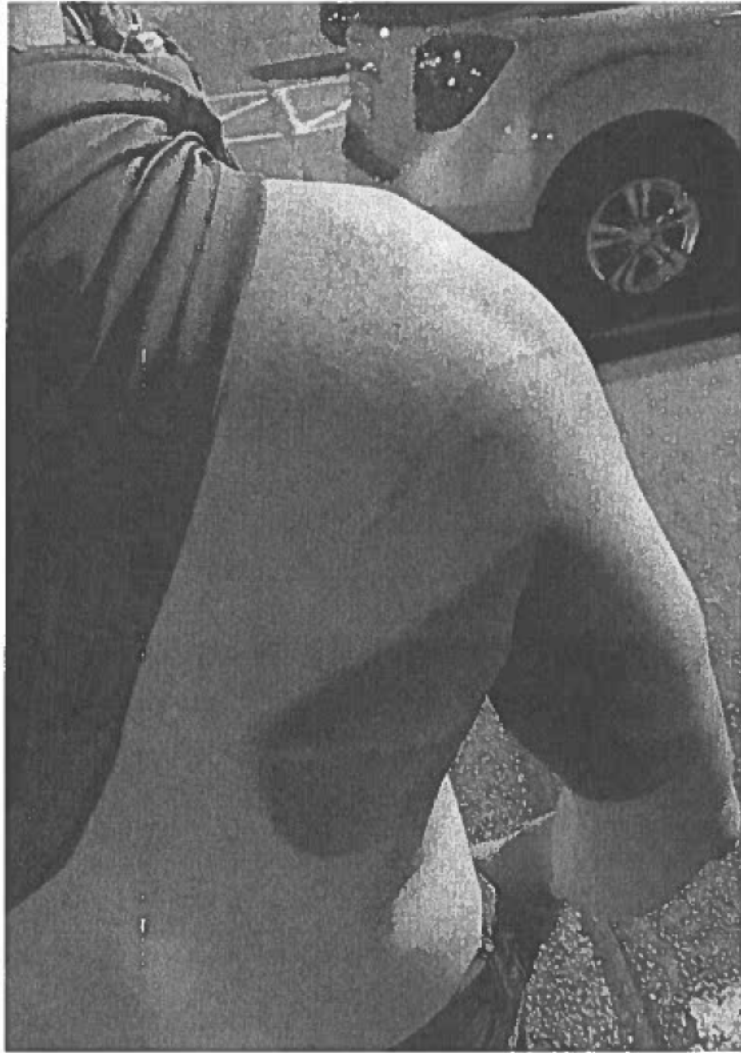


Chalkley was asked if he had driven his work vehicle to this location and stated "no". He stated that he had driven his personal pick up truck. He then pointed to his truck and stated that was how he arrived at the LCSO.

Lt. Groomes arrived on scene and Chalkley gave a similar statement. Chalkley was asked again if he drove his work vehicle to S■■■■'s house. He denied this and said he drove his truck. Lt. Groomes explained that we would find out if you drove his work vehicle and he needed to be honest. Chalkley again denied driving his work vehicle over to S■■■■'s house.

Chalkley was asked if he was injured and he stated he had some minor injuries to his right shoulder. He was reluctant to show the injuries but did take his shirt partially off. He sustained some minor abrasions to his right shoulder. See below photos:





Due to Chalkley being under the influence of alcohol, he was driven to his residence by Lt. Groomes. His personal vehicle was driven back to EPD by Capt. Pelko. Chalkley was also advised to not have any contact with S [REDACTED] or C [REDACTED]

On 05-19-2021 Chalkley arrived at EPD to retrieve his vehicle keys which were given to him by Lt. Groomes. Lt. Groomes brought up to Chalkley about being truthful about this incident. Chalkley at this time told Lt. Groomes that he was driving his work vehicle during this incident.

On 05-19-2021 at approximately 1100 hours Lt. Groomes and Captain Pelko responded to [REDACTED] Dr. Ms. S [REDACTED] was not present and a phone call was made to her, 440-[REDACTED] and a message left. Ms. S [REDACTED] contacted Capt. Pelko back (1112 hours) and discussed this incident over the phone. She advised the following:

Chalkley had been calling and texting her 2 hours prior to his arrival at the house. He stated that he was going to come over and that she better hope her boyfriend was not there. She told him to stay home. S [REDACTED] explained that it is not uncommon for Chalkley to do this but he never shows up. On this occasion he did show up. He was in his work vehicle and was "beating" on the door for a minute or two. Her

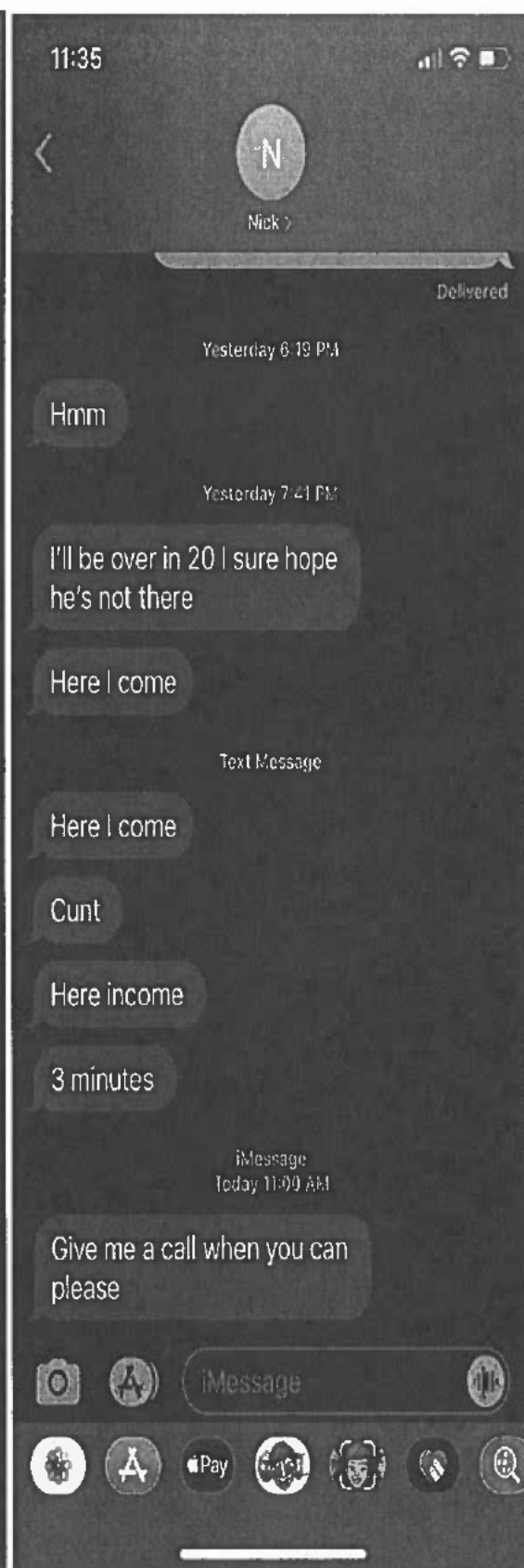
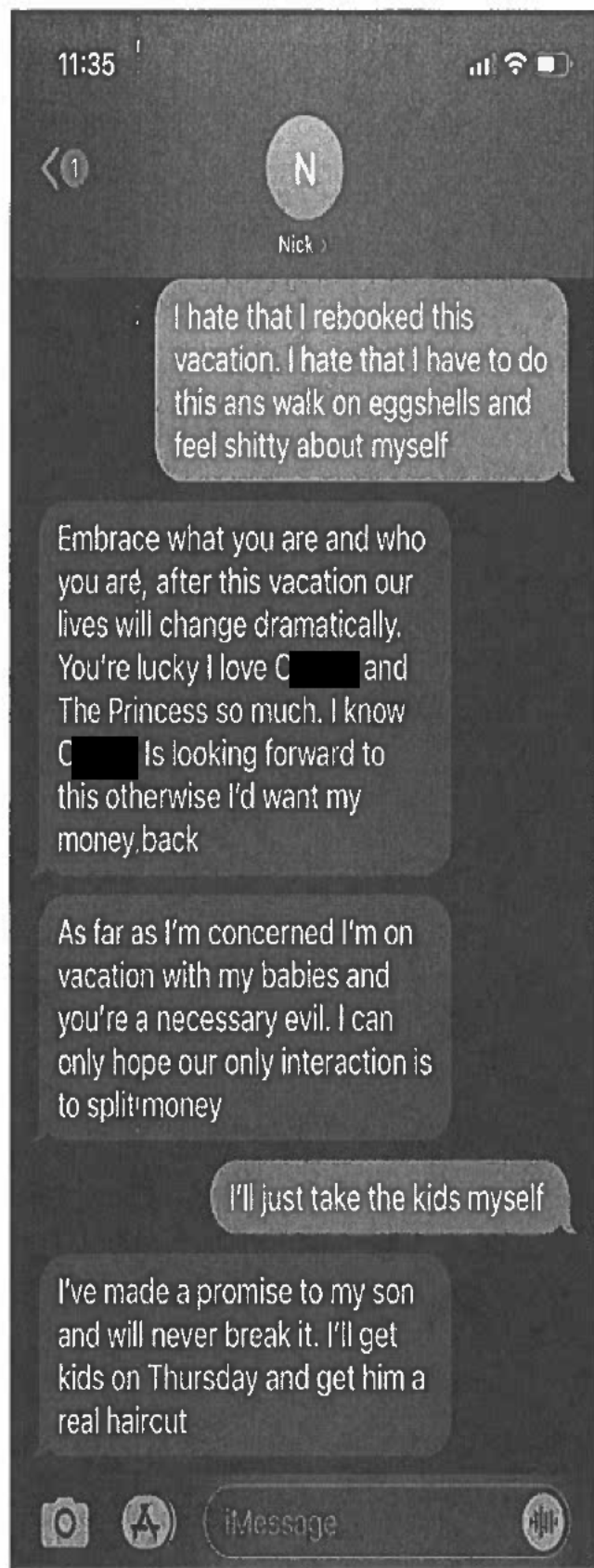
boyfriend answered the door because she was afraid. She felt he (Chalkley) had his car (work) and did not know if he had his gun on him. Chalkley at one point called her something to the effect of a "dumb fucking pig". C █████ asked Chalkley to leave and Chalkley responded by saying "what you going to do about it? Come on, come at me". Chalkley then pushed C █████ and C █████ tackled Chalkley to the ground. Chalkley eventually got up and left. Their kids were also present when this happened along with S █████'s other 10-year-old son. According to S █████, Chalkley was intoxicated.

S █████ stated that Chalkley was not invited over on this date.

S █████ stated that she was not assaulted or threatened by Chalkley on this date. She was asked if he was ever physical with her in the past or threatened her. She advised that he has never been physical with her but he has been verbally abusive. She states he makes some implied threats but has never gone through with any of them.

S █████ believes that Chalkley has anger issues and a drinking problem. She states every time she talks to him or sees him he is drinking.

She has texts and voice messages related to this incident which she will send to Capt. Pelko. She did send the following texts (same ones from Chalkley):



Lt. Groomes and Captain Pelko met with M [REDACTED] C [REDACTED] at the Strongsville Walmart. Mr. C [REDACTED] gave a similar account of the events as Ms. S [REDACTED]. He stated the following:

C [REDACTED] was at Ms. S [REDACTED]'s residence and Chalkley was texting and calling her throughout the day. He was saying he was going to come over. They did not think anything about this as Chalkley always does this and never shows up. They heard a knocking at the door and S [REDACTED] was afraid to answer it so C [REDACTED] answered it and he (Chalkley) was at the door. Note: this was the first time C [REDACTED] and Chalkley had met. C [REDACTED] invited him inside but he did not come in, instead he talked with his son, C [REDACTED], outside. Chalkley knocked on the door again and C [REDACTED] opened the door. Chalkley called S [REDACTED] a "dumb pig". C [REDACTED] then asked him to not be disrespectful. Chalkley responded what are you going to do about it and asked him to step outside. C [REDACTED] went outside and Chalkley confronted C [REDACTED]. Chalkley pushed C [REDACTED] and came after him again. C [REDACTED] grabbed Chalkley's hands and took him to the ground and held him down. He told Chalkley to get up and leave. C [REDACTED] got off of Chalkley and he (Chalkley) got up and left. No punches were exchanged. He described it as a "scuffle".

C [REDACTED] could smell alcohol on Chalkley.

C [REDACTED] was asked if Chalkley was invited over and he stated he was not invited.

C [REDACTED] did state he sustained minor injuries to his foot, elbow and a bruise on his chest.

There was no physical altercation between S [REDACTED] and Chalkley, according to C [REDACTED].

C [REDACTED] stated that Chalkley was in a silver in color SUV.

On 05-20-2021 Chalkley advised Lt. Groomes that he does have a tendon/ligament that is torn in his shoulder from this incident. He will have to wear a sling for three weeks. He will be examined further after this time period.

On 05-21-2021 at approximately 1115 hours Lt. Groomes and Captain Pelko contacted Chalkley at his residence. He was given a copy of EPD form IAD 802 and 803, in regards to his notice and order of interview. This interview will take place on June 1, 2021 at 0900 at EPD. (Forms attached at end of this report.)

On 05-21-2021 Captain Pelko reached out to A [REDACTED] in regards to obtaining the other texts and voice messages. She advised that she did not have any more. She stated that most of their conversation was over the phone that day and she had already sent everything.

EPD INTERVIEW WITH DET. CHALKLEY 06-01-2021 at 0900 hours

On 06-01-2021 at approximately 0900 hours Detective Nick Chalkley was interviewed in the Chief's conference room. Present for this was Det. Chalkley, Adam Garvin (union representative), Dan Leffler (OPBA), Lt. Groomes and Capt. Pelko.

Chalkley was read the notice and order for the interview (Garrity). He stated he understood this. He was asked for his account of what had occurred on 05-18-2021 after he left work at 1600 hours. The following is a synopsis of events:

Chalkley left work at approx. 1600 hours and was called back in at approximately 1630 hours to assist Lorain Police with a search warrant in their jurisdiction. On his way in to Lorain he had talked with Ms. S [REDACTED] over the phone and advised that he was going to come over after work. He explained that he was doing this to see the kids and was planning to stay overnight. He confirmed that he was not invited but that she did not say "no" either. He said it was not uncommon for him to stop over after work as they were "on again off again" while they have been divorced. He said that he previously has not shown up at times when he had said he was coming over.

Chalkley was done with the LPD search warrant at approximately 1900 hours and he returned to his residence in Strongsville. He poured himself a couple (two) of drinks of vodka. He stated they were "heavy pours". From here he drove his work vehicle (grey Jeep Renegade, rental) to his ex-wife's house, [REDACTED] in Columbia Station, Ohio. He was going to stay the night and then leave for work directly from her house the next morning. He confirmed he knew that he was violating EPD policy and procedures by driving a work vehicle after consuming alcohol but still did this.

He was questioned why he would drink prior to going over to her house and he explained Ms. S [REDACTED] does not like him drinking so he drank before going over there.

He was questioned about possessing his firearm while intoxicated and he stated he did not have his firearm in his possession while driving his work vehicle to Ms. S [REDACTED]'s. He had left his patrol firearm at home and his detective firearm was at work. He acknowledged that he knew that this was a violation of the policy as well. He did not want to drive with a firearm while being under the influence of alcohol.

Chalkley was asked about the text messages between him and Ms. S [REDACTED] prior to his arrival. He stated that these texts were about them arguing about "everything", the kids, vacation. He acknowledged that she had called him a "jerk" in his text and that he had called her a "Cunt" but he still felt that it would be ok for him to go over to her residence. He stated that this was not uncommon to occur and that they were also planning a vacation together (even though she stated in the text that she would take the kids by herself).

Chalkley has never met M [REDACTED] C [REDACTED] (Ms. S [REDACTED]'s boyfriend). He did not know he was over there and he had told her that he hoped he was not there but she never answered him.

Chalkley knocks on the door to the residence and M [REDACTED] C [REDACTED] answers the door right away, invites him inside and tries to shake Chalkley's hand. Chalkley gets mad at this and pushed him. M [REDACTED] C [REDACTED] then tackles him and Chalkley eventually sees his kids watching and realized he was being an "idiot" and removes himself. He asked why he pushed him and he stated he was mad that he (M [REDACTED]) had answered her door and said it was "just stupid". M [REDACTED] held him down and he was able to get up and left. He was asked if he knew the LCSO was being called. He said Ms. S [REDACTED] was on the phone but he did not know with who. He was asked why he did not stay until the police arrived and he responded he just wanted to get out of there before things escalated again.

Chalkley was asked what was said during this encounter. He did not recall but said it was probably something like "why you answering the door to his house". He said he probably told his wife she was a "whore" or something, maybe a "cunt" because she hates that word.

Chalkley was asked about what he think led up to this happening. He believes it was a combination of things to include the stress over the past year over the break up, the alcohol, and M■■■■ answering the door to his old house "like they were best friends". Chalkley stated he is upset with the fact that there is another male subject around his children especially since Ms. S■■■■ states that M■■■■ is just a friend and not her boyfriend. Chalkley believes they are boyfriend/girlfriend.

Chalkley was asked how intoxicated he was out of a scale of 1-10 with 10 being the highest. He said he did not think he was that intoxicated. He then stated he was probably a six.

He realized once he got home that he did not have his phone. He attempted to call it, Sgt. Bungard answered it and told him he had it and to come pick it up at the LCSO.

Chalkley then drove to the LCSO where he contacted Sgt. Bungard and picked up his phone. He was asked what he had told Sgt. Bungard about this incident and Chalkley stated that there was just a misunderstanding and it was a mutual combatant incident. He was confronted about how the LCSO report stated that he said nothing had happened. He stated it was a short conversation and he did not recall what exactly he said. He was handed the phone and left. He said Sgt. Bungard was mad at him because he did not give him a straight answer. Chalkley did call days later and apologize to them for being short and being an "asshole".

Chalkley denied ever threatening Ms. S■■■■ during this incident or in the past. He did state that she would regret it if she did not rebook the vacation. He stated he meant that she would regret not giving the kids a vacation.

He was questioned about her texting that he was officially being blocked by her and her not dealing with his abuse. Chalkley laughed and stated this happens daily. He said it sounds bad but whenever she gets mad she says this and she later unblocks him. He agreed that this relationship is unhealthy and that there are issues with the combination of this anger, alcohol and stress. It was discussed that he may have some anger issues and he acknowledge that he does sometimes come across as being angry but he does not believe he is.

Chalkley does not think he has a drinking problem. He said he does not drink every day but when he does he drinks a lot. He said a doctor would probably say he has a problem. He said that this has been his first incident with alcohol involved.

Chalkley did apologize for his actions stating he acted like an "idiot". He stated he did address the support car issue the next morning with Lt. Groomes. He told him he did drive his work car. He stated he lied to us because he knew he was already in trouble and did not want to get in any more trouble. He also stated he was not thinking clearly.



Incident Report



Print Date/Time: 05/24/2021 12:16
 Login ID: wpeiko

Lorain County Sheriff's Office
 ORI Number: OH0470000

Incident: 2021-00013558

Incident Date/Time: 5/18/2021 8:44:00 PM
 Location: [REDACTED]
 COLUMBIA STATION OH 44028
 Phone Number: (440) [REDACTED]
 Report Required: No
 Prior Hazards: No
 LE Case Number:

Incident Type: Domestic Violence/Dispute
 Venue: COLUMBIA TWP
 Source: 911
 Priority: High
 Status: In Progress
 Nature of Call:

Unit/Personnel

Unit	Personnel
SO318	2971-Croston
SO338	2989-Zsebk
SO358	2841-Bungard

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Caller	[REDACTED]	[REDACTED]	(440) [REDACTED]			
2	Caller	[REDACTED]	[REDACTED]			Male	12/24/1983

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
------	------	------	------	-------	-------	---------	-------

Disposition(s)

Disposition	Count
Report	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

05/18/2021 : 21:31:57 jhoover Narrative: 358- 3347 dispute and c/s on unrelated party
05/18/2021 : 21:10:52 bgarcia Narrative: 358-NO FURTHER CHECKUPS
05/18/2021 : 20:51:04 cwascovlch Narrative: NICHOLAS LIVES ON [REDACTED] IN STRONGSVILLE AND [REDACTED] SAID HE MIGHT BE HEADING THERE
05/18/2021 : 20:49:56 cwascovlch Narrative: LEFT ON N BOONE FROM FORESTVIEW
05/18/2021 : 20:49:51 jhoover Narrative: 336- discontinuing 27
05/18/2021 : 20:49:38 cwascovlch Narrative: HEADING TOWARD N BOONE RD
05/18/2021 : 20:48:51 cwascovlch Narrative: NICHOLAS IS TRYING TO LEAVE IN A GRAY JEEP
05/18/2021 : 20:48:19 cwascovlch Narrative: IN THE FRONT YARD AND THEY HAVE CALMED DOWN
05/18/2021 : 20:47:38 cwascovlch Narrative: NICHOLAS IS EPD
05/18/2021 : 20:47:37 jhoover Narrative: 336- 27
05/18/2021 : 20:47:11 cwascovlch Narrative: BOYFRIEND: M [REDACTED] C [REDACTED] 12/24/1983
05/18/2021 : 20:46:54 cwascovlch Narrative: EX HUSBAND: NICHOLAS CHALKLEY 01/25/1980
05/18/2021 : 20:46:29 cwascovlch Narrative: BOYFRIEND IS HOLDING THE EX HUSBAND DOWN ON THE GROUND. EX HUSBAND IS INTOX
05/18/2021 : 20:45:50 dneadows Narrative: DOMESTIC , INVOLVING A POLICE OFFICER WITH X WIFE , UNKNOWN IF HE HAS A GUN , CALLER ADV THAT HE IS FIGHTING WITH SOMEONE IN THE FRONT YARD
05/18/2021 : 20:45:43 cwascovlch Narrative: [REDACTED] S EX HUSBAND IS THERE IS FIGHTING WITH HER BOYFRIEND

LCSSO REPORT 2021-13558



LORAIN COUNTY SHERIFF
FIELD CASE REPORT

2021-00013558

EVENT	REPORTED DATE/TIME 05/18/2021 20:45	OCURRED INCIDENT TYPE Disturbance	OCURRED BY (SICUTABLE)
	OCURRED PRIME/ENTER 05/18/2021 20:30	OCURRED TIME DATE/TIME 05/18/2021 20:45	COLUMBIA TOWNSHIP, OH 44028

OFFENSES	STAT. DESCRIPTION	LCY#	STATUS/COMMENT
	01 Domestic Dispute	1	Committed
	02 2903.13 Assault Simple	1	Committed
	03 2903.21 Aggravated Menacing	1	Committed

SUBJECT	SUBJECT SUBJECT TYPE Adult Victim	NAME (LAST FIRST MIDDLE INITIAL) C [REDACTED] M [REDACTED]				
	DOB 12/24/1983 37	ADDRESS (STREET OR STATE RD) [REDACTED] OLMSTEAD FALLS, OH				
	RACE White	SEX Male	HEIGHT IN INCHES 6'0 6'0	WEIGHT IN LBS 205 205	HAIR Brown	EYES Hazel
	STATE [REDACTED] / OH	PHONE (440) [REDACTED]	PHONE #2	PHONE #3		

SUBJECT	SUBJECT SUBJECT TYPE Adult Complainant	NAME (LAST FIRST MIDDLE INITIAL) S [REDACTED] A [REDACTED]				
	DOB 12/23/1986 34	ADDRESS (STREET OR STATE RD) [REDACTED] COLUMBIA TWP, OH 44028				
	RACE White	SEX Female	HEIGHT IN INCHES 5'5 5'5	WEIGHT IN LBS 140 140	HAIR Brown	EYES Brown
	STATE [REDACTED] / OH	PHONE (440) [REDACTED]	PHONE #2	PHONE #3		

SUBJECT	SUBJECT SUBJECT TYPE Adult Suspect	NAME (LAST FIRST MIDDLE INITIAL) CHALKLEY, NICHOLAS				
	DOB 01/25/1980 41	ADDRESS (STREET OR STATE RD) [REDACTED] ELYRIA, OH 44035				
	RACE White	SEX Male	HEIGHT IN INCHES 5'9 5'9	WEIGHT IN LBS 185 185	HAIR Brown	EYES Gray
	STATE [REDACTED] / OH	PHONE (440) [REDACTED]	PHONE #2	PHONE #3		

REPORTING OFFICER 44 Bungard	DATE 05/18/2021	REVIEWED BY Croston, Joshua A	DATE 05/24/2021
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LORAIN COUNTY SHERIFF
FIELD CASE REPORT

CASE# 2021-00013558

ADDITIONAL SUBJECTS

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST FIRST MIDDLE SUFFIX)							
	Juvenile	Mentioned	[REDACTED]						
	DOB	AGE & AGE RANGE	ADDRESS (STREET CITY STATE ZIP)						
	[REDACTED]	[REDACTED]	[REDACTED] COLUMBIA TWP. OH 44028						
	RACE	SEX	HEIGHT (RANGE)	WEIGHT (RANGE)	HAIR	EYES			
White	Male	5'0 5'0	85 85	Brown	Brown				
OL NUMBER STATE	PRIMARY PHONE		PHONE #2		PHONE #3				

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST FIRST MIDDLE SUFFIX)							
	Juvenile	Mentioned	[REDACTED]						
	DOB	AGE & AGE RANGE	ADDRESS (STREET CITY STATE ZIP)						
	[REDACTED]	[REDACTED]	[REDACTED] COLUMBIA TWP. OH 44028						
	RACE	SEX	HEIGHT (RANGE)	WEIGHT (RANGE)	HAIR	EYES			
White	Male	3'0 3'0	40 40	Black	Green				
OL NUMBER STATE	PRIMARY PHONE		PHONE #2		PHONE #3				

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST FIRST MIDDLE SUFFIX)							
	Juvenile	Mentioned	[REDACTED]						
	DOB	AGE & AGE RANGE	ADDRESS (STREET CITY STATE ZIP)						
	[REDACTED]	[REDACTED]	[REDACTED] COLUMBIA TWP. OH 44028						
	RACE	SEX	HEIGHT (RANGE)	WEIGHT (RANGE)	HAIR	EYES			
White	Female	2'5 2'5	20 20	Brown	Brown				
OL NUMBER STATE	PRIMARY PHONE		PHONE #2		PHONE #3				

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST FIRST MIDDLE SUFFIX)						
	DOB	AGE & AGE RANGE	ADDRESS (STREET CITY STATE ZIP)					
	RACE	SEX	HEIGHT (RANGE)	WEIGHT (RANGE)	HAIR	EYES		
	OL NUMBER STATE	PRIMARY PHONE		PHONE #2		PHONE #3		

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST FIRST MIDDLE SUFFIX)						
	DOB	AGE & AGE RANGE	ADDRESS (STREET CITY STATE ZIP)					
	RACE	SEX	HEIGHT (RANGE)	WEIGHT (RANGE)	HAIR	EYES		
	OL NUMBER STATE	PRIMARY PHONE		PHONE #2		PHONE #3		

REPORTING OFFICER	DATE	REVIEWS BY	DATE
44 Bungard	05/18/2021	Croston, Joshua A	05/24/2021



LORAIN COUNTY SHERIFF
FIELD CASE REPORT

Case# 2021-00013558

NARRATIVE

On May 18, 2021 Lt. Croston and I were dispatched to [REDACTED] in Columbia Station in reference an active fight in progress. On arrival we met with the complainant / victim A. [REDACTED] S. [REDACTED] and her boyfriend M. [REDACTED] C. [REDACTED]. Ms. S. [REDACTED] said her boyfriend was assaulted by her ex-husband Nicholas Chalkley. Mr. C. [REDACTED] said Nicholas pushed him and came at him a second time. Through the course of my investigation I obtained the following information.

Ms. S. [REDACTED] said her ex-husband Nicholas Chalkley called her and said he was going to arrive at her house. She said he began calling her a cunt and other names while on the phone. She said she believed Nicholas was drinking alcohol which caused him to escalate from just calls to arriving at her residence. Ms. S. [REDACTED] stated, Mr. Chalkley arrived intoxicated at her residence and asked that her friend M. [REDACTED] come outside. Ms. S. [REDACTED] said M. [REDACTED] went outside and Nicholas shoved him. She said when Nicholas went after M. [REDACTED] again, M. [REDACTED] took Nicholas to the ground. Ms. S. [REDACTED] claimed she overheard Nicholas state to M. [REDACTED] that he was going to kill him. She explained that Nicholas is a Police Officer for the City of Elyria, and claimed Nicholas always carries a gun which is why she called 911. She said while she was on the phone with the police, Nicholas left. Ms. S. [REDACTED] stated she never saw a gun during the incident but, she pointed out, Nicholas was driving his unmarked narcotics/detective car in which weapons are probably kept.

Personal contact was made with M. [REDACTED] C. [REDACTED]. Mr. C. [REDACTED] said Nicholas showed up at Ms. S. [REDACTED]'s house intoxicated. He said he could smell the odor of alcohol on Nicholas and that is how he came to that conclusion. Mr. C. [REDACTED] said he invited Nicholas in the house, however Nicholas's son went outside to visit with him.

Mr. C. [REDACTED] stated Nicholas then began pounding on the door and Ms. S. [REDACTED] answered. Mr. C. [REDACTED] said Nicholas began calling Ms. S. [REDACTED] some foul names so he asked him to have some respect. He claimed Nicholas said "What are you going to do about it?", and told Mr. C. [REDACTED] to come outside. Mr. C. [REDACTED] stepped outside and Nicholas pushed him. Mr. C. [REDACTED] claimed that he backed away and Nicholas came at him again. Mr. C. [REDACTED] said he took Nicholas to the ground, and held him down while Ms. S. [REDACTED] called the police. According to Mr. C. [REDACTED] Nicholas said he was going to kill him. Mr. C. [REDACTED] told Nicholas that he is drunk and needed to go home. Mr. C. [REDACTED] released Nicholas from the ground, Nicholas got up, and he left in his car without further incident. Mr. C. [REDACTED] concluded and advised that he did not wish to pursue charges against Chalkley.

While Lt. Croston and I were speaking with Ms. S. [REDACTED] and Mr. C. [REDACTED] Nicholas began calling Ms. S. [REDACTED] allegedly using his work phone. She said that he must of lost his somewhere in the yard during the scuffle if he was calling from that number. We briefly looked for the phone and located it in the front yard near the front door sidewalk. Nicholas called Ms. S. [REDACTED] back a second time. I answered and informed him he could pick up his phone at the Sheriff's Office. Lt. Croston and I then departed from the [REDACTED] address.

44 Bungard

05/18/2021

Croston, Joshua A

05/24/2021



LORAIN COUNTY SHERIFF
FIELD CASE REPORT

CASE# 2021-00013558

NARRATIVE (continuation)

Nicholas later arrived at the Sheriff's Office to obtain his phone. I asked Nicholas if he would like to make a statement about what happened. Nicholas gave me a confused look and said "What happened?" "Nothing happened". Nicholas tilted his head back while saying "I don't know what you're talking about". I inquired as to the physical incident with Ms. S [REDACTED]'s boyfriend. Nicholas again said nothing happened. He continued, stating Ms. S [REDACTED] had called him over to the house and that was it. I informed him that Mr. C [REDACTED] will not be pursuing charges and Nicholas became defensive saying that he should be the one pressing charges! I did not smell any alcohol emitting from Nicholas, however he did advise that a friend drove him to our office. After some brief conversation Nicholas still advised he didn't know what I was talking about. Since Nicholas did not want to make a statement, I asked him to leave the lobby of the Sheriff's Office.

Investigation revealed that on today's date Ms. S [REDACTED], Mr. C [REDACTED] and Mr. Nichols Chalkley were engaged in some type of altercation.

Ms. S [REDACTED] said Nicholas arrived at her house unannounced and began calling her derogatory names. Mr. C [REDACTED] stated he confronted Nicholas about the way he was speaking, and Nicholas came after him twice, so he held him on the ground. Mr. C [REDACTED] said he may have slightly injured his left ankle and pointed to a bruise that was starting to form. Both Ms. S [REDACTED] and Mr. C [REDACTED] believed Nicholas was intoxicated.

Mr. C [REDACTED] declined to pursue charges at this time. Ms. S [REDACTED] stated she was never threatened or assaulted during this incident. Ms. S [REDACTED] and Mr. C [REDACTED] was given information on how to obtain a protection order should they feel the need to do so.

At this time this matter will be closed and copy of this report will be kept on file for future reference.

St. Bunged

REPORTING OFFICER
44 Bungard

DATE
05/18/2021

REVIEWED BY
Croston, Joshua A

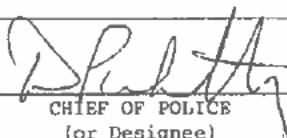
05/24/2021

ELYRIA POLICE DEPARTMENT
NOTICE AND ORDER FOR INTERVIEW

You are hereby advised that you are about to be questioned as a part of an official administrative investigation of the Elyria Police Department. You will be asked specific questions that will relate directly and narrowly to the performance of your official duties or your fitness as an employee or member of the Elyria Police Department. The purpose of this interview is to assist in determining whether disciplinary action is warranted. Your answers could result in administrative action against you.

1. Because this is an administrative investigation and not a criminal investigation, the Elyria Police Department will not use any of the answers or information gained from this interview in any criminal proceeding against you.
2. The Elyria Police Department will not release information gained from this interview to any other person or agency without your approval and will hold it as confidential, except as mandated by law, appropriate and competent authority, as necessary for disciplinary proceedings, or appeals of such proceedings.
3. You are hereby ordered and required to answer questions directed to you fully, truthfully, and to the best of your knowledge.
4. If you refuse to answer questions specifically directed and narrowly related to the performance of your official duties or to your fitness as an employee or member of the Elyria Police Department, you will be subject to departmental charges that could result in your dismissal from your position with the Elyria Police Department.
5. You will be allowed breaks for personal necessity as are reasonably necessary.

The allegations against you are as follows: RULES AND REGULATIONS:
1.01 VIOLATION OF RULES, 1.02 UNBECOMING CONDUCT 1.16 USE OF
ALCOHOL OFF DUTY 1.45 TRUTHFULNESS
GENERAL ORDERS: CORE VALUES (3.01) 4.25 SUPPORT CAR OPERATION
CITY OF ELYRIA FLEET MANAGEMENT PROGRAM

05-20-21
 DATE

 CHIEF OF POLICE ELYRIA POLICE DEPARTMENT
 (or Designee)

ACKNOWLEDGEMENT

The undersigned hereby acknowledges that I was notified of the nature of the allegation of complaint Case 2021-002 and have received a copy of this Notice and Order For Interview which I have read prior to affixing my signature hereto.

1/4/21 05/21/2021 W. R. P. 2021-002
 INVESTIGATED EMPLOYEE DATE WITNESS DATE
G. R. P. 138 5-21-2021
 WITNESS DATE

xc: Original to file
 Copy to Investigated Employee

IAD-802

TO: Nicholas Chalkley #053
FROM: Capt. Pelko #243
SUBJ: Incident on 05-18-2021 Case # IA-2021-03

As the result of the above captioned investigation being conducted by the Elyria Police Department, you are going to be interviewed. At this time, you are to be interviewed as a:

(X) Party to the Complaint

() Witness to Complaint

When you are summoned for the interview, you are permitted to be accompanied, represented, and advised by an attorney or a Union Officer of your choice. Said attorney or Union Officer may not answer questions for the interviewed officer, nor may the attorney or Union Officer cross-examine the investigator. You will be interviewed on June 1, 2021 at 0900 HRS. The interview will take place at the Elyria Police Department.

 243 5-21-2021
Investigating Officer

xc: Original to File
Copy to person to be interviewed

ELYRIA POLICE DEPARTMENT

TO: Safety Service Director Brubaker
FROM: Chief Duane Whitely
SUBJ: Disciplinary Recommendation for Ptlm. Nicholas Chalkley
Re: See below

DATE: August 11, 2021

Violations: RULES and REGULATIONS

Rule II - Rules of Conduct

1.01 Violation of Rules

Officers shall not commit any acts or omit any acts which act or omission constitutes a violation of any of the rules, regulations, directives, or orders of the Department, whether stated in this order or elsewhere.

1.02 Unbecoming Conduct

Officers shall conduct themselves at all times, both on and off duty, in such manner as to reflect most favorably on the Department. Conduct unbecoming an officer shall include that which brings the Department into disrepute or reflects discredit upon the officer as a member of the Department, or that which impairs the operation or efficiency of the Department or officer.

1.16 Use of Alcohol Off-Duty

Officers, while off duty, shall refrain from consuming intoxicating beverages to the extent that it results in obnoxious or offensive behavior which discredits them or the Department, or renders the officers unfit to report for their next regular tour of duty. An officer shall not consume any intoxicating beverages within six hours of his scheduled duty time.

1.45 Truthfulness

Upon the order of the Chief of Police, the Chief's designee or a superior officer, officers shall truthfully answer all questions directed and narrowly related to the scope of employment and operations of the Department which may be asked of them.

GENERAL ORDERS

3.01 Mission, Vision, Core Values

IV Core Values

Integrity: Integrity must be first and foremost. The willingness to do what is right at all times regardless of the situation. The Elyria Police Department is committed to the highest professional standards. Integrity and truthfulness in all relationships, and ethical conduct is expected and demanded by the members of this organization.

Respect: The Elyria Police Department personnel will treat all persons in a dignified and courteous manner and demonstrate an understanding of their cultural diversity in dealing with our public and private contacts.

4.25 Support Car Operation

VIII. Off-duty obligations

- A. An officer accepting the assignment of a support car may use the car for personal business, personal transportation to assigned schools, court appearances, and other departmental business that is conducted within the City of Elyria. The vehicle may not be used for unauthorized use outside of the City. The vehicle will be parked at the officer's place of residence when not being used (except as provided in Section IX, D). Officers should be aware that the main purpose of a Support Car is for police usage and they should restrict their personal usage.
- E. Support cars will not be utilized by off-duty officers or passengers who have consumed or intend to consume alcoholic beverages or any drug of abuse. The officer-in-charge may approve an exception where it is justified (transportation of ill persons, etc.).
- F. Officers utilizing a support car while off duty will be required to carry an approved side arm and department identification. Approval is subject to departmental procedures for qualification, etc.

CITY OF ELYRIA FLEET MANAGEMENT PROGRAM

III. VEHICLE USE

- 1. City Owned Vehicles
 - a. Passenger Cars

Employees authorized by their department head will be permitted to operate a passenger car. When the vehicle is driven for City use, only the employee authorized will be permitted to operate the vehicle. No one under the age of 18 will be permitted to operate any City vehicle at any time.

IX. DRIVER SAFETY REGULATIONS

2. Impaired driving

The driver must not operate a vehicle at any time when his/her ability to do so is impaired, affected, or influenced by alcohol, illegal drug buys, prescribed or over the counter medication, illness, fatigue or injury. Do not consume alcohol within eight (8) hours of operating a city motorized vehicle or equipment.

On May 18, 2021 at approximately 2130 hrs, Capt. Pelko received a call from Lt. Groomes reference to a disturbance involving Ptlm. Chalkley and his ex-wife, A [REDACTED] at her residence. The Lorain County Sheriff's Office was detailed to her residence as a result of the incident. It was learned that Ptlm. Chalkley drove his assigned city vehicle from his residence to Ms. [REDACTED]'s residence (both of which are outside the city of Elyria). While at Ms. [REDACTED]'s residence, Ptlm. Chalkley was involved in a physical altercation with a male subject. Capt. Pelko and Lt. Groomes responded to the LCSO to meet with Ptlm. Chalkley. While there, they felt he was too intoxicated to drive and, as a result, Lt. Groomes drove him home. While talking with Lt. Groomes, Ptlm. Chalkley was asked three times if you drove your city assigned vehicle

to Ms. [REDACTED]'s residence where the altercation occurred. Each time Ptlm. Chalkley denied driving his city assigned vehicle.

The next day, Ptlm. Chalkley admitted that he did drive his city assigned vehicle from your residence to Ms. [REDACTED]'s residence. During the investigation he also admitted to drinking an alcoholic beverage (two drinks of vodka) before driving your city assigned vehicle to Ms. [REDACTED]'s residence. Ptlm. Chalkley also admitted to being the aggressor in starting a fight with the male subject who was at Ms. [REDACTED]'s residence and driving your personal vehicle after consuming alcohol.

At the hearing, Ptlm Chalkley admitted that he had a couple drinks, drove his city vehicle to his ex-wife's house, and got into an altercation with the male subject that was there. Ptlm. Chalkley then went back to his house where he found that his phone was in the possession of the Lorain County Sheriff's Office. Capt. Pelko ended up meeting Ptlm. Chalkley at the L.C.S.O. Capt. Pelko asked Ptlm. Chalkley a couple times if he drove his assigned city car to his ex-wife's house and he said no. Lt. Groomes arrived and asked Ptlm. Chalkley the same questions a couple more times and, again, he said no. The next day Ptlm. Chalkley told Lt. Groomes that he did drive his assigned city car, after he had a couple alcoholic drinks, to his ex-wife's residence.

The department's support car policy only allows the use of an assigned city vehicle when doing city business or going to and from Elyria. The fact that Ptlm. Chalkley chose to drive a car after drinking alcohol is unbelievable, the vehicle being a city vehicle is unconscionable.

An officer's integrity is his/her greatest asset. Any deviation from the truth can cause irreparable harm to the officer's ability to properly complete his/her duties in the future. The department is required to notify both the city and the county prosecutors of this offense and they, in turn, will have to notify the defense council of this truthfulness violation for every case Ptlm. Chalkley will have in the future.

I am recommending Ptlm. Chalkley be given a thirty-day unpaid suspension and an indefinite suspension of the use of a support car. The Safety Service Director will have to approve a reassignment of a support car.

Chief Duane Whitely

Xc: Via e-mail
SSD Kevin Brubaker
Capt. Hammonds
Lt. Welsh
File (2)



CITY OF ELYRIA

FRANK WHITFIELD, MAYOR

September 10, 2021

To: Officer Nicholas Chalkley, Grievant
cc: Officer Wise, Union representative
Re: Grievance filed 8/18/2021

Dear Detective Chalkley,

As you are aware, I conducted a Step 2 Grievance hearing in this matter on September 1, 2021, at which you were represented by Dan Leffler, union attorney, as well as union representative Officer Wise. Also present for the City was Chief Whitely, Lieutenant Groomes, Captain Pelko, and Susan Anderson, the City's labor counsel. The hearing concluded after you refused to answer my questions about the incident underlying the discipline and left the room with your representatives.

At the hearing, the union did not contest that there was just cause for discipline. Instead, the union argued that the 30-day suspension is excessive and punitive rather than corrective. The union also argued that you have accepted responsibility for your actions the night in question.

Upon careful consideration of the information presented at the hearing, I am denying your grievance as there was no violation, misinterpretation, or misapplication of the CBA, including without limitation Articles 23.1, 23.2, and 25.3.

Upon considering the totality of the circumstances, I make the following findings relative to your grievance:

Article 23.1 – The City did not violate Article 23.1. Article 23.1 provides that an employee shall only be disciplined for just cause. At the hearing, the union did not contest that there was just cause for discipline and certainly, the facts of this incident merit, at a minimum, the discipline that was imposed. Not only did you drive a city vehicle to an unauthorized location, you did so after admittedly drinking two “heavy pours” of vodka, you provoked a verbal and physical confrontation at your ex-wife’s residence, and you repeatedly lied to your superior EPD officers and the Lorain County Sheriff’s office about it.

Article 23.2 – The City did not violate Article 23.2. Article 23.2(A) provides that discipline will be applied in a corrective, progressive, and uniform manner. Article 23.2 further provides that progressive discipline will take into account the totality of circumstances. Based on the information presented at the hearing, your 30-day suspension was corrective in nature and consistent with discipline imposed by the City in similar matters. Further, I find the discipline that was issued was reasonable given your substantial dishonesty regarding the incident as well as the severity of the other violations committed. In particular, I note that your acts of dishonesty significantly call into question and impede your credibility as a witness in any criminal proceedings in which you may be involved as an officer. In addition, the argument that the discipline is punitive is belied by the fact that you are being permitted

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Detective Nicholas Chalkley, Grievant

Page 2

September 10, 2021

to serve the suspension in weekly increments to minimize the financial impact of the loss in pay that will result from the suspension.

Article 25.3 – The City did not violate Article 25.3. Article 25.3 provides a series of safeguards to an employee who is subject to interview concerning an act which, if proven, could result in discipline. Specifically, at the hearing, the union argued that you were not given proper notice of investigation when questioned by EPD officers the night of the incident. Given the facts and circumstances regarding the incident, I find that Article 25.3 was inapplicable at that stage of the incident and, thus, was not violated. Instead, I find that the EPD officers were on scene that night to ensure your safety and the safety and security of city property, and their discussion with you about the events that took place were in furtherance of these efforts. In addition, you were subsequently and timely provided a copy of EPD Forms IAD 802 and 803 – Notice and Order for Interview – on May 21, 2021.

I find your conduct related to this incident to be very troubling and I strongly encourage you to take all appropriate measures to genuinely acknowledge the seriousness of your misconduct and prevent it from happening again the future. Grievance denied.

Very truly yours,



Kevin Brubaker,

Safety Service Director

GRIEVANCE SETTLEMENT

This Grievance Settlement Agreement ("Agreement") Is entered into between the City of Elyria ("City"), the Elyria Police Patrolman/s Association ("Union"), and Nicholas Chalkley ("Grievant") (collectively, "the Parties.")

WHEREAS, The City and Union are parties to a collective bargaining agreement that expired December 31, 2021 and Grievant is a member of the Union;

WHEREAS, on August 18, 2021, Grievant filed a grievance ("Grievance") challenging the imposition of a thirty (30) day suspension without pay ("Suspension"), with such Grievance scheduled for arbitration on February 24, 2022;

WHEREAS, to avoid the time and expense of arbitration, the Parties now wish to memorialize their agreement relative to a resolution applicable to the disputed issues involved in this Grievance only and without an admission of fault by the City, Union or Grievant.

NOW THEREFORE, the Parties agree as follows:

1. The Grievant and Union agree that the City will issue a mandatory referral of Grievant to the City's Employee Assistance Program and Grievant agrees to fully cooperate with the terms and conditions related to such referral.
2. The City agrees to convert the Suspension to a twenty (20) day suspension without pay and a ten (10) day unpaid leave of absence. The Parties agree that the Grievant has already served the suspension without pay and unpaid leave days and is not entitled to any compensation by virtue of this Agreement. The City further agrees to rescind Rule II, Rules of Conduct, 1.45 Truthfulness, as grounds for the Suspension. All other grounds identified in the disciplinary record shall remain in place.
3. The Parties further agree that this Settlement resolves all outstanding issues surrounding the Suspension and the September 14, 2021 disciplinary recommendation issued by former Chief Whitely.
4. The Union agrees to pay the arbitrator's cancellation fee.
5. The Union and Grievant agree that, upon execution of this Agreement by all Parties, the Grievance shall be deemed withdrawn with prejudice.
6. The Parties agree that this Agreement provides for a one-time resolution to the issues addressed herein that is non-precedent setting.

CITY OF ELYRIA

By: K.A. Re
Kevin Brubaker, Safety Service Director

Date: 3-21-2022

ELYRIA POLICE PATROLMEN'S
ASSOCIATION

By: D.J. [Signature]

Date: 03-20-2022

GRIEVANT

n. l. [Signature] #053
Nicholas Chalkley

Date: 03/18/2022

**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT**

EMPLOYEE: Nicholas Chalkley

INCIDENT DATE: 11/08/2022 and 11/13/2022

LOCATION: [REDACTED]
Columbia Twp., Oh 44028

DESCRIPTION OF INCIDENT:

Initiation of IA 2022-04

On November 15, 2022, at approximately 0930hrs, Chief Pelko informed Captain Groomes of an incident involving Officer Nicholas Chalkley and his ex-wife, [REDACTED]. Chief Pelko advised that the Lorain County Sheriff's Office responded to Salim's residence, [REDACTED], Columbia Twp., OH., on Sunday, November 13th, 2022. The Lorain County Sheriff's Office (LCSO) conducted a criminal investigation into the report of alleged domestic violence against [REDACTED], by Chalkley. Chief Pelko provided Captain Groomes with a copy of LCSO Report #: 22-32871, which documents this incident. Chief Pelko then advised that Prosecutor Strait, of the City of Elyria Prosecutor's Office, had an independent special prosecutor review the LCSO case to determine if criminal charges against Chalkley were warranted. As a result of the review, it was determined that there was insufficient evidence to file criminal charges. It should be noted that [REDACTED] did not provide the LCSO with call logs, text messages or voicemails from Chalkley.

Chief Pelko assigned Captain Groomes and Lieutenant Palmer to conduct an Internal Affairs (IA) investigation of this matter.

At approximately 0945hrs, Captain Groomes briefed Lieutenant Palmer on the above information and provided him a copy of the LCSO report.

Lorain County Sheriff's Office report written by Deputy Csizmadia

On November 13, 2022, I was dispatched to [REDACTED], located in Columbia Township, in regards to a domestic violence investigation. Upon arrival, I made personal contact with A [REDACTED] S [REDACTED], who advised her ex-husband, Nicholas Chalkley had pushed her during an altercation involving exchanging custody of their children, [REDACTED].

Ms. S [REDACTED] advised she had been getting phone calls and voicemails from Mr. Chalkley during the night and early morning hours. Ms. S [REDACTED] stated she blocked Mr. Chalkley due to the excessive amount. Ms. S [REDACTED] said the voice messages he was sending were vulgar and disturbing. Ms. S [REDACTED] advised if this continues to occur, she believes this is at the point of harassment.

Ms. S [REDACTED] stated Mr. Chalkley came to her residence uninvited. Ms. S [REDACTED] stated, Mr. Chalkley was there to get their two children. Ms. S [REDACTED] advised this was not the scheduled time for Mr. Chalkley's custody visitation with the children, however she was allowing the kids to go with Mr. Chalkley.

**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT**

Ms. S█████ advised during the custody exchange, C█████ did not want to go with Mr. Chalkley. As Ms. S█████ was holding C█████ she said Mr. Chalkley grabbed C█████ out of her hand and pushed her away from their son. She continued that Mr. Chalkley pushed her in the shoulder, with an open hand, extending his arm out away from her. Ms. S█████ stated she was not injured and she did not fall to the ground.

Ms. S█████ oldest son, ██████ witnessed the incident. W█████ advised he was inside the house watching out the front window when the incident occurred between his mother and Mr. Chalkley. W█████ advised Ms. S█████ was in the car or trying to get the kids into or out of Mr. Chalkley's car, he could not tell. W█████ advised he observed Mr. Chalkley grab his mother and pulled her away from the vehicle. W█████ friend, A█████ was at the house and also witnessed the incident. A█████ stated it looked like Mr. Chalkley was pulling Ms. S█████ out of the vehicle and pushing her away.

Ms. S█████ wanted Mr. Chalkley trespassed from the property and told to stop contacting her due to amount of phone calls and voicemails. I spoke with Mr. Chalkley over the phone in which I advised him he was trespassed from Ms. S█████'s residence. I advised Mr. Chalkley of the amount of phone calls and voicemails to Ms. S█████ and that she feels he is harassing her. Mr. Chalkley stated he understood the trespass warning and harassment warning. Mr. Chalkley said nothing physical took place and there were no threats made.

Due to the conflicting statements of what occurred during the incident with Mr. Chalkley and Ms. S█████ this case will be sent the Elyria Municipal Court Prosecutor's Office for review of criminal charges. Ms. S█████ was advised on how to obtain a protection order should she feel the need. This case will remain open/active.

Deputy J. Csizmadia #87

Note: A copy of Deputy Csizmadia's report, along with S█████'s written statement that she provided to Deputy Csizmadia, are attached to this Internal Investigation Report.

A█████ S█████ Interview 11/15/22 0957hrs

On November 15, 2022, at approximately 0957hrs, Captain Groomes and Lieutenant Palmer conducted a phone interview of A█████ S█████. The interview was in reference to an incident involving she and Officer Nicholas Chalkley that occurred on Sunday, November 13th, at her residence. This incident was investigated criminally by the Lorain County Sheriff's Office. S█████ provided the following information during this interview:

S█████ advised that she and Chalkley don't always have a set schedule with regard to Chalkley taking their two children for stays at his house. Sunday, November 13th, happened to be one of the instances when Chalkley was going to have the kids outside the parameters of the schedule that was set by the court. S█████ described this as being an "extra day" that Chalkley would have with the kids.

On Sunday, November 13th, S█████ attempted to arrange, with Chalkley, for Chalkley to pick up the kids. However, S█████ could not get a straight answer from Chalkley about his picking up the kids. During the conversation, Chalkley was

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calling her "nasty names," such as "cunt." In response to not getting a straight answer and being called nasty names, S█████ told Chalkley to "never mind" picking up the kids, that she would find someone else to watch them. According to S█████ Chalkley continued calling her and leaving her messages, during which he continued calling her names and stating that he was going to still pick up the kids. S█████ responded that she had found a sitter and advised Chalkley that he was not to pick up the kids. Chalkley disregarded S█████'s direction and showed up at her house. While at the house, Chalkley continued to be "verbally abusive," in front of the children, and continued calling her a cunt. S█████ added that not only was Chalkley calling her a cunt, but wore a shirt that had the word "Cunt" displayed on it. According to S█████ due to Chalkley's continued verbal abuse, their 6 year old son began crying and stated that he did not want to go with Chalkley. Chalkley then began pulling on their son and pushing Salim away. S█████ made the decision that the kids were not going with Chalkley and took the kids back into the house. Chalkley responded with "nastiness and swearing," at which time S█████ decided to call the Sheriff's Office.

According to S█████ Chalkley harasses her on a daily basis, adding that she has about 30 voicemails, which Chalkley will leave in one day's time. S█████ advised that Chalkley calls over and over again all the while calling her a cunt and a whore. S█████ stated that Chalkley's calls are never about the kids, other than to state that he is going to take them away from S█████ and that the calls are always just verbal abuse.

S█████ advised that she can't live like this anymore and that they have to follow a set schedule. Captain Groomes suggested that she and Chalkley conduct custody transfers at a local law enforcement agency. S█████ stated that they used to do such transfers and that they need to return to doing so. S█████ also advised that she intends to obtain a protection order on November 16th. She added that she does not know what Chalkley's intentions are anymore and that he is not healthy, ultimately referencing "mental issues" and alcohol abuse. S█████ does not know if he was intoxicated during the altercation on November 13th, but referenced an incident that happened "a couple weeks ago" in which Chalkley "smashed his face in." S█████ did not provide any further details about that alleged incident, but said that Chalkley is "a mess" and needs help.

S█████ advised that she has many voicemails and text messages from Chalkley that support her claims. S█████ stated that she intends to obtain a protection order against Chalkley, and planned to do so on the morning of November 16. S█████ then arranged with Captain Groomes to meet with he and Lieutenant Palmer, prior to going to the court house on the 16th, so that she could provide them with the text messages and voicemails.

On 11/17/22, Captain Groomes was notified by S█████ that the magistrate declined to listen to voicemails or view text messages that Chalkley had left her. S█████ advised that the magistrate based this decision on there being no criminal charges against Chalkley and advised S█████ to obtain an attorney and take the issue to trial in 30 days. S█████ advised that she does not believe she is going to get an attorney.

During this conversation, Captain Groomes updated S█████ as to Chalkley having been advised not to contact her, to stay away from her home and to do child exchanges at Strongsville PD. S█████ advised that Chalkley's mother had contacted her, however; S█████ stated this was a good thing because she will likely rely on Chalkley's mother for communications as she (S█████) is leery of speaking to Chalkley because she fears him and his verbal abuse.

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A [REDACTED] S [REDACTED] Interview 11/16/22 0950hrs

On Wednesday, November 16, 2022 at approximately 0930hrs, Captain Groomes and Lieutenant Palmer met with A [REDACTED] S [REDACTED] at the Elyria Police Department (18 West Ave.) and conducted an interview.

A [REDACTED] stated that on Sunday, November 13, 2022, she exchanged phone calls and text messages with Officer Chalkley regarding him picking up the kids and keeping them until Monday, November 14, 2022. After talking on the phone about exchanging the children, A [REDACTED] texted Officer Chalkley asking what time he wanted the kids. Officer Chalkley responded that he was busy and that he would need \$50 to babysit since A [REDACTED] takes a third of his paycheck. He ended by calling her a dirty whore. Officer Chalkley then texted, "What time am I doing you a favor." A [REDACTED] responded to Officer Chalkley, "You are a sad man." Officer Chalkley responded by text, "I'm a happy man. You're a sad worthless fat dirty cunt whore that lives a lie. What time are you bringing my kids scumbag. Need to know what time so I can be home you worthless whore." A [REDACTED] then texted, "I will not be talked to like this sorry." Officer Chalkley responded, "Is your pussy not dirty? Are you not a whore? What am I missing? What time?" A [REDACTED] then told Officer Chalkley, "I'll find someone else thanks." Officer Chalkley said, "Bring my kids slob." A [REDACTED] then responded, "I'm good with the disrespect take care." A [REDACTED] then blocked Officer Chalkley's number. Following the text messages, A [REDACTED] received two voicemails from Officer Chalkley. The first voicemail came at 1454 and the second one was at 1504. In the voicemails, Officer Chalkley continues to call A [REDACTED] a "whore" and "scumbag."

Ultimately, Officer Chalkley arrived at A [REDACTED]'s house, despite being told not to come. Officer Chalkley arrived wearing a shirt that read Cannot Understand Normal Thinking. The writing on the shirt was done in a way showing it was an acronym using the word "CUNT." At A [REDACTED]'s house, Officer Chalkley continued to be "verbally abusive" and call her vulgar names. A [REDACTED]'s son became upset and she decided to not allow the children to go with Officer Chalkley. Officer Chalkley began pushing A [REDACTED], but she was able to get the children back in the house and call the Lorain County Sheriff's Office.

A [REDACTED] stated that this behavior has been going on since the beginning of the year. In December or January, A [REDACTED] and Officer Chalkley decided to reconcile for the sake of the children. A [REDACTED] and Officer Chalkley were seeing each other a couple of times a week. A [REDACTED] said that Officer Chalkley's drinking was out of control during this time and he ultimately became verbally abusive to A [REDACTED]'s 12-year-old son. It was at this point that A [REDACTED] ended the relationship. Since that time, Officer Chalkley has been verbally abusive to A [REDACTED].

A [REDACTED] provided examples to Cpt. Groomes and Lt. Palmer. A [REDACTED] provided text messages from October 30th in which Officer Chalkley says, "Great to hear you don't won't to kill yourself anymore. My plan is right on schedule." A [REDACTED] responds, "lol stop threatening all the time and worry about talking about the kids only." Officer Chalkley states, "A plan isn't a threat you fucking nut job. Please stop taking those mind-altering drugs." On October 31st, Officer Chalkley texts, "Maybe stop being a fucking cunt and include me in their lives. I need their schedules and need all school information to be included. Is that so hard to comprehend? Life is easy but you like to make it difficult with your dirty cunt games."

A [REDACTED] also showed Cpt. Groomes and Lt. Palmer her voicemails. On Tuesday, November 8, 2022, Officer Chalkley left A [REDACTED] 18 voicemails between 1029hrs and ending at 1821hrs. A [REDACTED] played several of the voicemails. Officer Chalkley appears to be upset in the voicemails that A [REDACTED] called him to discuss the

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children when he was sleeping. A ██████ stated that she was aware that Officer Chalkley worked nights and thought that 1500hrs was an appropriate time to call. Lt. Palmer checked the schedule from that day and observed that Officer Chalkley had worked until 0900 that day. The voicemails were all similar in nature. Officer Chalkley threatened to call A ██████ during the middle of the night to discuss the children. Officer Chalkley used vulgar terms to describe A ██████ including, "dirty whore," "selfish, loose, cunt whore," "scumbag," and "fat dirty cunt." He continuously tells Amanda that she is fat in the messages.

A ██████ was asked what she wanted to happen. A ██████ expressed that she is afraid of Officer Chalkley and that he needs help for mental illness and alcoholism. A ██████ stated that she was applying for a Civil Protection Order against Officer Chalkley and that she does not want him at her house.

Cpt. Groomes told A ██████ that he would instruct Officer Chalkley to not contact her and that she would contact him in regards to the children. Cpt. Groomes and Lt. Palmer would reiterate that Officer Chalkley is not to go to A ██████'s house, as he was issued a trespass warning from the LCSO, and any exchange of the children would be done at the Strongsville Police Department.

Cpt. Groomes and Lt. Palmer made copies of text messages and a screenshot of the list of voicemails that A ██████ received from Officer Chalkley. Cpt. Groomes and Lt. Palmer also made digital recordings of voicemails and received a picture of Officer Chalkley at A ██████'s house on Sunday, November 13, 2022. All will be attached and submitted with this Internal Investigation Report.

NOTICE OF INTERVIEW SERVED 11/16/2022

On November 16, 2022, at approximately 2215hrs, Captain Groomes and Lieutenant Palmer met with Officer Chalkley at Elyria PD. Chalkley was advised of the internal investigation, of which he is the subject, and was provided IA Forms 802 - Notice of Interview and 803 - Notice and Order for Garrity Interview. Chalkley signed the IA Form 803 and both original forms were entered into the case file.

Patrolman Chalkley interview on 11/22/2022 1425hrs

On 11/22/22 at 1425, Capt. Michael Groomes and Lt. Eric Palmer interviewed Ptlm Nicholas Chalkley. Present for the interview was Ptlm. Paige Mitchell and Attorney Dan Leffler.

Capt. Groomes began the interview by reading the Garrity warning to Ptlm. Chalkley. Ptlm. Chalkley acknowledged the warning verbally and by signing the form. The Garrity warning form was witnessed by Lt. Palmer and Ptlm. Mitchell. After the warning, Capt. Groomes began by asking for the events of Sunday, November 13th. Ptlm. Chalkley began shuffling papers and appearing aggravated. Capt. Groomes asked if it would be easier if he recalled the events from memory and then went back to his papers, but Ptlm. Chalkley responded that he wanted exact times. Ptlm. Chalkley advised that A ██████ S ██████ had unblocked him and attempted to call him at 0958 that morning. Ptlm. Chalkley explained that A ██████ blocks him every week because they do not get along. He went on to say that after calling her a "cunt whore," she texted him at 1447 that she would find someone else to watch the children. Ptlm. Chalkley said that they spoke on the phone at 1452 and she told him that if he wanted the kids, he would have to pick them up. Ptlm. Chalkley responded that he did not have gas and she told him that she did not either. Ptlm. Chalkley said that he then called and left a message at 1454 saying that if she wanted him to pick up the kids, he would come and get them.

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It should be noted that A [REDACTED] S [REDACTED] provided a copy of the voicemail at 1454. On the voicemail, Ptlm. Chalkley stated the following, "What time are you bringing my kids, whore?" This voicemail implies that at 1454, Ptlm. Chalkley still expects that A [REDACTED] is bringing the children to his house.

Following the voicemail at 1454, Ptlm. Chalkley said that he left a voicemail at 1403 that he would be there shortly. Ptlm. Chalkley arrived at the house, blew his horn and stood in the driveway. Ptlm. Chalkley said that A [REDACTED] came to the window and started taking pictures of him. Capt. Groomes asked Ptlm. Chalkley why A [REDACTED] was taking pictures and he responded that he did not know. Capt. Groomes asked Ptlm. Chalkley about his attire in which he first described as a hat and a t-shirt. Ultimately, following several questions, Ptlm. Chalkley acknowledged that the shirt was an acronym for "CUNT" and that he wore the shirt because A [REDACTED] does not like that word.

Ptlm. Chalkley relayed that he believes that this is all about him telling A [REDACTED] that he was taking her back to court because she constantly blocks him and doesn't notify him about important events regarding the children. It does not appear that A [REDACTED] keeps the children from Ptlm. Chalkley as he states that he has been keeping them on days that were not his by court order for months.

Capt. Groomes attempted to get Ptlm. Chalkley to clarify the plan for this day and why he went to A [REDACTED]'s house given that the entire tone of the conversation revolved around Amanda bringing the children to Ptlm. Chalkley's house. Ptlm. Chalkley stated that a phone conversation occurred prior to the voicemail at 1503 where A [REDACTED] told him that he could pick up the children at her house.

Ptlm. Chalkley denied that anything physical occurred between he and A [REDACTED] aside from A [REDACTED] pushing him to get out of her way so that she could grab her child. Ptlm. Chalkley continued to talk about A [REDACTED] blocking him on her phone. Capt. Groomes asked if anything Ptlm. Chalkley does contributes to her blocking him. Ptlm. Chalkley admitted to calling her "a name or two," but said that he only texts her regarding the children. Capt. Groomes then asked Ptlm. Chalkley about text messages in which he used the terms "dirty whore, scumbag, selfish, loose, cunt whore, keep eating, you look really fat, fat, dirty cunt, you're fat, you're disgusting, you can't be a mother, you're fat, dirty cunt." Ptlm. Chalkley stated that those terms were accurate as to what he has called her. Capt. Groomes then asked about leaving 18 voicemails in a day. Ptlm. Chalkley responded that that did not happen on November 13th. Capt. Groomes advised Ptlm. Chalkley that this happened on November 8th. Ptlm. Chalkley explained that A [REDACTED] blocks him every week and these types of messages occur when she is refusing him contact with his kids.

It should be noted that Ptlm. Chalkley advised earlier that he has had his children every week for months.

Capt. Groomes went on to ask Ptlm. Chalkley if he had a call for service where a person had left this many voicemails with this type of content, would he advise the person to seek help through the court or consider charges for Telecommunications Harassment. Ptlm. Chalkley responded that he would not because there is already a court order in place.

The concern is that Ptlm. Chalkley does not understand the law or his job responsibilities should he be faced with a similar circumstance.

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Ptln. Chalkley said that this is why he needs to go back to court and have them mandate the phone app so that there is a record of communication. Ptln. Chalkley said that he has spoken to two lawyers about it.

Capt. Groomes asked Ptln. Chalkley if he had ever made a threat or anything that could be perceived as such. Ptln. Chalkley said that he has not. Capt. Groomes asked about a text on October 30th where he asked her if she still wanted to kill herself and then says that his plan is right on schedule. Ptln. Chalkley claims that this is in reference to A[REDACTED] telling him on three separate occasions that she was thinking about killing herself. He said that he got her to seek help and get on medication. Ptln. Chalkley stated that he was trying to help her. Capt. Groomes asked Ptln. Chalkley about her telling him to stop threatening her and him responding that a plan is not a threat you fucking nut job. Ptln. Chalkley continued to say that his plan was to get her better.

Ptln. Chalkley held firm that him calling A[REDACTED] a "fucking nut job" was him trying to help her. Ptln. Chalkley seemed to not understand how using a term such as this might do exactly the opposite for someone dealing with mental illness.

Ptln. Chalkley goes on to state that the only offense or defense he has against A[REDACTED] is calling her names. He accuses A[REDACTED] of making up false stories and telling him that she can file a false police report and he would lose his job. He says that she is in contempt of court and lies.

Capt. Groomes asked Ptln Chalkley about him referring to getting a burner phone in a text message to A[REDACTED]. Ptln. Chalkley stated that this is because A[REDACTED] blocked him and he would be able to get through to her.

At several points in the interview, Capt. Groomes attempted to express how Ptln. Chalkley's attire, words and actions reflect poorly on the Elyria Police Department and puts him in peril. Ptln. Chalkley appears to disregard this as a private matter between he and A[REDACTED] with A[REDACTED] carrying the bulk of the blame for her actions. At one point Ptln. Chalkley commented that the deck is stacked against me and Capt. Groomes pointed out that it was his behavior that was causing the damage.

Lt. Palmer started by saying that Ptln. Chalkley had said several times that A[REDACTED] makes things up and does not tell the truth. Lt. Palmer asked Ptln. Chalkley if anything that Capt. Groomes had presented (text messages, voicemails, attire, language) had been untrue. Ptln. Chalkley said that there was not. Ptln. Chalkley then said again that he had told A[REDACTED] that he was taking her back to court. Lt. Palmer asked how long ago he told her that and Ptln. Chalkley said that it had been months. Lt. Palmer asked if during those months anything had been filed and Ptln. Chalkley said they had not. Lt. Palmer then clarified with Ptln. Chalkley about his statement that A[REDACTED] was in contempt of court. Lt. Palmer asked if a judge had found her in contempt. Ptln. Chalkley responded no but he had spoken to a couple of attorneys. Lastly, Lt. Palmer asked if the last time anything had been adjudicated between Ptln. Chalkley and A[REDACTED] was their divorce. Ptln. Chalkley acknowledged that it was.

Capt. Groomes again attempted to get across to Ptln. Chalkley the seriousness of his matter. Ptln. Chalkley stated that he understands that calling her names was getting down to A[REDACTED]'s level. Capt. Groomes asked if he had anything (texts, voicemails, etc.) backing up that A[REDACTED] also acts in this manner and Ptln. Chalkley said that he did not. At no time during the interview did Ptln. Chalkley take responsibility for his actions.

Capt. Groomes ended the interview at 1517 hrs.

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On November 29, 2022, Captain Groomes received screen shot photos, from Chalkley's phone, of Chalkley's text message conversations with S [REDACTED] from November 7-9, and November 13. Captain Groomes also received a screen shot photos, from Chalkley's phone, of the call log between he and S [REDACTED] on November 13. At the time of this report, Captain Groomes had not received the call log from Chalkley's phone from November 8.

Upon reviewing the text messages from November 13th that Chalkley provided, Captain Groomes and Lieutenant Palmer found them to be consistent with those provided by S [REDACTED] with the exception of one sent text message from Chalkley to S [REDACTED]. The text message in question reads, "Is your pussy not dirty? Are you not a whore? What am I missing? What time?" It is not known if this text message was purposely deleted or if there was a malfunction in recording the message on Chalkley's phone.

Attachments to this report:

- EPD IAD Forms 802 and 833
- All LCSD report documentation of incident on 11/13/2022
- Screen Shots of text messages between S [REDACTED] and Chalkley
- Screen Shots of call logs between S [REDACTED] and Chalkley
- Photo of Chalkley wearing the CUNT acronym shirt
- Transcript of Chalkley interview conducted on 11/22/2022

VIOLATION:**RULES AND REGULATIONS:****1.01 Violation of Rules**

Officers shall not commit any acts or omit any acts which act or omission constitutes a violation of any of the rules, regulations, directives, or orders of the Department, whether stated in this order or elsewhere.

1.02 Unbecoming Conduct

Officers shall conduct themselves at all times, both on and off duty, in such manner as to reflect most favorably on the Department. Conduct unbecoming an officer shall include that which brings the Department into disrepute or reflects discredit upon the officer as a member of the Department, or that which impairs the operation or efficiency of the Department or officer.

1.03 Immoral Conduct

Officers shall maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession. Officers shall not participate in any incident involving moral turpitude which impairs their ability to perform as law enforcement officers or causes the Department to be brought into disrepute.

1.04 Conformance to Laws

A. Officers shall obey all laws of the United States and of any state and local jurisdiction in which the officers are present.

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B. A conviction of the violation of any law may be considered to be prima facia evidence of a violation of this section.

GENERAL ORDERS:

1.03 Ethics

I. CODE OF ETHICS STATEMENT-SWORN PERSONNEL (CALEA 1.1.2)

"As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all persons to liberty, equality, and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudice, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession... law enforcement."

CHECK OF PREVIOUS SUPERVISOR'S REPORTS

COMPLETED BY: Lt. Eric Palmer And Capt. Michael Groomes

DATE: 11/30/22

Patrolman Chalkley was involved in two incidents in 2021 that resulted in IA investigations.

IA 2021-003, which involved an incident in May of 2021, resulted in Chalkley being found to have violated 1.01 Violation of Rules, 1.02 Unbecoming Conduct, 1.16 Use of Alcohol off Duty, 1.45 Truthfulness, 3.01 Mission, Vision and Core Values and 4.25 Support Car Operation.

IA 2021-004, which involved an incident in July of 2021, resulted in Chalkley being found to have violated 1.01 Violation of Rules, 1.02 Unbecoming Conduct, 1.05 Reporting for Duty, 1.25 Courtesy and 1.44 Carrying Firearms.

EARLY INTERVENTION REVIEW (MANDATORY FIELD, SEE GO.3.12)

☒ NOT A TRACKED ACTIVITY

☐ EIS THRESHOLD NOT REACHED

☐ EIS THRESHOLD REACHED OR EXCEEDED (SEE SUPERVISOR COMMENTS BELOW)

SUPERVISOR RECOMMENDATIONS (Check all that apply)

☐ No Violation	☐ Verbal Counseling	☐ Written Reprimand	☒ Chief review for assignment or hearing
☐ Early Intervention	☐ Remedial Training	☐ Performance Improvement Plan	☐ Other (Describe in comments)

SUPERVISOR COMMENTS:

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SUBMITTED BY: Lieutenant Eric Palmer / Captain Michael Groomes

DATE: 12/01/22

SUPERVISOR REVIEW & APPROVAL (If "Disapprove" describe on separate attached document)		
TEAM SERGEANT OR IMMEDIATE SUPERVISOR: <i>[Signature]</i>	DATE: 12/1/22	☒ APPROVE ☐ DISAPPROVE
SHIFT OR UNIT COMMANDER:	DATE:	☐ APPROVE ☐ DISAPPROVE
DIVISION COMMANDER:	DATE:	☒ APPROVE ☐ DISAPPROVE
CHIEF OF POLICE: <i>[Signature]</i> 243	DATE: 12-02-2022	☒ APPROVE ☐ DISAPPROVE

CHIEF OF POLICE ORDERED ACTIVITIES (Check all that apply)	
☐ No Violation (Closed) ☐ Verbal Counseling ☒ Written reprimand ☒ Assigned to (A Track # 2022-04, ☒ Chief to submit certification of suspension to SSD (maintain copy and SSD response with this report) ☐ Early Intervention ☐ PIP Developed ☐ Remedial Training Ordered ☐ Other (Describe below)	
ACTIVITY COMPLETION BY DATE: 12-28-2022	
COMMENTS: HEARING TO BE HELD 12-07-2022 @ 7200 HOURS HEARING W/ SSD 12-16-2022 @ 0830 HRS. CHALKLEY WAIVED HEARING SEE ATTACHED LETTER OF Recommended discipline (12-21-2022) & SSD response 12-27-2022 SSD supports Recommendation. (See ATTACHMENT)	
CHIEF OF POLICE: <i>[Signature]</i> 243	DATE: 12-28-2022

DOCUMENTATION OF COMPLETED ACTIVITIES (Check all that apply)	
☐ Counseling Session Completed ☐ Written Reprimand Issued ☐ Early Intervention Completed ☐ PIP Developed ☐ Remedial Training Completed ☐ Other (Describe below)	
Letter of: ☒ Suspension Issued (attach) ☐ Reduction in Rank Issued (attach) ☐ Dismissal Issued (attach)	
COMPLETED BY: <i>[Signature]</i> 243	DATE: 12-28-2022

SUPERVISOR COMMENTS (Describe Activities): ☒ SEE ATTACHMENT
 CHALKLEY SERVED SUSPENSION FROM 12-28-2022 TO 03-06-2023.
 PER HR HE IS ABSENT BY BOTH EVALUATIONS. HE WAS RETERMINED ON PAID
 BY ACTING LT W405 ON 03-07-2023 & SIGNED OFF IN PAID RMS. SEE CCSO
 DETECTIVE SUPPLEMENT JACKET #5525 BY CCSO LT. VAUSAUT. ALTHOUGH DEDICATED TO
 PURSUE CHARGES.

EMPLOYEE'S ACKNOWLEDGEMENT:	DATE: 03-15-2023
EMPLOYEE'S COMMENTS:	

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FORWARD TO CHIEF'S OFFICE UPON COMELETION	
FINAL DISPOSITION (Complete when applicable)	
INVESTIGATIVE CLOSURE	
☐ Unfounded ☐ Exonerated ☐ Not Sustained ☒ Sustained ☐ Sustained-Other	
All activities ordered through my office and/or the Safety Service Director has been completed.	
CHIEF OF POLICE:	DATE:
W.R.P. 242	03-15-2023
COMMENTS: CASE WAS SENT BY ASSISTANT S&S WILLIAMS TO LAW DIRECTOR FOR REVIEW. LAW DIRECTOR REQUEST LEO LOOK INTO INJURY MORE. LEO INVESTIGATION SUPPORTED CRIMINAL CHARGES. VICTIM DID NOT WANT TO PURSUE CHARGES.	
CHIEF'S SECRETARY TO SCAN COMPLETED REPORT INTO EMPLOYEE ELECTRONIC FILE & PLACE HARDCOPY IN ADMINISTRATIVE FILE ROOM	

Original: Chief through channels as completed
 Copies: Chief where original held for investigation/review; Division Commander; Unit Commander; Reporting Supervisor; Officer involved in incident

IAD-802

TO: Officer Nicholas Chalkley
FROM: Captain Groomes and Lieutenant Palmer
SUBJ: Domestic Disturbance Complaint Case # IA 22-04

As the result of the above captioned investigation being conducted by the Elyria Police Department, you are going to be interviewed. At this time, you are to be interviewed as a:

- (x) Party to the Complaint
- () Witness to Complaint

When you are summoned for the interview, you are permitted to be accompanied, represented, and advised by an attorney or a Union Officer of your choice. Said attorney or Union Officer may not answer questions for the interviewed officer, nor may the attorney or Union Officer cross-examine the investigator. You will be interviewed on Tuesday, November 22, at 1400hrs HRS. The interview will take place at the Elyria Police Department.

dt 2/22
Captain Paul R. Groomes 138
Investigating Officer

xc: Original to File
Copy to person to be interviewed

**ELYRIA POLICE DEPARTMENT
NOTICE AND ORDER FOR INTERVIEW**

You are hereby advised that you are about to be questioned as a part of an official administrative investigation of the Elyria Police Department. You will be asked specific questions that will relate directly and narrowly to the performance of your official duties or your fitness as an employee or member of the Elyria Police Department. The purpose of this interview is to assist in determining whether disciplinary action is warranted. Your answers could result in administrative action against you.

1. Because this is an administrative investigation and not a criminal investigation, the Elyria Police Department will not use any of the answers or information gained from this interview in any criminal proceeding against you.
2. The Elyria Police Department will not release information gained from this interview to any other person or agency without your approval and will hold it as confidential, except as mandated by law, appropriate and competent authority, as necessary for disciplinary proceedings, or appeals of such proceedings.
3. You are hereby ordered and required to answer questions directed to you fully, truthfully, and to the best of your knowledge.
4. If you refuse to answer questions specifically directed and narrowly related to the performance of your official duties or to your fitness as an employee or member of the Elyria Police Department, you will be subject to departmental charges that could result in your dismissal from your position with the Elyria Police Department.
5. You will be allowed breaks for personal necessity as are reasonably necessary.

The allegations against you are as follows: 1.01 Violation of Rules, 1.02 Unbecoming Conduct, 1.03 Immoral Conduct and 1.04 Conformance to Laws.

11/22/2022

[Signature] 138
CHIEF OF POLICE
(or Designee)

CAPTAIN MICHAEL P. GROOMES

ELYRIA POLICE DEPARTMENT

ACKNOWLEDGEMENT

The undersigned hereby acknowledges that I was notified of the nature of the allegation of complaint Case # 1A 22-04 and have received a copy of this Notice and Order For Interview which I have read prior to affixing my signature hereto.

INVESTIGATED EMPLOYEE

DATE

WITNESS

DATE

WITNESS

DATE

xc: Original to file
Copy to Investigated Employee

ELYRIA POLICE DEPARTMENT
NOTICE AND ORDER FOR INTERVIEW

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4. If you refuse to answer questions specifically directed and narrowly related to the performance of your official duties or to your fitness as an employee or member of the Elyria Police Department, you will be subject to departmental charges that could result in your dismissal from your position with the Elyria Police Department.
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11/16/2022

Captain M. Grooms 138

ELYRIA POLICE DEPARTMENT

ACKNOWLEDGEMENT

The undersigned hereby acknowledges that I was notified of the nature of the allegation of complaint Case #: IA 22-04 and have received a copy of this Notice and Order for Interview which I have read prior to affixing my signature hereto.

INVESTIGATED EMPLOYEE

DATE

WITNESS

DATE

WITNESS

DATE

xc: Original to file
Copy to Investigated Employee



LORAIN COUNTY SHERIFF
FIELD CASE REPORT

CASE# 2022-00032871

EVENT	REPORTED DATE/TIME 11/13/2022 16:41	OCCURRED INCIDENT TYPE Domestic Violence	LOCATION OF OCCURRENCE [REDACTED]
	OCCURRED FROM DATE/TIME 11/13/2022 16:30	OCCURRED THRU DATE/TIME 11/13/2022 16:41	COLUMBIA TOWNSHIP, OH 44028

OFFENSES	STATUTE DESCRIPTION	COFFRS	ATTEMPT/COMMIT
	01 2919.26A Domestic Violence - Knowingly Cause Physical Harm	Misdemeanor 1	1 Committed

SUBJECT	JACKET/SUBJECT TYPE Adult Victim	NAME (LAST, FIRST, MIDDLE SUFFIX) S [REDACTED] A [REDACTED]					
	DOB 12/23/1986	AGE or AGE RANGE 36	ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED] COLUMBIA TOWNSHIP, OH 44028				
	RACE White	SEX Female	HEIGHT or RANGE 5'5" 5'5"	WEIGHT or RANGE 140 140	HAIR Brown	EYE Brown	
	OL NUMBER/STATE [REDACTED] / OH	PRIMARY PHONE (440) [REDACTED]	PHONE #2	PHONE #3			

SUBJECT	JACKET/SUBJECT TYPE Adult Suspect	NAME (LAST, FIRST, MIDDLE SUFFIX) CHALKLEY, NICHOLAS W					
	DOB 01/25/1980	AGE or AGE RANGE 42	ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED] ELYRIA, OH 44035				
	RACE White	SEX Male	HEIGHT or RANGE 5'9" 5'9"	WEIGHT or RANGE 185 185	HAIR Brown	EYE Gray	
	OL NUMBER/STATE [REDACTED] / OH	PRIMARY PHONE (440) [REDACTED]	PHONE #2	PHONE #3			

SUBJECT	JACKET/SUBJECT TYPE Juvenile Witness	NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]					
	DOB [REDACTED]	AGE or AGE RANGE 11	ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED] Columbia Township, OH 44028				
	RACE White	SEX Male	HEIGHT or RANGE	WEIGHT or RANGE	HAIR Brown	EYE Brown	
	OL NUMBER/STATE	PRIMARY PHONE (440) [REDACTED]	PHONE #2	PHONE #3			

REPORTING OFFICER 87 Csizmadia	DATE 11/13/2022	REVIEWED BY Bungard, Mark A	11/13/2022
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LORAIN COUNTY SHERIFF
FIELD CASE REPORT

CASE# 2022-00032871

ADDITIONAL SUBJECTS

SUBJECT	JACKET/SUBJECT TYPE Juvenile Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				
	DOB [REDACTED]	AGE or AGE RANGE 12	ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED] Columbia Township, OH 44028				
	RACE White	SEX Female	HEIGHT or RANGE	WEIGHT or RANGE	HAIR Blond/Strawberry	EYE Hazel	
	DL NUMBER/STATE	PRIMARY PHONE (440) [REDACTED]	PHONE #2	PHONE #3			

SUBJECT	JACKET/SUBJECT TYPE Juvenile Involved		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				
	DOB [REDACTED]	AGE or AGE RANGE 8	ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED] Columbia Township, OH 44028				
	RACE White	SEX Male	HEIGHT or RANGE	WEIGHT or RANGE	HAIR Blond/Strawberry	EYE Blue	
	DL NUMBER/STATE	PRIMARY PHONE (440) [REDACTED]	PHONE #2	PHONE #3			

SUBJECT	JACKET/SUBJECT TYPE Juvenile Involved		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				
	DOB [REDACTED]	AGE or AGE RANGE 3	ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED] Columbia Township, OH 44028				
	RACE White	SEX Female	HEIGHT or RANGE	WEIGHT or RANGE	HAIR Brown	EYE Brown	
	DL NUMBER/STATE	PRIMARY PHONE (440) [REDACTED]	PHONE #2	PHONE #3			

SUBJECT	JACKET/SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				
	DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
	DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	PHONE #3			

SUBJECT	JACKET/SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				
	DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
	DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	PHONE #3			

REPORTING OFFICER 87 Cslzmadia	DATE 11/13/2022	REVIEWED BY Bungard, Mark A	11/13/2022
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**LORAIN COUNTY SHERIFF**

FIELD CASE REPORT

CASE# 2022-00032871

NARRATIVE

On November 13, 2022, I was dispatched to [REDACTED] located in Columbia Township, in regards to a domestic violence investigation. Upon arrival, I made personal contact with A [REDACTED] S [REDACTED] who advised her ex-husband, Nicholas Chalkley had pushed her during an altercation involving exchanging custody of their children, C [REDACTED] (D.O.B. [REDACTED]) and W [REDACTED] (D.O.B. [REDACTED]).

Ms. S [REDACTED] advised she had been getting phone calls and voicemails from Mr. Chalkley during the night and early morning hours. Ms. S [REDACTED] stated she blocked Mr. Chalkley due to the excessive amount. Ms. S [REDACTED] said the voice messages he was sending were vulgar and disturbing. Ms. S [REDACTED] advised if this continues to occur, she believes this is at the point of harassment.

Ms. S [REDACTED] stated Mr. Chalkley came to her residence uninvited. Ms. S [REDACTED] stated, Mr. Chalkley was there to get their two children. Ms. S [REDACTED] advised this was not the scheduled time for Mr. Chalkley's custody visitation with the children, however she was allowing the kids to go with Mr. Chalkley.

Ms. S [REDACTED] advised during the custody exchange, C [REDACTED] did not want to go with Mr. Chalkley. As Ms. S [REDACTED] was holding C [REDACTED] she said Mr. Chalkley grabbed C [REDACTED] out of her hand and pushed her away from their son. She continued that Mr. Chalkley pushed her in the shoulder, with an open hand, extending his arm out away from her. Ms. S [REDACTED] stated she was not injured and she did not fall to the ground.

Ms. S [REDACTED]'s oldest son, W [REDACTED] (D.O.B. [REDACTED]) witnessed the incident. W [REDACTED] advised he was inside the house watching out the front window when the incident occurred between his mother and Mr. Chalkley. W [REDACTED] advised Ms. S [REDACTED] was in the car or trying to get the kids into or out of Mr. Chalkley's car, he could not tell. W [REDACTED] advised he observed Mr. Chalkley grab his mother and pulled her away from the vehicle. W [REDACTED]'s friend, A [REDACTED] (D.O.B. [REDACTED]) was at the house and also witnessed the incident. A [REDACTED] stated it looked like Mr. Chalkley was pulling Ms. S [REDACTED] out of the vehicle and pushing her away.

Ms. S [REDACTED] wanted Mr. Chalkley trespass from the property and told to stop contacting her due to amount of phone calls and voicemails. I spoke with Mr. Chalkley over the phone in which I advised him he was trespass from Ms. S [REDACTED]'s residence. I advised Mr. Chalkley of the amount of phone calls and voicemails to Ms. S [REDACTED] and that she feels he is harassing her. Mr. Chalkley stated he understood the trespass warning and harassment warning. Mr. Chalkley said nothing physical took place and there were no threats made.

Due to the conflicting statements of what occurred during the incident with Mr. Chalkley and

REPORTING OFFICER

87 Calzmadia

DATE

11/13/2022

REVIEWED BY

Bungard, Mark A

11/13/2022



LORAIN COUNTY SHERIFF
FIELD CASE REPORT

CASE# 2022-00032871

NARRATIVE (continuation)

Ms. S [REDACTED] this case will be sent the Elyria Municipal Court Prosecutor's Office for review of criminal charges. Ms. S [REDACTED] was advised on how to obtain a protection order should she feel the need. This case will remain open/active.

Deputy J. Csizmadia #87

REPORTING OFFICER

87 Csizmadia

DATE

11/13/2022

REVIEWED BY

Bungard, Mark A

11/13/2022

WITNESS STATEMENT
LORAIN COUNTY SHERIFF'S OFFICE

Today's Date: 11/13/22 Report #: 2022-00032571

[Redacted] [Redacted] [Redacted] Columbus, OH
Your Name Address City State

44 [Redacted] [Redacted] 12-23-86 Brown Brown 5'5" 135
Phone No. Social Security # D.O.B. Hair Eyes Height Weight D.L. #

[Redacted] _____
Place of Employment Address Relationship to Complainant/Victim

Name of Complainant/Victim Address City State

Location of Incident Date & Time of Incident

Name of suspect Address City State

Relationship to Suspect Complainant/Victim Email

DETAILED STATEMENT OF WHAT WAS OBSERVED:

Ex husband Nick Chalkley came over without permission to pick up kids after he was told to not come. ~~He picked up the kids~~ and kids were brought out to his car and [Redacted] (6 year old son) did not want to go with dad and started crying. Nick grabbed [Redacted] out of my hand and pushed me away and said he became verbally abusive calling me a cunt and whore in front of the kids. For he is constantly calling and leaving voicemails with vulgar language and threats of making me suffer and threatening to take the kids away. [Redacted] (son) [Redacted] [Redacted]

Witness: [Redacted] (sister) [Redacted] (friend) [Redacted]

I do hereby declare the above statement is being made to the Lorain County Sheriff's Office, and I acknowledge I have made the above statement truthful, in good faith, and declare the truth of the above statement, knowing that a false statement made by me is subject to criminal prosecution. I also understand, if I am subpoenaed to testify as a result of criminal charges being filed against the suspect, I have an obligation to testify, and if I fail to appear, I may be held in Contempt of Court.

[Signature]
Signature

[Signature] # 87
Deputy Taking Statement

Q: Do you want to press criminal charges?

A: Yes

Q: Are you injured?

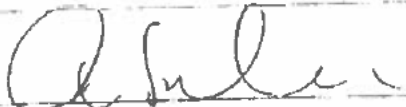
A: No

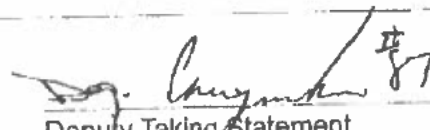
Q: Did he push you with an open hand?

A: Yes. Pushed me while holding our son.

Q: Did you fall to the ground in result of being pushed?

A: No


Signature.


Deputy Taking Statement

**DO NOT FORWARD TO BCI
(For Internal Use Only)**

**Officer's Report
for
Domestic Violence Incident Call**

I. Name and Location of Domestic Violence Incident ("DVI") Calls:

Name: Nicholas Chalkley & A [REDACTED] S [REDACTED]
 Address: [REDACTED]
 City: Columbia Station, OH 44028

II. Relationships of Persons Involved

	Alleged Victim			Alleged Offender / Primary Physical Aggressor		
	Fatal Injury	Non-fatal Injury	No Injury	Fatal Injury	Non-fatal Injury	No Injury
1. Wife						
2. Husband						
3. Parent						
4. Non-spousal relationship w/child in common						
5. Child(ren)						
6. Other family or household member						
7. Former Spouse			✓			✓
8. Live-in Partner						
9. Other						

III. Race/Ethnicity

	Vic.	Off.
Asian		
African Amer.		
Caucasian	✓	✓
Native Amer.		
Hispanic		
Other		

IV. Age

	Vic.	Off.
0-17		
18-40	✓	
41-59		✓
60-84		
85 and Older		
Total		

V. Sex

	Vic.		Off.	
	M	F	M	F
Sex		✓	✓	

VI. Response to DVI

Check all that apply to this incident:

A. Criminal charges filed under R.C. Sec 2919.25 (Domestic Violence), 2919.27
(Protection Order or Consent Agreement Violation), or equivalent local ordinance ☐

B. Other criminal charges filed, but not R.C. Sec. 2919.25 (Domestic Violence, 2919.27
(Protection Order or Consent Agreement Violation), or equivalent local ordinance ☐

C. No criminal charges filed ☒

D. Total

VII.

C. Simaoka #87
Officer's Name

11/13/22
Date

2022-00232871
Agency Incident No.



LORAIN COUNTY SHERIFF
FIELD CASE SUPPLEMENT

CASE# 2022-00032871

NARRATIVE SUPPLEMENT

On November 14, 2022 I was dispatched to the lobby of the Sheriff's Office to meet with Nicholas Chalkley. Mr. Chalkley advised that Sunday was not his routine day to get his kids, however he picks them up every Sunday and takes them to the bus stop on Monday morning.

Mr. Chalkley said on November 13, 2022 at 1401 hours Ms. S [REDACTED] texted him asking what time he wants the kids. At 1503 hours he claims they spoke over the phone and she asked what time does he want the kids and that he has to get them. Mr. Chalkley started he called Ms. S [REDACTED] at 1534 hours and said he will be there shortly.

Mr. Chalkley continued when he was at the house Ms. S [REDACTED] took their son out of his arms and said "They're not coming to your house". Mr. Chalkley said nothing physical occurred.

Mr. Chalkley showed me the text message with the date of November 13, 2022 and also a phone call placed on the same date to a person named A [REDACTED] Mr. Chalkley requested this be documented due to the allegation that he arrived at Ms. S [REDACTED]'s house uninvited.

Phone contact was made with Ms. S [REDACTED]. She stated she did receive a voicemail from Mr. Chalkley about getting the children, but she later told him she had a babysitter and did not need him to get the kids. Ms. [REDACTED] said she is going to seek a protection order in the future.

I made phone contact with the Elyria Municipal Prosecutor's office who advised due to conflict of interest, they gave the case to Prosecutor Kelleher of North Ridgeville. Prosecutor Kelleher declined to issue charges.

At this time this matter will be closed with no charges filed. A copy of this report will remain on file with this office for future reference.

Sgt. Bungard

REPORTING OFFICER
11 Bungard

DATE
11/14/2022

REVIEWED BY
Furci, Tyler E

11/16/2022

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Sgt. Bungard

5:42



Greeting

Voicemail

Edit

- | ● Unknown | 5:34 PM | | |
|-----------|---------|--|--|
| unknown | 00:21 | | |
| ● Unknown | 4:36 PM | | |
| unknown | 00:08 | | |
| ● Unknown | 4:31 PM | | |
| unknown | 00:19 | | |
| ● Unknown | 4:15 PM | | |
| unknown | 00:36 | | |
| ● Unknown | 4:02 PM | | |
| unknown | 00:29 | | |
| ● Unknown | 3:58 PM | | |
| unknown | 00:24 | | |
| ● Unknown | 3:51 PM | | |
| unknown | 00:30 | | |
| ● Unknown | 3:44 PM | | |
| unknown | 00:11 | | |
| ● Unknown | 3:42 PM | | |
| unknown | 00:31 | | |
| Unknown | 3:39 PM | | |
| unknown | 00:16 | | |
| Unknown | 3:38 PM | | |



Favorites



Recent



Contacts



Keypad



Voicemail

9

10:06

LTE

N

Nick

years

Great to hear you don't won't to
kill yourself anymore.
My plan is right on schedule

lol stop threatening all the time
and worry about talking about
the kids only

A plan isn't a threat you fucking
nut job. Please stop taking those
mind altering drugs

I need my daughters weekly
schedule please. Thanks

Need W [REDACTED] s weekly schedule
for my records

Keeping me in the dark on where
my kids are going to be is not a
game

K

>

M

>

Cash

10:07

SALIM S. MTHUNE 061 5711
LTE

N

Nick

OK and needs to be reported

You don't have our children in your best interest this needs to be stopped

Maybe stop being a fucking cunt and include me in their lives. I need their schedules and need all school information and to be included. Is that so hard to comprehend?

Life is easy but you like to make it difficult with your dirty cunt games

I gave you numbers and you have access to everything! Your name is on everything! Be a big boy and figure it out yourself! I'm not your secretary! And stop calling me a cunt

I was never notified of conference and never given number to school. The school has never once contacted me about my son



10:03

LTE

N

Nick

What time am I doing you a favor

You are a sad man 🙄

I'm a happy man
You're a sad worthless fat dirty
cunt whore that lives a lie
What time are you bringing my
kids scumbag

Need to know what time so I can
be home you worthless whore

I will not be talked to like this
sorry

Is your pussy not dirty? Are you
not a whore? What am I missing?
What time?

I'll find someone else thanks

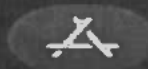
Bring my kids slob

I'm good with the disrespect
take care

Delivered

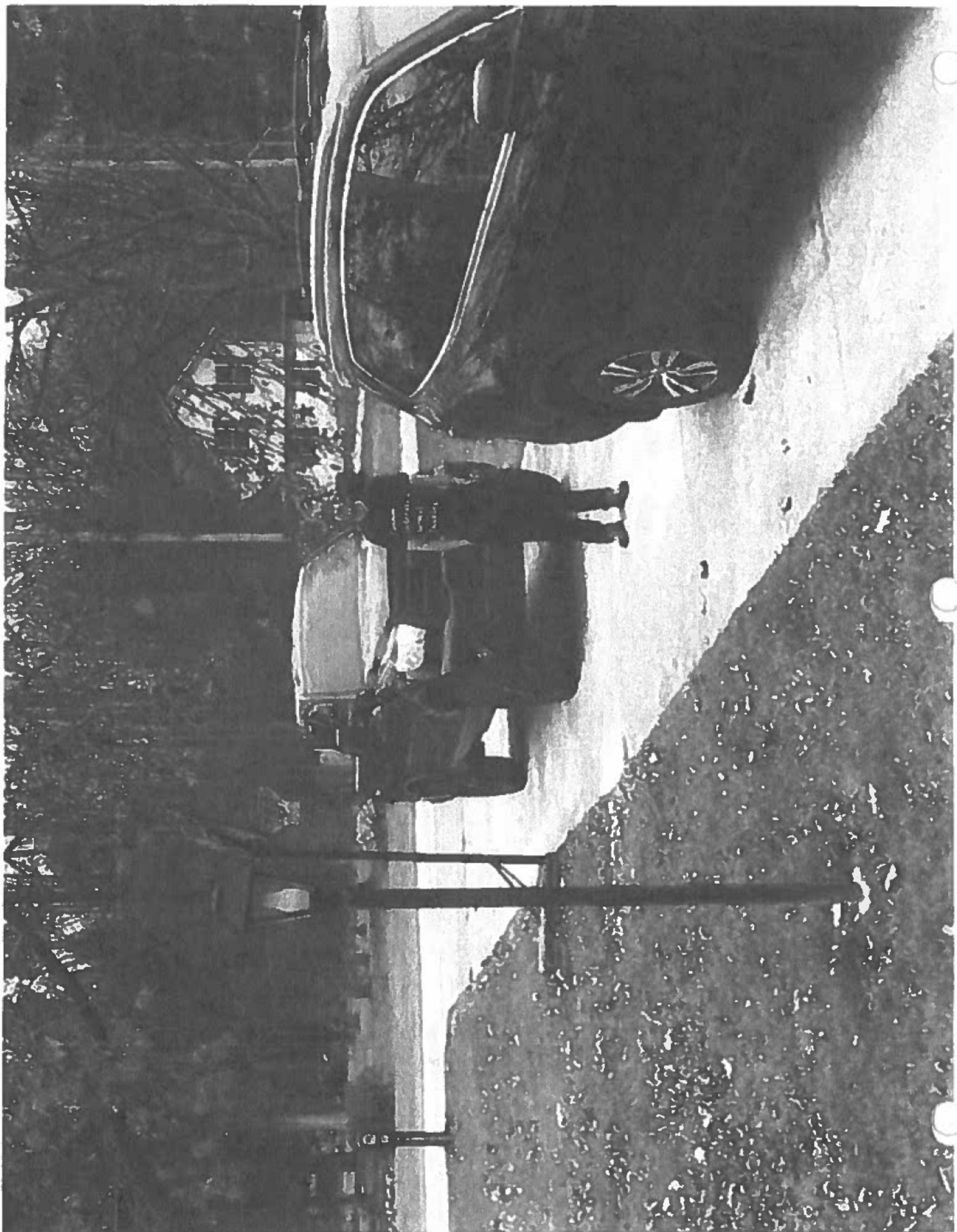


Messages



Cash



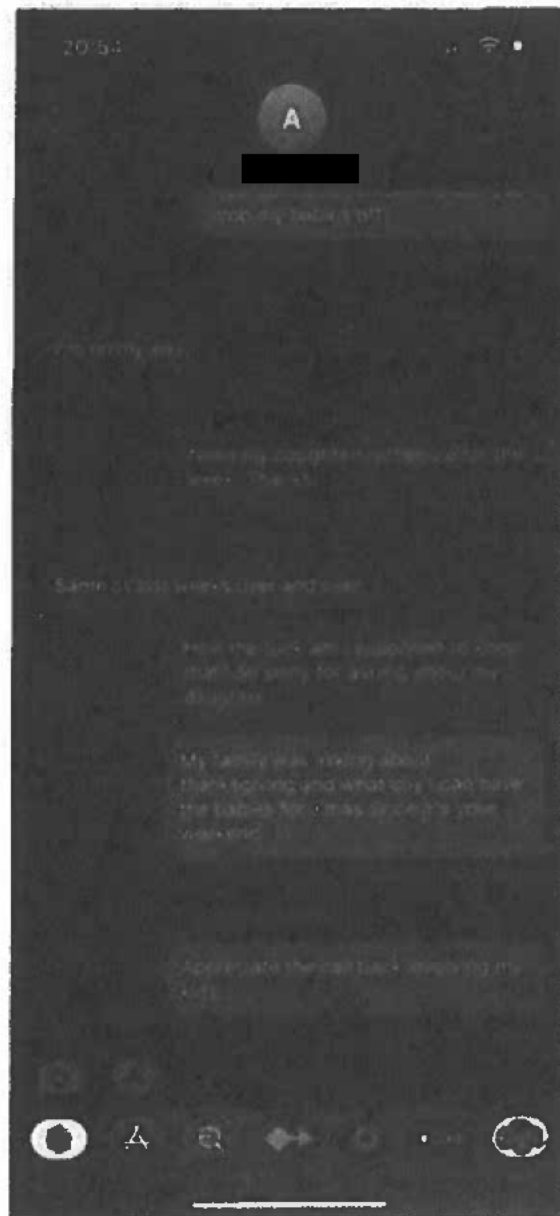




CHUCKLEY'S PHONE
NOV. 13TH

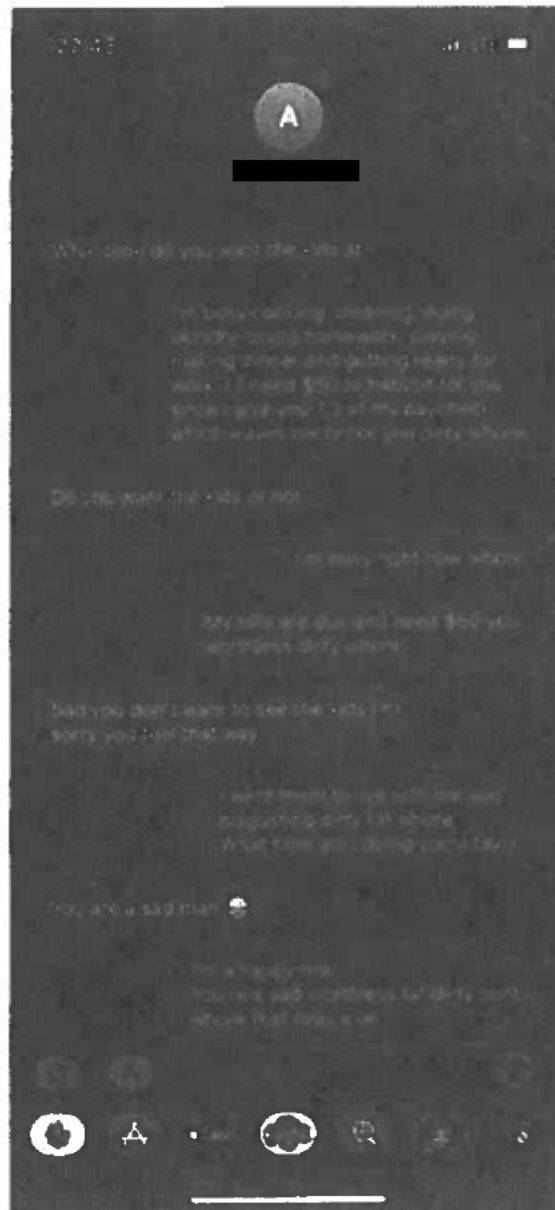


CHALKLEY'S PITONE
NOV 7TH AND 8TH

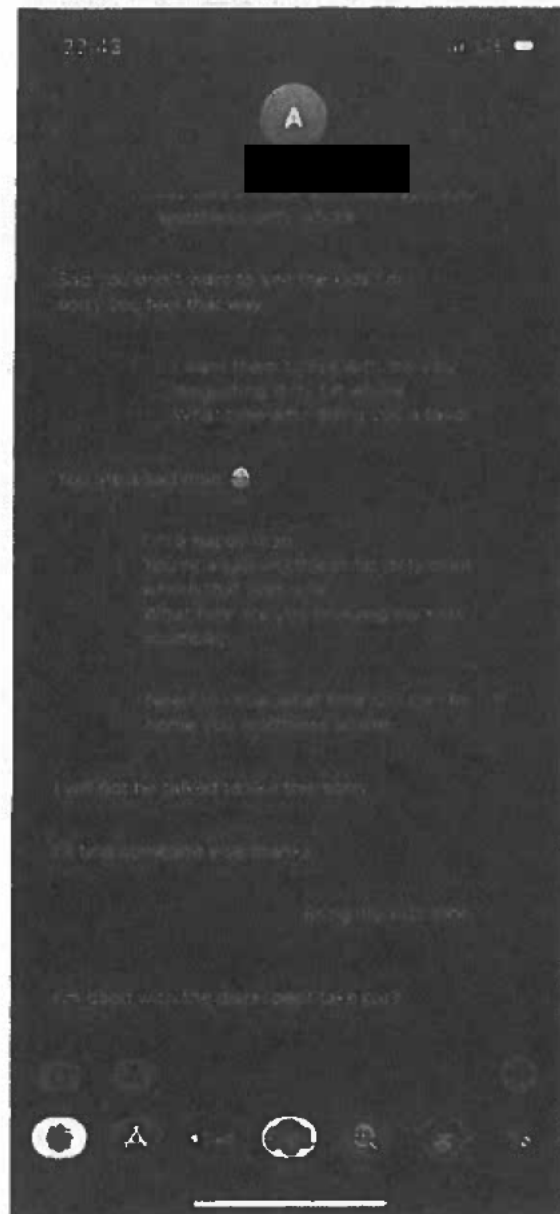


CHARLIE'S PITONS

NOV. 13TH



CHALKLEY'S PHONE
NOV. 13TH



Evidence Title: 221122_001.MP3

This transcript has been verified by Palmer, Eric (242)

This transcript starts at Nov 22, 2022 2:25 P.M. -05:00 and is 52m 20s in length

Groomes: All right. Today's date is November 22nd, 2022. It is approximately, uh, 2:25 in the afternoon. Present are myself, Captain Mike Groomes, Lieutenant Eric Palmer, Officer Nick Chalkley, Officer Paige Mitchell and attorney Dan Leffler. Um, Nick, I'm going to start today, uh, just by reading the, uh, Garrity hearing warning. If you want to follow along, you can.

Chalkley: mm-hmm <affirmative>.

Groomes: You're hereby advised that you are about to be questioned as part of an official administrative investigation of the Elyria Police Department. You'll be asked specific questions that will relate directly and narrowly to the performance of your official duties or your fitness as an employee or member of the Elyria Police Department. The purpose of this interview is to assist in determining whether disciplinary acts disciplinary action is warranted. Your answers could be result or could result in an administrative action against you. Um, number one, because this is an administrative investigation and not a criminal investigation, the Elyria Police Department will not use any of the answers or information gained from this interview in any criminal proceeding against you.

Groomes: Uh, number two, the Elyria Police Department will not release information gained from this interview to any other person or agency without your approval and will hold it as confidential, except as mandated by law appropriate and competent authority as necessary for disciplinary proceedings or appeals of such proceedings. Number three, you are hereby ordered and required to answer questions directly to, to you fully truthfully, and to the best of your knowledge. Number four, if you refuse to answer questions specifically directed and narrowly related to the performance of your official duties or to your fitness as an employee or member of The Elyria Police Department, you will be subject to departmental charges that could result in your dismissal from your position with the Elyria Police Department. Number five, you will be allowed breaks for personal necessity or are as are reasonably necessary. Uh, the allegations against you are as follows, uh, these are from our policy and procedures. Um, 1.01 Violation of Rules, 1.02 Unbecoming Conduct 1.03 Immoral Conduct, and 1.04 Conformance of Laws. Uh, the under this says the undersigned hereby acknowledges that I was notified of the nature of the allegations of comp complaint case IA 22 dash zero four and have received a copy of this notice and order for interview, which I have read prior to fixing my signature here, too.

Dan: Captain, what was the fourth allegation? Sorry.

Groomes: Uh, the fourth is 1.04 Conformance to Laws.

Dan: Okay.

Palmer: You want Paige to sign as the other witness?

Groomes: That's fine.

Groomes: All right, Nick, this, uh, this complaint, um, revolves around, uh, the incident allegation of domestic violence, um, allegations of harassing phone calls and text messages, and, uh, specifically to a couple dates that, that we'll go over. What I'd first like to, um, address is the Sunday, November 13th, um, which took place at A [REDACTED]'s S [REDACTED]'s home, um, in which the Sheriff's office was detailed, you know, to the incident. If you could please just take me through the, the kind of chain of events, um, of that day.

Chalkley: Um, so like the beginning of the day.

Groomes: Just how, just what led to the altercation at her house, um, conversations, the incident itself. Would it, would it be helpful to just recall from, from memory then we can go over the notes that you've written down.

Chalkley: No, no, no, no. I want these exact times down. Absolutely. Oh, here it is. She, um, unblocked me and called me at zero nine fifty eight. I declined her phone call cuz I've been telling her for a long time text only, cuz there's a record again, declined her at 1401, then received a text at 1401 asking me what time do you want the kids at? So there was back and forth. Um, messages.

Groomes: Why, why were you blocked?

Chalkley: She blocks me every week, every single week.

Groomes: What? What's the purpose of that?

Chalkley: Because she hates me.

Groomes: Okay. Do you know why she hates you? Has she told you why she hates you?

Chalkley: Because we don't get along. She's wished me dead five different times in front of my kids. She's told me she's gonna have her brother wait for me when I walk, when we were married, walk outta the house and shoot me in my head. I mean, this, this is ongoing. This is a, a volatile situation. Um, so I called her a cunt whore, whatever the hell I was calling her at 1447, she says, I'll find somebody else. Thanks at 1452, there was a voice call to her. Or I spoke to her. She said, if you want the kids, you gotta come over and get 'em. I said, I don't have any gas. She said, neither do I. At 1454. I called left her a message said, if you want me to come get them, then I'll come get them. Um, at 1503, wait a minute. Yeah. 1503. I told her if she I'd be there shortly, I got there honked the horn, opened my car door, stood out in the driveway, waiting for my kids. She came to the window, started taking pictures of me, sent the kids out.

Groomes: Why why'd she take pictures of you?

Chalkley: Because I have no idea. I was standing in her driveway between her car and my car, about 60 feet, 70 feet from her front door.

Groomes: Can you describe the attire you had on that day?

Chalkley: A hat and a t-shirt.

Groomes: What did the t-shirt say?

Chalkley: Cannot understand reasonable thinking.

Groomes: And what's the, what is that an acronym for?

Chalkley: Cunt.

Groomes: Okay. Was there any discussion of that t-shirt

Chalkley: No.

Groomes: Or that, that could have been why she took a picture of you?

Chalkley: No, I would imagine it is cuz she don't like that word. It's only, it's only defense I have against this girl. This is why this is all started because I told her we were going back to court because of her blocking me. My daughter had a dislocated arm. She didn't tell me about the first one. She only told me about it after the second time it happened, it took her four or five hours to notify me when my son broke his arm. I mean, this is, I told her, we need to go back to court. I'm not gonna let you block me every week. Unblock me, ask me when you want the kids then, because I call you a couple names. You, you block me and I don't know what the hell's going on. This was her Sunday. I've been

watching my kids on her day for months. She drops 'em off at my house. Cuz I have cameras. This is the first time I've been at her house since July.

Groomes: So go going back to you going over her house. What? Um, she, what was the initial plan? As far as the transfer of the kids, was she gonna bring them to you?

Chalkley: Every Sun..., like I get 'em every other day

Groomes: I'm talking about on the 13th. Was she going to bring them to you?

Chalkley: No, she told me if I wanted the kids, I had to come and get 'em. That's what she told me at 1452.

Groomes: So, so she told us that you left her a voicemail saying, um, something to, to the like of what time are you bringing my kids for? Would that be accurate?

Chalkley: Sure. I don't know which time was that one at?

Groomes: Um, that would've been the first of the two messages on that day.

Chalkley: Well, cuz I talked to her

Groomes: But my, my point is there Nick, if, if the plan was to have her bring them to, to you, which it sounds like it is. If you're asking what time she's bringing them to you.

Chalkley: That was her initial response asking me that because every week she drops 'em off at my house. Then when she told me, forget about it at 1440 something,

Groomes: What did that mean to you? When she said, forget about it.

Chalkley: She said, forget about it. I'll find somebody else.

Groomes: Okay.

Chalkley: And then I talked to her after she said that and she said, if you want the kids come and get 'em and then I left her a voicemail at 1503 saying fine. I will come and get them. Which when Sergeant Bungard talked to her, she contradicts herself and says that she told me that before the voicemail or after the voicemail, which is not true.

Groomes: Okay. So let's, let's go to you arriving at the house as your understanding that she wanted you to come pick up the kids?

Chalkley: Yes. Otherwise why would she bring the kids out to me?

Groomes: Okay. What happened once you guys were outside together?

Chalkley: The kids were walking to me. I picked up my son, my daughter, my car, my, my driver's door was open. My daughter climbed up into the driver's seat.

Groomes: Mm-hmm <affirmative>

Chalkley: I picked up my son and went to put him into his car seat and then she start, he was crying because he wanted to stay and, and continue coloring. And then she wigs out and, and pushes me over and grabs him out of the car seat.

Groomes: So at any time, did you push her?

Chalkley: No.

Groomes: Grab her?

Chalkley: No.

Groomes: Pull her outta your car.

Chalkley: She wasn't even in my car.

Groomes: You've never, you've never, you never touched her that day?

Chalkley: No.

Groomes: If...

Chalkley: Well, yeah I did because she was pushing me outta the way to get my kid out of it. I didn't touch her. She touched me.

Groomes: Okay.

Chalkley: She wedged herself between my car door and me when I was trying to put my son in the seat.

Groomes: So if a neighbor said they saw this, this altercation and said that you,

Chalkley: Yeah, I got a note for that too.

Groomes: You pushed her

Chalkley: mm-hmm <affirmative>

Groomes: That, that would be inaccurate.

Chalkley: It would be definitely be inaccurate. And as we can see here that her son says he, uh, mom, whatever Ms. S [REDACTED] was in the car or trying to get the, get the kids in or out of the car.

Groomes: Mm-hmm <affirmative>

Chalkley: Okay. So I'm facing, facing north with a rear door open. This kid is 70 feet away. I don't know how he could see that happened between a black car door and a tinted window. It, this is all fabricated lies. This is why I've already seeked counsel into having our, all of our agreements changed as far as it.

Groomes: Okay. Do you have, uh, the chain of text messages still on your phone

Chalkley: From that day? Yeah.

Groomes: Okay. Do you have, do you have a history of them? Uh, going back?

Chalkley: Yeah, she, she blocks me every single week.

Groomes: Okay. Do you have any way of altering them text messages or, or do you think she has any way of altering text messages?

Chalkley: I don't know. I don't know. There, there, there is no reason to alter anything because when she blocks me, I had to go to the, my son's school two weeks ago. Cause I don't know what tells going on in there. She tells me to figure it out myself. She don't tell me where my daughter's at every week.

Groomes: All right.

Chalkley: Blocks me every week.

Groomes: Let me, let me ask you this...

Chalkley: Blocks me.

Groomes: When, when you, and just when you go, when you talk about her blocking you do your, do your actions and I'm asking you what your opinion do your actions contribute to her feeling the need to block to block you? Whether it be your language, um, repetitiveness, um, unrelenting, text messages and, and voicemails.

Chalkley: When, when I text her, I might call her a name or two, which I don't know was illegal, but I I'm asking her about our kids.

Groomes: Okay.

Chalkley: Because I'm pissed off, I don't know what hell's going on with my kids all week.

Groomes: If, if somebody were calling you names and, and tell me if these are accurate, dirty whore.

Chalkley: Yeah.

Groomes: Some scumbag.

Chalkley: Yeah.

Groomes: Selfish, loose, cunt whore. Um, keep eating. You look really fat, fat, dirty cunt. You're fat. You're disgusting. You can't be a mother. You're fat. Uh, Hey, dirty cunt.

Chalkley: Yes.

Groomes: Um, okay. Those are accurate.

Chalkley: Yes.

Groomes: Okay. With, with that type of, uh, voicemail over and over repeatedly to the tune of 18 in one day. Can you see why somebody would

Chalkley: Didn't happen on the 13th.

Groomes: Well, let's go back to November 8th. Could that have happened on November 8th?

Chalkley: Uh, it could have. What was November 8th? I mean, I don't know.

Groomes: I don't know, it's a day that she decided to block you because she received 18 messages.

Chalkley: She blocks me every single week.

Groomes: Okay. But do you think that you don't contribute to her wanting to block you those type of messages?

Chalkley: Those messages are after she is refusing me contact with our kids.

Groomes: Okay.

Chalkley: So I, I don't know how a normal person would react.

Groomes: if you were to handle a call okay. For service and this was reported to you, would you recommend, uh, a person seeking out help through the courts to help stop such messages?

Chalkley: This, this is all been documented.

Groomes: I'm asking you a question, Nick.

Chalkley: No, no. I would say go get the, go get the app at the court, which she refuses to get. So I can have contact with my kids.

Groomes: What I'm asking you is would you consider that to be a report that you would do for telecommunications harassment and for them to seek help through the court?

Chalkley: No.

Groomes: You wouldn't?

Chalkley: No, because they're, I have a court order that she needs to be in contact with me at what's going on with our kids.

Groomes: Okay. Are your comments calling her a selfish, loose cunt telling her, uh, she has a dirty pussy. Are tho does it have anything to do with your kids and, and custody issues?

Chalkley: Those are when I'm asking her about where my kids are at and what, what what's gonna be going on with them.

Groomes: Nick, you're missing the point. How is that helping you?

Chalkley: I'm not missing the point.

Groomes: You are missing the point. How is that helping you achieve what you're trying to do with your kids? When, when you leave 18 messages of those tone in one day, what is her, what is her choice?

Chalkley: I have been blocked for before November 8th. This is an ongoing situation.

Groomes: I understand that

Chalkley: This is an ongoing situation and she refuses to let me know what's going on with our kids. She refuses to get the app through the courts. This is why I told her I am gonna be talking with the lawyer about getting that stupid app. That way she has to tell me what's going on with our kids.

Groomes: What's preventing you from doing that.

Chalkley: She won't do it. What do what's preventing me from what?

Groomes: What's preventing you from taking those steps in, in, in to be quite frank, an adult and mature fashion.

Chalkley: Yeah. I, I...

Groomes: What's preventing you from going to the court and, and achieving these things on your own rather than it's trying to convince her through. Uh, I mean this, these are relentless, um, voicemails.

Chalkley: Yeah. This has been going on for months.

Groomes: Okay.

Chalkley: And I've already been in contact with attorneys and I'm getting this stuff move, moving forward.

Groomes: Have you ever made, um, voicemails, text messages that could be considered a threat?

Chalkley: No.

Groomes: Or, or that you,

Chalkley: Anything can be argued either way. I've never threatened that girl. I've never even touched that girl.

Groomes: Okay.

Chalkley: If you want to say me saying, I'm taking you to court as a threat it's it's not.

Groomes: No, I'm not. I, I want, I want to know what some of these things mean, like, uh, on, on October 30th, for example, all right. She felt threatened. Uh, and voices that to you, um, when you say things such as, are you still trying to kill yourself? Um, and she says, no. And you said something along the lines of that's okay, my plan is right on schedule. What does that mean? Your plan is right on schedule.

Chalkley: That she's getting better. I'm the one, listen, I don't want to get into it.

Groomes: So your concern is to get her better. That's the intention with these type of voicemails and text messages.

Chalkley: Yeah. For that is, that situation. She had threatened to kill herself four separate times. I'm the one that talked her into getting on medication for it.

Groomes: Okay.

Chalkley: And that's why she said, no, I'm doing better.

Groomes: So when she says quit threatening me and you say a plan isn't a threat. You fucking nut job. Your intention is to help her.

Chalkley: No, that is a response saying, because I have a plan.

Groomes: So what is your, what Nick? You said your plan is to help her get better?

Chalkley: No, it was to get her better. That's why she's on medication.

Groomes: So on this date, when you're talking about you have a plan being right on schedule, what does that, what is that plan?

Chalkley: Moving forward, our lives, moving forward, she's getting better and I'm getting better. I mean, that's not a threat at all.

Groomes: Okay. What, what I'm having a hard time with Nick is you don't see, regardless of what her, your frustrations are with her, you don't see how any of this is detrimental to this plan of getting things and making things better. You don't, you're not seeing it. And that's concerning to me.

Chalkley: I do see it. I, I do see how she can make up blatant lies. And I'm the one sitting here in trouble.

Groomes: Nick...

Chalkley: Me, me calling her is fine. If she can go to the court and say, I don't want him calling me anymore, that's fine. And then she can get the app. And that way we have a, a real record that she can't be in contempt of.

Groomes: I'm I'm not familiar with this app. I, I don't know exactly what you're talking about.

Chalkley: There's an app through the court to where you have to be able to communicate with each other.

Groomes: Okay. Do you understand that she does not want to communicate with you because of these things?

Chalkley: Yeah. I know she doesn't want me to communicate with her cuz I call her names, but it's the only offense and defense I have cuz she makes up lies. She's literally laughed and said, I think it's funny that I can make a, a false police report and Elyria Municipal Court does nothing about it. She said, I know, all I have to do is tell, tell, tell the police something and you will lose your job. I have no defense. My only defense is calling her a couple names for five minutes. When I talk to her once a week,

Groomes: The thing is Nick, the, the accusation she makes against you, uh, with regard to telecommunications harassment.

Chalkley: Yeah. I was advised of that.

Groomes: And things and things like that are, are not made up. They're very real.

Chalkley: And, and so is her stuff is very real. She's she's in contempt of the court. That's another reason we're, I'm talked to two lawyers already now about it.

Groomes: I, I'm not here to investigate her.

Chalkley: I I know you're not.

Groomes: Her contempt of court and I'm, I can't, you know, confirm or deny whether that's accurate or not. What I can say is that your actions, your behaviors, your voicemails, your, uh, uh, provoking, uh, attire. I mean, explain to me, is that, is that a shirt you wear normally?

Chalkley: Yeah.

Groomes: You wear out in public.

Chalkley: I worn it twice.

Groomes: Okay. And you were, you wear you'll wear it out in public?

Chalkley: No, just in front of her.

Groomes: Okay.

Chalkley: Because she doesn't like that word.

Groomes: So again, you're provoking her. You're wearing this, this shirt now twice public roadways, if you get stopped or how does that represent the department and that that's part of this Nick

Chalkley: It's never been in, in the public.

Groomes: Okay.

Chalkley: And this has never been in the public.

Groomes: You, but your actions now have created public record

Chalkley: Her proven lies with timestamping...

Groomes: Nick...

Chalkley: that says, I showed up there unannounced, which is a lie

Groomes: Well, everything, everything that you said in, in voicemails and text messages leads us to believe she was supposed to bring them to you and then said, nevermind, I will find someone else. And then you showed up at her house.

Chalkley: And then as Sergeant Bungard writes in here, she gave him a different order of timeframe. This is not the first time she does this.

Groomes: Well, explain what you, what you think that means in his report that she, he gave a different timeframe. Can I see what you're referring to?

Chalkley: Well, yeah, hold on. When she says, <inaudible> sorry. When he says that phone contact was made Ms. [REDACTED] she stated that she did receive a phone call from Mr. Chalkley about getting the children. But she later told him she had a babysitter and did not need him to get the kids. That when she told me...

Groomes: But she later told you that she didn't need you.

Chalkley: She told me, forget it about the kids. That was before I spoke to her on the phone. And that was before the voicemail was left.

Groomes: Do you have your call log?

Chalkley: Yes.

Groomes: For that?

Chalkley: It was, yes.

Groomes: Can you, can you provide that to us?

Chalkley: That's why I know exactly how long these times were. I, I get that she's pissed because I call her some names. I get that.

Groomes: But what are you doing to change that? I mean, here's the thing, Nick,

Chalkley: I'm talking to the attorneys about it because that's my only, my only defense right now is talking to the attorneys.

Dan: Wait, wait, whoa, whoa, whoa.

Mitchell: Is that the screenshot?

Dan: You're not just handing over the phone, buddy. Okay.

Mitchell: No, this is just the

Groomes: Gonna absolutely, yeah, yeah, sure, sure.

Chalkley: Yeah. Yeah. This is just the times from, from that day when I talked to her.

Dan: Okay, well let's step outside.

Groomes: Just for the recording, we're still, uh, they stepped out to discuss, um, a matter of providing information off Chalkley's phone and we're just waiting for them to return.

Dan: So we wanted to clarify one thing on, uh, October 30th.

Groomes: Okay.

Dan: With regard to the call logs, if you're, uh, ordering him to produce those, he will send those to me and then I'll forward them.

Groomes: Yeah. And, and to be honest with you, I,

Dan: I don't like him handing over the phone.

Groomes: I get it. And I don't necessarily believe I'm ordering him to, I, I asked to see them.

Dan: Sure.

Groomes: And, um, so I've not put out an order to see them.

Dan: Okay.

Groomes: In fact, um, we discussed while you guys were outside, we would absolutely look at them. I don't know that with what we are talking about here today that the, the, um, those events necessarily are, are what's it at the heart of this it's more or less the, um, the content of everything, if that makes sense.

Dan: Yeah. Um, so if you're saying, Hey, we don't necessarily need the email. That's fine. Um, but I do want him to clarify, there was a question about...

Groomes: On the 30th, you said.

Dan: on October 30th.

Groomes: Okay.

Dan: And I don't remember from the record, whether he denied or did not deny that that happened, but Nick, we're not.

Palmer: Do you recall what the question was?

Groomes: Okay. I think I know what it is. It's about, it's about the, the conversation where, where she says, stop threatening me. Um, and I've got, I can, I can show you the, the, um, actual text chain, if you'd like to see it. I don't know if that'll help.

Dan: I don't have to, but I just didn't want the impression that he was denying that those things happened. Cause I don't, he, no,

Groomes: I don't think he, I, I don't feel like he denied it.

Mitchell: I think this is what we had talked about. For this day in

Dan: November 8th. Okay.

Mitchell: Possibly. Yeah.

Dan: Right. Okay. Yeah. So I didn't want him to be accused of, uh, falsifying or saying something.

Groomes: No, no, no.

Dan: Didn't happen.

Groomes: I don't, I don't feel no. No, I don't feel like I never got that impression or, or, you know...

Dan: That's just the only thing I wanted to clarify is make sure that

Groomes: Nope, I, I wanted clarification on, on what, um, the plan, what, what this plan was is that, uh, a plan is not a threat. Um, let's just get the exact verbiage so that we're not,

Chalkley: It was, my plan is what I don't wish anything bad to that girl. I can tell you that.

Groomes: Okay. Says great to hear you don't or you don't won't I think that's just a typo

Chalkley: Yeah.

Groomes: To kill yourself anymore. My plan is right on schedule says, laugh out loud, stop threatening all the time and worry about talking about the kids only. His response is a plan isn't a threat. You fucking nut job. Please stop taking those mind altering drugs. So my question to this, to this conversation and, and really her, you know, voicing that she feels she's in fear of Nick, because what she feels is threatening speech, um, is what is the plan? His response is my plan is right on schedule. I wanted to know what his plan, what he meant by the plan.

Chalkley: There, there is no plan. It's just, I'm glad she's doing better because her, my, the mother of my kids telling me she's thought about killing herself four times, and then me finally convincing her to take start, getting on medication is, is all I wanted.

Groomes: Okay. And what's confusing to us and to her is then it says a plan isn't a, a threat. You fucking nut job. That to me does not seem like concerned speech that seems like provoking, provoking her or taking digs at her, which did not really help someone get better as you say, you wish her to get better again, that we could argue about that all day. I wanted to know what the threat or the plan meant. You said there is no plan and I'll take it as that.

Chalkley: There isn't a plan.

Groomes: Okay.

Chalkley: For her to say that that is threatening. I mean, if somebody says I'm gonna fucking kill you, that's a threat. If I said, I want, I wish you harm. That's a threat me saying, I have a plan. A life plan is not a, a threat.

Groomes: Okay.

Chalkley: And like I said before, I mean, anyone, you could spin a word any way you want to fit to fit a narrative.

Groomes: Well, the, the concern here, Nick, is that your, your, whether it's coded speech or veiled speech or, um, confusing speech is causing someone to fear you and to feel threatened and that we can't control you can't control that. I can't control that. It is what it is.

Chalkley: Exactly. Exactly. So the deck is stacked against me.

Groomes: No, what it is is your behavior is stacked against you. That's, what's stacked against you, Nick, your words, your choice of words, your provocative clothing to really provoke her, um, is, is what's stacked against you. All right. Um, I want, I want to go back to one thing real quick. There is, there was a message about you, uh, getting a burner phone. Okay. That caused her some alarm. You, you said, uh, something about you. You're gonna go get a burner phone and fuck you cunt. All in the same, uh, message. Um, her concern is she wants to know what would be the purpose of you getting a burner phone because to her, um, burner phones are for when people don't want to get caught doing something don't want to be tracked. Um, and to her that sparks the thought of criminal intent. Okay.

Chalkley: That was so she would be all the, so she would have to answer messages from me.

Groomes: Okay. Like, because she wouldn't recognize that number she might pick up.

Chalkley: Correct.

Groomes: Okay. Very good. Lieutenant, do you have something you wanna

Palmer: Just, I know you've expressed several times that, um, um, that you feel like she makes up a bunch of stories and everything in order to get you in trouble, not talking about the, whatever happened specifically on the 13th, in terms of with the deputy or whatever, but in terms of anything that Captain Groomes has asked you about today, concerning text messages, concerning voicemails, concerning your attire, the, the word choices. Is there anything in there that is not true?

Chalkley: No.

Palmer: Okay.

Chalkley: No. I mean, that's when I talk to her for once a week, I obviously, I'm not happy with her when, when I don't know about injuries to my kids, when I don't know, my kid got kicked off of school bus when I don't know where my daughter's at all week, those are concerns

Groomes: Without question.

Chalkley: And this is why I told her that I we're going back to court, cuz something needs to be done. Something needs to be put on file to where she can't just block me and then think, oh, well I need something from home. So now it's Sunday and I need a babysitter. So

Palmer: When did you tell her that you were going back to court? Do you know?

Chalkley: Oh, I don't know. It's been

Palmer: Been a while.

Chalkley: Months yeah.

Palmer: Have you started that process? Are we back in court now?

Chalkley: Well, we're not back in court. I've already talked, talked to, uh, two lawyers about it.

Palmer: Okay. But, but we haven't filed anything yet?

Chalkley: No.

Palmer: Okay. And you said that you said that she was in contempt of your agreement. Has she been found in contempt of the agreement by a judge?

Chalkley: No. No. No.

Palmer: Okay.

Chalkley: I've already, no. I've only spoken to two attorneys about going into domestic relations court.

Palmer: Okay.

Chalkley: Because of, because of this,

Palmer: But we haven't actually gone to domestic relations court yet.

Chalkley: No, no, no, no.

Palmer: Okay. So the last time that you guys had anything adjudicated was your divorce.

Chalkley: Yeah.

Palmer: Okay

Groomes: Um, I, I think at this point, what, what really is at stake is how to prevent this from becoming a, a bigger issue. Nick you're on, you're on the verge of possibly making yourself not even eligible to be a law enforcement officer if this continues

Chalkley: I understand that, and this, this is what I told her. And, and she laughed and said, I know all I have to do is tell them something and you're gonna lose your job.

Groomes: Here's the problem, Nick, all she's had to do is tell us something that you've said is all factual. And, and if she brings that in front of the court and seeks a, a civil protection order, you can no longer be a policeman for five years.

Chalkley: I, I understand.

Groomes: So when you, when you say my concern is when you say that all she has to do is lie. I don't know. Number one, I don't know if you're just being defensive. Number two. I don't know if you are just not aware of that. There's already enough.

Chalkley: Mm-hmm <affirmative>

Groomes: that that's factual and that's concerning. It should be concerning for you, but it's certainly concerning for us because

Chalkley: It's very concerning

Groomes: As we, as we said, not only do we need you to represent the department well, and this has all become now public record, right? It doesn't, it doesn't look good for, for the department when these things happen, but you we're concerned with you, uh, the person and then the employee. And we have to find a remedy to where this doesn't get worse than it is already now, because right now it's pretty bad.

Chalkley: Yeah. I, I understand it's bad and it's been bad for months

Groomes: And, but I think you feel, I think you feel justified in your, your responses to her in this form and that's what's alarming.

Chalkley: No, no, no. I mean, I, I understand calling her names is it is getting down to her level. But I mean, at this point, with, with the way she's,

Groomes: When you say down to her level, does she, do you have any voicemails from her, um, that are like this, that, that are name calling, um, provoking in nature, uh, attacking you about your mental health or your,

Chalkley: No. Uh, I wasn't talking about her mental health. I helped her with her mental health.

Groomes: I mean, calling her a fucking nut job, I think would be attacking her mental health.

Chalkley: That's just another name. No.

Groomes: All right.

Chalkley: No. And, and that's the thing. I mean, she burglarized my house over a month ago and threw a coffee mug at me cuz I wouldn't answer her call after picking our daughter up.

Groomes: And did you report that?

Chalkley: No, I don't call the police. I'm not calling the police. Why, why would I jeopardize her future and my kids' future only to hurt them. And I understand that what I'm saying to her is, is, is not good, but I mean it, the only thing I have is to call her names. That's the only defense and offense I have.

Groomes: I, I disagree. I think you have, uh, proper channels through an attorney, the court. And I, I understand that costs money and time

Chalkley: mm-hmm <affirmative>.

Groomes: but that's certainly a, a more productive way of handling this

Chalkley: And that's the way it's been going.

Groomes: Um, do you, have you have anything else?

Palmer: I don't have anything else.

Groomes: Attorney Leffler.

Dan: No

Groomes: Officer Mitchell.

Mitchell: No.

Groomes: Nick, is there anything else you'd like to add?

Chalkley: No. No. I mean, I, trust me, I'm fine with not talking with her.

Groomes: Okay. Um, for the record, I, if, if we were to, uh, decide that we wanted, um, the, um, the call logs, anything like that, your voicemail chain we'll ask for it. Um, and we'll, we'll make sure that, you know, you have a chance to, I, I don't see that it's necessarily necessary at this point. Um, I will tell you that we do have, as you've seen, we do have some of that already. We have the call logs that, um, we actually have the, uh, the recordings as well of those voicemails. I don't know if that's something you guys want to hear. I, I mean, I, I drew out those, the verbiage from those. That's how I got those. Um,

Dan: I don't need 'em at the moment.

Groomes: Okay.

Dan: Um, so just for clarification, we're not under any obligation at this point anyway, to provide anything further. If at some point you're required, if you can direct that to me and then I'll make it.

Groomes: Absolutely. I, I, I think, and I think we're both on the same page that it's the content more so than the chain of event.

Dan: Yeah. Okay.

Groomes: You know, I think that's what's detrimental to him and potentially detrimental to his career. Um, should it, should it continue or if she were to go forward, I, I will say this, uh, attorney Leffler, you you're aware that he, um, has been trespassed from his, from her home. He's not allowed at her residence?

Dan: No.

Groomes: Okay. That, that was established on the 13th. You're aware that Nick, we already spoke about it.

Chalkley: Mm-hmm <affirmative>

Groomes: She has asked that he, he not contact her, um, that she will contact him when it's, uh, time to arrange, to make, you know, the transfer of the children. Um, she would like to do that at the Strongsville police department. Um,

Dan: Was that arranged through the court or was that

Groomes: That's not, that's not arranged through the court, but I think that was her the best solution. So that it's not at his house nor is it at her house.

Dan: Okay. No. Right. On the Strongsville thing.

Groomes: Yeah.

Dan: I just mean a no contact order and everything. That's not a court order.

Groomes: No, it's, it is not, it is not a court order. Um, other than, uh, if just like, and this is another concern, Nick, because I would hope that if someone received 18 phone calls of this nature, you would be directing them to the court or assign charges for, for, uh, telephone harassment.

Chalkley: The Sheriff's department went over that with me. It's in the report. I, I, I understand that. And, and I'm fine. I'm trust me. I don't know.

Groomes: So what I'm saying is when, when, when she says in our job, but when she says, I don't want him contacting me anymore. And he's notified of that after this history, a charge would be warranted. Um, and, and that's what I'm worried about is he, if he does contact her and she says, listen, I've gotten all these messages. I told him to stop. Um, because it's causing me mental distress causing me fear. Uh, he, he could be charged even though it's not established the court.

Dan: Okay

Chalkley: And, and I mean, she contacts me before I, I can't contact her. She contacts me. And then that's what sets the name calling in motion. Um,

Groomes: But you're the one in control of that Nick and that's what, that's what

Chalkley: I understand but...

Groomes: That's what fear you. I, I definitely feel like you're justifying this and that

Chalkley: I'm not justifying it.

Groomes: And that, um, my fear is we're gonna have more issues

Chalkley: There. It's not gonna be issues.

Groomes: All right.

Chalkley: I don't even want to talk to her, which is exactly what I told both those attorneys that I talked to. I don't care. I'll spend the money. It's the only thing I can do. It's the only thing I can do at this point.

Groomes: You're right. Um, I think, I think we we're good. Okay. Um, I, before you guys leave, I have something else I want to talk to you about if you could just stop.

Dan: Yeah.

Groomes: By real quick. Thank you. We'll conclude. Yeah. I understand. If you guys want to use it's 3:17, um, stopping the recording. If you guys wanna use this room, we'll exit.

Dan: Okay.

Mitchell: Oh, you wanna just swing by your office?

Groomes: That'll be perfect.

Mitchell: Okay.



LORAIN COUNTY SHERIFF'S OFFICE

9896 Murray Ridge Road, Elyria, Ohio 44035

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Sheriff Phil R. Stammitti

Detective Supplement

Jacket # 5525

Lt. R. Vansant #6

On Thursday, February 02, 2023, I received information from Captain Bosley that the Elyria City Law Director Amanda Deery wanted this incident looked at further. I made contact with the victim/complainant A [REDACTED]. I explained to A [REDACTED] the Law Director's concerns after hearing several phone calls and reading text conversations between A [REDACTED] and Mr. Chalkley. I asked A [REDACTED] if she would be willing to talk with me about what took place and if she would be interested in pursuing criminal charges. A [REDACTED] had asked if she would be able to think about it over the weekend and then make contact with me after she has come to a decision.

I reviewed the initial incident report 22-32871 taken on November 13, 2022. In the report, Amanda reported that throughout the night she had received telephone calls from Chalkley. The calls were so frequent that she had to block any further calls from Chalkley. In total Chalkley called A [REDACTED] 18 times. A [REDACTED] believed that blocking the calls may have angered Chalkley, and prompted him to come to her residence uninvited on the date of the reported incident.

A [REDACTED] advised during the custody exchange, their son C [REDACTED] did not want to go with Chalkley. As A [REDACTED] was holding C [REDACTED] she said Chalkley grabbed C [REDACTED] out of her hands and forcefully pushed her away from their son. Chalkley pushed her in the shoulder, with an open

hand, extending his arm out away from her. A [REDACTED] stated she was not injured and did not fall to the ground.

On February 06, 2023, A [REDACTED] made contact with me, advised that she was unsure how to proceed, and was afraid of what might happen if she was to pursue charges. A [REDACTED] seemed apprehensive and unsure of what the process of having to answer to criminal charges would do to Mr. Chalkley. A [REDACTED] describes Chalkley as a "loose cannon", and she is not sure what he would do.

A [REDACTED] describes the feeling that she has after an encounter with Chalkley she indicated, she feels a constant state of anxiety, and nausea, both of which were mentally draining, and she would only feel that way after an encounter with Chalkley. A [REDACTED] advised that when Chalkley contacts her, the conversation can never be normal or about the kids. Chalkley always turns the conversation about her, degrades her, and calls her names.

I reviewed the voicemails and text messages that A [REDACTED] provided. The messages are not date-stamped however; A [REDACTED] advised that she received them on or about November 2022. The text messages are from a subject saved in A [REDACTED]'s phone as, "Nick", almost all of them had a demeaning word or derogatory name towards A [REDACTED], (IE) appearing to make fun of or make light of her thoughts of suicide, calling A [REDACTED] a, "CUNT", "FAT DIRTY CUNT". Asking A [REDACTED] "IS YOUR PUSSY DIRTY", and "ARE YOU NOT A WHORE". The harassment did not stop with the text messages. Chalkley also called her nine times and left several disturbing voicemails. Chalkley indicated that he would call A [REDACTED] in the middle of the night since she likes to call him in the afternoon when he is trying to sleep after working the night shift. A [REDACTED] is a surgical nurse and needs to be well-rested and attentive.



A [REDACTED] provided eight voicemails from Chalkley, which are as follows but not verbatim. The calls in their entirety will be attached to this report.

- Calls A [REDACTED] a dirty whore and needed to discuss Christmas

- Starts the conversation by calling A [REDACTED] scum bag and arranging a time to call back
- Calls A [REDACTED] a Fat dirty cunt and states that he will call her in the early morning hours and ends the call by telling her she's fat and disgusting
- Calls A [REDACTED] a selfless loss cunt whore and that he will call her at 3 a.m., and ends the call with keep eating you look fat.
- Dirty cunt just calling because you think it is ok to call and discuss our children between 4 and 6 hours after I go to sleep. I will call you 4-6 hours after you fall asleep. Sweet dreams deal with it
- Informs A [REDACTED] that he will call her at 2:30 am, ends the call by telling her she's fat
- Are you bringing my kids whore
- Informs A [REDACTED] he is on the way to her house

After reviewing the text messages and voicemails it's deeply concerning that Mr. Chalkley has direct contact with the public and is entrusted with the authority to make decisions that directly involve changing people's lives whether it is positively or negatively. His obvious lack of emotional control should cause alarm for the City of Elyria. Additionally should Chalky encounter a victim of the crimes that he is committing would he be able to fulfill his commitment as a Law Enforcement Officer without prejudice?

On Wednesday, February 15, 2023, I met with A [REDACTED] at the Lorain County Sheriff's Office in an attempt to obtain time-stamped calls to develop a period. The transcribed calls are not verbatim. See the actual recordings for further.

- November 05, 2022, 8:25, A.M- You need to unblock me so I can be in contact with my kids, nut job what time are you dropping them off I just got home

- November 05, 2022, 2:09, P.M Thanks for bringing the backpack but there's no school on Monday scumbag way to pay attention to his schooling
 - November 08, 2022, at 10:29 a.m. - Not audible
 - November 08, 2022, at 3:32, P.M Hey dirty scumbag I guess I'll just start calling you at 345 in the morning when its convenient for me cheers"
 - November 08, 2022, at 3:33 P.M Just wondering what the dirty cunt would like me to do to make your life even easier than it already is
 - November 08, 2022, at 3:35 PM Maybe my kids should stay with me it's me you should give me \$500 of pay as I gave you can't handle being a mother you don't want to be a mother we've been through this so let's just get this over now
 - November 08, 2022, at 3:36 PM - ok pumpkin I'm headed to the store to buy a burner phone because you are not a dog ____ you cunt
 - November 08, 2022, 3:42 PM- Hey dirty whore just calling to discuss Christmas
 - November 08, 2022, 3:51 PM – Hey dirty whore just calling because you think it's ok to call and discuss our children between four and six hours after you go to sleep
 - November 08, 2022, at 3:58 PM – just because you like to call when it's convenient for you I will call you when it's 2:30 in the morning
 - November 08, 2022, at 4:15 PM – Hey scumbag just trying to confirm, what time is going to be best to discuss our son
 - November 08, 2022, at 4:31 PM – Hey fat cunt I will give you a call at 2, 3, 4, or 5 in the morning
 - November 08, 2022, 5:34 PM – Hey you dirty selfish loose cunt
- There are additional calls that are available on a thumb drive.

I drafted warrants and complaints against Chalkley for the following:

2917.21 (A) (1) Telecommunications Harassment

No person shall knowingly make or cause to be made telecommunication, or knowingly permit telecommunication to be made from a telecommunications device under the person's control, to another, if the caller does any of the following: (6) Knowingly makes any comment, request, suggestion, or proposal to the recipient of the telecommunication that is threatening, intimidating, menacing, coercive, or obscene with the intent to abuse, threaten, or harass the recipient; Misdemeanor of the first degree.

2903.211 Menacing By Stalking

(A) (1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or a family or household member of the other person or cause mental distress to the other person or a family or household member of the other person. In addition to any other basis for the other person's belief that the offender will cause physical harm to the other person or the other person's family or household member or mental distress to the other person or the other person's family or household member, the other person's belief or mental distress may be based on words or conduct of the offender that is directed at or identify a corporation, association, or other organization that employs the other person or to which the other person belongs. Misdemeanor of the first degree

A copy of this report shall be sent to the prosecutor. The final disposition is to be handled by the prosecutor's office.

Rt. R. Vansant #6

Lt. R. Vansant #6

Copy: File

Prosecutors Office.



LORAIN COUNTY SHERIFF'S OFFICE

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Sheriff Phil R. Stammitti

Detective Supplement

Jacket # 5525

Lt. R. Vansant #6

On Wednesday, February 15, 2023, A [REDACTED] S [REDACTED] advised that she had received a voicemail from Chalkley on today's date. He was upset that he was in the newspaper and advised her that she is the reason and that she is ruining the life of his kids and him.

Lt. R Vansant #6



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Sheriff Phil R. Stammitti

Detective Supplement 22-32871

Jacket # 5525

Lt. R. Vansant #6

On Thursday, February 16, 2023, A [REDACTED] S [REDACTED] advised that after giving the matter more thought she has decided not to pursue the matter criminally. She advised that she does not want to be the reason that Chalkley is terminated from his job should his actions cause that to happen.

A [REDACTED] was asked other than the call she received from Chalkley on February 15, 2023, he has only called a couple of times since November with little remarks here and there.

A [REDACTED] was advised that this report will remain on file at the Sheriff's Office and if the calls become worse and she feels she wants to pursue the matter contact me.

At this time, this matter is considered closed / prosecution declined.

Lt. R. Vansant # 6

12:44

N

Nick

Reports detail behavior
that got Elyria cop
suspended

chronicle.com

Hope you're finally happy
A [REDACTED]

Already saw it

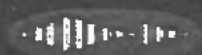
Found out at work

I would never do anything close
to this to you or our kids. Have a
great day

Ok nick

You tried having me arrested and
fired because I called you
names. Hope you grow up one
day and realize you almost
ruined C [REDACTED] and W [REDACTED]'s lives.
Have a great day, see ya next
week

Yesterday 8:02 PM



THE STATE OF OHIO

ELYRIA MUNICIPAL COURT
Elyria, Lorain County, Ohio

vs.

Nicholas W. Chalkley

Case No. _____

Strongsville, Ohio, 44136
Defendant

COMPLAINT

Social Security # [REDACTED]
D/O/B 01/25/1980
Race White Sex Male
D/L # [REDACTED]

Incident Number: 22-32871

Menacing By Stalking (18 Counts)

In violation of 2903.211 M-1

Complainant, being duly sworn states that Nicholas W. Chalkley

in the State of Ohio, County of Lorain, (city, village or township) of Columbia

on or about 11/05-11/18/22, did:

Knowingly engaging in a pattern of conduct knowingly cause [REDACTED] believe that the offender will cause physical harm to the other person or a family or household member of the other person or cause mental distress to the other person or a family or household member of the other person.

In violation of 2903.211
Menacing By Stalking (18 Counts)

[Signature]
Complainant

Sworn to and subscribed before me by I.T. R. Vansant #6 on 02/15/2023

By: *[Signature]* #12
Judge / Clerk / Deputy Clerk
Elyria Municipal Court
OR

Notary Public

Arresting Agency: Lorain County Sheriff's Office
Officer and Badge Number: I.T. R. Vansant #6

PEACE OFFICER authorized
in accordance with
O.R.C. 2935.081

Case Number: _____

Warrant on Complaint

To **Any Law Enforcement Agency**

you are ordered to arrest

Nicholas Chalkley and bring him/her before this court without necessary delay.

You may/may not issue a summons in lieu of arrest under Rule 4(A)(2) or issue summons after arrest under Rule 4(F)

because: **There is reasonable cause to believe the defendant will/will not appear voluntarily**

PEACE OFFICER authorized
in accordance with
O.R.C. 2935.081

[Signature]
Judge / Clerk / Deputy Clerk

SUMMONS ENDORSEMENT

This warrant was executed by arrest/by issuing the following summons:
You are summoned and ordered to appear at _____ o'clock _____ M on _____ 20 at _____
Elyria Municipal Court, 328 Broad Street, 1st Fl., Elyria, OH 44035. If you fail to appear at the time and place stated above you will be arrested.

Officer

Receipt of Warrant by Executing Authority

Received this warrant on _____ at _____ o'clock _____ M

Officer

Return of Executed Warrant

1. Execution of Arrest

I received this warrant on _____ at _____ o'clock _____ M
On _____ 20 I arrested _____ and gave him/her a copy of this warrant with
complaint and brought him/her to _____

Officer

2. Execution by Issuance of Summons under Rule 4(A)(2) By Executing Officer

I received this warrant on _____ at _____ o'clock _____ M
On _____ 20 I executed this warrant by issuing _____ a summons by personal service which
ordered him/her to appear at _____ o'clock _____ M on _____ 20 at Elyria Municipal Court, 328 Broad Street, 1st
Fl., Elyria, OH. This summons was endorsed upon the warrant and accompanied by a copy of the complaint.

Officer

3. Execution by Arrest and Issuance of Summons under Rule 4(F) by Arresting Officer

I received this warrant on _____ at _____ o'clock _____ M
On _____ 20 I arrested _____ and after arrest I issued him/her a summons by
personal service which ordered him/her to appear at Elyria Municipal Court, 328 Broad Street, 1st Fl., Elyria, OH at _____ o'clock
_____ M on _____ 20. The summons was endorsed upon the warrant and accompanied by a copy of the complaint.

Arresting Officer

4. Execution by Arrest and Issuance of Summons Under Rule 4(F) By Superior or Arresting Officer

On _____ 20 _____ was arrested by _____ and I issued
a summons by personal service which ordered him/her to appear at Elyria Municipal Court, 328 Broad Street, 1st Fl., Elyria, OH at
_____ o'clock _____ M on _____ 20. The summons was endorsed upon the warrant and accompanied by
a copy of the complaint.

Issuing Officer

RETURN OF UNEXECUTED WARRANT

Received this warrant on _____ at _____ o'clock _____ M on _____ 20
I attempted to execute this warrant but was unable to do so because _____

Executing Officer

THE STATE OF OHIO

ELYRIA MUNICIPAL COURT
Elyria, Lorain County, Ohio

Vs.
Nicholas W. Chalkley

Case No. _____

Strongsville Ohio 44136
Defendant

COMPLAINT

Social Security # [REDACTED]
D/OB 09/25/1990
Race [REDACTED] Sex [REDACTED] Male
D/L # [REDACTED]

**18 Counts Telecommunication Harassment
in violation of Ohio Revised Code 2917.21(B)**

Complainant, being duly sworn states that Nicholas W. Chalkley
in the state of Ohio, County of Lorain, (city, village or township) of Columbia Township
at location: [REDACTED]
on or about 11/05/22 - 11-18-2022, did :

- ☒ Did make a telecommunication or cause a telecommunication to be made, or permit a telecommunication to be made from a telecommunications device under the persons control with the purpose to abuse, threaten, or harass another person.

**In violation of Ohio Revised Code 2917.21(B), Telecommunication Harassment
Degree: M-1**

R. Vansant #6
Complainant

Sworn to and subscribed before me by Lt. R. Vansant #6 on 02/15/2023

By: [Signature]
Judge/Clerk/Deputy Clerk
Elyria Municipal Court
OR

Notary Public

**PEACE OFFICER authorized
in accordance with
O.R.C. 2935.081**

Telecommunication Harassment OS 2004

Arresting Agency: Lorain County Sheriff's Office
Officer and Badge Number: Lt. R. Vansant #6

Case Number: _____

Warrant on Complaint

To Any Law Enforcement Agency you are ordered to arrest
Nicholas Chalkley and bring him/her before this court without necessary delay.

You may/may not issue a summons in lieu of arrest under Rule 4(A)(2) or issue summons after arrest under Rule 4(F)
because: There is reasonable cause to believe the defendant will/will not appear voluntarily

PEACE OFFICER authorized
in accordance with
O.R.C. 2935.081

[Signature]
Judge / Clerk / Deputy Clerk

SUMMONS ENDORSEMENT

This warrant was executed by arrest/by issuing the following summons
You are summoned and ordered to appear at _____ o'clock _____ M on _____, 20____ at
Elyria Municipal Court, 328 Broad Street, 1st Fl. Elyria, OH 44035 If you fail to appear at the time and place stated above you will be arrested

Officer

Receipt of Warrant by Executing Authority

Received this warrant on _____, 20____ at _____ o'clock _____ M

Officer

Return of Executed Warrant

1. Execution of Arrest

I received this warrant on _____, 20____ at _____ o'clock _____ M
On _____, 20____ I arrested _____ and gave him/her a copy of this warrant with
complaint and brought him/her to _____

Officer

2. Execution by Issuance of Summons under Rule 4(A)(2) By Executing Officer

I received this warrant on _____, 20____ at _____ o'clock _____ M
On _____, 20____ I executed this warrant by issuing _____ a summons by personal service/ which
ordered him/her to appear at _____ o'clock _____ M on _____, 20____ at Elyria Municipal Court, 328 Broad Street, 1st Fl.
Elyria, OH This summons was endorsed upon the warrant and accompanied by a copy of the complaint

Officer

3. Execution by Arrest and Issuance of Summons under Rule 4(F) by Arresting Officer

I received this warrant on _____, 20____ at _____ o'clock _____ M
On _____, 20____ I arrested _____ and after arrest I issued him/her a summons by
personal service which ordered him/her to appear at Elyria Municipal Court, 328 Broad Street, 1st Fl., Elyria, OH at _____ o'clock
_____ M _____, 20____ The summons was endorsed upon the warrant and accompanied by a copy of the complaint

Arresting Officer

4. Execution by Arrest and Issuance of Summons Under Rule 4(F) By Superior or Arresting Officer

on _____, 20____, _____ and I issued
a summons by personal service which ordered him/her to appear at Elyria Municipal Court, 328 Broad Street, 1st Fl., Elyria, OH at
_____ o'clock _____ M on _____, 20____ The summons was endorsed upon the warrant and accompanied by
a copy of the complaint

Issuing Officer

RETURN OF UNEXECUTED WARRANT

Received this warrant on _____, 20____ at _____ o'clock _____ M On _____, 20____
I attempted to execute this warrant but was unable to do so because _____

Executing Officer

FEE MILEAGE _____ TOTAL _____



LORAIN COUNTY SHERIFF
FIELD CASE SUPPLEMENT

CASE 2022-00032871

ADDITIONAL OFFENSES

[illegible]

REPORTING OFFICER 6 Vansant	DATE 02/02/2023	REVIEWED BY Vansant, Robert E	02/15/2023
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LORAIN COUNTY SHERIFF
FIELD CASE SUPPLEMENT

Case # 2022-00032871

NARRATIVE SUPPLEMENT

See Jacket Case # 5525

REPORTING OFFICER
6 Vansant

DATE
02/02/2023

REVIEWED BY
Vansant, Robert E

02/15/2023



LORAIN COUNTY SHERIFF
FIELD CASE SUPPLEMENT

CASE# 2022-00032871

NARRATIVE SUPPLEMENT

On November 14, 2022 I was dispatched to the lobby of the Sheriff's Office to meet with Nicholas Chalkley. Mr. Chalkley advised that Sunday was not his routine day to get his kids, however he picks them up every Sunday and takes them to the bus stop on Monday morning.

Mr. Chalkley said on November 13, 2022 at 1401 hours Ms. S. [REDACTED] texted him asking what time he wants the kids. At 1503 hours he claims they spoke over the phone and she asked what time does he want the kids and that he has to get them. Mr. Chalkley started he called Ms. S. [REDACTED] at 1534 hours and said he will be there shortly.

Mr. Chalkley continued when he was at the house Ms. S. [REDACTED] took their son out of his arms and said "They're not coming to your house". Mr. Chalkley said nothing physical occurred.

Mr. Chalkley showed me the text message with the date of November 13, 2022 and also a phone call placed on the same date to a person named A. [REDACTED] Mr. Chalkley requested this be documented due to the allegation that he arrived at Ms. S. [REDACTED] house uninvited.

Phone contact was made with Ms. S. [REDACTED]. She stated she did receive a voicemail from Mr. Chalkley about getting the children, but she later told him she had a babysitter and did not need him to get the kids. Ms. Chalkley said she is going to seek a protection order in the future.

I made phone contact with the Elyria Municipal Prosecutor's office who advised due to conflict of interest, they gave the case to Prosecutor Kelleher of North Ridgeville. Prosecutor Kelleher declined to issue charges.

At this time this matter will be closed with no charges filed. A copy of this report will remain on file with this office for future reference.

Sgt. Bungard

REPORTED OFFICER	DATE	REVIEWED BY	
11 Bungard	11/14/2022	Furci, Tyler E	11/16/2022

	LORAIN COUNTY SHERIFF FIELD CASE REPORT	CASE# 2022-00032871
---	--	---------------------

EVENT	REPORTED DATE/TIME 11/13/2022 15:41	OCCURRED INCIDENT TYPE Domestic Violence	LOCATION OF OCCURRENCE [REDACTED]
	OCCURRED FROM DATE/TIME 11/13/2022 15:30	OCCURRED THRU DATE/TIME 11/13/2022 15:41	COLUMBIA TOWNSHIP, OH 44028

OFFENSES	01	STATUTE/DESCRIPTION 2919.25A Domestic Violence - Knowingly Cause Physical Harm	MISDEMEANOR 1	COUNTS 1	ATTEMPT/COMMIT Committed

SUBJECT	SUBJECT TYPE Adult Victim		NAME (LAST FIRST MIDDLE SUFFIX) S [REDACTED] A [REDACTED]			
	DOB 12/23/1986	AGE or AGE RANGE 35	ADDRESS (STREET CITY STATE ZIP) [REDACTED] COLUMBIA TOWNSHIP, OH 44028			
	RACE White	SEX Female	HEIGHT or RANGE 5'5" 5'5"	WEIGHT or RANGE 140 140	HAIR Brown	EYE Brown
	DL NUMBER/STATE [REDACTED] OH		PRIMARY PHONE (440) [REDACTED]		PHONE #2 	PHONE #3

SUBJECT	SUBJECT TYPE Adult Suspect		NAME (LAST FIRST MIDDLE SUFFIX) CHALKLEY, NICHOLAS W			
	DOB 01/25/1980	AGE or AGE RANGE 42	ADDRESS (STREET CITY STATE ZIP) [REDACTED] OH 44035			
	RACE White	SEX Male	HEIGHT or RANGE 5'9" 5'9"	WEIGHT or RANGE 185 185	HAIR Brown	EYE Gray
	DL NUMBER/STATE [REDACTED] OH		PRIMARY PHONE (440) [REDACTED]		PHONE #2 	PHONE #3

SUBJECT	SUBJECT TYPE Juvenile Witness		NAME (LAST FIRST MIDDLE SUFFIX) [REDACTED]			
	DOB [REDACTED]	AGE or AGE RANGE 11	ADDRESS (STREET CITY STATE ZIP) [REDACTED] Columbia Township, OH 44028			
	RACE White	SEX Male	HEIGHT or RANGE 	WEIGHT or RANGE 	HAIR Brown	EYE Brown
	DL NUMBER/STATE 		PRIMARY PHONE (440) [REDACTED]		PHONE #2 	PHONE #3

REPORTING OFFICER 87 Cslzmadia	DATE 11/13/2022	REVIEWED BY Bungard, Mark A	DATE 11/13/2022
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LORAIN COUNTY SHERIFF
FIELD CASE REPORT

CASE# 2022-00032871

ADDITIONAL SUBJECTS

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST FIRST MIDDLE SUFFIX)							
	Juvenile	Witness	[REDACTED]						
	DOB	AGE or AGE RANGE	ADDRESS (STREET CITY STATE ZIP)						
	[REDACTED]	12	[REDACTED] Columbia Township, OH 44028						
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE			
White	Female			Blond/Strawberry	Hazel				
DL NUMBER/STATE	PRIMARY PHONE		PHONE #2		PHONE #3				
	(44 [REDACTED])								

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST FIRST MIDDLE SUFFIX)							
	Juvenile	Involved	[REDACTED]						
	DOB	AGE or AGE RANGE	ADDRESS (STREET CITY STATE ZIP)						
	[REDACTED]	6	[REDACTED] Columbia Township, OH 44028						
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE			
White	Male			Blond/Strawberry	Blue				
DL NUMBER/STATE	PRIMARY PHONE		PHONE #2		PHONE #3				
	[REDACTED]								

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST FIRST MIDDLE SUFFIX)							
	Juvenile	Involved	[REDACTED]						
	DOB	AGE or AGE RANGE	ADDRESS (STREET CITY STATE ZIP)						
	[REDACTED]	3	[REDACTED] Columbia Township, OH 44028						
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE			
White	Female			Brown	Brown				
DL NUMBER/STATE	PRIMARY PHONE		PHONE #2		PHONE #3				
	(44 [REDACTED])								

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST FIRST MIDDLE SUFFIX)							
	DOB	AGE or AGE RANGE	ADDRESS (STREET CITY STATE ZIP)						
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE			
DL NUMBER/STATE	PRIMARY PHONE		PHONE #2		PHONE #3				

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST FIRST MIDDLE SUFFIX)							
	DOB	AGE or AGE RANGE	ADDRESS (STREET CITY STATE ZIP)						
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE			
DL NUMBER/STATE	PRIMARY PHONE		PHONE #2		PHONE #3				

REPORTING OFFICER	DATE	REVIEWED BY
87 Csizmadia	11/13/2022	Bungard, Mark A
		11/13/2022



LORAIN COUNTY SHERIFF
FIELD CASE REPORT

CASE# 2022-00032871

NARRATIVE

On November 13, 2022, I was dispatched to [REDACTED] located in Columbia Township, in regards to a domestic violence investigation. Upon arrival, I made personal contact with A [REDACTED] S [REDACTED] who advised her ex-husband, Nicholas Chalkley had pushed her during an altercation involving exchanging custody of their children, C [REDACTED] [REDACTED] and W [REDACTED] [REDACTED].

Ms. S [REDACTED] advised she had been getting phone calls and voicemails from Mr. Chalkley during the night and early morning hours. Ms. S [REDACTED] stated she blocked Mr. Chalkley due to the excessive amount. Ms. S [REDACTED] said the voice messages he was sending were vulgar and disturbing. Ms. S [REDACTED] advised if this continues to occur, she believes this is at the point of harassment.

Ms. S [REDACTED] stated Mr. Chalkley came to her residence uninvited. Ms. S [REDACTED] stated, Mr. Chalkley was there to get their two children. Ms. S [REDACTED] advised this was not the scheduled time for Mr. Chalkley's custody visitation with the children, however she was allowing the kids to go with Mr. Chalkley.

Ms. S [REDACTED] advised during the custody exchange, C [REDACTED] did not want to go with Mr. Chalkley. As Ms. S [REDACTED] was holding C [REDACTED] she said Mr. Chalkley grabbed C [REDACTED] out of her hand and pushed her away from their son. She continued that Mr. Chalkley pushed her in the shoulder, with an open hand, extending his arm out away from her. Ms. S [REDACTED] stated she was not injured and she did not fall to the ground.

Ms. S [REDACTED]'s oldest son, [REDACTED] (D.O.B. [REDACTED]) witnessed the incident. W [REDACTED] advised he was inside the house watching out the front window when the incident occurred between his mother and Mr. Chalkley. W [REDACTED] advised Ms. S [REDACTED] was in the car or trying to get the kids into or out of Mr. Chalkley's car, he could not tell. W [REDACTED] advised he observed Mr. Chalkley grab his mother and pulled her away from the vehicle. W [REDACTED]'s friend, A [REDACTED] (D.O.B. [REDACTED]) was at the house and also witnessed the incident. A [REDACTED] stated it looked like Mr. Chalkley was pulling Ms. S [REDACTED] out of the vehicle and pushing her away.

Ms. S [REDACTED] wanted Mr. Chalkley trespassed from the property and told to stop contacting her due to amount of phone calls and voicemails. I spoke with Mr. Chalkley over the phone in which I advised him he was trespassed from Ms. S [REDACTED]'s residence. I advised Mr. Chalkley of the amount of phone calls and voicemails to Ms. S [REDACTED] and that she feels he is harassing her. Mr. Chalkley stated he understood the trespass warning and harassment warning. Mr. Chalkley said nothing physical took place and there were no threats made.

Due to the conflicting statements of what occurred during the incident with Mr. Chalkley and

REPORTING OFFICER 87 Csizmadia	DATE 11/13/2022	REVIEWED BY Bungard, Mark A	11/13/2022
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LORAIN COUNTY SHERIFF
FIELD CASE REPORT

CASE# 2022-00032871

NARRATIVE (continuation)

Ms. § this case will be sent the Elyria Municipal Court Prosecutor's Office for review of criminal charges. Ms. § was advised on how to obtain a protection order should she feel the need. This case will remain open/active.

Deputy J. Csizmadia #87

REPORTING OFFICER	DATE	REVIEWED BY	
87 Csizmadia	11/13/2022	Bungard, Mark A	11/13/2022

ATTACHMENTS

WITNESS STATEMENT LORAIN COUNTY SHERIFF'S OFFICE

Today's Date: 11/13/22 Report #: 2022-00032871

Your Name: [REDACTED] Address: [REDACTED] City: Columbus State: OH

Phone No.: 440-[REDACTED] Social Security #: [REDACTED] D.O.B.: 12-23-86 Hair: Brown Eyes: Brown Height: 5'5" Weight: 135 D.L. #: [REDACTED]

Place of Employment: [REDACTED] Address: [REDACTED] Relationship to Complainant/Victim: [REDACTED]

Name of Complainant/Victim: [REDACTED] Address: [REDACTED] City: [REDACTED] State: [REDACTED]

Location of Incident: [REDACTED] Date & Time of Incident: [REDACTED]

Name of suspect: [REDACTED] Address: [REDACTED] City: [REDACTED] State: [REDACTED]

Relationship to Suspect: [REDACTED] Complainant/Victim Email: [REDACTED]

DETAILED STATEMENT OF WHAT WAS OBSERVED:

Ex husband Nick Chalkley came over without permission to pick up kids after he was told to not come. ~~He picked him up~~ and kids were brought out to his car and [REDACTED] (6 year old son) did not want to go with dad and started crying. Nick grabbed [REDACTED] out of my hand and pushed me away and said he became verbally abusive calling me a cunt and where in front of the kids for he is constantly calling and leaving voicemails with vulgar language and threats of making me suffer and threatening to take the kids away. [REDACTED] (son) [REDACTED] w [REDACTED]

Witness: W [REDACTED] (son) [REDACTED] friend [REDACTED]

I do hereby declare the above statement is being made to the Lorain County Sheriff's Office, and I acknowledge I have made the above statement truthful, in good faith, and declare the truth of the above statement, knowing that a false statement made by me is subject to criminal prosecution. I also understand, if I am subpoenaed to testify as a result of criminal charges being filed against the suspect, I have an obligation to testify, and if I fail to appear, I may be held in Contempt of Court.

[Signature]
Signature

[Signature] #87
Deputy Taking Statement

Q: Do you want to press criminal charges?

A: Yes

Q: Are you injured?

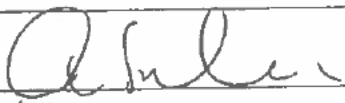
A: No

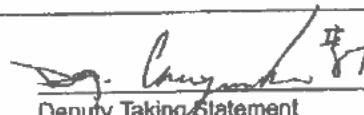
Q: Did he push you with an open hand?

A: Yes. Pushed me while holding our son.

Q: Did you fall to the ground in result of being pushed?

A: No


Signature


Deputy Taking Statement

**DO NOT FORWARD TO BCI
(For Internal Use Only)**

**Officer's Report
for
Domestic Violence Incident Call**

I. Name and Location of Domestic Violence Incident ("DVI") Calls:

Name: Nicholas Chalkley v A [REDACTED] S [REDACTED]
 Address: [REDACTED]
 City: Columbia Station OH 44025

II. Relationships of Persons Involved

	Alleged Victim			Alleged Offender / Primary Physical Aggressor		
	Fatal Injury	Non-fatal Injury	No Injury	Fatal Injury	Non-fatal Injury	No Injury
1. Wife						
2. Husband						
3. Parent						
4. Non-spousal relationship w/child in common						
5. Child(ren)						
6. Other family or household member						
7. Former Spouse			✓			✓
8. Live-in Partner						
9. Other						

III. Race/Ethnicity

	Vic.	Off.
Asian		
African Amer.		
Caucasian	✓	✓
Native Amer.		
Hispanic		
Other		

IV. Age

	Vic.	Off.
0-17		
18-40	✓	
41-59		✓
60-84		
85 and Older		
Total		

V. Sex

	Vic.		Off.	
	M	F	M	F
Sex		✓	✓	

VI. Response to DVI

Check all with apply to this incident.

A. Criminal charges filed under R.C. Sec 2919.25 (Domestic Violence), 2919.27 (Protection Order or Consent Agreement Violation), or equivalent local ordinance ☐

B. Other criminal charges filed, but not R.C. Sec. 2919.25 (Domestic Violence, 2919.27 (Protection Order or Consent Agreement Violation), or equivalent local ordinance ☐

C. No criminal charges filed ☒

D. Total ☐

VII

Csima/ha 47
Officer's Name

11/13/22
Date

2022-00237071
Agency Incident No.



OPINION AND AWARD

Date of Issuance: January 3, 2024

APPEARANCES

For the Employer:

Susan Keating Anderson, Esq.
Adrienne B. Kirshner, Esq.
William Pelko
Michael Groomes
Timothy Williams

Roetzel & Andress
Roetzel & Andress
Chief, Elyria Police Department
Captain, Elyria Police Department
Assistant Safety Director, City of
Elyria

For the Union:

Daniel J. Leffler, Esq.
Nicholas Chalkley
Paige Mitchell

Chief Legal Counsel, OPBA
Grievant
President, Elyria Police Patrolman's
Association

I. STATEMENT OF THE CASE

This dispute is properly before the arbitrator pursuant to Article 24 of the collective bargaining agreement effective January 1, 2022 through December 31, 2024, between the City of Elyria ("Employer" or "City") and the Elyria Police Patrolman's Association ("Union"), representing all full-time, sworn police patrol officers as set forth in Article I of the collective bargaining agreement. (Joint Ex. 1).

The grievant, Nicholas Chalkley, has been a full-time patrol officer with the Elyria Police Department since 2015. The grievant has two children with his ex-wife, [REDACTED].¹ On

-
1. The grievant and Ms. [REDACTED] were married from May 2018 until August 2020, and they
(continued...)

November 13, 2022, the grievant and Ms. [REDACTED] communicated with one another regarding parenting time arrangements and the transportation of their children. The grievant ultimately arrived at Ms. [REDACTED]'s residence later that day to pick up the children, at which time a domestic disturbance ensued which resulted in Ms. [REDACTED] contacting the Lorain County Sheriff's Office to report the incident. Deputy Csizmadia responded to the scene and prepared a report of the incident. (Joint Ex. 3A, at 0015-0023). Elyria Police Chief William Pelko was subsequently notified of the incident by the Lorain County Sheriff's Office and assigned Captain Mike Groomes to conduct an internal affairs investigation.

As part of his investigation, Captain Groomes interviewed Ms. [REDACTED] and obtained from her copies of text messages, voice mails and photographs. On November 22, 2022, the grievant was interviewed by Captain Groomes. The grievant subsequently provided Captain Groomes with text messages and call logs from his cell phone. On December 1, 2022, Captain Groomes and Lieutenant Eric Palmer completed the internal affairs investigation and submitted their Supervisor's Report to Chief Pelko. (Joint Ex. 3A). On December 2, 2022, Chief Pelko issued the following notification to the grievant:

I received a supervisor report for you in regards to IA investigation
2022-04 for the following violations:

- 1.01 Violation of Rules
- 1.02 Unbecoming Conduct

1(...continued)

have two minor children together. The grievant indicated at the arbitration hearing that he and Ms. [REDACTED] continued to date on and off after their divorce until July 2022.

1.03 Immoral Conduct
1.04 Conformance to Laws
General Order 1.03 Ethics

A hearing in front of me is being recommended. I will have a hearing with you in regards to this matter on Wednesday, 12-07-2022, at 2200 hours in my conference room. You are permitted to bring a union representative with you.

(Joint Ex. 4).

On December 7, 2022, the grievant and Union President Paige Mitchell attended a pre-disciplinary meeting with Chief Pelko. The grievant was subsequently notified on December 13, 2022, that he was placed on paid administrative leave until further notice. (Joint Ex. 5). On December 15, 2022, Chief Pelko notified the grievant of a second pre-disciplinary hearing. However, the Union notified the Employer on that same date that the grievant “. . . will waive the requirement to hold a pre-disciplinary conference, pursuant to *Loudermill* and Section 23.4 of the CBA.” (Joint Ex. 6). On December 21, 2022, Chief Pelko submitted the following letter to Safety Service Director Tim Williams:

On 12-07-2022 at 2200 hours I held a hearing with Patrol Officer Nicholas Chalkley in regards to an internal investigation that was conducted by Captain Groomes and Lt. Palmer. This investigation was in regards to the Lorain County Sheriff's Department being called to Officer Chalkley's ex-wife's residence for a domestic violence incident on 11-13-2022. Ultimately, he was trespassed from her property and advised to stop contacting her. (A copy of LCSO report is attached).

During the course of the investigation it revealed that Officer Chalkley had physically pushed his ex-wife away from their son.

Officer Chalkley also made several inappropriate texts and voice messages to his ex-wife along with several unsolicited and unwanted phone calls on several occasions. He also wore a shirt with the acronym of CUNT on it while attempting to pick up his children. (A copy of this investigation is attached).

Officer Chalkley admitted that he did commit these acts and did not dispute the report (which was read to him). He displayed no remorse or regret and lacked understanding of what he had done. He reiterated and justified his actions as this is how he has to talk to his ex-wife in order to get what he wants.

Officer Chalkley was asked if there was anything the department could do for him so this would no occur again. He stated no and that he has no present issues and affirmed that he did not need any help or assistance. At one point his union officials also asked this similar question. Officer Chalkley went on to say he does not need any help. He acknowledged that he knowingly and purposefully made these phone calls and text messages.

Officer Chalkley stated he would not consider what he did as a violation of a criminal law.

Officer Chalkley is found to be in violation of the following Rules and Regulations:

- 1.01 Violation of Rules
- 1.02 Unbecoming Conduct
- 1.03 Immoral Conduct
- 1.04 Conformance to laws
- General Order 1.03 Ethics

Officer Chalkley has [a] prior incident (May 18, 2021) where the LCSO has to be called to his ex-wife's residence due to Officer Chalkley being intoxicated and getting involved in a physical altercation with a male friend of his ex-wife. Officer Chalkley served a 20-day suspension for violation of EPD Rules and Regulations to include Violation of Rules, Unbecoming Conduct and Use of Alcohol.

In accordance with progressive discipline, it is my recommendation that Officer Chalkley receive a 45-day suspension that is to run consecutively. I recommend that he receive a psychological evaluation and to proceed according to these [sic] recommendations of the psychologist. It is recommended that Officer Chalkley follow all policies and procedures and if there is a similar incident of this nature in the next two years that he be terminated. I recommend that he will be unable to take any promotional exam with[in] the next two years. I suggest he be retrained on domestic violence and the telecommunications law.

As you know, Officer Chalkley was scheduled for a pre-disciplinary hearing on December 16, 2022, to respond to these allegations but he and the union waived the hearing.

(Joint Ex. 7).²

On December 28, 2022, the City notified the grievant that he was suspended for 45 days as a result of his misconduct:

Safety Service Director Williams agreed with my recommendation of discipline for your most recent Supervisor Report submitted to me by Capt. Groomes on 11-30-2022. Effective immediately you will start your 45 consecutive days of suspension. While on these

-
2. Safety Service Director Williams sent the following email to Chief Pelko agreeing with the above disciplinary recommendation:

Your recommendation is consistent with our discussions regarding this matter. Additionally without officer Chalkley's participation in the pre-disciplinary hearing, there is no additional information to consider from his perspective. I support your recommendation for discipline. Also per our discussion if there needs to be a further independent third party review for any potential criminal violation that may have been committed by Officer Chalkley.

(Joint Ex. 8).

suspension days you shall not act in the capacity of a police officer in any way. If there is a similar incident like this within the next two years you will be terminated. You will not be eligible [to] take a promotional exam for the next two years. Upon your return to work you will be retrained on the domestic violence and telecommunications law.

Part of this discipline requires you to obtain a psychological evaluation. . . .

* * *

(Joint Ex. 9).

On December 30, 2022, the Union filed a grievance to protest the 45-day suspension issued to the grievant:

* * *

Article(s) and Section(s) of the Agreement violated: Article 23, Section 23.1 (Just Cause); Article 23, Section 23.2 (Corrective action); Article 25, Section 25.2 (Union Representation); Article 25, Section 25.3(1) and (2) (Failure of notification of complaint)

Statement of Facts: On or about December 28, 2022, Grievant was issued a 45-day suspension, exclusion from promotion and a referral for a fitness for duty evaluation for alleged departmental violations. Grievant's discipline was without just cause and/or excessive given the nature of the alleged violation.

Relief Requested: Rescind discipline and compensate Grievant for any lost pay and benefits.

* * *

(Joint Ex. 2, at 1).

The Union notified the Employer on January 12, 2023, that it was advancing the grievance to arbitration pursuant to Step 4. (Joint Ex. 2, at 2). Thereafter, an arbitration hearing was conducted on June 15 and August 22, at which time the parties were afforded full opportunity to present documentary evidence, direct and cross-examine witnesses, and offer rebuttal testimony.³ Following the first day of the hearing, the arbitrator issued an Interim Order Relative to the Admissibility of Evidence Obtained by the City of Elyria Post-Discipline, dated August 20, 2023. Each party submitted a post-hearing brief in support of their respective positions regarding the preliminary contractual issue to be addressed by the arbitrator.

II. ISSUE PRESENTED

The stipulated issue in this case is, as follows:

Was the grievant disciplined for just cause, and if not, what should the remedy be?

(Tr. at 9-10).

III. APPLICABLE CONTRACT PROVISIONS AND POLICIES

Article 23 of the collective bargaining agreement entitled "Corrective Action," provides, in part, as follows:

Section 23.1 No employee shall be reduced in pay or position, suspended, discharged, or subjected to disciplinary action except for just cause.

3. The parties stipulated that the grievance is properly before the arbitrator. (Tr. at 10).

Section 23.2

- A. Discipline will be applied in a corrective, progressive, and uniform manner. Progressive discipline shall take into account the circumstances surrounding the incident, the nature of the violations, the employee's record of discipline, and the employee's record of performance and conduct.
- B. Any employee subject to a suspension without pay may request to forfeit vacation and/or holiday time in lieu of serving said suspension. The approval or denial of such request, either in all or in part, shall be at the sole discretion of the Employer.

Section 23.3 The Employer agrees that all disciplinary procedures shall be carried out in private and in a businesslike manner. Any employee in disagreement with the action taken by the Employer has the right to file a grievance in accordance with the grievance procedure contained in this agreement.

Section 23.4 Whenever the Employer determines that there may be cause for an employee to be disciplined (e.g., suspended, reduced, or discharged), a predisciplinary conference will be scheduled to give the employee an opportunity to offer an explanation of the alleged misconduct. The predisciplinary conference procedures shall be established by the Employer. The affected employee may elect to have a representative of the Union present at any such predisciplinary conference. It shall be the responsibility of the affected employee to notify the Union of any predisciplinary conference and/or resulting disciplinary action.

Section 23.5 Employees who are suspended, reduced, or discharged by the Employer for just cause in accordance with this article may appeal such disciplinary action exclusively through the Grievance and Arbitration Procedure of Article 25. Any such grievance may be brought directly to Step 3 of the grievance procedure.

Article 25 of the collective bargaining agreement entitled "Employee Rights," provides, in pertinent part, as follows:

Section 25.1 The Employer will provide the Union with copies of all written notices of actual disciplinary actions, notice of intent to take disciplinary actions, and termination notices unless otherwise requested by the employee. Any such request by the employee shall be in writing.

Section 25.2 Any employee who reasonably believes that he will be subject to disciplinary action shall have the right to Union representation during any interview with the Employer regarding the subject matter of the possible disciplinary action. The right to Union representation shall not apply to day-to-day interactions with supervisors.

Section 25.3 Any employee interviewed concerning an act which, if proven, could reasonably result in suspension, demotion or termination will be afforded the following additional safeguards:

1. **Notification of Scope of Questioning.** Whenever an employee is being investigated, the employee shall be informed of the general scope of the investigation prior to questioning. The notification shall include the name of the complainant, the date of the incident, the specific rules the Employer alleges were violated, whether the citizen has signed a complaint form, and a summary of the allegations against the employee sufficient to reasonably apprise the employee of the nature of the charges. The employee may agree to answer questions at that time or request that questioning be delayed for up to three (3) calendar days in order to obtain legal advice or other assistance.
2. **Notification of Nature of Investigation.** Employees under non-criminal investigation shall be informed of the nature of that investigation and provided a copy of the written complaint, if one exists, within

seven (7) working days of when the complaint is received. Employees on leave status shall be notified within four (4) working days of returning to duty. Where known, employees shall be informed of all details of the investigation that are necessary to reasonably apprise the employee of the factual background of the complaint. When, in the reasonable judgment of the Chief of Police, disclosure of the complaint will seriously jeopardize an investigation of the complaint, the notice requirement under this provision shall not apply.

* * *

IV. CONTENTIONS OF THE PARTIES

Employer's Contentions

Notwithstanding the Union's arguments, this case is not about the First Amendment and freedom of speech. The Union's premise that a government employer cannot discipline an employee for off duty speech fails to recognize the long-standing Supreme Court precedent that "a citizen who accepts public employment 'must accept certain limitation on his or her freedoms[,]'" including ones's freedom of speech. *Borough of Duryea, Pa. v. Guarnieri*, 564 U.S. 379, 386 (2011) quoting *Garcetti v. Ceballos*, 547 U.S. 410, 418 (2006). The Employer points out that the First Amendment does not provide public employees a grant of immunity for speech "not afforded by the First Amendment to those who do not work for the state." *Id.*, at 147.

The Employer maintains that the Union fails to recognize that a government employer, like a private employer, has the right to discipline employees over speech when the speech at

issue is not a matter of public concern. It notes that in determining if a public employee's speech is constitutionally protected, the first inquiry is whether the employee spoke as a citizen on a matter of public concern. If the answer is no, then the employer cannot be found to have violated the employee's First Amendment rights. If the answer is yes, then the employee spoke on a matter of public concern thereby triggering the second inquiry which is whether the employer had adequate justification for reacting to the speech in the manner it did.

The Union relies upon the recent Supreme Court decision in *Kennedy v. Bremerton School Dist.*, 597 U.S. ___, 142 S.Ct. 2407 (2022), without acknowledging that *Kennedy* was not simply about free speech, but rather a case about the conflict between an individual's right to religious exercise and the government's duty to comply with the Establishment Clause. Nonetheless, the Employer maintains that the *Kennedy* case is instructive to the extent that it followed prior Supreme Court precedent which acknowledges government employers may restrain employee speech. In the instant case, whether or not the grievant's ex-wife is a "nut job," "fat," "worthless," etc., is simply not of public concern. Because the grievant's speech did not relate to a matter of public concern, the Employer is not precluded from restricting his private speech. As with any employer, the City may impose restrictions on speech "that has some potential to affect the entity's operation." *Garcetti*, 547 U.S. at 418.

Elyria Police Department General Order 2.01 contains a list of Rules of Conduct which officers are required to follow. (Employer Ex. 15). The grievant's actions violated Rule 1.01- Violation of Rules; Rule 1.02- Unbecoming Conduct; Rule 1.03- Immoral Conduct; and Rule

1.04- Conformance to Laws. The grievant's behavior also violated General Order 1.03- Ethics. As recently held by the Ninth District Court of Appeals in *City of Lorain v. Fraternal Order of Police, Lodge No. 3*, 9th Dist. Lorain No. 22CA01 1903, 2023-Ohio-2431, an arbitrator may not reduce the severity of discipline imposed where just cause existed for the discipline and such finding of just cause was made by the individual who had authority to discipline the employee. In the instant case, the grievant received a 45-day suspension for just cause that was corrective, progressive and uniform in accordance with the terms of the contract.

The Employer maintains that the grievant's actions violated Rule 1.04 which requires conformance to laws. Upon reviewing the facts, both Chief Pelko and the Safety Service Director determined that the grievant had engaged in criminal conduct and failed to conform to Ohio laws. Specifically, the grievant's behavior constituted telecommunications harassment in violation of Ohio Revised Code Section 2917.21. As a threshold matter, the grievant's voice mails and text messages to Ms. Salim are telecommunications by definition. In leaving those messages and sending the texts, the grievant violated R.C. 2917.21 and committed the crime of telecommunications harassment. While much of the language used by the grievant could be viewed as crass, one of his more often used words "cunt" is generally accepted as obscene. The Employer maintains that this word is not considered appropriate by much of society and its use is regarded as taboo. It asserts that the voice mails and texts sent by the grievant to Ms. [REDACTED] contained obscene language and were done so with the intent to either abuse, threaten or harass her. The grievant admitted that he purposely chose the language used in his repeated derogatory,

offensive and obscene texts and voice mails to Ms. [REDACTED]. The Employer was justified in its determination that the grievant knowingly acted to threaten, abuse or harass Ms. [REDACTED] and that this constituted telecommunications harassment.

By calling and leaving voice mails and texts and by repeatedly referring to Ms. [REDACTED] as a cunt, the grievant also violated Ohio's law against menacing by stalking set forth in R.C. Section 2903.211. On November 8, 2022, the grievant left Ms. [REDACTED] 18 voice messages between 10:29 a.m. and 6:21 p.m., with 10 occurring between 3:38 p.m. and 4:36 p.m. In those messages, the grievant threatened to purposefully call Ms. [REDACTED] while she was sleeping to wake her up, and called her various vulgar and offensive names. The Union notes that R.C. Section 2903.211 does not require explicit threats of physical harm. Ms. [REDACTED] indicated that the grievant uses "veiled threats" and that she feels threatened by him. The grievant himself acknowledged that his behavior causes Ms. [REDACTED] fear.

On November 13, 2022, just five days after Ms. [REDACTED] received numerous threatening voice messages, the grievant engaged in similar conduct after she attempted to engage with him regarding his watching their children that day. Ms. [REDACTED] decided that she had enough of the grievant's language and made it clear that she would find someone else to watch the children. The text messages from the grievant caused Ms. [REDACTED] mental distress. The grievant later decided that he would pick up the children at Ms. [REDACTED]'s house and left her a voicemail message. Shortly thereafter, the grievant arrived at Ms. [REDACTED]'s house wearing a t-shirt depicting an obscene word that he admitted was purposefully selected as a way to continue his barrage of

insults. Whether Ms. [REDACTED] agreed or did not agree that the grievant would pick up the children is immaterial because the grievant's pattern of behavior of insulting her and making demands of her and then going to her house caused her mental distress sufficient to establish the crime of menacing by stalking in violation of Rule 1.04.

The Employer points out that if the grievant's actions violated any Elyria Police Department rule, regulation, directive or order, then Rule 1.01 is also violated. It contends that "[b]y repeatedly sending [REDACTED] texts that used insulting and vulgar language to insult her, along with leaving her voice message[s] that continued the insults and made threats to disrupt her sleep in retaliation for her calling him in the afternoon while he was attempting to sleep, Chalkley violated numerous department rules regarding the manner in which he was to conduct himself both while on-duty and off-duty." (Employer Post-Hearing Brief, at 14). The grievant continued such behavior in person causing the police to be called to the scene. The Employer notes that after a text exchange on May 18, 2021, the grievant showed up at Ms. [REDACTED]'s residence which resulted in the police being called due to a physical altercation. The grievant's conduct on both November 8 and 13, 2022, especially when viewed in the appropriate context given his prior actions, violated numerous rules and justified the discipline that was imposed.

The Employer further asserts that the grievant's actions also violated Rule 1.02. It notes that unbecoming conduct includes conduct which meets any one of the following criteria: conduct which brings the Department into disrepute; conduct which reflects discredit upon the officer as a member of the Department; or conduct which impairs the operation or efficiency of

the Department or officer. It is hard to imagine that anyone could think that the grievant's conduct toward Ms. [REDACTED] and the resulting necessity for the police to be called reflects most favorably on the Department where he works and does not cause the Department's reputation to decline. The grievant's behavior not only causes the reputation of the Department to decline, but also discredits him as a police officer.

The Employer maintains that the manner in which the grievant treated his ex-wife is conduct that causes others to lose respect for the individual hurling the insults. Indeed, the grievant has lost respect from fellow law enforcement officers. Further, the grievant's actions impaired the operation or efficiency of the Department as individuals were taken away from the work they typically perform in order to conduct the investigation. The grievant is also supposed to be a role model for other officers and his actions create a very negative example for the younger officers and officers whom he may train.

The grievant's actions also constituted a violation of Rule 1.03- Immoral Conduct. The Employer acknowledges that "moral turpitude" is not subject to a precise definition. According to the Union, what might not be considered an act of moral turpitude for a layman can and at times should be for a police officer. The grievant's repeated use of the words "whore," "selfish," "cunt," "dirty," and "fat" in text messages and voice mails to Ms. [REDACTED] could easily be characterized as base and/or vile. It asserts that the grievant's conduct is not socially accepted behavior and his continued use of the word "cunt" after being repeatedly asked not to use it

demonstrates a depravity of attitude that is not in keeping with the highest standards of the law enforcement profession.

The Department's General Order 1.03 Ethics includes a sworn statement that officer will keep their private life unsullied as an example to all. The Employer contends that the grievant allowed his personal life to be sullied by his purposeful and intentional actions. It claims that the grievant does not care about the ethical obligations attendant to police officers.

The Employer further asserts that the discipline assessed the grievant was corrective, progressive and uniform. None of the disciplinary incidents cited by the Union are similar to the instant case. Regarding an incident involving a supervisor referring to a dispatcher as a cunt, the Union President did not mention the incident to Chief Pelko until after the grievant was disciplined in December in 2022, despite the fact that the incident took place during the summer of 2022. Additionally, Chief Pelko took efforts to investigate the incident. The discipline assessed Officer Juker for conduct which he was charged and convicted criminally also does not support a claim of disparate treatment. The Employer notes that while Officer Juke received a 30-day suspension, similar to that received by the grievant in his prior discipline, he was also placed on unpaid leave for a period of almost two years and was required to sign a last chance agreement.

Although the Union claimed at the arbitration hearing that the pre-disciplinary investigatory process was not in compliance with the contract, neither the testimony nor the exhibits supports such a claim. The Employer points out that no objections were lodged at or

after the interview of the grievant on December 7, 2022. Additionally, the contract does not require that notification of the charges be in written form or provided prior to an interview. It notes that the forms used during the pre-disciplinary process were the same as those used in the grievant's prior discipline which was not challenged at that time.

The grievant's 45-day suspension was corrective, progressive and uniform in nature. The record establishes that the grievant's behavior in November 2022 was an escalation of the conduct towards Ms. [REDACTED] for which he was previously disciplined. It is clear that the 30-day suspension without pay was not severe enough to force the grievant to correct his behavior. The grievant's conduct was done purposefully and with the intent to annoy, abuse, harass and cause Ms. [REDACTED] emotional distress. For each of the aforementioned reasons, the grievant was disciplined for just cause and the discipline should be upheld in its entirety.

Union's Contentions

The Union filed the instant grievance regarding two alleged violations of the collective bargaining agreement: First, the Employer violated the basic due process rights negotiated and agreed to by the parties. Second, whether the Employer had just cause to suspend the grievant for 45 days. Regarding the procedural violation by the Employer, the Union notes that the parties negotiated specific language in the contract dealing with internal investigation interviews. It maintains that the Employer must be obligated to comply with these procedures or the language becomes meaningless. In the instant case, the Employer agreed to a notice provision in

Article 25.3 (1) and (2). The Employer also agreed that the arbitrator may not make an award “[c]ontrary to or inconsistent with or modifying or varying in any way the terms of this agreement or of applicable laws.”

Chief Pelko received a copy of the LCSO Report which included Ms. [REDACTED]'s written complaint. On November 15, 2022, Captain Groomes noted in his IA Report that he briefed Lieutenant Palmer on the information and provided a copy of the LCSO Report to him. Therefore, Chief Pelko and Captain Groomes had all of the relevant information to prepare a notification. On November 16, 2022, Captain Groomes provided a Notice and Order for Interview (Notice #1) to the grievant which included a memo notifying him that he was the party to the complaint and the interview would occur on November 22, 2022. However, Notice #1 did not include the name of the complainant, the date of the incident, whether the citizen has signed a complaint form, or a summary of the allegations against the employee sufficient to reasonably apprise him of the nature of the charges. Prior to the grievant's interview, Captain Groomes provided a second Notice and Order for Interview (Notice #2) that was essentially the same as the first notice but contained different dates. The Union points out that Captain Groomes never provided the LCSO Report or a copy of Ms. [REDACTED]'s complaint to the grievant.

The record reveals that even up until the date of the pre-disciplinary conference on December 7, 2022, the Employer refused to provide Ms. [REDACTED]'s complaint. The Union asserts that the Employer violated the basic due process rights negotiated and agreed to by the parties as there is no other way to read or apply the language that is clearer and more unambiguous. It

notes that the only portion of Article 25.3(1) that the Employer provided was the rules which were allegedly violated.

The Employer seemed to suggest during Captain Groomes' testimony that the notice required by the contract was not necessary because the grievant already knew it was about a domestic disturbance. The subject line on the memo to Notice #1 states "Domestic Disturbance Complaint." The notice suggested and the grievant could assume that the interview was about a physical confrontation with Ms. [REDACTED] on November 13, 2022. However, Captain Groomes ambushed the grievant about whether he was harassing Ms. [REDACTED] through text messages and phone calls from two weeks prior (October 30, 31 and November 8, 2022). It was not until the interview began on November 22, 2022, that Captain Groomes stated for the first time that the interview was about harassing phone calls and text messages specific to a couple dates. Although the contract does not require written notice, the Employer never provided any notice prior to questioning that complied with the collective bargaining agreement. The Union argues that the discipline must be rescinded as a result of the Employer's deliberate violation of the contract.

The resolution of this grievance requires the arbitrator to make two determinations: whether a cause for discipline existed in the first place; and whether the level of discipline issued was proper under the circumstances. In the instant case, the Employer failed to prove its allegations at the arbitration hearing. The grievant never denied that he used harsh and vulgar language. However, the Union maintains that language and sayings on t-shirts are not immoral

or illegal. Additionally, none of the grievant's words, statements or language owed its existence to the grievant's position as a police officer or public employee. According to the Union, "... the arbitrator will find that the sole basis for the Employer's disciplinary action comes down to the words he used and it was clear from the Employer's case that they focused on the language, rather than the actual facts." (Union Post-Hearing Brief, at 25). It is ironic that Chief Pelko supposedly took great offense to the work "cunt" when used by the grievant, however, when informed that an on-duty supervisor referred to another employee by that term he took no action.

Regarding Ms. [REDACTED]'s allegation that she was pushed, the grievant denied ever pushing, grabbing or touching her on November 13, 2022. The grievant's testimony was unrefuted by direct testimony from Ms. [REDACTED]. The Union notes that the North Ridgeville prosecutor refused to issue criminal charges related to the complaint. Nonetheless, Chief Pelko wrote "During the course of the investigation it revealed that Officer Chalkley had physically pushed his ex-wife away from their son." (Employer Ex. 7). Chief Pelko concluded that "Officer Chalkley admitted that he did commit these acts and did not dispute the report (which was read to him)." (Employer Ex. 7). The Union maintains that Chief Pelko's letter is blatantly false and misrepresents the facts. As such, this allegation lacks a basis to uphold and must be disregarded by the arbitrator.

The Union further points out that the accuser was never called to testify regarding the texts or phone calls and the context of the screenshots. In fact, Ms. [REDACTED] never contacted the City about the November 13, 2022, incident. Furthermore, "[t]he only information to support the Employer's claims that Chalkley's calls and texts were harassing were compiled **upon the**

request of Groomes from select examples provided by the accuser, none of which the Employer's witnesses witnessed." (Union Post-Hearing Brief, at 26) (emphasis in original). The Union notes that the evidence was composed of one screenshot each from various days over the weeks prior to the incident on November 13, 2022. Mr. Williams believed that the calls, voicemails, and texts all occurred on November 13, 2022, which was mistaken.

Following the investigative interview, the grievant provided Captain Groomes with his own screenshots from November 7 and 8, 2022. The grievant sent texts to Ms. [REDACTED] on November 7 and 8 regarding the parties' children and the Thanksgiving and Christmas holidays. With no response from Ms. [REDACTED] the grievant repeatedly attempted to contact her on November 8, 2022. According to the Union, this was a reasonable reaction given the circumstances.

The Employer produced no evidence of the time period over which the alleged voicemails occurred and Captain Groomes never documented their dates and times in his IA Report. The Union maintains that hundreds of voicemails could have been exchanged between the grievant and Ms. [REDACTED] over the previous six months, however, only a select few were recorded by Captain Groomes. The Union points out that when Ms. [REDACTED] sought a restraining order the Lorain County Court refused to issue such an order based on the information. The Union asserts that the Employer's evidence lacks foundation, is untrustworthy and fails to adhere to evidentiary documentation expected of an investigation that resulted in a 45-day suspension.

In none of the voicemails played during the arbitration hearing did the grievant threaten to take away the children. In some voicemails the grievant asked about the children's school

schedule and when he would have them for Christmas. Ms. [REDACTED] claimed that the grievant's calls and texts are "never" about the children other than to state that he is going to take them away. Ms. [REDACTED]'s claims are clearly contradicted by the facts.

The Employer may attempt to lay blame on the Union for waiving the second scheduled pre-disciplinary hearing set for December 16, 2022, with Safety Director Williams. However, this blame is misplaced. At the previously held pre-disciplinary conference on December 7, 2022, Chief Pelko shut down any type of opportunity for the Union or the grievant to offer an explanation. It asserts that "[t]he Employer can't complain, then, when the employee doesn't find it useful to be intimidated and ignored a second time." (Union Post-Hearing Brief, at 30).

The Union acknowledges that management may discipline employees for off-duty conduct if there is a nexus between the conduct and the employer's legitimate business interests. This nexus may be demonstrated as follows: conduct involving harm or threats to supervisors, co-workers, customers, or others with an actual or potential business relationship with the employer; conduct that could seriously damage an employer's public image; conduct that reasonably makes it difficult or impossible for supervisors, co-workers, customers, or others with an actual or potential business relationship with the employer to deal with the employee; or public attacks by the employee on the employer, supervisors, or the employer's product.

The Employer relies on the following Rules of Conduct in issuing discipline in this case for purely off-duty conduct: Rules 1.02, 1.03 and 1.04. The Union notes that Rules 1.02 and 1.03 generally require that officers conduct themselves so as not to bring discredit upon the

Department and not impair the operation of the Department or their ability to perform as a law enforcement officers. The aforementioned rules essentially adopt the arbitration doctrine concerning off-duty conduct. The phone calls, voicemails and texts at issue in this case were all between private individuals. The Employer's witnesses each testified that there was no evidence that the grievant's conduct impaired the operation of the Department or impeded the grievant from performing his duties. The Union also points out that the Employer relied on two news articles that appeared months after the grievant was disciplined.

The Employer also charged the grievant with violating Rule 1.04 which requires officers to conform to the law. As discussed above, the North Ridgeville prosecutor refused to issue charges. The Employer had ample opportunity between the date of the incident and the grievant's discipline on December 28, 2022, to reinvestigate for criminal charges, however, it failed to do so.

The Union notes that prior to 2022, public employee protection under the 1st Amendment was very limited, and the U.S. Supreme Court has long applied the two-step *Pickering/Garcetti* test. However, in *Kennedy v. Bremerton*, 597 U.S. ____ (2022), the U.S. Supreme Court made it clear that purely private speech, not involving the government, is entitled to 1st Amendment protection. The *Kennedy* decision is relevant to the instant case because prior to 2022, public employers' policies that purport to regulate off-duty conduct and speech were generally considered valid limitations on public employees under *Pickering*. Therefore, unless the speech was about a matter of public concern, employers could discipline employees for their off-duty

speech/conduct. *Kennedy* sets a different standard and limits employers' policies related to off-duty speech/conduct. The first question pertaining to whether an employer can regulate speech is now "whether the speech at issue is itself ordinarily within the scope of an employee's duties." In the instant case, the obvious answer is no. The grievant's language was solely a private conversation unrelated to his employment. The Union points out that on the topic of hate speech specifically, the Supreme Court has decided a variety of cases outlining exactly what is, and what is not, protected.

The Union contends that the Employer could not prove that the grievant engaged in any physical altercation, could not prove any criminal prosecution, or that the grievant engaged in anything other than private conversations. Mr. Williams testified that even if there was not a physical altercation or that the grievant was invited or not invited, the discipline would still stand. "What then does the discipline stand on? Speech." (Union Post-Hearing Brief, at 36). The Union asserts that the government is prohibited from regulating private speech, even if hateful or vulgar.

The testimony confirms that no other employee in the Elyria Police Department has ever been issued a 45-day suspension. The Union maintains that a nine week unpaid suspension and the loss of healthcare coverage is punishment and not corrective. For each of the aforementioned reasons, the Unions requests that the arbitrator grant the grievance, overturn the suspension and order that the Employer reimburse the grievant for all lost wages and out-of-pocket expenses.

OPINION AND ANALYSIS

The circumstances surrounding the grievant's alleged misconduct in this case are familiar to the parties. Once again, the grievant was subject to disciplinary action as a result of his behavior and interactions with his ex-wife. As discussed further below, the Employer previously issued a 30-day suspension to the grievant due to his rule violations in connection with an incident which occurred at his ex-wife's residence on May 18, 2021. (Employer Ex. 17). For the following reasons, the arbitrator determines that the Employer presented sufficient evidence to satisfy its burden of proof that the grievant was suspended for just cause. Further, the discipline assessed the grievant was applied in a corrective, progressive and uniform manner by the Employer pursuant to Article 23 of the collective bargaining agreement.

Regarding the incident on November 13, 2022, the grievant stated that "... every other weekend I had them, and that was her Sunday to have them. However, I would take them on Sunday to alleviate her paying for a babysitter on Monday. So I would take our children on her Sunday." (Tr. at 472). According to the grievant, he "... asked [Ms. ██████] what time she was dropping the kids off because she would always drop them off at my house." (Tr. at 472). The grievant provided the following testimony regarding the ensuing communication:

- A. So then after some bantering back and forth, she said, Never mind. I believe that was at 1450. I believe at 1454 I had a voice call with her, and she said if I wanted the kids I had to come and pick them up. Then I believe at 1503 I called her back and told her - - left a voicemail and said if you want me to pick up the kids, I'll be on my way shortly.

(Tr. at 474).

The record indicates that the grievant arrived at Ms. [REDACTED]'s residence and waited outside his truck in the driveway for Ms. [REDACTED] to bring the children out. According to the grievant, his six-year old son "... was crying because he wanted to continue hanging out with his older brother." (Tr. at 475). The grievant stated his "... daughter, W [REDACTED], was on the driver's seat, and A [REDACTED] decided I was not going to be taking the kids, pushed me out of her way, and reached into my truck to grab W [REDACTED]" (Tr. at 475). The grievant asserted that he did not push or knock Ms. [REDACTED] out of the way at any point during this encounter. He proceeded home after this incident and received a telephone call from a Deputy Sheriff at the Lorain County Sheriff's Office who advised him that Ms. [REDACTED] "... wanted me trespass and to stop making harassing calls." (Tr. at 476).

The record contains the following written statement provided by Ms. S [REDACTED] to the Lorain County Sheriff's Office regarding her version of the above incident:

Ex husband Nick Chalkley came over without permission to pick up kids after he was told to not come. Kids were brought out to his car and C [REDACTED] ([REDACTED] son) did not want to go with dad and started crying. Nick grabbed C [REDACTED] out of my hand and pushed me away and became verbally abusive calling me a cunt and whore in front of the kids. He is constantly calling and leaving voicemails with vulgar language and threats of making me suffer and threatening to take the kids away. . . .

(Joint Ex. 3, at 0019).

Ms. [REDACTED] was subsequently interviewed by Captain Groomes and Lieutenant Palmer during the course of the internal investigation and provided the following information which was included in the Supervisor's Report (IA 2022-04):

* * *

On Sunday, November 13th, S█ attempted to arrange, with Chalkley, for Chalkley to pick up the kids. However, S█ could not get a straight answer from Chalkley about his picking up the kids. During the conversation, Chalkley was calling her 'nasty names,' such as 'cunt.' In response to not getting a straight answer and being called nasty names, S█ told Chalkley to 'never mind' picking up the kids, that she would find someone else to watch them. According to S█ Chalkley continued calling her and leaving her messages, during which he continued calling her names and stating that he was going to still pick up the kids. S█ responded that she had found a sitter and advised Chalkley that he was not to pick up the kids. Chalkley disregarded S█'s direction and showed up at her house. While at the house, Chalkley continued to be 'verbally abusive,' in front of the children, and continued calling her a cunt. S█ added that not only was Chalkley calling her a cunt, but wore a shirt that had the word 'cunt' displayed on it. According to S█ due to Chalkley's continued verbal abuse, their 6 year old son began crying and stated that he did not want to go with Chalkley. Chalkley then began pulling on their son and pushing S█ away. S█ made the decision that the kids were not going with Chalkley and took the kids back into the house. Chalkley responded with 'nastiness and swearing,' at which time S█ decided to call the Sheriff's Office.

According to S█ Chalkley harasses her on a daily basis, adding that she has about 30 voicemails, which Chalkley will leave in one day's time. S█ advised that Chalkley calls over and over again all while calling her a cunt and whore. S█ stated that Chalkley's calls are never about the kids, other than to state that he is going to take them away from S█, and that the calls are always just verbal abuse.

* * *

(Joint Ex. 3, at 0002-0003).⁴

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4. The arbitrator notes that the Supervisor's Report also contains the Lorain County Sheriff's Office report of the incident; screen shots of text messages between the grievant and Ms. █, screen shots of call logs between the grievant and Ms. █

(continued...)

Captain Groomes provided the following testimony conveying his understanding of the incident at Ms. [REDACTED]'s residence on November 13, 2022:

- A. There were unwanted voicemails and text messages with regard to language and what she considered mental abuse, and so she declined to turn over the kids that day. However, she said that Mr. Chalkley showed up uninvited. When he did show up, he - - she was holding her six-year old son who was crying because of him calling her names in front of him. And he - - Mr. Chalkley - - she alleged that Mr. Chalkley grabbed the child from her, pushed her away, and that there was a struggle for the kid. She eventually got the kid back in the house and Mr. Chalkley left.

(Tr. at 38-39).

Captain Groomes noted that the witness accounts by Ms. [REDACTED]'s other son, age 12, and his friend, also 12 years old, were consistent with Ms. [REDACTED]'s version of event. Additionally, Ms. [REDACTED]'s account of the incident provided during the investigation was consistent with what she previously told the Lorain County Sheriff's Office.

According to the grievant, Ms. [REDACTED]'s statement that he arrived at her residence unannounced or uninvited is untrue because she told him during a telephone call that if he wanted the children that day he would have to come and pick them up. The grievant acknowledged that Ms. [REDACTED] indicated by text message at 14:42 (2:42 p.m.) that she would find someone else to watch the children. However, he pointed out that all of their telephone

4(...continued)

photographs of the grievant wearing the "cunt" acronym t-shirt; and a transcript of the grievant's interview conducted on November 22, 2022. (Joint Ex. 3, at 0015-0049).

conversations that day took place at 15:03 or later, and the conversation where he agreed to pick up the children occurred after the 14:42 text message. Captain Groomes indicated that there is no evidence in the text messages which reflects an agreement that the grievant would pick up the children at Ms. [REDACTED]'s residence on November 13, 2022. However, it is his understanding that the telephone call where the grievant indicated that the parties agreed he would pick up the children occurred after the exchange of text messages.

Based upon the testimony and documentary evidence presented at the hearing, the arbitrator is unable to determine whether the grievant showed up at Ms. [REDACTED]'s residence to pick up the parties' children unannounced or uninvited on November 13, 2022. As to whether or not Ms. [REDACTED] actually consented to the grievant picking up the children at her house, Captain Groomes stated "[t]here's not confirmation either way." (Tr. at 77). In any event, it is evident that Ms. [REDACTED] did not initially object to the children going with the grievant that day upon his arrival as she escorted them out of the house while he waited in the driveway.

The arbitrator is also unable to make a finding that the grievant pushed or shoved Ms. [REDACTED] during this encounter based upon the conflicting evidence. While the grievant admitted to his other actions discussed herein, he steadfastly denied this allegation to the Lorain County Sheriff's Office, during the investigative interview and at the arbitration hearing. Ms. [REDACTED] did not testify at hearing. The arbitrator notes that when presented with information regarding the incident at Ms. [REDACTED]'s residence, North Ridgeville prosecutor Sean Kelleher declined to seek criminal charges against the grievant. Although there is insufficient evidence that the grievant

engaged in a physical act of domestic violence towards Ms. [REDACTED] on November 13, 2022, the arbitrator determines that a domestic disturbance occurred which resulted in the Lorain County Sheriff's Office responding to the scene.

The grievant's purported misconduct in this case involves more than simply an allegation that he showed up uninvited at Ms. [REDACTED]'s residence on November 13, 2022, and that he pushed her at some point. Captain Groomes testified that Ms. [REDACTED] "... described the voicemails as being excessive on a daily basis, based around her, you know, blocking Mr. Chalkley and blocking him because of the voicemails. She said she was called profane names such as cunt, scumbag, fat, just - - whore. I mean, it was a lot of different derogatory terms that she described." (Tr. at 41-42). The record reveals that in the days leading up to the incident on November 13, 2022, the grievant unleashed a barrage of demeaning and profane language towards Ms. Salim via both text and voicemail messages.

A sample of the voicemail messages sent by the grievant to Ms. [REDACTED] on November 8, 2022, includes: "Hey, you fat, dirty cunt. I will give you a call at, hmm, 2, 3, 4, 5 in the morning since, you know, it's just so inconvenient for you to talk to me right now. Okay. You're fat. You're disgusting." (Tr. at 14). "Hey, you selfish, loose, cunt, whore. As discussed previously, I will call you at 3 a.m. to finish figuring out what we're doing about my kids for the holiday. Okay. Keep eating. You look really fat." (Tr. at 14).⁵ On November 13, 2022, the grievant left

5. Captain Groomes indicated that "[t]he one thing that led to a major concern was on . . . November 8th, she received 18 voicemails from Mr. Chalkley, all of which were
(continued...)

a voicemail for Ms. [REDACTED] inquiring: "What time are you bringing my kids, whore?" (Tr. at 50). The following voicemail was also left by the grievant on the aforementioned date: "Hey scumbag. If you really want me to come get them, I will. Okay. See you shortly." (Tr. at 51).

The record further reveals that the grievant sent the following text messages to Ms. [REDACTED] on November 13, 2022: "I'm a happy man You're a sad worthless fat dirty cunt whore that lives a lie What time are you bringing my kids scumbag;" "Need to know what time so I can be home you worthless whore;" "Is your pussy not dirty? Are you not a whore? What am I missing? What time?" and "Bring my kids slob." (Joint Ex. 3, at 0027).

The grievant does not deny that he sent the above text and voicemail messages to Ms. [REDACTED]. According to the grievant, Ms. [REDACTED] does not always respond to his inquiries regarding their children, and there have been occasions when she blocked his calls.⁶ The grievant provided the following testimony regarding his communications to Ms. [REDACTED]

Q. Do you acknowledg[e] that by calling Ms. [REDACTED] names and leaving the voicemails that you do and text messages that

5(...continued)

derogatory in nature, using those same terms I just described. And it was just a relentless onslaught of voicemails." (Tr. at 42). Although the screen shot of the call log on Ms. [REDACTED]'s phone shows that the repeated calls on November 8, 2002, were identified as "unknown," she represented that those calls were from the grievant. (Joint Ex. 3, at 0024). The grievant did not deny that he made those calls to Ms. [REDACTED]. The arbitrator notes that there were 10 calls from the grievant to Ms. [REDACTED] between 3:38 p.m. and 4:34 p.m. on November 8 alone. (Joint Ex. 3, at 0024).

6. Captain Groomes testified that the grievant justified leaving these voicemails for Ms. [REDACTED] "... because she prevents him from - - - or doesn't provide him with information about her kids, or their kids." (Tr. at 49).

you do, do you acknowledg[e] that that causes Ms. [REDACTED] mental distress?

- A. I can't testify on how she feels.
 Q. Well, hasn't she told you?
 A. I know she doesn't like the words, correct.
 Q. Okay. And she has said stop threatening me, correct?
 A. That's what she said, correct.
 Q. Right, okay. And you use those words purposely. You already testified to that?
 A. Yes.
 Q. You are trying to provoke her?
 A. No.
 Q. You're not trying to provoke her?
 A. I'm not trying to provoke her, no.
 Q. What are you trying to do then by using those words?
 A. Get answers from her.
 Q. Okay. You're trying to provoke her to give you an answer?
 A. Sure.

(Tr. at 528-529).

The language directed by the grievant towards Ms. [REDACTED] is certainly vulgar and highly disturbing. The fact that the grievant claims that his use of such language is the only way that he is able to gain Ms. [REDACTED]'s attention and answers to his question is no excuse.⁷ In the event that

7. The grievant claims that he and Ms. [REDACTED] "... banter back and forth. It's not just a one-way street." (Tr. at 463). He indicated that they would try to one up each other and "[i]f she would call me a name, I would call her two, . . . just to have the last . . . word." (Tr. at 464). However, the grievant admitted that Ms. [REDACTED] did not call him any derogatory names during their text message communications leading up to the incident on November 13, 2022. Nor did Ms. [REDACTED] communicate with him in the same manner as he communicated with her during the previous incident at her residence in May 2021. There is also no evidence that the grievant reported during the investigation that Ms. [REDACTED] would speak to him in the same manner as he spoke to her. Additionally, the grievant did not provide copies of any voicemail messages or texts showing that Ms. [REDACTED] communicated to him in the same vulgar and demeaning manner.

the grievant believes that Ms. [REDACTED] is not complying with the terms of their court ordered parenting plan, the appropriate avenue for the grievant to pursue would be to file the appropriate motions with the domestic relations court to seek redress, rather than resorting to the intolerable behavior evidenced in this case. The record reveals that the grievant has repeatedly engaged in such behavior as he admitted to previously calling Ms. [REDACTED] a cunt in text messages, and he referred to her by this term during the incident at her residence in May 2021. (Employer Ex. 17, at 5). The grievant acknowledged that Ms. [REDACTED] hates this term and has asked him stop using it. Nonetheless, he continues to intentionally and purposely direct this vulgar term towards Ms. [REDACTED] in what can only be described as an attempt to harass and intimidate her. The grievant admitted that Ms. [REDACTED] expressed via text message in May 2021 that she was fearful of him. (Employer Ex. 17, at 4-5). The arbitrator notes that the grievant has also called Ms. [REDACTED] a variety of other vile and offensive words during their interactions.

In addition to the text and voicemail messages noted above, the evidence presented at the arbitration hearing includes a photograph of the grievant standing in Ms. [REDACTED]'s driveway on November 13, 2022, while wearing a t-shirt that states "Cannot understand normal thinking," an acronym for the word "cunt." (Joint Ex. 3, at 0028). The grievant admitted that he purposely wore the "cunt" t-shirt because he knew that Ms. [REDACTED] would not like it.⁸ The arbitrator finds

8. The grievant provided the following explanation for wearing this particular t-shirt: "Well, two reasons. It states cannot understand normal thinking which goes into her thought process on certain things, and then as well as I know she does not like that word." (Tr. at 488).

that the grievant's decision to wear this specific t-shirt when he picked up the parties' children was conduct intended to provoke and continue his pattern of harassing Ms. [REDACTED]. This undoubtedly exacerbated an already volatile situation of the grievant's own making which resulted in the dispatch of the Lorain County Sheriff's Office to Ms. [REDACTED]'s residence for a second incident involving the grievant. The grievant himself acknowledged that calling Ms. [REDACTED] words like cunt and whore does not de-escalate the situation.

Chief Pelko indicated that he had concerns with the grievant's conduct upon reviewing the supervisor's report: "... [w]hen I read this, it appeared that there was possibly some criminal activity with menacing by stalking possible charges and some telephone harassment charges that concerned me. There were some behavioral issues with the T-shirt that he wore and the text messages with the vulgarity to them, as well as some of the text messages and the constant text messages and calling to his, to his ex-wife. So it definitely concerned me." (Tr. at 175). Chief Pelko found that the grievant violated Rules 1.01, 1.02, 1.03, 1.04 and the general order regarding ethics. He maintained that the grievant's actions violated both the Immoral Conduct and Conduct Unbecoming rules, and he noted that Rule 1.04 does not require a conviction in order for there to be a violation.

The grievant was charged with violating several Rules of Conduct contained in Elyria Police Department General Order Number 2.01 entitled "Departmental Rules and Regulations."

(Employer Ex. 15).⁹ Rule 1.03 - Unbecoming Conduct provides that “[o]fficers shall conduct themselves at all times, both on and off duty, in such manner as to reflect most favorably on the Department. Conduct unbecoming an officer shall include that which brings the Department into disrepute or reflects discredit upon the officer as a member of the Department, or that which impairs the operation or inefficiency of the Department or officer.” (Employer Ex. 15). The arbitrator finds that the grievant’s vulgar and derogatory conduct, both in words and demonstrative actions directed towards Ms. [REDACTED], fell far short of what is expected of police officers and certainly did not reflect favorably upon the Elyria Police Department as required by Rule 1.03. The grievant violated Rule 1.03.

Although, the grievant’s conduct occurred while off-duty, the arbitrator finds that the grievant’s behavior adversely affected his standing in the Department and in his relationship with Ms. [REDACTED]. The grievant acknowledged that on two occasions the police were called to Ms. [REDACTED]’s residence because of her fear of him.¹⁰ Captain Groomes testified that “[w]hen an issue

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9. Regarding Rule 1.01, Captain Groomes noted that “. . . if you violate any other policy, you’re in violation of this rule.” (Tr. at 80). The arbitrator considers such provision to be a “catch-all” rule which merely incorporates other violations and does not set forth an independent violation apart from the fact that it is designated under a separate rule number.
 10. Chief Pelko pointed out that the grievant admitted that he knowingly and purposely made those telephone calls and statements and did not show any remorse in doing so. Chief Pelko further testified that it offended and shocked him that the grievant believed his conduct was okay. Captain Groomes testified that this second incident at Ms. [REDACTED]’s residence created a lack of trust and confidence in the grievant’s performance as a police officer. He noted that the grievant could be dispatched to respond as a law enforcement officer under the mutual aid agreement with the Lorain County Sheriff’s Office.

like this where a sheriff's office is called out, the report automatically becomes public record. With that public record he's being accused of a domestic violence event which we are tasked with handling." (Tr. at 81). The arbitrator notes that the Lorain County Sheriff's Office deemed this incident significant enough to contact the Elyria Police Department. Off-duty conduct such as that engaged in by the grievant can negatively impact the operations and morale of the Department.¹¹

Contrary to the Union's position, this case *does not* involve free speech protected by the First Amendment of the United States Constitution. The subject of the grievant's communications with Ms. [REDACTED] were in no way matters of public importance. The remarks made by the grievant cannot be interpreted as made pursuant to his official duties as a police officer. He was not "speaking" pursuant to government policy or attempting to convey a government message – had he done so it would be obvious he was not speaking as a citizen for First Amendment purposes. Nor was the grievant's speech a religious expression as was the case with the petitioner in *Kennedy v. Bremerton School District*, 597 U. S. ____ (2022), cited by

11. Captain Groomes stated that in the event the grievant had not been disciplined, "... it definitely would ... show that we were not going to take matters like this seriously and possibly make people feel it's okay to behave like this off duty, with the issues off duty. But I think our off-duty conduct is important to the welfare of our department, the trust in the department by the public, and other agencies." (Tr. at 102-103). Chief Pelko maintained that "[i]f I have 84 officers running around with T-shirts that say 'cunt' on them and sending text messages, calling people whores, fat, scum, that is definitely not the look of a police department I want, nor do I think anybody in the public wants." (Tr. at 245-246). He also noted that several deputies have raised concerns regarding the grievant.

the Union. The grievant's text and voice mail messages at issue in the instant grievance are private communications consisting of a multitude of vulgar and abusive terms which he hurled at Ms. [REDACTED]. Unlike the facts before the Supreme Court in *Bremerton*, there is no intertwining of a sincere religious practice with free speech under the First Amendment. *Bremerton* offers the grievant no safe harbor.

Employing the two step analysis set forth in *Pickering v. Board of Ed. Of Township High School Dist. 205 Will Cty.*, 391 U.S. 563 (1968), and *Garcetti v. Ceballos*, 547 U.S. 410 (2006), the grievant fails to meet the first condition for constitutional protection for the reason discussed above: speaking as a private citizen the grievant's texts and voicemails were not a matter of public concern. It is true that the grievant did not forfeit his First Amendment rights when he became a public employee. In this case, however, the grievant was not opining as a private citizen upon matters of public concern. Rather, his derogatory remarks were rooted solely in a personal grievance involving communications with his ex-wife over the care and custody of their children.

This finding thrusts the analysis away from constitutional concerns to the more traditional arbitral concepts governing off-duty conduct. The record evidence supports a finding of a nexus between the grievant's conduct and his position as a police officer with the Elyria Police Department. The grievant's off-duty conduct became known to surrounding law enforcement agencies such as the City of North Ridgeville and the Lorain County Sheriff's Office. The incident was even presented to the North Ridgeville prosecutor for possible criminal

charges. It amounted to speech and behavior contrary to the standards of conduct for police officers in their private lives and adverse to the reputation of the Elyria Police Department. There is no question as to attribution – the grievant acknowledged having generated the text messages and phone calls. He was photographed standing in his ex-wife's driveway wearing a shirt intentionally designed to inflame tensions with his ex-wife even further. His conduct and remarks were frequent and degrading, and sufficiently repetitive to generate police intervention and the ensuing effort to investigate and discipline the grievant – all activities diverting the Employer's resources away from its usual and customary duties of protecting the residents of the City of Elyria.

As discussed above, the grievant repeatedly used this profane and vulgar language to harass and intimidate Ms. [REDACTED]. Captain Groomes stated that “. . . the vulgar language in and of itself. It's just vulgar language. When you combine that with, you know, just a relentless onslaught of call after call after call, the voicemail after voicemail after voicemail, that's where the criminal element comes in with the harassment and menacing and things like that.” (Tr. at 158).¹²

The grievant was also charged with violated Rule 1.03 - Immoral Conduct, which states that “[o]fficers shall maintain a level of moral conduct in their personal and business affairs

12. Captain Groomes further noted that Ms. [REDACTED] informed the grievant that she “. . . feels threatened not only by his words but by the - - like I said, the relentless verbiage that he uses, degrading verbiage, and just the amount - - the excessive amount of phone calls and voicemails.” (Tr. at 55).

which is in keeping with the highest standards of the law enforcement profession. Officers shall not participate in any incident involving moral turpitude which impairs their ability to perform as law enforcement officers or causes the Department to be brought into disrepute.” (Employer Ex. 15). The definition of “moral conduct” and “moral turpitude” is not contained in the Employer’s Rules and Regulations. However, as noted by the Employer, such acts are “characterized by ‘baseness, vileness, or the depravity in private and social duties which man owes to his fellow man, or to society in general . . .’” *State v. Adkins*, 40 App.2d 473, 475 (1973). It is a generally accepted arbitral principle that police officers are held to a higher standard than the citizens which they serve and protect. They serve as role models for the citizens of a community and must earn and keep the trust of the public. The arbitrator finds that the grievant’s repeated use of words such as cunt and whore in his torrent of communications with Ms. [REDACTED] are sufficiently vile to constitute a level of moral conduct which is repugnant for an individual in his position, particularly in light of the fact that Ms. [REDACTED] had requested that he not refer to her by those terms. Regarding the t-shirt that the grievant wore, Chief Pelko asserted that “[h]e’s aggravating and trying to aggravate his ex-wife and know[s] she hates that word and decides to show up with a T-shirt on.” (Tr. at 268). As such, both the grievant’s statements and actions violated Rule 1.03.

Elyria Police Department General Order 1.03 entitled “Ethics” provides, in pertinent part, as follows:

* * *

POLICY: Law Enforcement employees (personnel) must exhibit the highest standard of ethics, both on and off duty, in [an] effort to maintain public confidence, trust and satisfaction in the department. Department personnel are expected to maintain and abide by these standards and deliver professional police service to the community.

* * *

I. Code of Ethics Statement-Sworn Personnel (CALEA 1.1.2)

‘As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression and intimidation, and the peaceful against violence and disorder; and to respect the Constitutional rights of all persons to liberty, equality, and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

* * *

(Employer Ex. 14).

According to Assistant Safety Service Director Williams, “[t]aking an oath of office is a public statement that places your character, your integrity, in a different plateau.” (Tr. at 318). Chief Pelko maintained that police officers “. . . are held to a higher standard. You have to have good morals, good ethics. You have to be an example to the public, not only to the public, but to the other officers.” (Tr. at 168). As discussed above, the grievant certainly failed to keep his

private life unsullied as a result of his misconduct. The arbitrator finds that the grievant violated General Order 1.03 - Ethics.

Under the language of Rule 1.4, there need not be an actual adjudication of a criminal charge with a guilty finding against an employee in order for an arbitrator to determine that a violation occurred. Rule of Conduct 1.4 entitled, "Conformance to Laws," contains the following:

- A. Officers shall obey all laws of the United States and of any state and local jurisdiction in which the officers are present.
- B. A conviction of the violation of any law may be considered to be prima facie evidence of a violation of this section.

In Chief Pelko's professional opinion, the grievant engaged in activity that constituted a crime. He pointed out that the grievant repeatedly harassed and verbally abused Ms. Salim through text and voicemail messages. Based upon his review of the investigative report, Assistant Safety Service Director Williams stated that "... it appeared as there potentially could have been criminal conduct ..." and he referred the matter to the City's law department. (Tr. at 315).

Based upon the testimony and documentary evidence presented in this case, the arbitrator determines that the grievant engaged in telecommunications harassment of Ms. Salim as prohibited by Ohio Revised Code Section 2917.21 by knowingly and purposely sending her numerous vulgar text messages and voicemails to harass her.¹³ This is not a finding of criminal

13. Ohio Revised Code Section 2917.21 entitled "Telecommunications harassment," provides, in pertinent part, as follows:

(continued...)

guilt beyond a reasonable doubt, but a conclusion reached predicated on the evidence presented and in keeping with the directive of Rule 1.04(A). The grievant acknowledged that he sent these communications to Ms. Salim to provoke her to respond to his questions. However, in doing so the grievant engaged in harassing conduct by purposely and repeatedly calling her vulgar and

13(...continued)

- (A) No person shall knowingly make or cause to be made a telecommunication, or knowingly permit a telecommunication to be made from a telecommunications device under the person's control, to another, if the caller does any of the following:
- (1) Makes the telecommunication with purpose to harass, intimidate, or abuse any person at the premises to which the telecommunication is made, whether or not actual communication takes place between the caller and recipient;

* * *

- (6) Knowingly makes any comment, request, suggestion, or proposal to the recipient of the telecommunication that is threatening, intimidating, menacing, coercive, or obscene with the intent to abuse, threaten, or harass the recipient;

* * *

- (B)(1) No person shall make or cause to be made a telecommunication, or permit a telecommunication to be made from a telecommunications device under the person's control, with purpose to abuse, threaten, or harass another person.

* * *

(Employer Ex. 30).

obscene names with intent to irritate and solicit information he wanted from her. The arbitrator notes that without the testimony of Ms. [REDACTED] he cannot reach a determination that the grievant engaged in menacing by stalking in violation of Ohio Revised Code Section 2903.211.

Union President Paige Mitchell asserted that the discipline assessed the grievant was unduly burdensome and constituted punishment.¹⁴ Chief Pelko testified that he considered the language in Section 23.2(A) of the contract and believes that a 45-day suspension was appropriate under the circumstances: “[p]art of the thing that I took into consideration was he already had served a 30-day sentence and was still acting like this and behaving like this, which was unacceptable. So I took that as 30 days wasn’t enough because he didn’t learn his lesson, as he still is exhibiting behaviors that are inappropriate.” (Tr. at 211-212).

The record establishes that the grievant was involved in a physical altercation with of a male friend of Ms. [REDACTED] at her residence on May 18, 2021, which resulted in the Lorain County Sheriff’s Office being dispatched to the scene. The grievant testified that he understood that his behavior had to change after he was disciplined in September 2021 in connection with the previous incident at Ms. [REDACTED]’s residence. The previous disciplinary action apparently did not have a corrective effect upon the grievant. The arbitrator finds the 45-day suspension issued to the grievant to be corrective and progressive in nature. The disciplinary actions relied upon by

14. Ms. Mitchell indicated that she is unaware of any officer who received more than a 30-day suspension and the Union requested several personnel files from the City to show that the discipline assessed the grievant was not uniform as compared to prior disciplinary actions issued to other officers. (Union Ex. 1). Union Exhibit 2 is a spreadsheet prepared by Ms. Mitchell regarding prior disciplinary actions.

the Union in support of its disparate treatment and excessive punishment claims, as well as the unproven allegation involving a supervisor who purportedly referred to dispatchers with derogatory language similar to that used by the grievant, are not similar to the circumstances of the grievant's proven misconduct in this case arriving virtually on the heels of a 30-day suspension for a prior incident involving his ex-wife.

Regarding the Union's claimed procedural violation in this case, the grievant stated that the City never notified him of the name of the complainant, did not notify him of the date of the incident, and never notified him whether the complainant filled out a complaint form. Nor was he provided with a summary of the allegations against him. The grievant stated that "... Captain Groomes just advised it was an incident with my ex-wife, and I read the domestic disturbance complaint portion." (Tr. at 533). However, the grievant testified that he was informed at the interview on November 22, 2022, that the inquiry concerned an incident with Ms. [REDACTED] on November 13, 2022. Additionally, the grievant confirmed that he received the forms regarding the notice and order for interview. (Joint Ex. 3, at 0012-0013). Those forms identified the subject of the investigation as a domestic disturbance complaint and alleged violations of Rule 1.01 - Violation of Rules; Rule 1.02 - Conduct Unbecoming; Rule 1.03 - Immoral Conduct; and Rule 1.04 - Conformance to Laws. (Joint Ex. 3, at 0012-0014). It bears mentioning that the contract does not require the Employer to provide a copy of the Lorain County Sheriff Office's report to the grievant prior to the interview.

The grievant further acknowledged that the notification of questioning need not be in writing, and the arbitrator finds that Captain Groomes informed the grievant prior to questioning him that the "... complaint ... revolves around ... the incident allegation of domestic violence ... allegations of harassing phone calls and text messages ... specifically to a couple dates that, that we'll go over. . ." (Joint Ex. 3, at 0034). In the event that the grievant was not reasonably apprised of the nature of the charges against him, he could have requested that the questioning be delayed for up to three calendar days in order to obtain legal advice or other assistance pursuant to Section 25.3 (1) of the contract. No such request was made by either the grievant or his Union representative in this case. There were also no objections raised by the grievant or the Union at the pre-disciplinary hearing held on December 7, 2022, at which time Chief Pelko "... started off the meeting by asking Officer Chalkley to give me some facts or to make a statement, and he explained he didn't understand - - didn't know what the charges were. He didn't have a copy of the report. So then I proceeded to read the supervisor - - the IA report to him word by word verbatim so he'd have an understanding of exactly what the investigation was." (Tr. at 176). Upon a review of the evidence the arbitrator determines that the grievant's due process rights were not violated by the Employer in this case and he was afforded full opportunity to present his version of events and any information which he deemed relevant to the matter prior to the issuance of discipline.

For each of the foregoing reasons, the arbitrator determines that the Employer had just cause to issue a 45-day suspension to the grievant on December 28, 2022, as a result of violating

multiple Rules and Regulations in connection with his conduct towards Ms. [REDACTED] The grievant's unbecoming conduct was harassing in nature and fell far short of acceptable behavior for a law enforcement officer. Accordingly, the grievance is denied as set forth in the Award.

AWARD

The forty-five (45) day suspension of the grievant issued for just cause. The grievance is denied. Pursuant to Article 24, Section 24.8, Step 4 (D) the costs and fee of the arbitrator shall be borne by the Union.

/S/ Jonathan I. Klein
JONATHAN I. KLEIN, ARBITRATOR

Dated: January 3, 2024.

COMPLAINT

3



Complaint #3

This complaint is in regard to a dispatcher that we recently hired that has a hand tattoo. It is in my opinion that this is a dispatcher union issue and not an EPPA issue.

With that said, the policy does state that this is for "employees that deal with public through direct to face to face personal contact". It also does go on to say that "Except for a tattoo of a wedding band on an employee's left ring finger in lieu of a wedding band, the hands of all employees are specifically excluded from the area where any form or tattoo or brand is allowed."

We were aware of the tattoo when the dispatcher was hired. Due to issues trying to locate a qualified candidate it was my intention to modify/amend the policy to be clearer that hand tattoo's for dispatchers would be acceptable if not offensive, racist, etc. This is due to the fact that they do not have regular face to face contact with the public. It is an extremely rare occasion where they would have contact with the public while working and when it would occur it would be for a limited amount of time.



It should be noted that Chief Pelko nor Sgt. Buckway has made any modifications to this policy as suggested. It was last modified on 02-07-2021. This last modification was done by Chief Whitely for recruitment and retention issues. The police officer candidate pool had been reduced (not as many candidates eligible) due to this policy. Revisions to wording and format were done at this time. Removed was the requirement for covering all tattoos that cover 25% or more of an exposed body part (arm).

See attachment.

As far as Officer Juker's discipline issue, the proper process was followed and I am not aware of any grievance that was made in regards to his discipline. If the union had an issue with this it should have been brought to my attention at the time through the grievance process.



 NUMBER: 2.01.1	ELYRIA POLICE DEPARTMENT GENERAL ORDER		
EFFECTIVE: 01/01/2006 REVISED: 2/7/2021 DISTRIBUTION: ALL PERSONNEL			
Chief: Duane P. Whitely	TATTOO & BODY MODIFICATIONS		
			

PURPOSE: The purpose of this directive is to identify regulations for visible tattoos and body modifications for employees of the department in an effort to establish and maintain a proper level of uniformity.

POLICY: It is the policy of the Elyria Police Department to allow tattoos and body modifications to be visible, by any employee that in the course of their official capacity, deal with the public through direct face-to-face personal contact provided that the following guidelines are observed:

A. Tattoos - Individuals that have visible tattoos, will be permitted to wear these in an exposed manner, so as long as they are not perceived or considered to promote racism/discrimination, indecency, extremist or supremacist philosophies, lawlessness, violence, or sexually explicit material, and they do not detract from the appropriate conservative, professional image of the Elyria Police Department.

1. Racist or discriminatory tattoos or brands are those that advocate the degradation of a person based on race, ethnicity, national origin, religious beliefs, or gender.
2. Indecent or sexually explicit tattoos or brands are those that contain a visual image, the dominant theme of which depicts or promotes graphic nudity, including sexual activities or references.
3. Extremist tattoos or brands are those that depict or promote extremist activities or organizations that advocate hatred, intolerance, or lawlessness (e.g., terrorist groups, neo-Nazis, skinheads, outlaw gangs, extreme political organizations with violent histories).
4. Tattoos or brands considered as violent or promoting lawlessness are those that depict extreme graphic violence, profanity, glorification of drug culture, or markings that can be reasonably interpreted as being anti-government in nature.
5. Except for female employees, who may tattoo the eye brow and/or eye liner area as a form of permanent makeup, the neck and head areas of all employees are specifically excluded from the areas where any form of tattoo or brand is allowed.
6. Except for a tattoo of a wedding band on an employee's left ring finger in lieu of a wedding band, the hands of all employees are specifically excluded from the areas where any form of tattoo or brand is allowed.
7. Employees who currently have tattoos and/or brands that are determined by the Chief of Police, or his designee, to promote racism/discrimination, indecency, extremist or supremacist philosophies, lawlessness, violence, or sexually explicit material, or that detract from the appropriate conservative, professional image of the Elyria Police Department, regardless of size, will be required to have them removed at their own expense or keep them covered through the use of department authorized clothing.

8. Should a question arise as to the nature of any tattoos, a committee composed of the (3) Division Commanders, or their designee, shall meet to review the tattoo(s) in question. The committee shall decide by majority vote whether the individual will be required to have them removed at their own expense or keep them covered through the use of department authorized clothing. Individuals considering a new tattoo should ask that the committee review the tattoo and issue a conditional ruling on the tattoo's impact on the individual prior to getting the actual tattoo.

B. Piercings – Employees are prohibited from attaching, affixing or displaying objects, articles, jewelry or any other device or ornamentation to, or through the ear, nose, tongue, or any other exposed body part, including those items that are visible through the clothing, except as otherwise approved by policy.

1. Sworn employees working an undercover assignment may, with approval of their Division Commander, wear a visible jewelry consistent with their assignment. Such jewelry must be removed for court appearances or when in uniform (extra-duty employment, etc.).
2. Non-uniform civilian employees may have the upper cartilage area of the ear pierced and wear a conservative post or small hoop in that area (hoop not to exceed the size of a U.S. dime).
3. Non-uniform civilian employees may wear a conservative post through a piercing on the side of their nose.

C. Prohibitions - All employees are prohibited from intentional body mutilation or modification (e.g., scarring, excessive skin piercing/stretching, tongue splitting, beneath the skin decorative implants, decorative tooth plating/engraving, etc.) in a manner that could be visible while wearing the employee's normal work. This does not include traditional reconstructive or elective medical procedures (e.g., teeth straightening, natural color veneers or caps on teeth, breast augmentation, cosmetic plastic surgery, etc.).

SUPERCEDES: Policy 2.01 Rule II Section 1.31 D

CROSS REFERENCE TO DIRECTIVES: Policy 2.01

CROSS REFERENCE TO STANDARDS: None

CROSS REFERENCE TO FORMS: None

REVISIONS:

DATE	REVISIONS FROM PREVIOUS VERSION
2/7/2021	New format for Policy 2.01 Rule II Section 1.31 D
2/7/2021	Revisions to wording and format. Removed the requirement for covering all tattoos that cover 25% or more of an exposed body part (arm)

Friday, February 7, 2020

Workflow (Started at 2:58 PM)

Monday, February 10, 2020

Document Approved

Richard Buckway - 7:44 AM

Document Edited 

Richard Buckway - 7:45 AM

Document Approved

Vincent Ligas - 9:20 AM

Thursday, February 13, 2020

Document Approved

Christopher Costantino - 10:46 AM

Friday, October 30, 2020

Document Approved

Duane Whitely - 1:25 PM

Tuesday, January 26, 2021

Document Approved

Richard Buckway - 9:09 AM

Thursday, April 1, 2021

A.1. should be "Racist or
discriminatory" tattoos...

Amanda Deery - 12:13 PM

Document Approved

Amanda Deery - 12:19 PM

Approved subject to above
comment(s).

Amanda Deery - 12:19 PM

Monday, April 19, 2021

Document Approved

Richard Buckway - 8:59 AM

Wednesday, May 5, 2021

Document Approved

Adam Garvin - 8:21 AM

Friday, July 23, 2021

Document Edited 

Richard Buckway - 9:55 AM

Wednesday, August 25, 2021

Document Approved

Richard Buckway - 7:42 AM

Document Edited 

Richard Buckway - 7:42 AM

Workflow (Closed at 7:43 AM)

COMPLAINT

4



Complaint #4

On 09-06-2023 Officer Paige Mitchell called off sick at approximately 1149 hours for her scheduled shift at 1800 hours. She stated she did not feel well when she called off. At approximately 1800 hours she was observed to be at Wolfey's restaurant and bar with several subjects. A supervisor's report was completed and Sgt. Straub and Lt. Wade (Officer Mitchell's supervisors) did not believe it was a violation of policy. They were advised to still complete the report which they did as there was a difference of opinion on this matter with command staff. Officer Mitchell received verbal counseling for this incident. She did file a grievance and it was denied by Safety Service Director Lundy and Mayor Whitfield. See attachments.

It should be noted in the first grievance hearing with SSD Lundy, Union Attorney Leffler made a statement that this should only be a verbal reprimand. It was obvious that he was not aware that it was only a verbal reprimand or he would have not made this statement. This confirmed with me (in my opinion) that Attorney Leffler originally agreed with the verbal reprimand of the supervisor report.



Officer Michell states that discipline was issued as retaliation against Officer Mitchell due to her testimony in the Chalkley arbitration. This could not be further from the truth. She had called off saying she was not feeling well and then was observed by another police officer at a bar/restaurant in the city when she should have been on her duty tour (which started at 1800 hours). Again, this was only a verbal reprimand.

She states that others have not been disciplined for sick time abuse. This is not true as officers have had supervisors' reports completed in regards to this. If she is aware of officers that are abusing sick time I welcome her to bring these individuals to my attention.



**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT**

EMPLOYEE: Officer P. Mitchell

INCIDENT DATE: 9/6/23

LOCATION: Wolfey's Bistro

DESCRIPTION OF INCIDENT:

On Wednesday 9/6/23 at approx. 11:50 hrs. Officer P. Mitchell called off sick for her scheduled work shift of 1800-0600 hours. Officer Mitchell was later observed at Wolfey's Bistro with a group of women and this was reported to Chief Pelko. On 9/8/23 Chief Pelko and Officer Mitchell were meeting on other issues and Chief Pelko brought up Officer Mitchell calling off sick and then being seen at Wolfey's. Officer Mitchell told Chief Pelko that she was there picking up her mother. Chief Pelko then advised Lt. Wade to follow up on this matter.

On 9/10/23 Lt. Wade and Sgt. Straub spoke with Officer Mitchell about this incident. Officer Mitchell stated that she had a migraine headache and had not been able to get much sleep since her last shift. When her migraine still would not go away, she called off sick to Sgt. Harris. Officer Mitchell then stated that she left her house in Amherst to travel to her mother's residence in Elyria to get some of her mother's migraine medication. Officer Mitchell advised that on the way to her mother's home, her car broke down and her vehicle had to be towed to Elyria Ford. Officer Mitchell then called her mother to pick her up from Elyria Ford. Officer Mitchell's mother informed her that she was supposed to meet some friends at Wolfey's for dinner. Rather than inconveniencing her mother, Officer Mitchell had dinner with them at Wolfey's. Officer Mitchell advised that she was at Wolfey's for approx. 1 to 1 1/2 hours and that she did not consume any alcohol. After finishing dinner, Officer Mitchell dropped her mother off at home and took her mother's car back to her residence in Amherst.

Sgt. Straub contacted Wendy, the owner of Wolfey's in an attempt to obtain any video from inside Wolfey's. Wendy informed Sgt. Straub that there was no video surveillance that covers the area where Officer Mitchell and the others were sitting and any video would have already been taped over.

Sgt. Straub also spoke with Officer Mitchell's mother Shelly, via public service on 9/18/23. Shelly confirmed what Officer Mitchell stated concerning the events described above. Shelly further stated that she was to blame for Officer Mitchell being at Wolfey's (meeting friends). Shelly advised that Officer Mitchell's father suffers from migraines and takes medicine for said.

VIOLATION:**1.05 Reporting for Duty**

Officers shall report for duty at the time and place required by assignment, orders, or voluntary assignment, and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Judicial subpoenas shall constitute an order to report for duty under this section.

1.07 Fictitious Illness or Injury Reports

Officers shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Department as to the condition of their health.

CHECK OF PREVIOUS SUPERVISOR'S REPORTS

COMPLETED BY: Lt. Wade

DATE: 9/18/23

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

EARLY INTERVENTION REVIEW (MANDATORY FIELD, SEE GO.3.12)

- ☐ NOT A TRACKED ACTIVITY
☒ EIS THRESHOLD NOT REACHED
☐ EIS THRESHOLD REACHED OR EXCEEDED (SEE SUPERVISOR COMMENTS BELOW)

SUPERVISOR RECOMMENDATIONS (Check all that apply)

- ☐ No Violation ☐ Verbal Counseling ☐ Written Reprimand ☐ Chief review for assignment or hearing
☐ Early Intervention ☐ Remedial Training ☐ Performance Improvement Plan ☒ Other (Describe in comments)

SUPERVISOR COMMENTS:

Lt. Wade was told to complete a Supervisor's Report on this incident and to list Reporting for Duty and Fictitious Illness as the violations. Officer Mitchell has used 3 sick days (including date in question) since 2020.

SUBMITTED BY: Lt. Wade

DATE: 9/18/23

SUPERVISOR REVIEW & APPROVAL

(If "Disapprove" describe on separate attached document)

TEAM SERGEANT OR IMMEDIATE SUPERVISOR:	DATE:	☐ APPROVE ☐ DISAPPROVE
SHIFT OR UNIT COMMANDER: <i>LT Wade 315</i>	DATE: <i>9/20/23</i>	☐ APPROVE ☒ DISAPPROVE <i>see attached</i>
DIVISION COMMANDER: <i>Capt. Gansburg 321</i>	DATE: <i>9/21/23</i>	☒ APPROVE ☐ DISAPPROVE
CHIEF OF POLICE: <i>W. R. R 243</i>	DATE: <i>09-21-2023</i>	☒ APPROVE ☐ DISAPPROVE

CHIEF OF POLICE ORDERED ACTIVITIES (Check all that apply)

- ☐ No Violation (Closed) ☒ Verbal Counseling ☐ Written reprimand ☐ Assigned to IA Track #
☐ Chief to submit certification of suspension to SSD (maintain copy and SSD response with this report)
☐ Early Intervention ☐ PIP Developed ☐ Remedial Training Ordered ☐ Other (Describe below)

ACTIVITY COMPLETION BY DATE: *10-01-2023*

COMMENTS:

CHIEF OF POLICE: <i>W. R. R 243</i>	DATE: <i>09-21-2023</i>
--	----------------------------

DOCUMENTATION OF COMPLETED ACTIVITIES (Check all that apply)

- ☒ Counseling Session Completed ☐ Written Reprimand Issued
☐ Early Intervention Completed ☐ PIP Developed ☐ Remedial Training Completed ☐ Other (Describe below)
 Letter of: ☐ Suspension Issued (attach) ☐ Reduction in Rank Issued (attach) ☐ Dismissal Issued (attach)

COMPLETED BY:

Capt. W. R. R

DATE:

9-25-2023

SUPERVISOR COMMENTS (Describe Activities): ☐ SEE ATTACHMENT

ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT

EMPLOYEE'S ACKNOWLEDGEMENT: <i>[Signature]</i>		DATE: 9-25-2023
EMPLOYEE'S COMMENTS: Signed under Protest & only as an acknowledgment of Relieving paperwork; Not in agreement or acceptance.		
FORWARD TO CHIEF'S OFFICE UPON COMPLETION		
FINAL DISPOSITION (Complete when applicable)		
INVESTIGATIVE CLOSURE		
☐ Unfounded ☐ Exonerated ☐ Not Sustained ☒ Sustained ☐ Sustained-Other		
All activities ordered through my office and/or the Safety Service Director has been completed.		
CHIEF OF POLICE: <i>[Signature]</i> 243	DATE: 09-26-2023	
COMMENTS:		
CHIEF'S SECRETARY TO SCAN COMPLETED REPORT INTO EMPLOYEE ELECTRONIC FILE & PLACE HARD COPY IN ADMINISTRATIVE FILE ROOM		

Original: Chief through channels as completed
 Copies: Chief where original held for investigation/review; Division Commander; Unit Commander;
 Reporting Supervisor; Officer involved in incident

Elyria Police Department

Supervisor's Report – Officer P. Mitchell 9/18/23

Comments related to - 'Supervisor Review and Approval/Disapproval'

Lt. Wade and Sgt. Straub investigated the complaint against Officer Mitchell as instructed to do so by Chief Pelko. At the conclusion of this investigation, Lt. Wade and Sgt. Straub felt that there was no violation of abuse of sick time by Officer Mitchell. This was relayed to both Chief Pelko and Capt. Welsh, however, Lt. Wade was told to complete a supervisor's report on this incident and to list Reporting for Duty (1.05) and Fictitious Illness (1.07) as violations. Lt. Wade clearly feels there is **no evidence** to support any violations of department policy, and voiced these concerns to Capt. Welsh.

Lt. Wade understands the need to investigate and document the complaint. However, it is his opinion that this incident should not have risen to the level of a supervisor report (with violations) and could have been documented under employee notes.

For these reasons, Lt. Wade has checked the 'disapprove' box on this supervisor report.



CITY OF
ELYRIA

FRANK WHITFIELD, MAYOR

Mayor Frank Whitfield
fwhitfield@cityofelyria.org
(440) 326-1402

December 6, 2023

Officer Paige Mitchell
pmitchell@cityofelyria.org

Officer Mitchell,

A step III hearing was conducted on November 21, 2023, with you, Dan Leffler, EPPA attorney, Jean Yousefi and myself. The Union presented their argument. After careful consideration, I am upholding the decision made by the Chief for the following reasons:

1. It is only a verbal counseling, and not more significant discipline; I believe a verbal counseling is a measured and appropriate mechanism to address the concerns surrounding Officer Mitchell's conduct in this situation.
2. There is no breach, misinterpretation, or improper application of the collective bargaining agreement in this matter.

It is for these reasons that I am upholding the decision made by the Police Chief. Grievance denied.

Sincerely,

Frank Whitfield
Mayor

cc: Jean Yousefi, HR
Chief Pelko

CONNECT WITH US

CITY HALL, 131 COURT STREET, ELYRIA, OH 44035 • WWW.CITYOFELYRIA.ORG • 440.326.1400





CITY OF
ELYRIA

FRANK WHITFIELD, MAYOR

OFFICE OF SAFETY SERVICES
MATT LUNDY, DIRECTOR
(440) 326-1416

October 11, 2023

Officer Paige Mitchell
pmitchell@cityofelyria.org

Officer Mitchell,

On October 10, 2023, a Step II hearing was held with you, Dan Leffler, Matt Lundy, Chief Pelko and Jean Yousefi. During the hearing you stated that your mother had to pick you up because your car broke down as you were driving to her house to get Excedrin. You explained that she had previous plans to go out with her friends to Wolfey's and you decided to go along so as not to interfere with your mother's plans.

You stated that you understand how others would see it as a problem if they saw you out to dinner with a group of people after you had called off sick.

Your Union Representative, Dan Loeffler, started to say that this should be a verbal warning. Once it was explained that this is a verbal warning, he wanted it removed from the file. Mr. Loeffler went on to say that this could be considered retaliation for Officer Mitchell's participation in a recent arbitration. Such a claim is not true.

The city acknowledges that Officer Mitchell has a good attendance record. The city believes that Officer Mitchell showed poor judgement in deciding to have dinner out in public after having called off sick.

This grievance is denied.

Sincerely,

Matt Lundy
Safety-Service Director

CONNECT WITH US

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APPENDIX B
CITY OF ELYRIA & EPPA
GRIEVANCE APPEAL FORM

Name of Employee: Paige Mitchell Grievance No.: _____

Grievant Classification: Patrolman

Date Grievance Happened: 09-25-2023

Date Grievance Presented: _____

Article(s) and Section(s) of the Agreement Violated:

Article 23, Section 23.1 (Just cause)

Statement of

Facts: ON OR about September 25, 2023, Grievant was issued verbal counseling for alleged departmental policy violations. Grievant's discipline was without just cause given the nature of the alleged violation & evidence presented.

Relief Requested:

Rescind the discipline and remove from the Grievant's personnel/disciplinary file.

Official Grievance Committee

Representative Signature: _____

Employee's Signature: Paige Mitchell

(If group grievance-signature of all employees filing grievance should be attached. Following signature shall be the employee who represents the group.)

Signature: _____ Date: _____

**APPENDIX B
CITY OF ELYRIA
GRIEVANCE APPEAL FORM (CONTINUED)**

STEP 1— CHIEF OF POLICE

GRIEVANCE NO.

Delivered by an Official Grievance Committee Member to the Chief of Police.

Name: P. Mitchell Signature: Via Email Date: 09-26-2023

Received By:

Name: Pelko Signature: [Signature] Date: 09-27-2023

CHIEF OF POLICE ANSWER:

Denied

William R. Pelko [Signature] 243 09-27-2023
Chief of Police Name (Print) Signature of Chief of Police Date

STEP 2 APPEAL — SAFETY SERVICE DIRECTOR **GRIEVANCE NO.**

Delivered by an Official Grievance Committee Member to the Safety Service Director.

Name: _____ Signature: _____ Date: _____

Received By:

Name: _____ Signature: _____ Date: _____

Safety Service Director's Answer:

Safety Service Director Name (Print) Signature of Safety Service Director Date _____

**APPENDIX B
CITY OF ELYRIA
GRIEVANCE APPEAL FORM (CONTINUED)**

STEP 3 APPEAL — MAYOR

GRIEVANCE NO. _____

Delivered by an Official Grievance Committee Member to the Safety Service Director.

Name: _____ Signature: _____ Date: _____

Received By:

Name: _____ Signature: _____ Date: _____

Mayor's Answer:

Mayor Name (Print) _____ Signature of Mayor _____ Date _____

STEP 4 APPEAL — ARBITRATION

GRIEVANCE NO. _____

Delivered by an Official Grievance Committee Member to the Safety Service Director.

The Elyria Police Patrolmen's Association hereby notifies the City of Elyria of its intent to arbitrate this grievance.

Name: _____ Signature: _____ Date: _____

Received By:

Name: _____ Signature: _____ Date: _____

**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT**

EMPLOYEE: Officer P. Mitchell

INCIDENT DATE: 9/6/23

LOCATION: Wolfey's Bistro

DESCRIPTION OF INCIDENT:

On Wednesday 9/6/23 at approx. 11:50 hrs. Officer P. Mitchell called off sick for her scheduled work shift of 1800-0600 hours. Officer Mitchell was later observed at Wolfey's Bistro with a group of women and this was reported to Chief Pelko. On 9/8/23 Chief Pelko and Officer Mitchell were meeting on other issues and Chief Pelko brought up Officer Mitchell calling off sick and then being seen at Wolfey's. Officer Mitchell told Chief Pelko that she was there picking up her mother. Chief Pelko then advised Lt. Wade to follow up on this matter

On 9/10/23 Lt. Wade and Sgt. Straub spoke with Officer Mitchell about this incident. Officer Mitchell stated that she had a migraine headache and had not been able to get much sleep since her last shift. When her migraine still would not go away, she called off sick to Sgt. Harris. Officer Mitchell then stated that she left her house in Amherst to travel to her mother's residence in Elyria to get some of her mother's migraine medication. Officer Mitchell advised that on the way to her mother's home, her car broke down and her vehicle had to be towed to Elyria Ford. Officer Mitchell then called her mother to pick her up from Elyria Ford. Officer Mitchell's mother informed her that she was supposed to meet some friends at Wolfey's for dinner. Rather than inconveniencing her mother, Officer Mitchell had dinner with them at Wolfey's. Officer Mitchell advised that she was at Wolfey's for approx. 1 to 1 1/2 hours and that she did not consume any alcohol. After finishing dinner, Officer Mitchell dropped her mother off at home and took her mother's car back to her residence in Amherst.

Sgt. Straub contacted Wendy, the owner of Wolfey's in an attempt to obtain any video from inside Wolfey's. Wendy informed Sgt. Straub that there was no video surveillance that covers the area where Officer Mitchell and the others were sitting and any video would have already been taped over.

Sgt. Straub also spoke with Officer Mitchell's mother Shelly, via public service on 9/18/23. Shelly confirmed what Officer Mitchell stated concerning the events described above. Shelly further stated that she was to blame for Officer Mitchell being at Wolfey's (meeting friends). Shelly advised that Officer Mitchell's father suffers from migraines and takes medicine for said.

VIOLATION:**1.05 Reporting for Duty**

Officers shall report for duty at the time and place required by assignment, orders, or voluntary assignment, and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Judicial subpoenas shall constitute an order to report for duty under this section.

1.07 Fictitious Illness or Injury Reports

Officers shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Department as to the condition of their health.

CHECK OF PREVIOUS SUPERVISOR'S REPORTS

COMPLETED BY: Lt. Wade

DATE: 9/18/23

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

EARLY INTERVENTION REVIEW (MANDATORY FIELD, SEE 00.3 12)

- ☐ NOT A TRACKED ACTIVITY
☒ EIS THRESHOLD NOT REACHED
☐ EIS THRESHOLD REACHED OR EXCEEDED (SEE SUPERVISOR COMMENTS BELOW)

SUPERVISOR RECOMMENDATIONS (Check all that apply)

- ☐ No Violation ☐ Verbal Counseling ☐ Written Reprimand ☐ Chief review for assignment or hearing
☐ Early Intervention ☐ Remedial Training ☐ Performance Improvement Plan ☒ Other (Describe in comments)

SUPERVISOR COMMENTS:

Lt. Wade was told to complete a Supervisor's Report on this incident and to list Reporting for Duty and Pictitious Illness as the violations. Officer Mitchell has used 3 sick days (including date in question) since 2020.

SUBMITTED BY: Lt. Wade

DATE: 9/18/23

SUPERVISOR REVIEW & APPROVAL

(If "Disapprove" describe on separate attached document)

TEAM SERGEANT OR IMMEDIATE SUPERVISOR:	DATE:	☐ APPROVE ☐ DISAPPROVE
SHIFT OR UNIT COMMANDER:	DATE:	☐ APPROVE ☒ DISAPPROVE
DIVISION COMMANDER:	DATE:	☒ DISAPPROVE ☐ APPROVE
CHIEF OF POLICE:	DATE:	☒ APPROVE ☐ DISAPPROVE

CHIEF OF POLICE ORDERED ACTIVITIES (Check all that apply)

- ☐ No Violation (Closed) ☒ Verbal Counseling ☐ Written reprimand ☐ Assigned to IA Track #
☐ Chief to submit certification of suspension to SSD (maintain copy and SSD response with this report)
☐ Early Intervention ☐ PIP Developed ☐ Remedial Training Ordered ☐ Other (Describe below)

ACTIVITY COMPLETION BY DATE: 10-01-2023

COMMENTS:

CHIEF OF POLICE:

DATE:

W. R. R. 243

09-21-2023

DOCUMENTATION OF COMPLETED ACTIVITIES (Check all that apply)

- ☒ Counseling Session Completed ☐ Written Reprimand Issued
☐ Early Intervention Completed ☐ PIP Developed ☐ Remedial Training Completed ☐ Other (Describe below)
 Letter of: ☐ Suspension Issued (attach) ☐ Reduction in Rank Issued (attach) ☐ Dismissal Issued (attach)

COMPLETED BY:

DATE:

Capt W. R. R. 243

9-25-2023

SUPERVISOR COMMENTS (Describe Activities): ☐ SEE ATTACHMENT

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

EMPLOYEE'S ACKNOWLEDGEMENT: 	DATE: 9-25-2023
EMPLOYEE'S COMMENTS: Signed under Protest & only as an acknowledgment of Receiving paperwork; Not in agreement or acceptance.	
FORWARD TO CHIEF'S OFFICE UPON COMPLETION	
FINAL DISPOSITION (Complete when applicable) INVESTIGATIVE CLOSURE ☐ Unfounded ☐ Exonerate ☐ Not Sustained ☐ Sustained ☐ Sustained-Other	
All activities ordered through my office and/or the Safety Service Director has been completed.	
CHIEF OF POLICE:	DATE:
COMMENTS:	
CHIEF'S SECRETARY TO SCAN COMPLETED REPORT INTO EMPLOYEE ELECTRONIC FILE & PLACE HARDCOPY IN ADMINISTRATIVE FILE ROOM	

Original: Chief through channels as completed
 Copies: Chief where original held for investigation/review; Division Commander; Unit Commander;
 Reporting Supervisor; Officer involved in incident

Elyria Police Department

Supervisor's Report – Officer P. Mitchell 9/18/23

Comments related to - 'Supervisor Review and Approval/Disapproval'

Lt. Wade and Sgt. Straub investigated the complaint against Officer Mitchell as instructed to do so by Chief Pelko. At the conclusion of this investigation, Lt. Wade and Sgt. Straub felt that there was no violation of abuse of sick time by Officer Mitchell. This was relayed to both Chief Pelko and Capt. Welsh, however, Lt. Wade was told to complete a supervisor's report on this incident and to list Reporting for Duty (1.05) and Fictitious Illness (1.07) as violations. Lt. Wade clearly feels there is **no evidence** to support any violations of department policy, and voiced these concerns to Capt. Welsh.

Lt. Wade understands the need to investigate and document the complaint. However, it is his opinion that this incident should not have risen to the level of a supervisor report (with violations) and could have been documented under employee notes.

For these reasons, Lt. Wade has checked the 'disapprove' box on this supervisor report.

COMPLAINT

5



Complaint #5

Officer Constantino and Officer Lewis were involved in a pursuit where the suspect vehicle crashed and two fatalities occurred. A supervisor's report was done and found the officers not to be in violation of policy. The investigation, facts and discussions with the Captains and SSD Pyanowski were had in regards to this incident. It was ultimately decided that no policies were violated and that is what was reported in the supervisor report. This information was provided to the Union. See attached document.

ELYRIA POLICE DEPARTMENT

SUPERVISOR PURSUIT REPORT

Incident Number: 024-24068		2. Pursuit Date: 8/22/2024		3a. Pursuit Start Time: 15:16		3b. Pursuit End Time: 15:17	
4. Initiating Officer Name and Cruiser #: Ptlm. Chris Lewis #188 Cruiser#1401		5. Secondary Officer Name and Cruiser #: Ptlm. Chris Constantino #056 Cruiser #1401		6. Additional Officer Name and Cruiser #: Officer 3			
7. Controlling Supervisor Name and Cruiser #: Lt. Brandon Pool Officer in Charge		8. Approximate distance of pursuit (in miles): 1 mile		9. Duration of pursuit (in minutes): 1 min			
10. Top Speed of Pursuit: Violator(est.) 100 MPH Officer 95 MPH		11. Total Units Engaged (include supervisor): 1		12. Initiating Agency (if other than EPD): Agency			
13. Reason pursuit was initiated: If required, describe in section 26a. Officer in Charge Comments Felony Offense (describe)							
14. Weather: Clear		15. Road conditions: Dry		16. Pursuit Area: Highway			
16. Pursuit Area: Highway		17. Traffic conditions: Moderate		18. Light conditions: Day			
18. Light conditions: Day		19. Reason terminated: Pursued vehicle stopped in accident		20. Did the pursuit result in any motor vehicle accidents, injuries, or deaths? Yes (complete section 21-23)			
21. List number of vehicle(s) in accidents Pursued vehicle 1 Police vehicles 0 Third party vehicles 1		22. List number of persons injured Pursued vehicle 3 Police vehicles 0 Third party vehicles 1 Pedestrians 0		23. List number of persons killed Pursued vehicle 2 Police vehicles 0 Third party vehicles 0 Pedestrians 0			
24. Was driver arrested? Yes		25. Did the pursuit exit the jurisdictional limits of the City of Elyria? Yes		SHIFT REVIEW AND COMMENTS			
26. Officer in Charge Review: Did all engaged officers comply with existing department directives? Yes (If "No" complete Supervisor Report and attach) Attach copy of Incident Report and forward to Division Commander.							
26a. Officer in Charge Comments: On 8/22/24, Ptlm Lewis and Ptlm Constantino were riding as a 2-man patrol unit. While conducting surveillance at 172 Erie St which is a known drug house, they observed a suspected hand-to-hand drug transaction. Three (3) occupants of a Grey 2015 Nissan Altima bearing Ohio Temporary Registration [REDACTED] began traveling northbound on Lorain Blvd from Lake Ave. Officers began traveling directly behind the vehicle and attempted to initiate a traffic stop near the intersection of Lorain Blvd/Bell Ave. The suspect vehicle failed to comply with the officer's signal to stop and continued northbound on SR 57. Ptlm Lewis was the driver and initially called out the failure to comply. Ptlm Constantino, riding as the passenger, took over the radio traffic and advised the reason for the stop. Ptlm Constantino advised the vehicle was traveling 60 mph and described the traffic conditions as "medium." Lt. Pool gave confirmation for the pursuit to continue based upon the known information. Approximately 15 seconds after allowing the pursuit to continue, Ptlm. Constantino radioed that the suspect vehicle crashed at the intersection of SR57/Griswold Rd. The suspect driver operating the Nissan, struck the right passenger's side of the non at-fault vehicle, a Grey Toyota bearing OH registration [REDACTED] Ohio State Highway Patrol arrived on scene and conducted the investigation of the crash. 2 passengers from the suspect vehicle were pronounced deceased on-scene. The drivers of the suspect vehicle and non at-fault vehicle were transported to the hospital with serious injuries. Approx. 30 grams of suspected narcotics were confiscated from the suspect's vehicle.							
27. Reviewing Shift/Unit Supervisor (Signature) [Signature] #248				28. Date reviewed 8/23/24			

ELYRIA POLICE DEPARTMENT

SUPERVISOR PURSUIT REPORT

ADMINISTRATIVE REVIEW

29. DIVISION REVIEW: I reviewed this incident and the actions of all personnel involved in this incident (pursuit, roadblock, forcible stopping)

☒ I find that the incident and personnel actions relating to this incident were in compliance with department directives.

☐ I find that the incident and/or personnel actions relating to this incident were NOT in compliance with department directives.

30. Division Recommendations (Remedial training, policy review or update, vehicle or equipment matters, disciplinary issues, etc)

See attachment by Capt. Welsh

31. Disposition of Recommendations:

*Forward to Chief's Office to file copy for yearly annual analysis (CAI EA 41.2.2)

32. Division Commander (Signature)

33. Division Commander Review date

Capt. J. P. Welsh 321

8-27-24

34. Chief of Police (Signature)

35. Chief of Police Review date

W. R. A.

09-05-2024

36. Additional Comments

Click here to enter text.

Report, Documentation sent to SSD for review as well.
"No discipline is warranted."

Supervisor Pursuit Report

Case: 2024-24068

Patrol Division Commander Pursuit Review:

In 2023/2024, the Elyria Police Department has responded to eighty-four calls for service at 172 Erie St. These calls are mostly related to drug investigations, 911 hang-up calls, disturbances, and warrant arrests. Officer Lewis and Constantino have been involved in drug arrests at, or near this location which has provided the officers with first-hand knowledge of felony drug activity at the residence. Officer Lewis also received additional intelligence from the EPD Narcotics Unit of an active drug complaint at this address.

On 08-22-2024, Officer Lewis and Constantino were assigned as a two-man patrol unit and the officers observed a hand to hand drug transaction at 172 Erie St. The transaction involved three occupants in a Gray, 2015 Nissan Altima. The Nissan Altima left the 100 block of Erie St. and the driver failed to stop for the posted stop sign at Lorain Blvd. Officer Lewis, the driver of the police cruiser, activated the overhead lights/sirens at Lorain Blvd. and Bell Ave. and the suspect driver refused to stop for the officers. The Nissan fled northbound on SR 57 and officers requested permission from Lt. Pool, the officer-in-charge, to continue the pursuit.

Officer Constantino, the front seat passenger in the police cruiser, provided the reason for the stop, "a drug transaction," over the police radio as well as number of occupants in the suspect vehicle, suspects direction and estimated that the suspect's speed to be 60 mph on SR 57 at the I-80 overpass. The dash camera showed that officer's speed was 73 mph. Lt. Pool gave officers' permission to continue based on the information that Officer Constantino provided to Lt. Pool.

After receiving permission to pursue the suspects, the Nissan began to pull away from the officers' cruiser and they momentarily lost sight of the vehicle on SR 57 near Midway Mall Blvd. Officer Lewis increased the police cruiser's speed to 95 mph in an attempt to regain sight of the suspect's vehicle; however, the suspect was now out of officers' view and also out of view of their dash camera. Officer Constantino continued with updates providing roadway and traffic conditions as the officers approached the intersection of Midway Blvd. The suspect driver eventually crashed into another vehicle at SR 57/Griswold Rd. The crash was not observed on the dash camera because the suspect was out of view. The crash occurred only 15 seconds after Lt. Pool informed the officers to continue the pursuit.

Capt. Welsh reviewed the officers' fleet camera and determined that the suspect's Nissan was well ahead of the officers' police cruiser and out of view when the suspect crashed into another vehicle at the intersection of SR 57 and Griswold Rd. The entirety of the pursuit covered a distance of one mile and lasted just under one minute from the time the officers' activated their lights and sirens to the time the suspect crashed. Even if the officers' terminated the pursuit immediately and turned off their lights/sirens, the argument could be made that the suspects were far enough away from the police cruiser that it would not have changed the outcome.

Heroin and Fentanyl are inherently dangerous and addictive drugs that create the risk of serious physical harm or death. There have been thirty-nine drug overdoses that have resulted in eight deaths in the city of Elyria this year. Officers Lewis and Constantino attempted to stop the defendant's due to the officer's belief the suspects sold or purchased dangerous drugs from 172 Erie St. After the suspect crashed, officers recovered heroin, methamphetamines, fentanyl, and crack cocaine in the suspect's vehicle.

After careful review of this incident, Capt. Welsh has determined that the suspect crashed into another vehicle as a result of his willful and wanton disregard for the safety of persons or property and not due to any violation of the pursuit policy. Capt. Welsh believes that Officer Lewis and Officer Constantino acted appropriately in their efforts to prevent a felony drug offense and were in compliance with EPD Pursuit Policy 4.31.

Patrol Commander Recommendations:

Capt. Welsh was concerned that Officer Lewis was passing northbound motorists on the right berm of SR 57 in an effort to catch up to the suspects' Nissan Altima which was out of the officer's view at that time. **EPD Field Training Task #6** instructs officers to pass to the left whenever possible in the event that a motorist yields to the right edge or curb of the highway, as defined in **ORC 4511.45; Right of way of public safety vehicle**.

While in emergency response and passing to the right, Officer Lewis traveled through a red light at this intersection of SR 57 and Midway Blvd. and almost collided with another motorist who was turning left in front of his cruiser. Officer Constantino notified Officer Lewis of the oncoming vehicle which prevented the officers from being involved in an accident themselves. This incident had nothing to do with the suspect's crash since officers already lost sight of the Nissan and the suspects had already crashed at SR 57 and Griswold Rd.

To correct these issues, it is my recommendation that Officers Lewis and Constantino receive remedial training in lieu of any formal discipline in the form of a review of EPD Training Task #6 and also review ORC 4511.45 which are attached to my response. This training should serve as a reminder of the dangers of passing on the right side during an emergency response as well as clearing intersections in emergency response.

Lastly, Capt. Welsh recommends that Chief Pelko and the Elyria Police Command Staff review General Order 4.31 to discuss any needed modifications or pursuit restrictions based on the tragic outcome of this incident.



Captain James Welsh
Elyria Police
Patrol Commander

COMPLAINT

6



Complaint #6

New firearms were purchased in spring of 2023 and Officer Mitchell states that the holsters ordered were the wrong holsters. Captain Groomes was in charge of our transition to the new firearm platform and providing the proper equipment. When this was brought to our attention, Captain Groomes reached out to both the firearms company and the holster company to ensure these holsters were the correct ones. Both companies confirmed that these holsters were the proper holsters for our new firearm.

Captain Groomes, who is also our lead firearms instructor, explained that the firearm does not just slide in and out of the holster and that there is a learning curve with the new holsters. The firearm needs to be moved in "rocking" manner to properly fit into the holster. He stated that this is a muscle memory issue that each officer would have to practice to become proficient at in drawing their firearm from their holster.

Captain Groomes was advised to ensure he was at the firearms training to assist with this new holster. Captain Groomes reported back that the officers did have some issues at first with the holsters but as they practiced the proper motion of removing and securing the firearm from the holster they became proficient. He did not see any issues with the new holsters at this time.



No other firearms instructors have come forward to Captain Groomes and/or Chief Pelko with this original concern. Several firearm qualifications have been performed where there have not been any concerns regarding this matter.

I am not aware of any concerns from the academy instructors in regards to these holsters. Prior to switching to this new platform, we did have concerns from the academy in regards to the .40 caliber firearm with female officers and officers with smaller hands. This was one of the reasons among many others that we switched to the new platform.

It should be noted that it is the department policy to have a level II or level III holster. These levels of holsters offer additional restraint(s) to ensure the firearm is secure in the holster. These holsters typically have an additional securing procedure to keep the firearm secure and not to just slide in and out freely.

The department is responsible for providing holsters for the firearm. As far as the complaint that holsters for the optic were not provided, EPD provides the standard equipment. An optic is an optional purchase that each individual can obtain. The officers are provided an annual allowance of \$1,200 to purchase equipment. This allowance could be used for that purchase.



COMPLAINT

7



Complaint #7

Officer Mitchell being placed on administrative leave and 19 Action News inquiring.

Officer Mitchell is speculating that Chief Pelko sent 19 Action News information on her suspension. This is not true at all. I can only speculate on how I think they obtained this information. This suspension information was provided to our prosecutor's office to inform them the status of Officer Mitchell being on administrative leave. This was done in case they had any court dealings (cases/trials/subpoena's) with her that other arrangements could be made while she was on administrative leave. Several minutes after notifying these offices I received the email from 19 Action News. I suspect that someone from one of the prosecutor's offices informed 19 Action News.



COMPLAINT

8



Complaint #8

Officer Mitchell is advising that in March of 2023 SRT supervisors requested that the TEMS officers be permitted to carry firearms and this request was denied. I do not recall this exact conversation but it could have occurred.

There are pros and cons to both sides of having the TEMS officers armed. You have different opinions based on who you talk to on this topic. One side thinks they should be armed and one side does not think they should be armed. This could be debated by both sides.

To Be Armed

- 
1. "If they are in the hot zone, they should be able to defend themselves and wounded officers or civilians."
 2. "The LEO's can spend more time protecting innocent civilians and bystanders and attempting to detain or neutralize the target rather than protecting their tactical EMS provider."
 3. "If they carry their own weapon and are well-trained, they can also help to secure a downed officer's weapon and free up another officer from doing it."

Not To Be Armed

1. "A TEMS provider has a moral and ethical obligation to 'first, do no harm'."
2. "If a TEMS provider shoots someone, they will face seriously legal battles as a civilian."
3. "Why would you need to be armed when you are surrounded with many armed and well-trained LEO's who can provide force protection?"
4. "TEMS providers don't have the same training with weapons and other de-escalation techniques"
5. "TEMS providers are usually not mentally prepared to 'neutralize the threat' in the same manner as their sworn-LEO counterparts"
6. "A TEMS provider will either have two hands on the patient or two hands on their weapon, but can't do both at the same time very well."

Tactical and Law Enforcement Medicine, May 22, 2019





With this said, I do know the topic was brought up again in 2024 and ultimately the conversation continued to progress to see if arming the TEMS would be a right fit. This included discussions with the TEMS officers, Fire Chief Pronesti and SSD Pyanowski. It was ultimately decided to arm our TEMS units. EPD is currently going through the proper procedures to ensure this process is done correctly.

For Officer Mitchell to say that I do not have the best interest of the department's safety of his employees at the front of his mind is absurd! I think I have demonstrated this with several factors to include purchasing an armored vehicle, less than lethal pepper ball guns, acquiring ballistic shields for the SRO and road supervisors, and moving to a more favorable firearm platform to include pistols and rifles.

As far as my decision-making concerns of Officer Mitchell, I do not run a dictatorship and it is not my way or the highway. I am not an expert in everything. It would be irresponsible on my part to make a rash decision when I do not know all the facts nor have all the answers. To engage others who have knowledge and/or a role in regards to serious decisions that could be life changing seems to be logical to me. This is what was done in the discussion of arming the TEMS.



Addendum Complaint #8

It should be noted that in 2024 Captain Groomes attended a tactical officer training. In this training, he advised that the instructors stated that do not arm their TEMS officers and are against arming them. According to Captain Groomes, their reasoning for this was it decreases officer safety.

COMPLAINT

9

Complaint #9

Officer Mitchell is complaining about the process of issuing or not issuing officers and civilians citations. Each situation is different and has different factors that need to be taken into consideration.

In regards to Ali Sabeiha's crash and citation. He takes the turn at 72 MPH where he cannot control his vehicle and crashes. See below photos. I also encourage you to watch the video.



Elmira Police Department - 41
01233
057 MPD

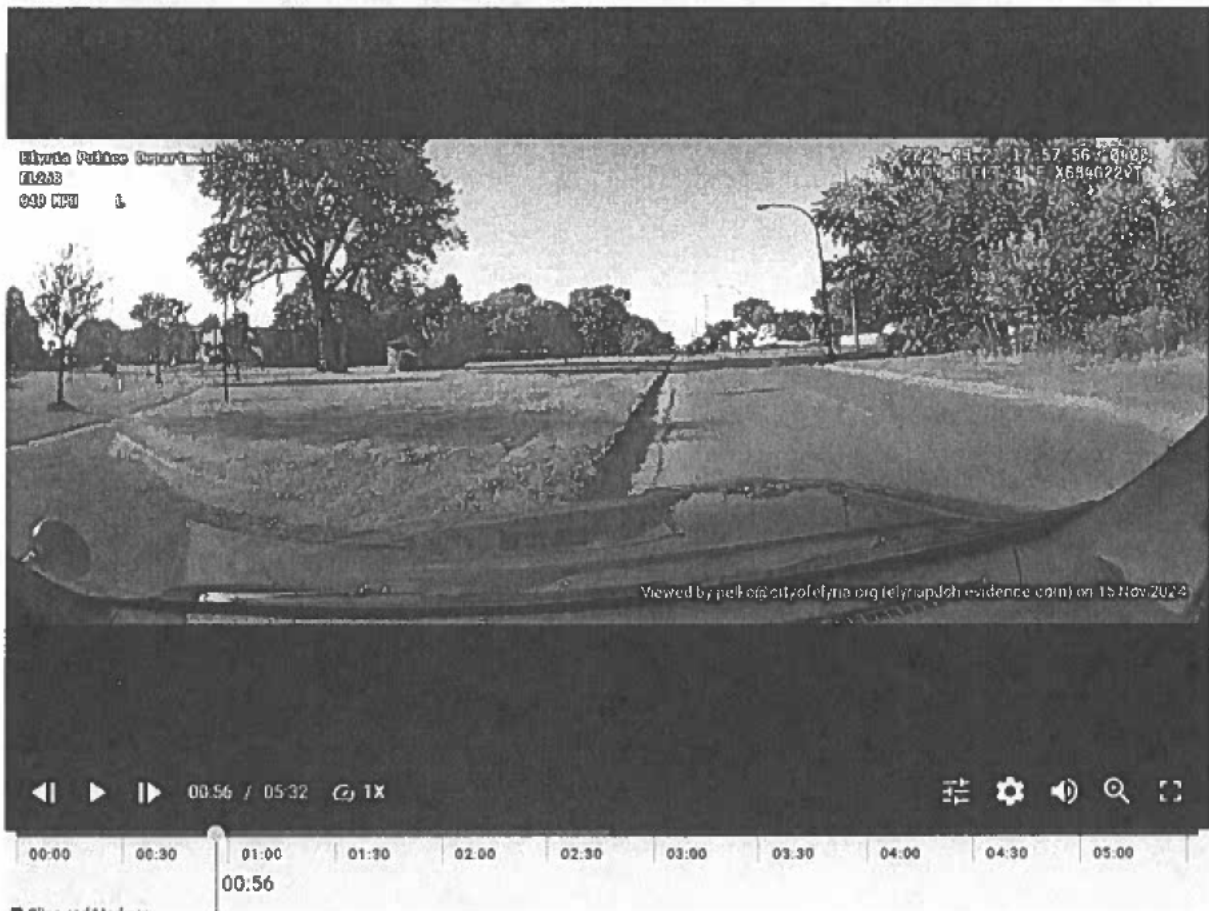
2024-08-21 17:57:55 3401
CAM FLEET 3 KARGZ2VT

Viewed by peke@cityofelmira.org (elmira police evidence cam) on 15 Mar 2024

00:55 / 05:32 1X

Full Screen Settings Volume Search

00:00 00:30 01:00 01:30 02:00 02:30 03:00 03:30 04:00 04:30 05:00
00:55





Officer Mitchell believes that Officer Sabeiha's rights were violated in accordance to Elyria Ordinance 303.045, ORC 4511.041- exceptions to traffic rules for emergency or public safety vehicles responding to emergency calls. This section clearly states this "does not relieve the driver of an emergency vehicle or public safety vehicle from the duty to drive with due regard for the safety of all person and property on the highway."

I would disagree with this and believe there was probable cause to issue the citation as from the video evidence of this case. Officer Sabeiha could not properly negotiate the turn at 72 MPH, which caused him to hit the curb, disable his vehicle and ultimately made him unavailable for the emergency call he was going on. It also then took a supervisor away from the emergency situation as the supervisor had to respond to the scene. Ultimately the cost to fix the vehicle was over \$3,200 and this does not include the cost to fix the cosmetic issues, tires and rims which I was advised was in the range of \$6,000.

See attached reports.

Reference to the crash with Frances Ross, 2024-16758, both subjects had some culpability in the crash. Ms. Ross did not yield to the bicyclist and the bicyclist was traveling on the wrong side of the roadway. Ms. Ross also did not stop after the crash. In the officers talking with Ms. Ross she stated she did not



even realize she had been involved in a crash. Due to these circumstances the case was sent over to the prosecutor for their opinion on how they would like us to proceed and what would the appropriate charges be for this crash. There was a question of 'do we cite both parties since they were at fault or was one more culpable than the other?' Ultimately the prosecutors stated to cite Ms. Ross for ORD 331.22. This was done.

When there is a question in regards to not only vehicle crashes or criminal investigations we commonly seek the advice of our prosecutor's office to obtain their expert opinion.

Reference to the crash involving Law Director Deery on 04-11-2024, 2024-9957, I was informed of this crash by Captain Welsh. From this conversation there was the belief that Ms. Deery may have had a medical issue which caused the crash. As in past, it has been the discretion of the officer to cite/not cite if they believe it was a medical issue. Captain Welsh was advised that I was ok with not citing if the officer believed a medical issue was the cause. I also at one point advised that I was not on scene and would support what the officers decided to do in regards to this crash.

The policy states the following:

K. All officers, when detailed to an crash, shall make every reasonable effort to determine fault in the crash and to determine if there are sufficient legal grounds to issue a citation for a violation of the traffic laws.



1. Upon determining that there are legal grounds to issue a traffic citation, the officer shall be expected to make an arrest (citation or physical arrest where applicable) for the violation.

2. Should the investigating officer believe that there are circumstances which make it impracticable to take enforcement action for the violation, the officer shall submit a request to the patrol Officer-In-Charge in which the reasons for the exception are specified. Upon approval by the patrol Officer-In-Charge, the request/report will be forwarded to the Operations Commander for review and approval. If the request is denied, the officer will be directed to take enforcement action.

3. Enforcement action will not be required under the following circumstances:

- a. Crashes occurring on private property which result in very minor damage and no reported injuries.
- b. For crashes occurring during time of severe weather....

I would also like to point out that a conversation was had with the SSD in regards to this crash. He advised that he supported whichever direction EPD decided.

The following reports suggest that this practice of not issuing citations due to the above has been done previously and a past practice at EPD. It should be noted that crash 2021-26167, 2022-22689 and 2023-17390 were completed by Officer Mitchell and the "at-fault" party was not cited. See also crash reports 2021-8624, 2021-1269, 2021-1664, 2021-8566, 2021-6431, 2024-29109, 2024-26373 (Chief Pelko was not Chief until December of 2021).

**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT**

EMPLOYEE: Ptlm. Ali Sabeiha #268

INCIDENT DATE: 9/21/2024

LOCATION: Lake Ave. / Lorain Blvd.

DESCRIPTION OF INCIDENT:
Single Car Motor Vehicle Accident
VIOLATION:

1.43 Operating Vehicles - Officers shall operate official vehicles in a careful and prudent manner, and shall obey all laws and all departmental orders pertaining to such operation. Loss or suspension of any driving license shall be reported to the department immediately.

CHECK OF PREVIOUS SUPERVISOR'S REPORTS

COMPLETED BY: Sgt. Garvin #114

DATE: 9/21/2024

EARLY INTERVENTION REVIEW (MANDATORY FIELD, SEE 00.3.12)

☐ NOT A TRACKED ACTIVITY☒ EIS THRESHOLD NOT REACHED☐ EIS THRESHOLD REACHED OR EXCEEDED (SEE SUPERVISOR COMMENTS BELOW)**SUPERVISOR RECOMMENDATIONS (Check all that apply)**

☐ No Violation	☒ Verbal Counseling	☐ Written Reprimand	☐ Chief review for assignment or hearing
☐ Early Intervention	☐ Remedial Training	☐ Performance Improvement Plan	☐ Other (Describe in comments)

SUPERVISOR COMMENTS:

On 9/21/2024 at approximately 1756 hours, Lt. Pool advised that he observed a vehicle driving recklessly, traveling at a high rate of speed, and billowing with smoke. The vehicle was traveling W/B on SR 113 at Clemens Ave. Lt. Pool followed the vehicle at distance with his emergency lights and siren activated and believed that the vehicle may have been involved in a hit/skip accident. Ptlm. Sabeiha responded from the back parking lot of the Elyria Police Department and turned NB on Lake Ave. with other officers. Ptlm. Sabeiha was between W. River Rd. N. and Lorain Blvd., intending to continue WB on Lake Ave. As Officer Sabeiha began to enter the intersection of Lake Ave and Lorain Blvd, Lt. Pool advised via radio, that the vehicle was now approaching SR 57 on Bell Ave. Ptlm. Sabeiha attempted to turn NB on Lorain Blvd., due to the updated vehicle location, in order to respond directly toward the location of the suspect vehicle. Ptlm. Sabeiha initiated the NB turn onto Lorain Blvd. but failed to successfully navigate the turn, causing the left front tire of the vehicle to strike the curb. Officer Sabeiha's patrol vehicle came to rest in the grassy median. Ptlm. Sabeiha was wearing his seatbelt at the time of the crash and was uninjured, however his vehicle was disabled.

Photographs of the vehicle/damage were taken and Sugar Ridge Towing was detailed to the scene. The vehicle was towed to CMG for repair.

Lt. Straub and Sgt. Garvin reviewed the dash camera footage from Officer Sabeiha's vehicle and noted that although Officer Sabeiha did not initially intend on turning N/B on Lorain Blvd as he approached the intersection, his speed was a contributing factor in him not being able to navigate the turn when the new location of the suspect vehicle was provided by Lt. Pool.

Lt. Straub and Sgt. Garvin discussed operating a vehicle in a safe and prudent manner during an emergency response with Ptlm. Sabeiha. Ptlm. Sabeiha has no prior traffic accidents or incidents involving damage to city vehicles.

1.43 Operating Vehicles was also discussed with D platoon shift officers in briefing.

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

SUBMITTED BY: Lt. Straub

DATE: 9/22/2024

SUPERVISOR REVIEW & APPROVAL (If "Disapprove" describe on separate attached document)		
TEAM SERGEANT OR IMMEDIATE SUPERVISOR:	DATE:	☐ APPROVE ☐ DISAPPROVE
SHIFT OR UNIT COMMANDER: Lt. T. <i>[Signature]</i>	DATE: 9-22-24	☒ APPROVE ☐ DISAPPROVE
DIVISION COMMANDER: Capt J. Welsh	DATE: 9-26-24	☐ APPROVE ☒ DISAPPROVE CITATION ISSUED
CHIEF OF POLICE: W.R.R. 243	DATE: 10-02-2024	☐ APPROVE ☒ DISAPPROVE

CHIEF OF POLICE ORDERED ACTIVITIES (Check all that apply)	
☐ No Violation (Closed) ☐ Verbal Counseling ☒ Written reprimand ☐ Assigned to IA Track # ☐ Chief to submit certification of suspension to SSD (maintain copy and SSD response with this report) ☐ Early Intervention ☐ PIP Developed ☐ Remedial Training Ordered ☐ Other (Describe below)	
ACTIVITY COMPLETION BY DATE: 10-09-2024	
COMMENTS: This driving was not safe & prudent as officer did not have reasonable control of his vehicle as he drove around a turn at a high rate of speed (72 mph). Estimate to fix vehicle is \$3,230. (This does not include cosmetically damaged bumper & wheels/tires that the city is replacing \$6,000 value)	
CHIEF OF POLICE: W.R.R. 243	DATE: 10-02-2024

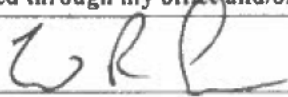
DOCUMENTATION OF COMPLETED ACTIVITIES (Check all that apply)	
☐ Counseling Session Completed ☒ Written Reprimand Issued ☐ Early Intervention Completed ☐ PIP Developed ☐ Remedial Training Completed ☐ Other (Describe below)	
Letter of: ☐ Suspension Issued (attach) ☐ Reduction in Rank Issued (attach) ☐ Dismissal Issued (attach)	
COMPLETED BY: Capt. J. Welsh	DATE: 10-02-2024
SUPERVISOR COMMENTS (Describe Activities): ☐ SEE ATTACHMENT	

EMPLOYEE'S ACKNOWLEDGEMENT: <i>[Signature]</i> 268	DATE: 10/18/24
EMPLOYEE'S COMMENTS:	

**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT****FORWARD TO CHIEF'S OFFICE UPON COMPLETION****FINAL DISPOSITION (Complete when applicable)****INVESTIGATIVE CLOSURE**☐ Unfounded ☐ Exonerated ☐ Not Sustained ☒ Sustained ☐ Sustained-Other

All activities ordered through my office and/or the Safety Service Director has been completed.

CHIEF OF POLICE:



DATE:

10-10-2024

COMMENTS:

**CHIEF'S SECRETARY TO SCAN COMPLETED REPORT INTO EMPLOYEE ELECTRONIC FILE
& PLACE HARDCOPY IN ADMINISTRATIVE FILE ROOM**

Original: Chief through channels as completed

Copies: Chief where original held for investigation/review; Division Commander; Unit Commander;
Reporting Supervisor; Officer involved in incident

Division Commander's Addendum

Incident: Motor Vehicle Crash / 2024-27143

Date: Saturday, September 21, 2024

Capt. Welsh reviewed Officer Sabeiha's Axon Fleet Camera that captured his motor vehicle crash on Saturday, September 21, 2024. During fleet camera review, the footage indicated that Officer Sabeiha left the Elyria Police Station at 18 west Ave. and traveled west on Lake Ave. Officer Sabeiha's top speed on Lake Ave. was 82 mph, which is more than double the posted speed limit of 35 mph; furthermore, Officer Sabeiha attempted to execute a right turn onto northbound Lorain Blvd. from Lake Ave. at a speed of 72 mph. Officer Sabeiha was unable to maintain reasonable control of his marked Ford Explorer and crashed into the grassy area just north of the Lake Ave. and Lorain Blvd. intersection. The cruiser was disabled and the initial estimates for repairing the police cruiser was \$3200.00.

It was commendable that Officer Sabeiha attempted to get to the area of S.R. 57 and Bell Ave. as quickly as possible to back up his fellow officers who were attempting to stop a reckless motorist that was involved in a hit-skip accident; however, Officer Sabeiha crashed and never made it the area. He was unable to provide any assistance or backup as a result of the crash.

Lt. Straub recommended that Officer Sabeiha should receive formal discipline receive in the form of verbal counseling, but did not issue Officer Sabeiha a citation. The reasoning for not issuing the citation was based on an exception for emergency drivers as indicated in **Ohio Revised Code 4511.041 – Exceptions to traffic rules for emergency or public safety vehicle responding to emergency call; section 4511.202 (Reasonable Control)** does not apply to the driver of an emergency vehicle or public safety vehicle if the emergency vehicle is responding to an emergency call, is equipped with and displaying at least one flashing, rotating, or oscillating light visible under normal atmospheric conditions from a distance of five hundred feet to the front of the vehicle and if the driver of the vehicle is giving an audible signal by siren, exhaust whistle, or bell. **This section does not relieve the driver of an emergency vehicle or public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway.**

I support Lt. Straub's recommendation of a verbal reprimand as this was Officer Sabeiha's first at-fault accident; however, the last sentence in the exception indicates that it *"does not relieve the driver of an emergency vehicle or public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway."* Capt. Welsh believes that Officer Sabeiha was driving too fast to safely navigate the right turn and failed to maintain reasonable control. Officer Sabeiha was issued a traffic citation for Reasonable Control, ORC 4511.202 MM.

Submitted by:



Captain James Welsh #321



CITY OF
ELYRIA

FRANK WHITFIELD, MAYOR

Matt Lundy
Safety-Service Director

City of Elyria
131 Court Street, Suite 301
Elyria, OH 44035
(440) 326-1404

VEHICLE ACCIDENT/INCIDENT REPORT

Employee Name: Pt/m Al. Sabeiha #268

Department: Police

Date of Accident/Incident: 9/21/2024

Time of Day: 1800

Accident/Incident Reported to: Sgt. Garvin #114

Date Reported: 9/21/2024

Vehicle License Plate No.: —

Vehicle IBM No.: 1420

Driver License No.: [REDACTED]

Police Report No.: 2024-2243

Other Parties Involved:

None

Nature of Injuries (if applicable):

None

Damage to Vehicles/Property:

Left front tire flat, left front tie rods broken, left rear tire rim bent

Supervisor's Signature: [Signature] #114

Date: 9/22/24

NOTE: It is the responsibility of the department head to ensure all employees are aware that ALL accidents and incidents must be reported to his/her supervisor immediately. Forward a copy of the completed report to those indicated on page one.

CONNECT WITH US

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TRAFFIC CRASH REPORT

*DENOTES MANDATORY FIELD FOR SUPPLEMENT REPORT

LOCAL REPORT NUMBER*

2024-00027143

☒ PHOTOS TAKEN
☐ SECONDARY CRASH
☐ PRIVATE PROPERTY

LOCAL INFORMATION

REPORTING AGENCY NAME*

Elyria PD

NGIC*

04704

HIT/SKIP
1 - SOLVED
2 - UNSOLVED

NUMBER OF UNITS
01

UNIT IN ERROR
98 - ANIMAL
99 - UNKNOWN

CRASH DATE/TIME*

09212024 1804

CRASH SEVERITY

1 - FATAL
2 - SERIOUS INJURY SUSPECTED
3 - MINOR INJURY SUSPECTED
4 - INJURY POSSIBLE
5 - PROPERTY DAMAGE ONLY

COUNTY*
47
LOCALITY*
1 - CITY
2 - VILLAGE
3 - TOWNSHIP

LOCATION: CITY, VILLAGE, TOWNSHIP*

Elyria

ROUTE TYPE
1 - NORTH
2 - SOUTH
3 - EAST
4 - WEST

LOCATION ROAD NAME

LORAIN

ROAD TYPE

B L

LATITUDE DECIMAL DEGREES

41.375960

ROUTE TYPE
1 - NORTH
2 - SOUTH
3 - EAST
4 - WEST

REFERENCE ROAD NAME (ROAD, MILEPOST, HOUSE #)

Lake

ROAD TYPE

LONGITUDE DECIMAL DEGREE

-8.11718

REFERENCE POINT
1 - INTERSECTION
2 - MILE POST
3 - HOUSE #

1

DIRECTION FROM REFERENCE

1 - NORTH
2 - SOUTH
3 - EAST
4 - WEST

DISTANCE FROM REFERENCE

0.1

ROUTE TYPE

IR - INTERSTATE ROUTE (TP)
US - FEDERAL US ROUTE
SR - STATE ROUTE
CR - NUMBERED COUNTY ROUTE
TR - NUMBERED TOWNSHIP ROUTE

ROAD TYPE

AL - ALLEY
AV - AVENUE
BL - BOULEVARD
CR - CIRCLE
CT - COURT
DR - DRIVE
HE - HEIGHTS

ROAD TYPE

HW - HIGHWAY
LA - LANE
MP - MILEPOST
OV - OVAL
PK - PARKWAY
PI - PIKE
PL - PLACE

RD - ROAD
SQ - SQUARE
ST - STREET
TE - TERRACE
TL - TRAIL
WA - WAY

INTERSECTION RELATED

☐ WITHIN INTERSECTION OR ON APPROACH

☐ WITHIN INTERCHANGE AREA

NUMBER OF APPROACHES

ROADWAY

☒ ROADWAY DIVIDED

LOCATION OF FIRST HARMFUL EVENT

1 - ON ROADWAY
2 - ON SHOULDER
3 - IN MEDIAN
4 - ON ROADSIDE
5 - ON GORE
6 - OUTSIDE TRAFFIC WAY
7 - ON RAMP
8 - OFF RAMP

MANNER OF CRASH COLLISION/IMPACT

1 - NOT COLLISION BETWEEN TWO MOTOR VEHICLES IN TRANSPORT
2 - REAR-END
3 - HEAD-ON
4 - REAR-TO-REAR
5 - BACKING
6 - ANGLE
7 - SIDESWIPE, SAME DIRECTION
8 - SIDESWIPE, OPPOSITE DIRECTION
9 - OTHER / UNKNOWN

DIRECTION OF TRAVEL

1 - NORTH
2 - SOUTH
3 - EAST
4 - WEST

MEDIAN TYPE

1 - DIVIDED FLUSH MEDIAN (<4 FEET)
2 - DIVIDED FLUSH MEDIAN (>4 FEET)
3 - DIVIDED, DEPRESSED MEDIAN
4 - DIVIDED, RAISED MEDIAN (ANY TYPE)
9 - OTHER/UNKNOWN

☐ WORK ZONE RELATED

☐ WORKERS PRESENT

☐ LAW ENFORCEMENT PRESENT

☐ ACTIVE SCHOOL ZONE

WORK ZONE TYPE

1 - LANE CLOSURE
2 - LANE SHIFT/CROSSOVER
3 - WORK ON SHOULDER OR MEDIAN
4 - INTERMITTENT OR MOVING WORK
5 - OTHER

LOCATION OF CRASH IN WORK ZONE

1 - BEFORE THE 1ST WORK ZONE WARNING SIGN
2 - ADVANCE WARNING AREA
3 - TRANSITION AREA
4 - ACTIVITY AREA
5 - TERMINATION AREA

CONTOUR

1 - STRAIGHT LEVEL
2 - STRAIGHT GRADE
3 - CURVE LEVEL
4 - CURVE GRADE
9 - OTHER/UNKNOWN

CONDITIONS

1 - DRY
2 - WET
3 - SNOW
4 - ICE
5 - SAND, MUD, DIRT, OIL, GRAVEL
6 - WATER (STANDING, MOVING)
7 - SLUSH
9 - OTHER/UNKNOWN

SURFACE

1 - CONCRETE
2 - BLACKTOP, BITUMINOUS, ASPHALT
3 - BRICK/BLOCK
4 - SLAG, GRAVEL, STONE
5 - DIRT
9 - OTHER/UNKNOWN

LIGHT CONDITION

1 - DAYLIGHT
2 - DAWN/DUSK
3 - DARK - LIGHTED ROADWAY
4 - DARK - ROADWAY NOT LIGHTED
5 - DARK - UNKNOWN ROADWAY LIGHTING
9 - OTHER / UNKNOWN

WEATHER

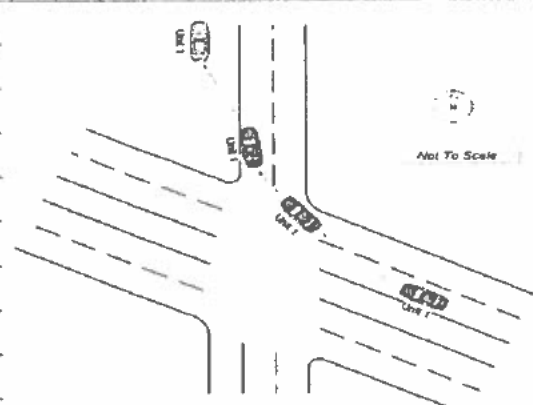
1 - CLEAR
2 - CLOUDY
3 - FOG, SMOG, SMOKE
4 - RAIN
5 - SLEET, HAIL
6 - SNOW
7 - SEVERE CROSSWINDS
8 - BLOWING SAND, SOIL, DIRT, SNOW
9 - FREEZING RAIN OR FREEZING DRIZZLE
99 - OTHER / UNKNOWN

NARRATIVE

On 9/21/2024 at approximately 1800 hours Unit 1 was responding to an emergency with overhead lights and audible siren activated. Unit 1 was traveling NWB on Lake Ave. Driver of Unit 1 initially was going to continue on Lake Ave. however received information that caused him to instead turn NB on Lorain Blvd. Unit 1 failed to successfully navigate the turn and struck the curb with his left front tire and his left rear tire causing disabling damage to the vehicle. No injuries were reported.



Indicate the north direction with an "N" on the compass diagram.



CRASH REPORTED DATE / TIME

09212024 1804

DISPATCH DATE / TIME

09212024 1800

ARRIVAL DATE / TIME

09212024 1800

SCENE CLEARED DATE / TIME

09212024 1942

REPORT TAKEN BY

☒ POLICE AGENCY

☐ MOTORIST

☐ SUPPLEMENT

(CORRECTION OR ADDITION TO AN EXISTING REPORT - SIGN TO BE ADDED)

TOTAL TIME ADWAY CLOSED

0

OTHER INVESTIGATION TIME

30

TOTAL MINUTES

132

OFFICER'S NAME*

Garvin

CHECKED BY OFFICER'S NAME*

Varga

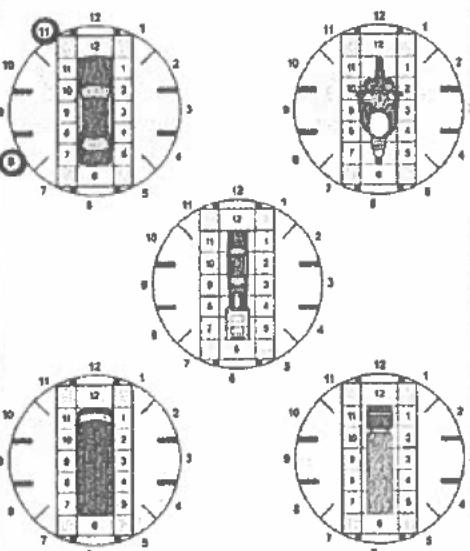
OFFICER'S BADGE NUMBER*

114

CHECKED BY OFFICER'S BADGE NUMBER*

313

UNIT # 1	OWNER NAME: LAST, FIRST, MIDDLE City of Elyria,	OWNER PHONE: INCLUDE AREA CODE 440
OWNER ADDRESS: STREET, CITY, STATE, ZIP West AV Elyria, OH 44035		
COMMERCIAL CARRIER: NAME, ADDRESS, CITY, STATE, ZIP		
LP STATE	LICENSE PLATE #	VEHICLE IDENTIFICATION #
		VEHICLE YEAR 2017
		VEHICLE MAKE Ford
INSURANCE VERIFIED	INSURANCE COMPANY Arthur Gallagher	INSURANCE POLICY # 810-73992745
		COLOR BLK
		VEHICLE MODEL Explorer
TYPE OF USE ☐ COMMERCIAL ☒ GOVERNMENT ☒ IN EMERGENCY RESPONSE	US DOT #	TOWED BY: COMPANY NAME Sugar Ridge Tow
INTERLOCK DEVICE EQUIPPED	HIT/SKIP UNIT ☐	HAZARDOUS MATERIAL ☐ MATERIAL RELEASED ☐ PLACARD
# OCCUPANTS 01	VEHICLE WEIGHT GVWR/GCWR 1 - <10K LBS. 2 - 10,001 - 26K LBS. 3 - >26K LBS.	CLASS # PLACARD ID #
UNIT TYPE 03	1 - PASSENGER CAR 7 - MOTORCYCLE 2-WHEELED 12 - GOLF CART 18 - LIMOUSINE/VEHICLE 23 - PEDESTRIAN / SKATER 2 - PASSENGER VAN (MINIVAN) 8 - MOTORCYCLE 3-WHEELED 13 - SNOWMOBILE 19 - BUS (16+ PASSENGERS) 24 - WHEELCHAIR (ANY TYPE) 3 - SPORT UTILITY VEHICLE 9 - AUTOCYCLE 14 - SINGLE UNIT TRUCK 20 - OTHER VEHICLE 25 - OTHER NON-MOTORIST 4 - PICK UP 10 - Moped or Motorized Bicycle 15 - SEMI-TRACTOR 21 - HEAVY EQUIPMENT 26 - BICYCLE 5 - CARGO VAN 11 - ALL-TERRAIN VEHICLE (ATV/UTV) 16 - FARM EQUIPMENT 22 - ANIMAL WITH RIDER or ANIMAL-DRAWN VEHICLE 27 - TRAIN 6 - VAN (9-15 SEATS)	
# OF TRAILING UNITS 00	WAS VEHICLE OPERATING IN AUTONOMOUS MODE WHEN CRASH OCCURRED? 1 - YES 2 - NO 9 - OTHER / UNKNOWN	
SPECIAL FUNCTION 13	0 - NO AUTOMATION 3 - CONDITIONAL AUTOMATION 9 - UNKNOWN 1 - DRIVER ASSISTANCE 4 - HIGH AUTOMATION 2 - PARTIAL AUTOMATION 5 - FULL AUTOMATION	
CARGO BODY TYPE 01	1 - NONE 6 - BUS - CHARTER/TOUR 11 - FIRE 16 - FARM 21 - MAIL CARRIER 2 - TAXI 7 - BUS - INTERCITY 12 - MILITARY 17 - MOWING 99 - OTHER / UNKNOWN 3 - ELECTRONIC WIDE SHARING 8 - BUS - SHUTTLE 13 - POLICE 18 - SNOW REMOVAL 4 - SCHOOL TRANSPORT 9 - BUS - OTHER 14 - PUBLIC UTILITY 19 - TOWING 5 - BUS - TRANSIT/COMMUTER 10 - AMBULANCE 15 - CONSTRUCTION EQUIPMENT 20 - SAFETY SERVICE PATROL	
VEHICLE DEFECTS 01	1 - NO CARGO BODY TYPE / NOT APPLICABLE 3 - VEHICLE TOWING ANOTHER MOTOR VEHICLE 5 - INTERMODAL CONTAINER CHASSIS 8 - POLE 12 - CONCRETE MIXER 2 - BUS 4 - LOGGING 6 - CARGO VAN ENCLOSED BOX 9 - CARGO TANK 13 - AUTO TRANSPORTER 1 - TURN SIGNALS 4 - BRAKES 7 - WORN OR Slick TIRES 9 - MOTOR TROUBLE 99 - OTHER / UNKNOWN 2 - HEAD LAMPS 5 - STEERING 8 - TRAILER EQUIPMENT DEFECTIVE 10 - DISABLED FROM PRIOR ACCIDENT 3 - TAIL LAMPS 6 - TIRE BLOWOUT	
NON-MOTORIST LOCATION AT IMPACT 01	1 - INTERSECTION - MARKED CROSSWALK 3 - INTERSECTION - OTHER 6 - BICYCLE LANE 9 - MEDIAN CROSSING ISLAND 12 - FIRST RESPONDER AT INCIDENT SCENE 2 - INTERSECTION - UNMARKED CROSSWALK 4 - MIDBLOCK - MARKED CROSSWALK 7 - SHOULDER / ROADSIDE 10 - DRIVEWAY ACCESS 13 - OTHER / UNKNOWN 3 - TRAVEL LANE - OTHER LOCATION 8 - SIDEWALK 11 - SHARED USE PATHS OR TRAILS 14 - OTHER / UNKNOWN	
ACTION 02	1 - NON-CONTACT 1 - STRAIGHT AHEAD 7 - MAKING U-TURN 13 - NEGOTIATING A CURVE 18 - APPROACHING OR LEAVING VEHICLE 2 - NON-COLLISION 2 - BACKING 8 - ENTERING TRAFFIC LANE 14 - ENTERING OR CROSSING SPECIFIED LOCATION 19 - STANDING 3 - STRIKING 3 - CHANGING LANES 9 - LEAVING TRAFFIC LANE 15 - WALKING, RUNNING, JOGGING, PLAYING 20 - OTHER NON-MOTORIST 4 - STRUCK 4 - OVERTAKING/PASSING 10 - PARKED 16 - WORKING 21 - STANDING OUTSIDE DISABLED VEHICLE 5 - BOTH STRIKING & STRUCK 5 - MAKING RIGHT TURN 11 - SLOWING OR STOPPED IN TRAFFIC 17 - PUSHING VEHICLE 99 - OTHER / UNKNOWN 9 - OTHER / UNKNOWN 6 - MAKING LEFT TURN 12 - DRIVERLESS 22 - PUSHING VEHICLE 99 - OTHER / UNKNOWN	
ENVIRONMENTAL CIRCUMSTANCES 01	1 - NONE 7 - LEFT OF CENTER 13 - IMPROPER START FROM A PARKED POSITION 17 - VISION OBSTRUCTION 21 - LYING IN ROADWAY 2 - FAILURE TO YIELD 8 - FOLLOWING TOO CLOSE / ACD 14 - STOPPED OR PARKED ILLEGALLY 18 - OPERATING DEFECTIVE EQUIPMENT 22 - NOT OBSERVABLE 3 - RAN RED LIGHT 9 - IMPROPER LANE CHANGE 15 - SWERVING TO AVOID 19 - LOAD SHIFTING/FALLING/SPILLING 23 - OPENING DOOR INTO ROADWAY 4 - RAN STOP SIGN 10 - IMPROPER PASSING 16 - WINDING WAY 20 - OTHER IMPROPER ACTION 5 - UNSAFE SPEED 11 - DROVE OFF ROAD 17 - WINDING WAY 21 - OTHER IMPROPER ACTION 6 - IMPROPER TURN 12 - IMPROPER BACKING 22 - IMPROPER CROSSING	
SEQUENCE OF EVENTS 09	1 - OVERTURN/ROLLOVER 6 - EQUIPMENT FAILURE 11 - CROSS CENTERLINE - OPPOSITE DIRECTION OF TRAVEL 16 - RAILWAY VEHICLE 22 - WORK ZONE MAINTENANCE EQUIPMENT 2 - FIRE/EXPLOSION 7 - SEPARATION OF UNITS 12 - DOWNHILL RUNAWAY 17 - ANIMAL - FARM 23 - STRUCK BY FALLING, SHIFTING CARGO OR ANYTHING SET IN MOTION BY A MOTOR VEHICLE 3 - IMMERSION 8 - RAN OFF ROAD RIGHT 13 - OTHER NON-COLLISION 18 - ANIMAL - DEER 24 - OTHER MOVABLE OBJECT 4 - JACKKNIFE 9 - RAN OFF ROAD LEFT 14 - PEDESTRIAN 19 - MOTOR VEHICLE IN TRANSPORT 5 - CARGO/EQUIPMENT LOSS OR SHIFT 10 - CROSS MEDIAN 15 - PEDESTRIAN 20 - PARKED MOTOR VEHICLE	
FIRST HARMFUL EVENT 1	COLLISION WITH FIXED OBJECT - STRUCK 25 - IMPACT ATTENUATOR / CRASH CUSHION 31 - GUARDRAIL END 37 - TRAFFIC SIGN POST 43 - CURB 26 - BRIDGE OVERHEAD STRUCTURE 32 - PORTABLE BARRIER 38 - OVERHEAD SIGN POST 44 - DITCH 27 - BRIDGE PIER OR ABUTMENT 33 - MEDIAN CABLE BARRIER 39 - LIGHT / LUMINARIES SUPPORT 45 - EMBANKMENT 28 - BRIDGE PARAPET 34 - MEDIAN GUARDRAIL BARRIER 40 - UTILITY POLE 46 - FENCE 29 - BRIDGE RAIL 35 - MEDIAN CONCRETE BARRIER 41 - OTHER POST, PALE OR SUPPORT 47 - MAILBOX 30 - GUARDRAIL FACE 36 - MEDIAN OTHER BARRIER 42 - CULVERT 48 - TREE 49 - FIRE HYDRANT	
MOST HARMFUL EVENT 2		

DAMAGE SCALE 4 1 - NONE 3 - FUNCTIONAL DAMAGE 2 - MINOR DAMAGE 4 - DISABLING DAMAGE 9 - UNKNOWN	
DAMAGED AREA(S) INDICATE ALL THAT APPLY	
	
☐ NO DAMAGE (0) ☐ UNDERCARRIAGE (14) ☐ TOP (13) ☐ ALL AREAS (15) ☐ UNIT NOT AT SCENE (16)	
INITIAL POINT OF CONTACT 0 - NO DAMAGE 14 - UNDERCARRIAGE 1-12 - REFER TO UNIT DIAGRAM 15 - VEHICLE NOT AT SCENE 13 - TOP 99 - UNKNOWN	
TRAFFICWAY FLOW 1 ONE-WAY 2 TWO-WAY	TRAFFIC CONTROL 1 ROUNDABOUT 4 STOP SIGN 2 SIGNAL 5 YIELD SIGN 3 FLASHER 6 NO CONTROL
# OF THROUGH LANES ON ROAD 2	RAIL GRADE CROSSING 1 NOT INVOLVED 2 INVOLVED-ACTIVE CROSSING 3 INVOLVED-PASSIVE CROSSING
UNIT / NON-MOTORIST DIRECTION FROM 6 TO 1 1 NORTH 5 NORTHEAST 2 SOUTH 6 NORTHWEST 3 EAST 7 SOUTHEAST 4 WEST 8 SOUTHWEST 9 OTHER / UNKNOWN	
UNIT SPEED 48	DETECTED SPEED 1 1 - STATED / ESTIMATED SPEED 2 - CALCULATED / EDR 3 - UNDETERMINED
POSTED SPEED 35	



CONTACT PHONE - INCLUDE AREA CODE
4 4 0

PAGE 3 OF 3
EPD 2019 OH-1 2024-00027143 Page 3 OF 3

TO DEFENDANT: SUMMONS YOU ARE SUMMONED AND ORDERED TO APPEAR

ON 10/09/2024 AT 1000 IN Elyria Municipal Court

501 Broad Street, ELYRIA, OH, 44035

CITY ☐ VILLAGE ☐ TOWNSHIP Elyria, Lorain COUNTY, OHIOPERSONAL APPEARANCE REQUIRED: ☐ Yes ☒ No If you fail to appear at this time and place you may be arrested or your license may be cancelled.

TICKET# 04704313092320241352

CASE #

NAME Ali F Sabelha

REFERENCE # UQK0X9J

STREET/CITY

COUNTY, STATE, ZIP Lorain, OH, 44035

PHONE# (440) TEXT/PHONE NOTIFICATION APPROVED? ☐ YES ☒ NO

OPERATOR LICENSE / STATE ID# ☐ None*		BIRTH DATE	ISSUE DATE	STATE
		11/07/1988	11/06/2021	OH
* If no OH/State ID: REQUIRED documentation attached: ☐ Yes				
CLASS	EXPIRES	ENDORSEMENT(s) RESTRICTION(s)		SS# (last 4 digits)
D	11/07/2025	☐ CDL ☐ MC ☐ Other		7 8 8 0
SEX	HEIGHT	WEIGHT	EYES	HAIR
M	6'00"	213	BRO	BLK
RACE		FINANCIAL RESPONSIBILITY PROOF?		
WNH		☒ Yes ☐ No ☐ N/A		

TO DEFENDANT: COMPLAINT ON Sep 21, 2024 AT 1804, YOU

Operated / Passenger / Parked / Walked at ☒ Passenger ☐ Motorcycle ☐ Bicycle ☐ Other:☐ Commercial DOT# ☐ >=26,001 lbs. ☐ <16 Pass. Bus ☐ >=16 Pass. Bus ☐ Haz. Mat.

VEHICLE: YEAR 2017 MAKE Ford MODEL SUV

COLOR Black LICENSE # 1420 STATE OH

UPON A PUBLIC HIGHWAY, NAMELY Lake Ave DIRECTION Westbound

AT/NEAR Lorain Blvd (M.P.)

IN THE City OF Elyria IN Lorain

COUNTY #: 47 STATE OF OHIO AND COMMITTED THE FOLLOWING OFFENSE(S).

SPEED: MPH in MPH zone	☐ ORC ☐ ORD ☐ T.P.
☐ Over limits ☐ Unsafe for conditions ☐ ACDA	
☐ Radar ☐ Air ☐ VASCAR ☐ PACE ☐ LASER	☐ Stationary ☐ Moving
OVI: ☐ Under the influence of alcohol/drug of abuse.	☐ ORC ☐ ORD ☐ T.P.
☐ In physical control of vehicle.	
☐ Prohibited blood alcohol concentration.	
☐ Blood ☐ Breath ☐ Urine ☐ Refused	
Prior OVI's: # of prior OVI's Years of prior OVI's	
DRIVER LICENSE: ☐ None ☐ Not on person ☐ Revoked ☐ Suspended	☐ ORC ☐ ORD ☐ T.P.
EXPIRED: ☐ < 6 months ☐ > 6 months ☐ Failure to Reinstate	
Suspension Type:	
SAFETY BELT: Failure to wear	☐ ORC ☐ ORD ☐ T.P.
☐ Driver ☐ Passenger ☐ Child Restraint ☐ Booster Seat	
OTHER OFFENSE: Reasonable Control	☐ ORC ☒ ORD ☐ T.P.
	333.025
☐ DRIVER LICENSE HELD ☐ VEHICLE SEIZED ☐ JUVENILE TRAFFIC OFFENDER	
☐ DISTRACTED DRIVING PENALTY ENHANCEMENT APPLIES (REMARKS REQUIRED)	
PAVEMENT: ☒ Dry ☐ Wet ☐ Snow ☐ Ice # of Lanes 2	
VISIBILITY: ☒ Clear ☐ Cloudy ☐ Dusk ☐ Night ☐ Dawn	☐ A/V
WEATHER: ☐ Rain ☐ Snow ☐ Fog ☐ No Adverse	☐ Construction Zone
TRAFFIC: ☐ Heavy ☐ Moderate ☐ Light ☐ None	☐ Workers Present
AREA: ☐ Business ☐ Freeway ☐ Industrial ☐ Residential ☐ Rural ☐ School	
CRASH: ☐ Yes ☐ No ☐ Almost Caused ☐ Non-Injury ☐ INJURY ☐ FATAL	
Crash Report #: 2024-27143	
REMARKS: See OH1 2024-27143	
ACCOMPANYING CRIMINAL CHARGE(S): ☐ Yes ☒ No TOTAL # OFFENSES: 1	

This summons served personally on the defendant on Sep 23, 2024

The issuing/charging law enforcement officer states under the penalties of perjury and falsification that he/she has read the above complaint and that it is true.

Varga, Aaron

ing Law Enforcement Officer

ng Law Enforcement Officer ☒ SAME AS ABOVE

Court Code	Badge	Precinct	Zone
4721	313	ELY	ELY

Issuing Officer: Verify Defendant's address. If different from License address, write current address in space provided.

OHP 0060 01/20 HP7 110-0060-00 (760-0807)

AGENCY RECORD

REPORT OF ACTION ON CASE

DATE OF ARREST MONTH/DAY/YEAR TIME am/pm

COURT ACTION

☐ GUILTY ☐ RELEASED TO OTHER AUTHORITY
☐ NOT GUILTY ☐

OFFICER'S NOTES

Radar # Cal. Times
Laser # Cal. Times
A/V Record #
If juvenile, parents names:
Address: , OH
School: Grade:

See OH1 2024-27143

WITNESSES:

Name	Address	Telephone

ARREST NOTIFICATION

VIOLATION: R.C. SECTION:

SCALE LOCATION: ☐ PLATFORM ☐ PORTABLE

AMOUNT OF OVERLOAD:

OVERLOADED ON: ☐ Single Axle ☐ Tandem ☐ Inner Bridge☐ Gross - Length if gross ____ Ft.

DOT #

PUCO #

Permit Holder or Company Name or Vehicle Owner Name

Street Address

City State Zip

NOTIFICATION OF ARREST ONLY.
NO FURTHER ACTION IS NECESSARY.



CITY OF
ELYRIA

KEVIN A. BRUBAKER, MAYOR

Elyria Police Department
18 West Avenue
Elyria, OH 44035
440-323-3302 FAX 440-326-1338

William R. Pelko
Chief of Police



October 3, 2024

Officer Sabeiha:

On Saturday, September 21, 2024 at 1804 hours, you left the Elyria Police Department at 18 West Ave. in emergency response. You were operating a 2017 Ford Explorer Police SUV to assist Lt. Pool and other Elyria Police Officers that were attempting to locate a suspect vehicle. The suspect driver was operating that vehicle in a reckless manner and at high rate of speed.

I reviewed your dash camera which indicated that after you left the police department, you traveled west on Lake Ave. at a top speed of 82 mph. This is more than double the posted speed limit of 35 mph. You attempted to execute a right turn from Lake Ave. onto northbound Lorain Blvd. at a speed of 72 mph. Due to the unsafe speed, you were unable to maintain reasonable control and you crashed your police SUV in the grassy area just north of Lake Ave. and Lorain Blvd. The accident caused disabling vehicle damage. The initial estimates for repairing the mechanical and cosmetic damage to your police cruiser was \$6,000.00.

It was commendable that you attempted to get to the area as quickly as possible to back up your fellow officers; however, you crashed your vehicle and never made it to provide any assistance or backup to those officers.

You failed to maintain control as the driver of an emergency vehicle, and you failed to operate your police vehicle with due regard for your safety as well as the safety of other persons and property upon the roadway.

This letter serves as a written reprimand and corrective action as a result of the motor vehicle accident. I have no doubt you will learn from this experience and continued to be a valued police officer at the Elyria Police Department. Please be safe both on and off duty.

Regards,

Capt James Welsh

Captain James Welsh
Elyria Police Department
Patrol Commander

OHIO DEPARTMENT OF PUBLIC SAFETY TRAFFIC CRASH REPORT *DENOTES MANDATORY FIELD FOR SUPPLEMENT REPORT										LOCAL REPORT NUMBER*								
☐ PHOTOS TAKEN ☐ SECONDARY CRASH		☐ OH-2 ☐ OH-1P ☐ PRIVATE PROPERTY		LOCAL INFORMATION REPORTING AGENCY NAME* Elyria Police Department		NCIC* 04704		HIT/SKIP 1 - SOLVED 2 - UNSOLVED		NUMBER OF UNITS 01		UNIT IN ERROR 98 - ANIMAL 99 - UNKNOWN 99						
COUNTY* 47		LOCALITY* 1 - CITY 2 - VILLAGE 3 - TOWNSHIP 1 Elyria		LOCATION: CITY, VILLAGE, TOWNSHIP* Elyria		CRASH DATE / TIME* 04122021/1843		CRASH SEVERITY 1 - FATAL 2 - SERIOUS INJURY SUSPECTED 3 - MINOR INJURY SUSPECTED 4 - INJURY POSSIBLE 5 - PROPERTY DAMAGE ONLY 3										
ROUTE TYPE S R		ROUTE NUMBER 57		PREFIX N		LOCATION ROAD NAME JFK MEMORIAL WY		ROAD TYPE P K		LATITUDE DECIMAL DEGREES 41.382901								
ROUTE TYPE S R		ROUTE NUMBER 57		PREFIX N		REFERENCE ROAD NAME (ROAD, MILEPOST, HOUSE #) WEST RIVER		ROAD TYPE R D		LONGITUDE DECIMAL DEGREES -82.10598								
REFERENCE POINT 1 - INTERSECTION 2 - MILE POST 3 - HOUSE # 1		DIRECTION FROM REFERENCE N - NORTH S - SOUTH E - EAST W - WEST S		ROUTE TYPE IR - INTERSTATE ROUTE(TP) US - FEDERAL US ROUTE SR - STATE ROUTE CR - NUMBERED COUNTY ROUTE TR - NUMBERED TOWNSHIP ROUTE SR		ROAD TYPE AL - ALLEY AV - AVENUE BL - BOULEVARD CR - CIRCLE CT - COURT DR - DRIVE HE - HEIGHTS HW - HIGHWAY LA - LANE MP - MILEPOST OV - OVAL PK - PARKWAY PI - PIKE PL - PLACE HW		RD - ROAD SQ - SQUARE ST - STREET TE - TERRACE TL - TRAIL WA - WAY RD		INTERSECTION RELATED ☐ WITHIN INTERSECTION OR ON APPROACH ☐ WITHIN INTERCHANGE AREA ROADWAY ☒ ROADWAY DIVIDED								
LOCATION OF FIRST HARMFUL EVENT 1 - ON ROADWAY 2 - ON SHOULDER 3 - IN MEDIAN 4 - ON ROADSIDE 5 - ON GORE 6 - OUTSIDE TRAFFIC WAY 7 - ON RAMP 8 - OFF RAMP 01		MANNER OF CRASH COLLISION/IMPACT 1 - NOT COLLISION BETWEEN TWO MOTOR VEHICLES IN TRANSPORT 2 - REAR-END 3 - HEAD-ON 4 - REAR-TO-REAR 5 - BACKING 6 - ANGLE 7 - SIDESWIPE, SAME DIRECTION 8 - SIDESWIPE, OPPOSITE DIRECTION 9 - OTHER / UNKNOWN 4		DIRECTION OF TRAVEL N - NORTH S - SOUTH E - EAST W - WEST 1		MEDIAN TYPE 1 - DIVIDED FLUSH MEDIAN (<4 FEET) 2 - DIVIDED FLUSH MEDIAN (≥4 FEET) 3 - DIVIDED, DEPRESSIONED MEDIAN 4 - DIVIDED, RAISED MEDIAN (ANY TYPE) 9 - OTHER/UNKNOWN 1												
☐ WORK ZONE RELATED ☐ WORKERS PRESENT ☐ LAW ENFORCEMENT PRESENT ☐ ACTIVE SCHOOL ZONE		WORK ZONE TYPE 1 - LANE CLOSURE 2 - LANE SHIFT/CROSSOVER 3 - WORK ON SHOULDER OR MEDIAN 4 - INTERMITTENT OR MOVING WORK 5 - OTHER 01		LOCATION OF CRASH IN WORK ZONE 1 - BEFORE THE 1ST WORK ZONE WARNING SIGN 2 - ADVANCE WARNING AREA 3 - TRANSITION AREA 4 - ACTIVITY AREA 5 - TERMINATION AREA 01		CONTOUR 1 - STRAIGHT LEVEL 2 - STRAIGHT GRADE 3 - CURVE LEVEL 4 - CURVE GRADE 9 - OTHER/UNKNOWN 1		CONDITIONS 1 - DRY 2 - WET 3 - SNOW 4 - ICE 5 - SAND, MUD, DIRT, OIL, GRAVEL 6 - WATER (STANDING, MOVING) 7 - SLUSH 9 - OTHER/UNKNOWN 1		SURFACE 1 - CONCRETE 2 - BLACKTOP, BITUMINOUS, ASPHALT 3 - BRICK/BLOCK 4 - SLAG, GRAVEL, STONE 5 - DIRT 9 - OTHER/UNKNOWN 1								
LIGHT CONDITION 1 - DAYLIGHT 2 - DAWN/DUSK 3 - DARK - LIGHTED ROADWAY 4 - DARK - ROADWAY NOT LIGHTED 5 - DARK - UNKNOWN ROADWAY LIGHTING 9 - OTHER / UNKNOWN 1		WEATHER 1 - CLEAR 2 - CLOUDY 3 - FOG, SMOG, SMOKE 4 - RAIN 5 - SLEET, HAIL 6 - SNOW 7 - SEVERE CROSSWINDS 8 - BLOWING SAND, SOIL, DIRT, SNOW 9 - FREEZING RAIN OR FREEZING DRIZZLE 99 - OTHER / UNKNOWN 01																
NARRATIVE UNIT #1 WAS TRAVELING SB ON SR 57/JFK MEMORIAL PKWY IN THE RIGHT (S) LANE BETWEEN WEST RIVER RD N AND GULF RD. UNIT #1'S TIE ROD SNAPPED CAUSING IT TO SWERVE RIGHT INTO THE GUARDRAIL ON THE SOUTH SIDE OF SR 57 S/B. UNIT #1 LOST CONTROL AND CROSSED OVER BOTH S/B LANES OF TRAVEL AND HIT THE MEDIAN. UNIT #1 CROSSED OVER THE MEDIAN INTO THE N/B LANES OF TRAVEL COMING TO REST IN THE RIGHT (N) LANE										Indicate the north direction with an "N" on the compass diagram. 								
CRASH REPORTED DATE / TIME 04122021/1843										DISPATCH DATE / TIME 04122021/1856			ARRIVAL DATE / TIME 04122021/1904			SCENE CLEARED DATE / TIME 04122021/2019		
TOTAL TIME ROADWAY CLOSED 065		OTHER INVESTIGATION TIME 010		TOTAL MINUTES 093		OFFICER'S NAME* Colon, Victor M		CHECKED BY OFFICER'S NAME* Varga, Aaron M		☒ POLICE AGENCY ☐ MOTORIST ☐ SUPPLEMENT (CORRECTION OR ADDITION TO AN EXISTING REPORT SENT TO COPS)								
065		010		093		054		313										

UNIT # 0 1	OWNER NAME: LAST, FIRST, MIDDLE (X SAME AS DRIVER) HUFFMAN, MAXWELL, DAVID	OWNER PHONE 4 4
OWNER ADDRESS: STREET, CITY, STATE, ZIP (X SAME AS DRIVER) 385 OLIVE AVE, NORTH RIDGEVILLE, OH 44039		
COMMERCIAL CARRIER: NAME, ADDRESS, CITY, STATE, ZIP		
LP STATE O, H	LICENSE PLATE # 	VEHICLE IDENTIFICATION #
INSURANCE VERIFIED ☒	INSURANCE COMPANY VIKING	INSURANCE POLICY # 11406603670
TYPE OF USE ☐ COMMERCIAL ☐ GOVERNMENT ☐ IN EMERGENCY RESPONSE	US DOT # 	VEHICLE YEAR 2008
INTERLOCK DEVICE EQUIPPED ☐	HIT/SKIP UNIT ☐	VEHICLE MAKE Chevrolet
HAZARDOUS MATERIAL ☐ MATERIAL RELEASED ☐ PLACARD		VEHICLE MODEL AVEO
TOWED BY: COMPANY NAME Sugar Ridge Towing		
VEHICLE WEIGHT GVWR/GCWR 1 - ≤10K LBS 2 - 10,001 - 26K LBS 3 - >26K LBS		
UNIT TYPE 0 1		
# OF TRAILING UNITS 0		
WAS VEHICLE OPERATING IN AUTONOMOUS MODE WHEN CRASH OCCURRED? 1 - YES 2 - NO 9 - OTHER / UNKNOWN		
AUTONOMOUS MODE LEVEL 0		
SPECIAL FUNCTION 0 1		
CARGO BODY TYPE 0 1		
VEHICLE DEFECTS 0 5		
NON-MOTORIST LOCATION AT IMPACT 0 1		
ACTION 3		
CONTRIBUTING CIRCUMSTANCES 1 8		
SEQUENCE OF EVENTS 0 8		
FIRST HARMFUL EVENT 1		
MOST HARMFUL EVENT 2		

LOCAL REPORT NUMBER 2 0 2 1 - 0 0 0 0 8 6 2 4	
DAMAGE DAMAGE SCALE 4	
DAMAGED AREA(S) INDICATE ALL THAT APPLY	
INITIAL POINT OF CONTACT 0 2	
TRAFFIC TRAFFICWAY FLOW 1	
RAIL GRADE CROSSING 1	
UNIT / NON-MOTORIST DIRECTION FROM 2 TO 1	
UNIT SPEED 0 4 5	
DETECTED SPEED 1	



MOTORIST / Non-MOTORIST

LOCAL REPORT NUMBER		
2, 0, 2, 1 - 0, 0, 0, 8, 6, 2, 4		
DATE OF BIRTH	AGE	GENDER
0, 7, 1, 4, 1, 9, 9, 9	2, 1	M

UNIT #	NAME: LAST, FIRST, MIDDLE	
0, 1	HUFFMAN, MAXWELL, DAVID	
ADDRESS: STREET, CITY, STATE, ZIP		
5985 OLIVE AVE, NORTH RIDGEVILLE, OH 44039		
CONTACT PHONE - INCLUDE AREA CODE		
[REDACTED]		

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
3	1	LifeCare		0, 4	☐	0, 1	1	1	1
OL STATE	OPERATOR LICENSE NUMBER		OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION		CITATION NUMBER		
O, H	[REDACTED]			☐					
OL CLASS	ENDORSEMENT SELECT UP TO 2	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)	
4			1	☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	1	STATUS	TYPE	VALUE	STATUS
						1	1		1

UNIT #	NAME: LAST, FIRST, MIDDLE	
ADDRESS: STREET, CITY, STATE, ZIP		
CONTACT PHONE - INCLUDE AREA CODE		

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
					☐				
OL STATE	OPERATOR LICENSE NUMBER		OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION		CITATION NUMBER		
				☐					
OL CLASS	ENDORSEMENT SELECT UP TO 2	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)	
				☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG		STATUS	TYPE	VALUE	STATUS

UNIT #	NAME: LAST, FIRST, MIDDLE	
ADDRESS: STREET, CITY, STATE, ZIP		
CONTACT PHONE - INCLUDE AREA CODE		

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
					☐				
OL STATE	OPERATOR LICENSE NUMBER		OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION		CITATION NUMBER		
				☐					
OL CLASS	ENDORSEMENT SELECT UP TO 2	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)	
				☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG		STATUS	TYPE	VALUE	STATUS

INJURIES	SEATING POSITION	AIR BAG	OL CLASS	OL RESTRICTION(S)	DRIVER DISTRACTION	TEST STATUS
1 - FATAL 2 - SUSPECTED SERIOUS INJURY 3 - SUSPECTED MINOR INJURY 4 - POSSIBLE INJURY 5 - NO APPARENT INJURY	1 - FRONT - LEFT SIDE (MOTORCYCLE DRIVER) 2 - FRONT - MIDDLE 3 - FRONT - RIGHT SIDE 4 - SECOND - LEFT SIDE (MOTORCYCLE PASSENGER) 5 - SECOND - MIDDLE 6 - SECOND - RIGHT SIDE 7 - THIRD - LEFT SIDE (MOTORCYCLE SIDE CAR) 8 - THIRD - MIDDLE 9 - THIRD - RIGHT SIDE 10 - SLEEPER SECTION OF TRUCK CAB 11 - PASSENGER IN OTHER ENCLOSED CARGO AREA (NON-TRAILING UNIT, BUS, PICK-UP WITH CAP) 12 - PASSENGER IN UNENCLOSED CARGO AREA 13 - TRAILING UNIT 14 - RIDING ON VEHICLE EXTERIOR (NON-TRAILING UNIT) 15 - NON-MOTORIST 99 - OTHER / UNKNOWN	1 - NOT DEPLOYED 2 - DEPLOYED FRONT 3 - DEPLOYED SIDE 4 - DEPLOYED BOTH FRONT / SIDE 5 - NOT APPLICABLE 9 - DEPLOYMENT UNKNOWN	1 - CLASS A 2 - CLASS B 3 - CLASS C 4 - REGULAR CLASS (OHIO = D) 5 - MC MOPED ONLY 6 - NO VALID OL	1 - ALCOHOL INTERLOCK DEVICE 2 - COL INTRASTATE ONLY 3 - CORRECTIVE LENSES 4 - FARM WAIVER 5 - EXCEPT CLASS A BUS 6 - EXCEPT CLASS A & CLASS B BUS 7 - EXCEPT TRACTOR-TRAILER 8 - INTERMEDIATE LICENSE RESTRICTIONS 9 - LEARNER'S PERMIT RESTRICTIONS 10 - LIMITED TO DAYLIGHT ONLY 11 - LIMITED TO EMPLOYMENT 12 - LIMITED - OTHER 13 - MECHANICAL DEVICES (SPECIAL BRAKES, HAND CONTROLS, OR OTHER ADAPTIVE DEVICES) 14 - MILITARY VEHICLES ONLY 15 - MOTOR VEHICLES WITHOUT AIR BRAKES 16 - OUTSIDE MIRROR 17 - PROSTHETIC AID 18 - OTHER	1 - NOT DISTRACTED 2 - MANUALLY OPERATING AN ELECTRONIC COMMUNICATION DEVICE (TEXTING, TYPING, DIALING) 3 - TALKING ON HANDS-FREE COMMUNICATION DEVICE 4 - TALKING ON HAND-HELD COMMUNICATION DEVICE 5 - OTHER ACTIVITY WITH AN ELECTRONIC DEVICE 6 - PASSENGER 7 - OTHER DISTRACTION INSIDE THE VEHICLE 8 - OTHER DISTRACTION OUTSIDE THE VEHICLE 9 - OTHER / UNKNOWN	1 - NONE GIVEN 2 - TEST REFUSED 3 - TEST GIVEN, CONTAMINATED SAMPLE / UNSAMPLE 4 - TEST GIVEN, RESULTS KNOWN 5 - TEST GIVEN, RESULTS UNKNOWN
INJURED TAKEN BY	EJECTION		OL ENDORSEMENT		ALCOHOL TEST TYPE	
1 - NOT TRANSPORTED / TREATED AT SCENE 2 - EMS 3 - POLICE 9 - OTHER / UNKNOWN	1 - NOT EJECTED 2 - PARTIALLY EJECTED 3 - TOTALLY EJECTED 4 - NOT APPLICABLE		H - HAZMAT M - MOTORCYCLE P - PASSENGER N - TANKER Q - MOTOR SCOOTER R - THREE-WHEEL MOTORCYCLE S - SCHOOL BUS T - DOUBLE & TRIPLE TRAILERS X - TANKER / HAZMAT		1 - NONE 2 - BLOOD 3 - URINE 4 - BREATH 5 - OTHER	
SAFETY EQUIPMENT	TRAPPED		GENDER		DRUG TEST TYPE	
1 - NONE USED 2 - SHOULDER BELT ONLY USED 3 - LAP BELT ONLY USED 4 - SHOULDER & LAP BELT USED 5 - CHILD RESTRAINT SYSTEM - FORWARD FACING 6 - CHILD RESTRAINT SYSTEM - REAR FACING 7 - BOOSTER SEAT 8 - HELMET USED 9 - PROTECTIVE PADS USED (ELBOW, KNEES, ETC.) 10 - REFLECTIVE CLOTHING 11 - LIGHTING - PEDESTRIAN / BICYCLE ONLY 99 - OTHER / UNKNOWN	1 - NOT TRAPPED 2 - EXTRICATED BY MECHANICAL MEANS 3 - FREED BY NON-MECHANICAL MEANS		F - FEMALE M - MALE U - OTHER / UNKNOWN		1 - NONE 2 - BLOOD 3 - URINE 4 - OTHER	
DRUG TEST RESULT(S)						
1 - AMPHETAMINES 2 - BARBITURATES 3 - BENZODIAZEPINES 4 - CANNABINOIDS 5 - COCAINE 6 - OPIATES / OPIODS 7 - OTHER 8 - NEGATIVE RESULTS						

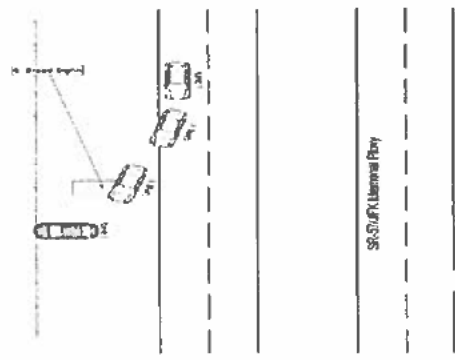


Narrative Continuation

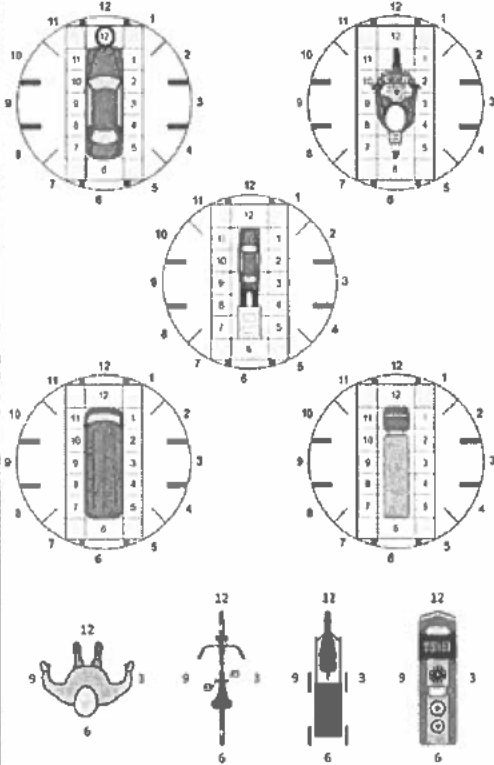
LOCAL REPORT NUMBER

2 0 2 1 - 0 0 0 0 8 6 2 4

OF SR 57 N/B. UNIT #1 REPORTED MINOR
INJURIES AND WAS TREATED ON SCENE BY LIFECARE. UNIT #1 TOWED BY SUGAR RIDGE
TOWING.

OHIO DEPARTMENT OF PUBLIC SAFETY TRAFFIC CRASH REPORT *DENOTES MANDATORY FIELD FOR SUPPLEMENT REPORT										LOCAL REPORT NUMBER*			
☒ PHOTOS TAKEN ☐ SECONDARY CRASH ☐ PRIVATE PROPERTY		☐ OH-2 ☐ OH-3 ☐ OH-1P ☐ OTHER		LOCAL INFORMATION				2021-00001269		HIT/SKIP 1 - SOLVED 2 - UNSOLVED		NUMBER OF UNITS 01	UNIT IN ERROR 98 - ANIMAL 99 - UNKNOWN
REPORTING AGENCY NAME* Elyria Police Department				NCIC* 04704		CRASH DATE / TIME* 01182021/1106				CRASH SEVERITY 1 - FATAL 2 - SERIOUS INJURY SUSPECTED 3 - MINOR INJURY SUSPECTED 4 - INJURY POSSIBLE 5 - PROPERTY DAMAGE ONLY			
JNTY* 47	LOCALITY* 1 - CITY 2 - VILLAGE 3 - TOWNSHIP Elyria	LOCATION: CITY, VILLAGE, TOWNSHIP*				CRASH DATE / TIME*				CRASH SEVERITY			
ROUTE TYPE S R	ROUTE NUMBER 57	PREFIX N - NORTH S - SOUTH E - EAST W - WEST	LOCATION ROAD NAME JFK MEMORIAL WY			ROAD TYPE P K	LATITUDE DECIMAL DEGREES 41.363961				1 - FATAL 2 - SERIOUS INJURY SUSPECTED 3 - MINOR INJURY SUSPECTED 4 - INJURY POSSIBLE 5 - PROPERTY DAMAGE ONLY		
ROUTE TYPE	ROUTE NUMBER	PREFIX N - NORTH S - SOUTH E - EAST W - WEST	REFERENCE ROAD NAME (ROAD, MILEPOST, HOUSE #) Broad			ROAD TYPE S T	LONGITUDE DECIMAL DEGREES -82.07574						
REFERENCE POINT 1 - INTERSECTION 2 - MILE POST 3 - HOUSE # 1		DIRECTION FROM REFERENCE N - NORTH S - SOUTH E - EAST W - WEST 1		ROUTE TYPE IR - INTERSTATE ROUTE(TP) US - FEDERAL US ROUTE SR - STATE ROUTE CR - NUMBERED COUNTY ROUTE TR - NUMBERED TOWNSHIP ROUTE		ROAD TYPE AL - ALLEY AV - AVENUE BL - BOULEVARD CR - CIRCLE CT - COURT DR - DRIVE HE - HEIGHTS PL - PLACE HW - HIGHWAY LA - LANE MP - MILEPOST OV - OVAL PK - PARKWAY PI - PIKE PL - PLACE RD - ROAD SQ - SQUARE ST - STREET TE - TERRACE TL - TRAIL WA - WAY		INTERSECTION RELATED ☐ WITHIN INTERSECTION OR ON APPROACH ☐ WITHIN INTERCHANGE AREA NUMBER OF APPROACHES					
DISTANCE FROM REFERENCE 2.5		DISTANCE UNIT OF MEASURE 1 - MILES 2 - FEET 3 - YARDS 1		CR - NUMBERED COUNTY ROUTE TR - NUMBERED TOWNSHIP ROUTE		ROAD TYPE		ROADWAY ☒ ROADWAY DIVIDED					
LOCATION OF FIRST HARMFUL EVENT 1 - ON ROADWAY 2 - ON SHOULDER 3 - IN MEDIAN 4 - ON ROADSIDE 5 - ON GORE 6 - OUTSIDE TRAFFIC WAY 7 - ON RAMP 8 - OFF RAMP 04				MANNER OF CRASH COLLISION/IMPACT 1 - NOT COLLISION BETWEEN TWO MOTOR VEHICLES IN TRANSPORT 2 - REAR-END 3 - HEAD-ON 4 - REAR-TO-REAR 5 - BACKING 6 - ANGLE 7 - SIDESWIPE, SAME DIRECTION 8 - SIDESWIPE, OPPOSITE DIRECTION 9 - OTHER / UNKNOWN				DIRECTION OF TRAVEL N - NORTH S - SOUTH E - EAST W - WEST 1		MEDIAN TYPE 1 - DIVIDED FLUSH MEDIAN (<4 FEET) 2 - DIVIDED FLUSH MEDIAN (≥4 FEET) 3 - DIVIDED, DEPRESSED MEDIAN 4 - DIVIDED, RAISED MEDIAN (ANY TYPE) 9 - OTHER/UNKNOWN			
☐ WORK ZONE RELATED ☐ WORKERS PRESENT ☐ LAW ENFORCEMENT PRESENT ☐ ACTIVE SCHOOL ZONE		WORK ZONE TYPE 1 - LANE CLOSURE 2 - LANE SHIFT/CROSSOVER 3 - WORK ON SHOULDER OR MEDIAN 4 - INTERMITTENT OR MOVING WORK 5 - OTHER		LOCATION OF CRASH IN WORK ZONE 1 - BEFORE THE 1ST WORK ZONE WARNING SIGN 2 - ADVANCE WARNING AREA 3 - TRANSITION AREA 4 - ACTIVITY AREA 5 - TERMINATION AREA		CONTOUR 1 1 - STRAIGHT LEVEL 2 - STRAIGHT GRADE 3 - CURVE LEVEL 4 - CURVE GRADE 9 - OTHER/UNKNOWN		CONDITIONS 2 1 - DRY 2 - WET 3 - SNOW 4 - ICE 5 - SAND, MUD, DIRT, OIL, GRAVEL 6 - WATER (STANDING, MOVING) 7 - SLUSH 9 - OTHER/UNKNOWN		SURFACE 2 1 - CONCRETE 2 - BLACKTOP, BITUMINOUS, ASPHALT 3 - BRICK/BLOCK 4 - SLAG, GRAVEL, STONE 5 - DIRT 9 - OTHER/UNKNOWN			
LIGHT CONDITION 1 - DAYLIGHT 2 - DAWN/DUSK 3 - DARK - LIGHTED ROADWAY 4 - DARK - ROADWAY NOT LIGHTED 5 - DARK - UNKNOWN ROADWAY LIGHTING 9 - OTHER / UNKNOWN 1		WEATHER 1 - CLEAR 2 - CLOUDY 3 - FOG, SMOG, SMOKE 4 - RAIN 5 - SLEET, HAIL 6 - SNOW 7 - SEVERE CROSSWINDS 8 - BLOWING SAND, SOIL, DIRT, SNOW 9 - FREEZING RAIN OR FREEZING DRIZZLE 99 - OTHER / UNKNOWN 06											
NARRATIVE Unit #1 was traveling S/B on SR-57 approaching the intersection of SR-57/E. Broad St. Operator of Unit #1 lost control of the vehicle, went off the roadway right, struck a sign, and then came to rest after striking a chain link fence. First Officer on scene noted that the operator had a seizure while waiting for the ambulance. It was later learned that the Operator has a known medical condition of having seizures and this appears to be the cause of the crash. The operator was transported to UH Elyria by lifecare for further evaluation. Photos were taken										Indicate the north direction with an "N" on the compass diagram. 			
										NOT TO SCALE			
CRASH REPORTED DATE / TIME 1182021/1106		DISPATCH DATE / TIME 01182021/1108		ARRIVAL DATE / TIME 01182021/1115		SCENE CLEARED DATE / TIME 01182021/1228		REPORT TAKEN BY ☒ POLICE AGENCY ☐ MOTORIST					
TOTAL TIME ROADWAY CLOSED 010	OTHER INVESTIGATION TIME 015	TOTAL MINUTES 095	OFFICER'S NAME* Mason, Joshua A		CHECKED BY OFFICER'S NAME* Varga, Aaron M		SUPPLEMENT (CORRECTION OR ADDITION) RE AN EXISTING REPORT (SEE 1010)						
		OFFICER'S BADGE NUMBER* 216		CHECKED BY OFFICER'S BADGE NUMBER* 313									

UNIT # 0 1	OWNER NAME: LAST, FIRST, MIDDLE (NAME AS DRIVER) DIAZ JR, ADALBERTO	OWNER PHONE: (614) AREA CODE (724) NAME AS DRIVER [REDACTED]
OWNER ADDRESS: STREET, CITY, STATE, ZIP (SAME AS DRIVER) 230 MEISTER RD, LORAIN, OH 44053		
COMMERCIAL CARRIER: NAME, ADDRESS, CITY, STATE, ZIP		
LP STATE O, H	LICENSE PLATE # [REDACTED]	VEHICLE IDENTIFICATION # [REDACTED]
INSURANCE VERIFIED ☐	INSURANCE COMPANY [REDACTED]	INSURANCE POLICY # [REDACTED]
TYPE OF USE ☐ COMMERCIAL ☐ GOVERNMENT ☐ IN EMERGENCY RESPONSE	US DOT # [REDACTED]	VEHICLE YEAR 2008
INTERLOCK DEVICE EQUIPPED ☐	HIT/SKIP UNIT ☐	VEHICLE MAKE Hyundai
#OCCUPANTS 0 1		VEHICLE MODEL ELANTRA
VEHICLE WEIGHT GVWR/GCWR 1 - ≤10K LBS 2 - 10,001 - 26K LBS 3 - >26K LBS		TOWED BY: COMPANY NAME Sugar Ridge Towing
HAZARDOUS MATERIAL ☐ MATERIAL RELEASED ☐ PLACARD		CLASS # PLACARD ID #
UNIT TYPE 0 1 1 - PASSENGER CAR 2 - PASSENGER VAN (MINIVAN) 3 - SPORT UTILITY VEHICLE 4 - PICKUP 5 - CARGO VAN 6 - VAN (9-15 SEATS) 7 - MOTORCYCLE 2-WHEELED 8 - MOTORCYCLE 3-WHEELED 9 - AUTOCYCLE 10 - MOPED OR MOTORIZED BICYCLE 11 - ALL TERRAIN VEHICLE (ATV/UTV) 12 - GOLF CART 13 - SNOWMOBILE 14 - SINGLE UNIT TRUCK 15 - SEMI-TRACTOR 16 - FARM EQUIPMENT 17 - MOTORHOME 18 - LIMOLIVERY VEHICLE 19 - BUS (16+ PASSENGERS) 20 - OTHER VEHICLE 21 - HEAVY EQUIPMENT 22 - ANIMAL WITH RIDER OR ANIMAL-DRAWN VEHICLE 23 - PEDESTRIAN / SKATER 24 - WHEELCHAIR (ANY TYPE) 25 - OTHER NON-MOTORIST 26 - BICYCLE 27 - TRAIN 99 - UNKNOWN OR HIT/SKIP		
# OF TRAILING UNITS 0		
WAS VEHICLE OPERATING IN AUTONOMOUS MODE WHEN CRASH OCCURRED? 2 1 - YES 2 - NO 9 - OTHER/UNKNOWN		
AUTONOMOUS MODE LEVEL 0 0 - NO AUTOMATION 1 - DRIVER ASSISTANCE 2 - PARTIAL AUTOMATION 3 - CONDITIONAL AUTOMATION 4 - HIGH AUTOMATION 5 - FULL AUTOMATION 9 - UNKNOWN		
SPECIAL FUNCTION 0 1 1 - NONE 2 - TAXI 3 - ELECTRONIC RIDE SHARING 4 - SCHOOL TRANSPORT 5 - BUS - TRANSIT/COMMUTER 6 - BUS - CHARTER/TOUR 7 - BUS - INTERCITY 8 - BUS - SHUTTLE 9 - BUS - OTHER 10 - AMBULANCE 11 - FIRE 12 - MILITARY 13 - POLICE 14 - PUBLIC UTILITY 15 - CONSTRUCTION EQUIPMENT 16 - FARM 17 - MOWING 18 - SNOW REMOVAL 19 - TOWING 20 - SAFETY SERVICE PATROL 21 - MAIL CARRIER 99 - OTHER / UNKNOWN		
CARGO BODY TYPE 0 1 1 - NO CARGO BODY TYPE / NOT APPLICABLE 2 - BUS 3 - VEHICLE TOWING ANOTHER MOTOR VEHICLE 4 - LOGGING 5 - INTERMODAL CONTAINER CHASSIS 6 - CARGO VAN/ENCLOSED BOX 7 - GRAPPLE/SKIP/RAVEL 8 - POLE 9 - CARGO TANK 10 - FLAT BED 11 - DUMP 12 - CONCRETE MIXER 13 - AUTO TRANSPORTER 14 - CARGO REFUSE 99 - OTHER / UNKNOWN		
VEHICLE DEFECTS 0 1 1 - TURN SIGNALS 2 - HEAD LAMPS 3 - TAIL LAMPS 4 - BRAKES 5 - STEERING 6 - TIRE BLOWOUT 7 - WORK OR SLICK TIRES 8 - TRAILER EQUIPMENT DEFECTIVE 9 - MOTOR TROUBLE 10 - DISABLED FROM PRIOR ACCIDENT 99 - OTHER / UNKNOWN		
NON-MOTORIST LOCATION AT IMPACT 0 1 1 - INTERSECTION - MARKED CROSSWALK 2 - INTERSECTION - UNMARKED CROSSWALK 3 - INTERSECTION - OTHER 4 - MIDBLOCK - MARKED CROSSWALK 5 - TRAVEL LANE - OTHER LOCATION 6 - BICYCLE LANE 7 - SHOULDER / ROADSIDE 8 - SIDEWALK 9 - MEDIAN/CROSSING ISLAND 10 - DRIVEWAY ACCESS 11 - SHARED USE PATHS OR TRAILS 12 - FIRST RESPONDER AT INCIDENT SCENE 99 - OTHER / UNKNOWN		
ACTION 3 1 - NON-CONTACT 2 - NON-COLLISION 3 - STRIKING 4 - STRUCK 5 - BOTH STRIKING & STRUCK 9 - OTHER / UNKNOWN PRE-CRASH ACTIONS 0 1 1 - STRAIGHT AHEAD 2 - BACKING 3 - CHANGING LANES 4 - OVERTAKING/PASSING 5 - MAKING RIGHT TURN 6 - MAKING LEFT TURN 7 - MAKING U-TURN 8 - ENTERING TRAFFIC LANE 9 - LEAVING TRAFFIC LANE 10 - PARKED 11 - SLOWING OR STOPPED IN TRAFFIC 12 - DRIVERLESS 13 - NEGOTIATING A CURVE 14 - ENTERING OR CROSSING SPECIFIED LOCATION 15 - WALKING, RUNNING, JOGGING, PLAYING 16 - WORKING 17 - PUSHING VEHICLE 18 - APPROACHING OR LEAVING VEHICLE 19 - STANDING 20 - OTHER NON-MOTORIST 21 - STANDING OUTSIDE DISABLED VEHICLE 99 - OTHER / UNKNOWN		
CONTRIBUTING CIRCUMSTANCES 0 1 1 - NONE 2 - FAILURE TO YIELD 3 - RAN RED LIGHT 4 - RAN STOP SIGN 5 - UNSAFE SPEED 6 - IMPROPER TURN 7 - LEFT OF CENTER 8 - FOLLOWING TOO CLOSE / ACDA 9 - IMPROPER LANE CHANGE 10 - IMPROPER PASSING 11 - DROVE OFF ROAD 12 - IMPROPER BACKING 13 - IMPROPER START FROM A PARKED POSITION 14 - STOPPED OR PARKED ILLEGALLY 15 - SWERVING TO AVOID 16 - WRONG WAY 17 - VISION OBSTRUCTION 18 - OPERATING DEFECTIVE EQUIPMENT 19 - LOAD SHIFTING/FALLING/SPILLING 20 - IMPROPER CROSSING 21 - LYING IN ROADWAY 22 - NOT DISCERNIBLE 23 - OPENING DOOR INTO ROADWAY 99 - OTHER IMPROPER ACTION		
SEQUENCE OF EVENTS 0 1 8 1 - OVERTURN/ROLLOVER 2 - FIRE/EXPLOSION 3 - IMMERSION 4 - JACKKNIFE 5 - CARGO/EQUIPMENT LOSS OR SHIFT 6 - EQUIPMENT FAILURE 7 - SEPARATION OF UNITS 8 - RAN OFF ROAD RIGHT 9 - RAN OFF ROAD LEFT 10 - CROSS MEDIAN 11 - CROSS CENTERLINE - OPPOSITE DIRECTION OF TRAVEL 12 - DOWNHILL RUNAWAY 13 - OTHER NON-COLLISION 14 - PEDESTRIAN 15 - PEDALCYCLE 16 - RAILWAY VEHICLE 17 - ANIMAL - FARM 18 - ANIMAL - DEER 19 - ANIMAL - OTHER 20 - MOTORVEHICLE IN TRANSPORT 21 - PARKED MOTOR VEHICLE 22 - WORK ZONE MAINTENANCE EQUIPMENT 23 - STRUCK BY FALLING, SHIFTING CARGO OR ANYTHING SET IN MOTION BY A MOTOR VEHICLE 24 - OTHER MOVABLE OBJECT		
COLLISION WITH FIXED OBJECT - STRUCK 0 1 25 - IMPACT ATTENUATOR / CRASH CUSHION 26 - BRIDGE OVERHEAD STRUCTURE 27 - BRIDGE PIER OR ABUTMENT 28 - BRIDGE PARAPET 29 - BRIDGE RAIL 30 - GUARD RAIL FACE 31 - GUARDRAIL END 32 - PORTABLE BARRIER 33 - MEDIAN CABLE BARRIER 34 - MEDIAN GUARDRAIL BARRIER 35 - MEDIAN CONCRETE BARRIER 36 - MEDIAN OTHER BARRIER 37 - TRAFFIC SIGN POST 38 - OVERHEAD SIGN POST 39 - LIGHT / LUMINARIES SUPPORT 40 - UTILITY POLE 41 - OTHER POST, POLE OR SUPPORT 42 - CULVERT 43 - CURB 44 - DITCH 45 - EMBANKMENT 46 - FENCE 47 - MAILBOX 48 - TREE 49 - FIRE HYDRANT 50 - WORK ZONE MAINTENANCE EQUIPMENT 51 - WALL 52 - BUILDING 53 - TUNNEL 54 - OTHER FIXED OBJECT 99 - OTHER / UNKNOWN		
FIRST HARMFUL EVENT 1		
MOST HARMFUL EVENT 2		

LOCAL REPORT NUMBER 2 0 2 1 - 0 0 0 0 1 2 6 9	
DAMAGE DAMAGE SCALE 4 1 - NONE 2 - MINOR DAMAGE 3 - FUNCTIONAL DAMAGE 4 - DISABLING DAMAGE 9 - UNKNOWN	
DAMAGED AREA(S) INDICATE ALL THAT APPLY	
	
☐ NO DAMAGE [0] ☐ UNDERCARRIAGE [14] ☐ TOP [13] ☐ ALL AREAS [15] ☐ UNIT NOT AT SCENE [16]	
INITIAL POINT OF CONTACT 1 2 0 - NO DAMAGE 1-12 - REFER TO UNIT DIAGRAM 13 - TOP 14 - UNDERCARRIAGE 15 - VEHICLE NOT AT SCENE 99 - UNKNOWN	
TRAFFIC TRAFFICWAY FLOW 2 1 - ONE-WAY 2 - TWO-WAY TRAFFIC CONTROL 6 1 - ROUNDABOUT 2 - SIGNAL 3 - FLASHER 4 - STOP SIGN 5 - YIELD SIGN 6 - NO CONTROL	
# OF THROUGH LANES ON ROAD 2	
RAIL GRADE CROSSING 1 1 - NOT INVOLVED 2 - INVOLVED-ACTIVE CROSSING 3 - INVOLVED-PASSIVE CROSSING	
UNIT / NON-MOTORIST DIRECTION FROM 1 TO 2 1 - NORTH 2 - SOUTH 3 - EAST 4 - WEST 5 - NORTHEAST 6 - NORTHWEST 7 - SOUTHEAST 8 - SOUTHWEST 9 - OTHER / UNKNOWN	
UNIT SPEED 5 0	DETECTED SPEED 3 1 - STATED / ESTIMATED SPEED 2 - CALCULATED / EDR 3 - UNDETERMINED

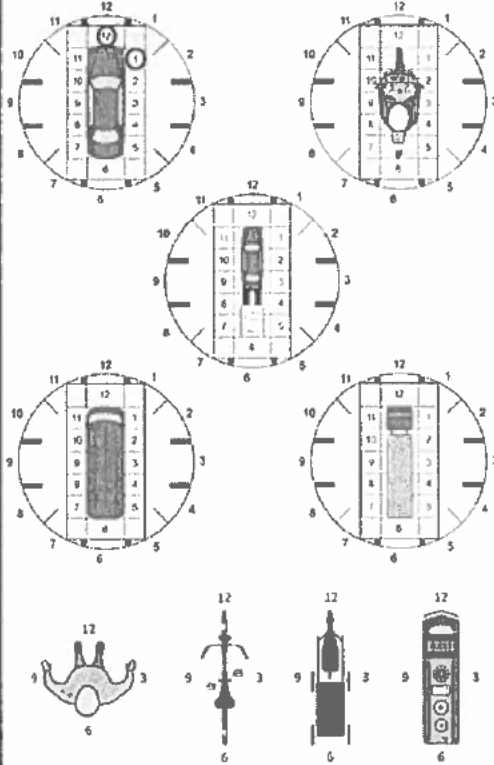


MOTORIST / Non-MOTORIST

LOCAL REPORT NUMBER														
2 0 2 1 - 0 0 0 0 1 2 6 9														
UNIT #		NAME: LAST, FIRST, MIDDLE				DATE OF BIRTH		AGE	GENDER					
0 1		DIAZ-QUINONES, ADYLAIN, JESYL				0 2 2 4 2 0 0 0		2 0	F					
ADDRESS: STREET, CITY, STATE, ZIP						CONTACT PHONE - INCLUDE AREA CODE								
1105 EUCLID AVE, LORAIN, OH 44052						4 4 0 [REDACTED]								
MOTORIST / NON-MOTORIST	INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED				
	3	2	LifeCare	UH Elyria	0 4	☐	0 1	2	1	1				
	OL STATE	OPERATOR LICENSE NUMBER		OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION		CITATION NUMBER						
	O H	[REDACTED]			☐									
MOTORIST / NON-MOTORIST	OL CLASS	ENDORSEMENT SELECT UP TO 2	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)					
	4			1	☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	4	STATUS	TYPE	VALUE	STATUS	TYPE	RESULT SELECT UP TO 4		
							1	1		1	1			
MOTORIST / NON-MOTORIST	UNIT #		NAME: LAST, FIRST, MIDDLE				DATE OF BIRTH		AGE	GENDER				
	ADDRESS: STREET, CITY, STATE, ZIP						CONTACT PHONE - INCLUDE AREA CODE							
MOTORIST / NON-MOTORIST	INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED				
						☐								
	OL STATE	OPERATOR LICENSE NUMBER		OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION		CITATION NUMBER						
					☐									
MOTORIST / NON-MOTORIST	OL CLASS	ENDORSEMENT SELECT UP TO 2	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)					
					☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG		STATUS	TYPE	VALUE	STATUS	TYPE	RESULT SELECT UP TO 4		
MOTORIST / NON-MOTORIST	UNIT #		NAME: LAST, FIRST, MIDDLE				DATE OF BIRTH		AGE	GENDER				
	ADDRESS: STREET, CITY, STATE, ZIP						CONTACT PHONE - INCLUDE AREA CODE							
MOTORIST / NON-MOTORIST	INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED				
						☐								
	OL STATE	OPERATOR LICENSE NUMBER		OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION		CITATION NUMBER						
					☐									
MOTORIST / NON-MOTORIST	OL CLASS	ENDORSEMENT SELECT UP TO 2	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)					
					☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG		STATUS	TYPE	VALUE	STATUS	TYPE	RESULT SELECT UP TO 4		
MOTORIST / NON-MOTORIST	INJURIES		SEATING POSITION		AIR BAG		OL CLASS		OL RESTRICTIONS		DRIVER DISTRACTION		TEST STATUS	
	1-FATAL 2-SUSPECTED SERIOUS INJURY 3-SUSPECTED MINOR INJURY 4-POSSIBLE INJURY 5-NO APPARENT INJURY		1-FRONT-LEFT SIDE (MOTORCYCLE DRIVER) 2-FRONT-MIDDLE 3-FRONT-RIGHT SIDE 4-SECOND-LEFT SIDE (MOTORCYCLE PASSENGER) 5-SECOND-MIDDLE 6-SECOND-RIGHT SIDE 7-THIRD-LEFT SIDE (MOTORCYCLE SIDE CAR) 8-THIRD-MIDDLE 9-THIRD-RIGHT SIDE 10-SLEEPER SECTION OF TRUCK CAB 11-PASSENGER IN OTHER ENCLOSED CARGO AREA (NON-TRAILING UNIT, BUS, PICK-UP WITH CAP) 12-PASSENGER IN UNENCLOSED CARGO AREA 13-TRAILING UNIT 14-RIDING ON VEHICLE EXTERIOR (NON-TRAILING UNIT) 15-NONMOTORIST 99-OTHER/UNKNOWN		1-NOT DEPLOYED 2-DEPLOYED FRONT 3-DEPLOYED SIDE 4-DEPLOYED BOTH FRONT / SIDE 5-NOT APPLICABLE 9-DEPLOYMENT UNKNOWN		1-CLASS A 2-CLASS B 3-CLASS C 4-REGULAR CLASS (OHIO - D) 5-MC MOPED ONLY 6-NO VALID OL		1-ALCOHOL INTERLOCK DEVICE 2-COL INTRASTATE ONLY 3-CORRECTIVE LENSES 4-FARM WAIVER 5-EXCEPT CLASS A BUS 6-EXCEPT CLASS A & CLASS B BUS 7-EXCEPT TRACTOR-TRAILER 8-INTERMEDIATE LICENSE RESTRICTIONS 9-LEARNER'S PERMIT RESTRICTIONS 10-LIMITED TO DAYLIGHT ONLY 11-LIMITED TO EMPLOYMENT 12-LIMITED - OTHER 13-MECHANICAL DEVICES (SPECIAL BRAKES, HAND CONTROLS, OR OTHER ADAPTIVE DEVICES) 14-MILITARY VEHICLES ONLY 15-MOTOR VEHICLES WITHOUT AIR BRAKES 16-OUTSIDE MIRROR 17-PROSTHETIC AID 18-OTHER		1-NOT DISTRACTED 2-MANUALLY OPERATING AN ELECTRONIC COMMUNICATION DEVICE (TEXTING, TYPING, DIALING) 3-TALKING ON HANDS-FREE COMMUNICATION DEVICE 4-TALKING ON HAND-HELD COMMUNICATION DEVICE 5-OTHER ACTIVITY WITH AN ELECTRONIC DEVICE 6-PASSENGER 7-OTHER DISTRACTION INSIDE THE VEHICLE 8-OTHER DISTRACTION OUTSIDE THE VEHICLE 9-OTHER / UNKNOWN		1-NONE GIVEN 2-TEST REFUSED 3-TEST GIVEN, CONTAMINATED SAMPLE / UNUSABLE 4-TEST GIVEN, RESULTS KNOWN 5-TEST GIVEN, RESULTS UNKNOWN	
	INJURED TAKEN BY				EJECTION		OL ENDORSEMENT						ALCOHOL TEST TYPE	
	1-NOT TRANSPORTED / TREATED AT SCENE 2-EMS 3-POLICE 9-OTHER / UNKNOWN				1-NOT EJECTED 2-PARTIALLY EJECTED 3-TOTALLY EJECTED 4-NOT APPLICABLE		H-HAZMAT M-MOTORCYCLE P-PASSENGER N-TANKER Q-MOTOR SCOOTER R-THREE-WHEEL MOTORCYCLE S-SCHOOL BUS T-DOUBLE & TRIPLE TRAILERS X-TANKER / HAZMAT						1-NONE 2-BLOOD 3-URINE 4-BREATH 5-OTHER	
	SAFETY EQUIPMENT				TRAPPED		GENDER						DRUG TEST TYPE	
	1-NONE USED 2-SHOULDER BELT ONLY USED 3-LAP BELT ONLY USED 4-SHOULDER & LAP BELT USED 5-CHILD RESTRAINT SYSTEM - FORWARD FACING 6-CHILD RESTRAINT SYSTEM - REAR FACING 7-BOOSTER SEAT 8-HELMET USED 9-PROTECTIVE PADS USED (ELBOW, KNEES, ETC.) 10-REFLECTIVE CLOTHING 11-LIGHTING - PEDESTRIAN / BICYCLE ONLY 99-OTHER / UNKNOWN				1-NOT TRAPPED 2-EXTRICATED BY MECHANICAL MEANS 3-FREED BY NON-MECHANICAL MEANS		F-FEMALE M-MALE U-OTHER/UNKNOWN						1-NONE 2-BLOOD 3-URINE 4-OTHER	
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OHIO DEPARTMENT OF PUBLIC SAFETY TRAFFIC CRASH REPORT *DENOTES MANDATORY FIELD FOR SUPPLEMENT REPORT										LOCAL REPORT NUMBER*			
☒ PHOTOS TAKEN ☐ SECONDARY CRASH ☐ PRIVATE PROPERTY		☐ OH-2 ☐ OH-3 ☐ OH-1P ☐ OTHER		LOCAL INFORMATION				2 0 2 1 - 0 0 0 0 1 6 6 4					
REPORTING AGENCY NAME*				NCIC*		HIT/SKIP 1 - SOLVED 2 - UNSOLVED		NUMBER OF UNITS		UNIT IN ERROR 98 - ANIMAL 99 - UNKNOWN			
Elyria Police Department				0 4 7 0 4				0 1		0 1			
UNTY*	LOCALITY*	LOCATION: CITY, VILLAGE, TOWNSHIP*		CRASH DATE / TIME*				CRASH SEVERITY					
4 7	1	Elyria		01232021/1854				3					
ROUTE TYPE	ROUTE NUMBER	PREFIX	N - NORTH S - SOUTH E - EAST W - WEST	LOCATION ROAD NAME		ROAD TYPE	LATITUDE DECIMAL DEGREES		1 - FATAL 2 - SERIOUS INJURY SUSPECTED 3 - MINOR INJURY SUSPECTED 4 - INJURY POSSIBLE 5 - PROPERTY DAMAGE ONLY				
				LORAIN VD		B L	41.380542						
ROUTE TYPE	ROUTE NUMBER	PREFIX	N - NORTH S - SOUTH E - EAST W - WEST	REFERENCE ROAD NAME (ROAD, MILEPOST, HOUSE #)		ROAD TYPE	LONGITUDE DECIMAL DEGREES						
				Bond		S T	-82.11717						
REFERENCE POINT 1 - INTERSECTION 2 - MILE POST 3 - HOUSE #		DIRECTION 1 - NORTH 2 - SOUTH 3 - EAST 4 - WEST		ROUTE TYPE IR - INTERSTATE ROUTE (TP) US - FEDERAL US ROUTE SR - STATE ROUTE CR - NUMBERED COUNTY ROUTE TR - NUMBERED TOWNSHIP ROUTE		ROAD TYPE AL - ALLEY AV - AVENUE BL - BOULEVARD CR - CIRCLE CT - COURT DR - DRIVE HE - HEIGHTS		RD - ROAD SQ - SQUARE ST - STREET TE - TERRACE TL - TRAIL WA - WAY		INTERSECTION RELATED ☐ WITHIN INTERSECTION OR ON APPROACH ☐ WITHIN INTERCHANGE AREA NUMBER OF APPROACHES			
DISTANCE FROM REFERENCE 1 0 0		DISTANCE UNIT OF MEASURE 1 - MILES 2 - FEET 3 - YARDS											
LOCATION OF FIRST HARMFUL EVENT 1 - ON ROADWAY 2 - ON SHOULDER 3 - IN MEDIAN 4 - ON ROADSIDE 5 - ON GORE 6 - OUTSIDE TRAFFIC WAY 7 - ON RAMP 8 - OFF RAMP				MANNER OF CRASH COLLISION/IMPACT 1 - NOT COLLISION BETWEEN TWO MOTOR VEHICLES IN TRANSPORT 2 - REAR-END 3 - HEAD-ON 4 - REAR-TO-REAR 5 - BACKING 6 - ANGLE 7 - SIDESWIPE, SAME DIRECTION 8 - SIDESWIPE, OPPOSITE DIRECTION 9 - OTHER / UNKNOWN				DIRECTION OF TRAVEL 1 - N - NORTH 2 - S - SOUTH 3 - E - EAST 4 - W - WEST		MEDIAN TYPE 1 - DIVIDED FLUSH MEDIAN (<4 FEET) 2 - DIVIDED FLUSH MEDIAN (≥4 FEET) 3 - DIVIDED, DEPRESSED MEDIAN 4 - DIVIDED, RAISED MEDIAN (ANY TYPE) 9 - OTHER/UNKNOWN			
☐ WORK ZONE RELATED ☐ WORKERS PRESENT ☐ LAW ENFORCEMENT PRESENT ☐ ACTIVE SCHOOL ZONE				WORK ZONE TYPE 1 - LANE CLOSURE 2 - LANE SHIFT/CROSSOVER 3 - WORK ON SHOULDER OR MEDIAN 4 - INTERMITTENT OR MOVING WORK 5 - OTHER		LOCATION OF CRASH IN WORK ZONE 1 - BEFORE THE 1ST WORK ZONE WARNING SIGN 2 - ADVANCE WARNING AREA 3 - TRANSITION AREA 4 - ACTIVITY AREA 5 - TERMINATION AREA		CONTOUR 2		CONDITIONS 1			
LIGHT CONDITION 3				WEATHER 0 1				SURFACE 2					
1 - DAYLIGHT 2 - DAWN/DUSK 3 - DARK - LIGHTED ROADWAY 4 - DARK - ROADWAY NOT LIGHTED 5 - DARK - UNKNOWN ROADWAY LIGHTING 9 - OTHER / UNKNOWN				1 - CLEAR 2 - CLOUDY 3 - FOG, SMOG, SMOKE 4 - RAIN 5 - SLEET, HAIL 6 - SNOW 7 - SEVERE CROSSWINDS 8 - BLOWING SAND, SOIL, DIRT, SNOW 9 - FREEZING RAIN OR FREEZING DRIZZLE 99 - OTHER / UNKNOWN				1 - STRAIGHT LEVEL 2 - STRAIGHT GRADE 3 - CURVE LEVEL 4 - CURVE GRADE 9 - OTHER/UNKNOWN		1 - DRY 2 - WET 3 - SNOW 4 - ICE 5 - SAND, MUD, DIRT, OIL, GRAVEL 6 - WATER (STANDING, MOVING) 7 - SLUSH 9 - OTHER/UNKNOWN			
NARRATIVE Unit 1 was traveling northbound on Lorain Blvd. when the driver suffered a medical emergency and ran off the road to the right. After leaving the roadway, Unit 1 struck a utility pole with the front-right side of the vehicle, then continued forward until striking a tree head-on and coming to rest. The driver of Unit 1 was not cited due to the medical emergency. Unit 1 was treated on the scene by Elyria FD then transported to University Hospital by LifeCare.													
CRASH REPORTED DATE / TIME		DISPATCH DATE / TIME		ARRIVAL DATE / TIME		SCENE CLEARED DATE / TIME		REPORT TAKEN BY					
1 2 3 2 0 2 1 / 1 8 5 4		0 1 2 3 2 0 2 1 / 1 8 5 7		0 1 2 3 2 0 2 1 / 1 9 0 3		0 1 2 3 2 0 2 1 / 1 9 2 9		☒ POLICE AGENCY ☐ MOTORIST ☐ SUPPLEMENT (CORRECTION OR ADDITION TO AN EXISTING REPORT)					
TOTAL TIME ROADWAY CLOSED	OTHER INVESTIGATION TIME	TOTAL MINUTES	OFFICER'S NAME*		CHECKED BY OFFICER'S NAME*								
0 0 0	0 0 0	0 3 2	Herish, Colty D		Varga, Aaron M								
			OFFICER'S BADGE NUMBER*		CHECKED BY OFFICER'S BADGE NUMBER*								
			1 4 1		3 1 3								

UNIT # 0, 1	OWNER NAME: LAST, FIRST, MIDDLE (OR SAME AS DRIVER) Deverick, Darrin, Christopher	OWNER PHONE: INCLUDE AREA CODE (OR SAME AS DRIVER) _____
OWNER ADDRESS: STREET, CITY, STATE, ZIP (OR SAME AS DRIVER) 101 LANGFITT DR, Vermillion, OH 44089		
COMMERCIAL CARRIER: NAME, ADDRESS, CITY, STATE, ZIP _____		
COMMERCIAL CARRIER PHONE: INCLUDE AREA CODE _____		
LP STATE OH	LICENSE PLATE # _____	VEHICLE IDENTIFICATION # _____
INSURANCE ☒ VERIFIED	INSURANCE COMPANY Progressive	INSURANCE POLICY # 927463292
TYPE OF USE ☐ COMMERCIAL ☐ GOVERNMENT ☐ IN EMERGENCY RESPONSE	US DOT # _____	VEHICLE WEIGHT GVWR/GCWR 1 - ≤10K LBS 2 - 10,001 - 26K LBS 3 - >26K LBS
INTERLOCK DEVICE EQUIPPED ☐	HIT/SKIP UNIT ☐	#OCCUPANTS 0, 3
VEHICLE YEAR 2012	VEHICLE MAKE Chevrolet	VEHICLE MODEL Equinox
COLOR RED	TOWED BY: COMPANY NAME Sugar Ridge Towing	
HAZARDOUS MATERIAL ☐ MATERIAL RELEASED ☐ PLACARD		
UNIT TYPE 0, 1		
# OF TRAILING UNITS 0		
WAS VEHICLE OPERATING IN AUTONOMOUS MODE WHEN CRASH OCCURRED? 2 1 - YES 2 - NO 9 - OTHER / UNKNOWN		
AUTONOMOUS MODE LEVEL 0		
SPECIAL FUNCTION 0, 1		
CARGO BODY TYPE 0, 1		
VEHICLE DEFECTS 0, 1		
NON-MOTORIST LOCATION AT IMPACT 0, 1		
ACTION 3		
CONTRIBUTING CIRCUMSTANCES 0, 1		
SEQUENCE OF EVENTS 1, 0, 8		
FIRST HARMFUL EVENT 1		
MOST HARMFUL EVENT 3		

LOCAL REPORT NUMBER 2, 0, 2, 1 - 0, 0, 0, 0, 1, 6, 6, 4	
DAMAGE DAMAGE SCALE 4 1 - NONE 3 - FUNCTIONAL DAMAGE 2 - MINOR DAMAGE 4 - DISABLING DAMAGE 9 - UNKNOWN	
DAMAGED AREA(S) INDICATE ALL THAT APPLY	
	
☐ - NO DAMAGE (0) ☐ - UNDERCARRIAGE (14)	
☐ - TOP (13) ☐ - ALL AREAS (15)	
☐ - UNIT NOT AT SCENE (16)	
INITIAL POINT OF CONTACT 0, 1 0 - NO DAMAGE 14 - UNDERCARRIAGE 1-12 - REFER TO UNIT DIAGRAM 15 - VEHICLE NOT AT SCENE 13 - TOP 99 - UNKNOWN	
TRAFFIC TRAFFICWAY FLOW 2 1 - ONE-WAY 2 - TWO-WAY	
TRAFFIC CONTROL 6 1 - ROUNDABOUT 4 - STOP SIGN 2 - SIGNAL 5 - YIELD SIGN 3 - FLASHER 6 - NO CONTROL	
# OF THROUGH LANES ON ROAD 2	
RAIL GRADE CROSSING 1 1 - NOT INVOLVED 2 - INVOLVED-ACTIVE CROSSING 3 - INVOLVED-PASSIVE CROSSING	
UNIT / NON-MOTORIST DIRECTION FROM 2 TO 1	
UNIT SPEED 0, 4, 5	
DETECTED SPEED 1 1 - STATED / ESTIMATED SPEED 2 - CALCULATED / EDR 3 - UNDETERMINED	
POSTED SPEED 3, 5	



MOTORIST / Non-MOTORIST

LOCAL REPORT NUMBER																																													
2 0 2 1 - 0 0 0 0 1 6 6 4																																													
UNIT #		NAME: LAST, FIRST, MIDDLE				DATE OF BIRTH		AGE	GENDER																																				
0 1		Deverick, Darrin, Christopher				1 1 2 0 1 9 9 6		2 4	M																																				
ADDRESS: STREET, CITY, STATE, ZIP						CONTACT PHONE - INCLUDE AREA CODE																																							
5101 LANGFITT DR, Vermillion, OH 44089																																													
MOTORIST / NON-MOTORIST	INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED																																			
	3	2	LifeCare	UH Elyria	0 1	☐	0 1	4	1	1																																			
	OL STATE	OPERATOR LICENSE NUMBER		OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION		CITATION NUMBER																																					
	O H				☐																																								
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				1	☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	4	STATUS	TYPE	VALUE	STATUS	TYPE	RESULT SELECT UP TO 4																																	
							1	1		1	1																																		
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INJURIES	SEATING POSITION	AIR BAG	OL CLASS	OL RESTRICTION(S)	DRIVER DISTRACTION	TEST STATUS																																							
1 - FATAL 2 - SUSPECTED SERIOUS INJURY 3 - SUSPECTED MINOR INJURY 4 - POSSIBLE INJURY 5 - NO APPARENT INJURY	1 - FRONT - LEFT SIDE (MOTORCYCLE DRIVER) 2 - FRONT - MIDDLE 3 - FRONT - RIGHT SIDE 4 - SECOND - LEFT SIDE (MOTORCYCLE PASSENGER) 5 - SECOND - MIDDLE 6 - SECOND - RIGHT SIDE 7 - THIRD - LEFT SIDE (MOTORCYCLE SIDE CAR) 8 - THIRD - MIDDLE 9 - THIRD - RIGHT SIDE 10 - SLEEPER SECTION OF TRUCK CAB 11 - PASSENGER IN OTHER ENCLOSED CARGO AREA (NON-TRAILING UNIT, BUS, PICK-UP WITH CAP) 12 - PASSENGER IN UNENCLOSED CARGO AREA 13 - TRAILING UNIT 14 - RIDING ON VEHICLE EXTERIOR (NON-TRAILING UNIT) 15 - NON-MOTORIST 99 - OTHER / UNKNOWN	1 - NOT DEPLOYED 2 - DEPLOYED FRONT 3 - DEPLOYED SIDE 4 - DEPLOYED BOTH FRONT / SIDE 5 - NOT APPLICABLE 9 - DEPLOYMENT UNKNOWN	1 - CLASS A 2 - CLASS B 3 - CLASS C 4 - REGULAR CLASS (OHIO - D) 5 - MC MOPED ONLY 6 - NO VALID OL	1 - ALCOHOL INTERLOCK DEVICE 2 - CDL INTRASTATE ONLY 3 - CORRECTIVE LENSES 4 - FARM WAIVER 5 - EXCEPT CLASS A BUS 6 - EXCEPT CLASS A & CLASS B BUS 7 - EXCEPT TRACTOR-TRAILER 8 - INTERMEDIATE LICENSE RESTRICTIONS 9 - LEARNER'S PERMIT RESTRICTIONS 10 - LIMITED TO DAYLIGHT ONLY 11 - LIMITED TO EMPLOYMENT 12 - LIMITED - OTHER 13 - MECHANICAL DEVICES (SPECIAL BRAKES, HAND CONTROLS, OR OTHER ADAPTIVE DEVICES) 14 - MILITARY VEHICLES ONLY 15 - MOTOR VEHICLES WITHOUT AIR BRAKES 16 - OUTSIDE MIRROR 17 - PROSTHETIC AID 18 - OTHER	1 - NOT DISTRACTED 2 - MANUALLY OPERATING AN ELECTRONIC COMMUNICATION DEVICE (TEXTING, TYPING, DIALING) 3 - TALKING ON HANDS-FREE COMMUNICATION DEVICE 4 - TALKING ON HAND-HELD COMMUNICATION DEVICE 5 - OTHER ACTIVITY WITH AN ELECTRONIC DEVICE 6 - PASSENGER 7 - OTHER DISTRACTION INSIDE THE VEHICLE 8 - OTHER DISTRACTION OUTSIDE THE VEHICLE 9 - OTHER / UNKNOWN	1 - NONE GIVEN 2 - TEST REFUSED 3 - TEST GIVEN, CONTAMINATED SAMPLE / UNUSABLE 4 - TEST GIVEN, RESULTS KNOWN 5 - TEST GIVEN, RESULTS UNKNOWN																																							
INJURED TAKEN BY 1 - NOT TRANSPORTED / TREATED AT SCENE 2 - EMS 3 - POLICE 9 - OTHER / UNKNOWN		EJECTION 1 - NOT EJECTED 2 - PARTIALLY EJECTED 3 - TOTALLY EJECTED 4 - NOT APPLICABLE		OL ENDORSEMENT H - HAZMAT M - MOTORCYCLE P - PASSENGER N - TANKER Q - MOTOR SCOOTER R - THREE-WHEEL MOTORCYCLE S - SCHOOL BUS T - DOUBLE & TRIPLE TRAILERS X - TANKER / HAZMAT		ALCOHOL TEST TYPE 1 - NONE 2 - BLOOD 3 - URINE 4 - BREATH 5 - OTHER																																							
SAFETY EQUIPMENT 1 - NONE USED 2 - SHOULDER BELT ONLY USED 3 - LAP BELT ONLY USED 4 - SHOULDER & LAP BELT USED 5 - CHILD RESTRAINT SYSTEM - FORWARD FACING 6 - CHILD RESTRAINT SYSTEM - REAR FACING 7 - BOOSTER SEAT 8 - HELMET USED 9 - PROTECTIVE PADS USED (ELBOW, KNEES, ETC.) 10 - REFLECTIVE CLOTHING 11 - LIGHTING - PEDESTRIAN / BICYCLE ONLY 99 - OTHER / UNKNOWN		TRAPPED 1 - NOT TRAPPED 2 - EXTRICATED BY MECHANICAL MEANS 3 - FREED BY NON-MECHANICAL MEANS		GENDER F - FEMALE M - MALE U - OTHER / UNKNOWN		DRUG TEST TYPE 1 - NONE 2 - BLOOD 3 - URINE 4 - OTHER																																							
DRUG TEST RESULT(S) 1 - AMPHETAMINES 2 - BARBITURATES 3 - BENZODIAZEPINES 4 - CANNABINOID 5 - COCAINE 6 - OPIATES / OPPIOIDS 7 - OTHER 8 - NEGATIVE RESULTS																																													

OCCUPANT / WITNESS ADDENDUM

LOCAL REPORT NUMBER
2 0 2 1 - 0 0 0 0 1 6 6 4

UNIT # 01	NAME: LAST, FIRST, MIDDLE BUCHANAN, ELIZABETH, DENISE	DATE OF BIRTH 0 5 1 8 1 9 9 5	AGE 2 5	GENDER F
ADDRESS: STREET, CITY, STATE, ZIP 4987 WOODVIEW DR, VERMILION, OH 44089		CONTACT PHONE - INCLUDE AREA CODE		

INJURIES 4	INJURED TAKEN BY 1	EMS AGENCY (NAME) LifeCare	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED 0, 4	☐ DOT-COMPLIANT MC HELMET	SEATING POSITION 0, 3	AIR BAG USAGE 4	EJECTION 1	TRAPPED 1
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UNIT # 01	NAME: LAST, FIRST, MIDDLE Zander, Marc, Gordon	DATE OF BIRTH 0 6 0 5 1 9 9 5	AGE 2 5	GENDER M
ADDRESS: STREET, CITY, STATE, ZIP 5620 SOUTH ST, VERMILION, OH 44089		CONTACT PHONE - INCLUDE AREA CODE 4 4 0		

INJURIES 4	INJURED TAKEN BY 1	EMS AGENCY (NAME) LifeCare	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED 0, 4	☐ DOT-COMPLIANT MC HELMET	SEATING POSITION 0, 6	AIR BAG USAGE 4	EJECTION 1	TRAPPED 1
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UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER
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ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE		
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INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	☐ DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
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UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER
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ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE		
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INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	☐ DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
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INJURIES	SAFETY EQUIPMENT USED	SEATING POSITION	AIR BAG USAGE
1 - FATAL	1 - NONE USED - VEHICLE OCCUPANT	1 - FRONT - LEFT SIDE (MOTORCYCLE DRIVER)	1 - NOT DEPLOYED
2 - SUSPECTED SERIOUS INJURY	2 - SHOULDER BELT ONLY USED	2 - FRONT - MIDDLE	2 - DEPLOYED FRONT
3 - SUSPECTED MINOR INJURY	3 - LAP BELT ONLY USED	3 - FRONT - RIGHT SIDE	3 - DEPLOYED SIDE
4 - POSSIBLE INJURY	4 - SHOULDER & LAP BELT USED	4 - SECOND - LEFT SIDE (MOTORCYCLE PASSENGER)	4 - DEPLOYED BOTH FRONT/SIDE
5 - NO APPARENT INJURY	5 - CHILD RESTRAINT SYSTEM - FORWARD FACING	5 - SECOND - MIDDLE	5 - NOT APPLICABLE
	6 - CHILD RESTRAINT SYSTEM - REAR FACING	6 - SECOND - RIGHT SIDE	9 - DEPLOYMENT UNKNOWN
	7 - BOOSTER SEAT	7 - THIRD - LEFT SIDE (MOTORCYCLE SIDE CAR)	
	8 - HELMET USED	8 - THIRD - MIDDLE	
	9 - PROTECTIVE PADS USED (ELBOW, KNEES, ETC.)	9 - THIRD - RIGHT SIDE	
	10 - REFLECTIVE CLOTHING	10 - SLEEPER SECTION OF TRUCK CAB	
	11 - LIGHTING - PEDESTRIAN / BICYCLE ONLY	11 - PASSENGER IN OTHER ENCLOSED CARGO AREA (NON-TRAILING UNIT, BUS, PICK-UP WITH CAP)	
	99 - OTHER / UNKNOWN	12 - PASSENGER IN UNENCLOSED CARGO AREA	
		13 - TRAILING UNIT	
		14 - RIDING ON VEHICLE EXTERIOR (NON-TRAILING UNIT)	
		15 - NON-MOTORIST	
		99 - OTHER / UNKNOWN	

NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER
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ADDRESS: STREET, CITY, STATE, ZIP	CONTACT PHONE - INCLUDE AREA CODE		
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NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER
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ADDRESS: STREET, CITY, STATE, ZIP	CONTACT PHONE - INCLUDE AREA CODE		
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NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER
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ADDRESS: STREET, CITY, STATE, ZIP	CONTACT PHONE - INCLUDE AREA CODE		
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OHIO DEPARTMENT OF PUBLIC SAFETY TRAFFIC CRASH REPORT *DENOTES MANDATORY FIELD FOR SUPPLEMENT REPORT										LOCAL REPORT NUMBER*					
☒ PHOTOS TAKEN ☐ OH-2 ☐ OH-3 ☐ SECONDARY CRASH ☐ OH-1P ☐ OTHER ☒ PRIVATE PROPERTY										LOCAL INFORMATION			2 0 2 1 - 0 0 0 0 8 5 6 6		
REPORTING AGENCY NAME* Elyria Police Department NCIC* 0 4 7 0 4										HITS/SKIP 1 - SOLVED 2 - UNSOLVED		NUMBER OF UNITS 0 1		UNIT IN ERROR 98 - ANIMAL 99 - UNKNOWN	
JUNTY* 4 7		LOCALITY* 1 - CITY 2 - VILLAGE 3 - TOWNSHIP		LOCATION: CITY, VILLAGE, TOWNSHIP* Elyria				CRASH DATE / TIME* 04122021 / 0620		CRASH SEVERITY 1 - FATAL 2 - SERIOUS INJURY SUSPECTED 3 - MINOR INJURY SUSPECTED 4 - INJURY POSSIBLE 5 - PROPERTY DAMAGE ONLY					
ROUTE TYPE		ROUTE NUMBER		PREFIX		N - NORTH S - SOUTH E - EAST W - WEST		LOCATION ROAD NAME RIVERSIDE		ROAD TYPE D R		LATITUDE DECIMAL DEGREES 41.356643			
ROUTE TYPE		ROUTE NUMBER		PREFIX		N - NORTH S - SOUTH E - EAST W - WEST		REFERENCE ROAD NAME (ROAD, MILEPOST, HOUSE #) 1014		ROAD TYPE		LONGITUDE DECIMAL DEGREES -82.11494			
REFERENCE POINT 1 - INTERSECTION 2 - MILE POST 3 - HOUSE #		DIRECTION FROM REFERENCE N - NORTH S - SOUTH E - EAST W - WEST		ROUTE TYPE IR - INTERSTATE ROUTE (TP) US - FEDERAL US ROUTE SR - STATE ROUTE CR - NUMBERED COUNTY ROUTE TR - NUMBERED TOWNSHIP ROUTE		AL - ALLEY AV - AVENUE BL - BOULEVARD CR - CIRCLE CT - COURT DR - DRIVE HE - HEIGHTS		ROAD TYPE HW - HIGHWAY LA - LANE MP - MILEPOST OV - OVAL PK - PARKWAY PI - PIKE PL - PLACE		RD - ROAD SQ - SQUARE ST - STREET TE - TERRACE TL - TRAIL WA - WAY		INTERSECTION RELATED ☐ WITHIN INTERSECTION OR ON APPROACH ☐ WITHIN INTERCHANGE AREA NUMBER OF APPROACHES			
DISTANCE FROM REFERENCE		DISTANCE UNIT OF MEASURE 1 - MILES 2 - FEET 3 - YARDS								☐ ROADWAY DIVIDED		ROADWAY			
LOCATION OF FIRST HARMFUL EVENT 1 - ON ROADWAY 2 - ON SHOULDER 3 - IN MEDIAN 4 - ON ROADSIDE 5 - ON GORE 6 - OUTSIDE TRAFFIC WAY 7 - ON RAMP 8 - OFF RAMP				9 - CROSSOVER 10 - DRIVEWAY/ALLEY ACCESS 11 - RAILWAY GRADE CROSSING 12 - SHARED USE PATHS OR TRAILS 13 - BIKE LANE 14 - TOLL BOOTH 99 - OTHER / UNKNOWN				MANNER OF CRASH COLLISION/IMPACT 1 - NOT COLLISION BETWEEN TWO MOTOR VEHICLES IN TRANSPORT 2 - REAR-END 3 - HEAD-ON 4 - REAR-TO-REAR 5 - BACKING 6 - ANGLE 7 - SIDESWIPE, SAME DIRECTION 8 - SIDESWIPE, OPPOSITE DIRECTION 9 - OTHER / UNKNOWN				DIRECTION OF TRAVEL N - NORTH S - SOUTH E - EAST W - WEST		MEDIAN TYPE 1 - DIVIDED FLUSH MEDIAN (<4 FEET) 2 - DIVIDED FLUSH MEDIAN (≥4 FEET) 3 - DIVIDED, DEPRESSED MEDIAN (ANY TYPE) 4 - DIVIDED, RAISED MEDIAN (ANY TYPE) 9 - OTHER/UNKNOWN	
☐ WORK ZONE RELATED ☐ WORKERS PRESENT ☐ LAW ENFORCEMENT PRESENT ☐ ACTIVE SCHOOL ZONE		WORK ZONE TYPE 1 - LANE CLOSURE 2 - LANE SHIFT/CROSSOVER 3 - WORK ON SHOULDER OR MEDIAN 4 - INTERMITTENT OR MOVING WORK 5 - OTHER		LOCATION OF CRASH IN WORK ZONE 1 - BEFORE THE 1ST WORK ZONE WARNING SIGN 2 - ADVANCE WARNING AREA 3 - TRANSITION AREA 4 - ACTIVITY AREA 5 - TERMINATION AREA		CONTOUR 2 1 - STRAIGHT LEVEL 2 - STRAIGHT GRADE 3 - CURVE LEVEL 4 - CURVE GRADE 9 - OTHER/UNKNOWN		CONDITIONS 2 1 - DRY 2 - WET 3 - SNOW 4 - ICE 5 - SAND, MUD, DIRT, OIL, GRAVEL 6 - WATER (STANDING, MOVING) 7 - SLUSH 9 - OTHER/UNKNOWN		SURFACE 2 1 - CONCRETE 2 - BLACKTOP, BITUMINOUS, ASPHALT 3 - BRICK/BLOCK 4 - SLAG, GRAVEL, STONE 5 - DIRT 9 - OTHER/UNKNOWN					
LIGHT CONDITION 1 - DAYLIGHT 2 - DAWN/DUSK 3 - DARK - LIGHTED ROADWAY 4 - DARK - ROADWAY NOT LIGHTED 5 - DARK - UNKNOWN ROADWAY LIGHTING 9 - OTHER / UNKNOWN				WEATHER 0 2 1 - CLEAR 2 - CLOUDY 3 - FOG, SMOG, SMOKE 4 - RAIN 5 - SLEET, HAIL 6 - SNOW 7 - SEVERE CROSSWINDS 8 - BLOWING SAND, SOIL, DIRT, SNOW 9 - FREEZING RAIN OR FREEZING DRIZZLE 99 - OTHER / UNKNOWN											
NARRATIVE UNIT 1 WAS PARKED IN DRIVEWAY OF 1014 RIVERSIDE DR. DRIVER OF UNIT 1 ATTEMPTED TO DISABLE EMERGENCY BRAKE AT WHICH TIME THE VEHICLE BEGAN TO ROLL DOWN DRIVEWAY WITH GRADE. DRIVER OF UNIT 1 HELD ONTO STEERING WHEEL AS SHE WAS DRAGGED UNDER THE VEHICLE AS IT ROLLED DOWN DRIVEWAY. UNIT 1 VEHICLE WHEEL WAS TURNED TO THE RIGHT, CAUSING IT TO TURN AND NEARLY STRIKE A TREE, BUT THERE WAS NOT A COLLISION.													Indicate the north direction with an "N" on the compass diagram.		
NOT TO SCALE															
CRASH REPORTED DATE / TIME 4 1 2 2 0 2 1 / 0 6 2 0			DISPATCH DATE / TIME 0 4 1 2 2 0 2 1 / 0 6 2 1			ARRIVAL DATE / TIME 0 4 1 2 2 0 2 1 / 0 6 2 4			SCENE CLEARED DATE / TIME 0 4 1 2 2 0 2 1 / 0 7 0 0			REPORT TAKEN BY ☒ POLICE AGENCY ☐ MOTORIST ☐ SUPPLEMENT (CORRECTION OR ADDITION TO AN EXISTING REPORT SEEN FOR CORRECTION)			
TOTAL TIME ROADWAY CLOSED 0 1 5		OTHER INVESTIGATION TIME 0 1 5		TOTAL MINUTES 0 5 4		OFFICER'S NAME* Jama, Patrick T			CHECKED BY OFFICER'S NAME* Varga, Aaron M						
						OFFICER'S BADGE NUMBER* 1 6 4			CHECKED BY OFFICER'S BADGE NUMBER* 3 1 3						



UNIT #

0, 1

OWNER NAME: LAST, FIRST, MIDDLE

MERRITT, JOHN, D

OWNER ADDRESS: STREET, CITY, STATE, ZIP

014 RIVERSIDE DR, ELYRIA, OH 44035

COMMERCIAL CARRIER: NAME, ADDRESS, CITY, STATE, ZIP

COMMERCIAL CARRIER PHONE: INCLUDE AREA CODE

LP STATE

OH

LICENSE PLATE #

VEHICLE IDENTIFICATION #

VEHICLE YEAR

2007

VEHICLE MAKE

Chevrolet

INSURANCE VERIFIED

INSURANCE COMPANY

INSURANCE POLICY #

COLOR

WHI

VEHICLE MODEL

TAHOE

COMMERCIAL

TYPE OF USE

GOVERNMENT

IN EMERGENCY RESPONSE

US DOT #

TOWED BY: COMPANY NAME

INTERLOCK DEVICE EQUIPPED

HIT/SKIP UNIT

#OCCUPANTS

0, 1

VEHICLE WEIGHT GVWR/GCWR

1 - <10K LBS

2 - 10,001 - 26K LBS

3 - >26K LBS

HAZARDOUS MATERIAL

MATERIAL RELEASED

PLACARD

UNIT TYPE

0, 3

1 - PASSENGER CAR

7 - MOTORCYCLE 2-WHEELED

12 - GOLF CART

18 - LIM (LIVERY VEHICLE)

23 - PEDESTRIAN / SKATER

2 - PASSENGER VAN (MINIVAN)

8 - MOTORCYCLE 3-WHEELED

13 - SNOWMOBILE

19 - BUS (16+ PASSENGERS)

24 - WHEELCHAIR (ANY TYPE)

3 - SPORT UTILITY VEHICLE

9 - AUTOCYCLE

14 - SINGLE UNIT TRUCK

20 - OTHER VEHICLE

25 - OTHER NON-MOTORIST

4 - PICKUP

10 - MOPED OR MOTORIZED BICYCLE

15 - SEMI-TRACTOR

21 - HEAVY EQUIPMENT

26 - BICYCLE

5 - CARGO VAN

11 - ALL TERRAIN VEHICLE (ATV/UTV)

16 - FARM EQUIPMENT

22 - ANIMAL WITH RIDER OR ANIMAL-DRAWN VEHICLE

27 - TRAIN

6 - VAN (9-15 SEATS)

99 - UNKNOWN OR HIT/SKIP

OF TRAILING UNITS

WAS VEHICLE OPERATING IN AUTONOMOUS MODE WHEN CRASH OCCURRED?

2

1 - YES 2 - NO 9 - OTHER / UNKNOWN

AUTONOMOUS MODE LEVEL

0

0 - NO AUTOMATION

1 - DRIVER ASSISTANCE

2 - PARTIAL AUTOMATION

3 - CONDITIONAL AUTOMATION

4 - HIGH AUTOMATION

5 - FULL AUTOMATION

9 - UNKNOWN

SPECIAL FUNCTION

0, 1

1 - NONE

6 - BUS - CHARTER/TOUR

11 - FIRE

16 - FARM

21 - MAIL CARRIER

2 - TAXI

7 - BUS - INTERCITY

12 - MILITARY

17 - MOWING

99 - OTHER / UNKNOWN

3 - ELECTRONIC RIDE SHARING

8 - BUS - SHUTTLE

13 - POLICE

18 - SNOW REMOVAL

4 - SCHOOL TRANSPORT

9 - BUS - OTHER

14 - PUBLIC UTILITY

19 - TOWING

5 - BUS - TRANSIT/COMMUTER

10 - AMBULANCE

15 - CONSTRUCTION EQUIPMENT

20 - SAFETY SERVICE PATROL

CARGO BODY TYPE

0, 1

1 - NO CARGO BODY TYPE / NOT APPLICABLE

3 - VEHICLE TOWING ANOTHER MOTOR VEHICLE

5 - INTERMODAL CONTAINER CHASSIS

8 - POLE

12 - CONCRETE MIXER

2 - BUS

4 - LOGGING

6 - CARGO VAN ENCLOSED BOX

10 - FLAT BED

13 - AUTOTRANSPORTER

7 - GRAIN/CHIPS/GRAVEL

11 - DUMP

14 - CARGO REFUSE

99 - OTHER / UNKNOWN

VEHICLE DEFECTS

1 - TURN SIGNALS

4 - BRAKES

7 - WORN OR SLICK TIRES

9 - MOTOR TROUBLE

99 - OTHER / UNKNOWN

2 - HEAD LAMPS

5 - STEERING

8 - TRAILER EQUIPMENT DEFECTIVE

10 - DISABLED FROM PRIOR ACCIDENT

3 - TAIL LAMPS

6 - TIRE BLOWOUT

NON-MOTORIST LOCATION AT IMPACT

1 - INTERSECTION - MARKED CROSSWALK

3 - INTERSECTION - OTHER

6 - BICYCLE LAKE

9 - MEDIAN/CROSSING ISLAND

12 - FIRST RESPONDER AT INCIDENT SCENE

2 - INTERSECTION - UNMARKED CROSSWALK

4 - MIDBLOCK - MARKED CROSSWALK

7 - SHOULDER / ROADSIDE

10 - DRIVEWAY ACCESS

99 - OTHER / UNKNOWN

5 - TRAVEL LANE - OTHER LOCATION

8 - SIDEWALK

11 - SHARED USE PATHS OR TRAILS

ACTION

1

1 - NON-CONTACT

2 - NON-COLLISION

3 - STRIKING

4 - STRUCK

5 - BOTH STRIKING & STRUCK

9 - OTHER / UNKNOWN

1 - STRAIGHT AHEAD

2 - BACKING

3 - CHANGING LANES

4 - OVERTAKING/PASSING

5 - MAKING RIGHT TURN

6 - MAKING LEFT TURN

7 - MAKING U-TURN

8 - ENTERING TRAFFIC LANE

9 - LEAVING TRAFFIC LANE

10 - PARKED

11 - SLOWING OR STOPPED IN TRAFFIC

12 - DRIVERLESS

13 - NEGOTIATING A CURVE

14 - ENTERING OR CROSSING SPECIFIED LOCATION

15 - WALKING, RUNNING, JOGGING, PLAYING

16 - WORKING

17 - PUSHING VEHICLE

18 - APPROACHING OR LEAVING VEHICLE

19 - STANDING

20 - OTHER NON-MOTORIST

21 - STANDING OUTSIDE DISABLED VEHICLE

99 - OTHER / UNKNOWN

CONTRIBUTING CIRCUMSTANCES

1, 3

1 - NONE

2 - FAILURE TO YIELD

3 - RAN RED LIGHT

4 - RAN STOP SIGN

5 - UNSAFE SPEED

6 - IMPROPER TURN

7 - LEFT OF CENTER

8 - FOLLOWING TOO CLOSE / ACD

9 - IMPROPER LANE CHANGE

10 - IMPROPER PASSING

11 - DROVE OFF ROAD

12 - IMPROPER BACKING

13 - IMPROPER START FROM A PARKED POSITION

14 - STOPPED OR PARKED ILLEGALLY

15 - SWERVING TO AVOID

16 - WRONG WAY

17 - VISION OBSTRUCTION

18 - OPERATING DEFECTIVE EQUIPMENT

19 - LOAD SHIFTING/FALLING/SPILLING

20 - IMPROPER CROSSING

21 - LYING IN ROADWAY

22 - NOT DISCERNIBLE

23 - OPENING DOOR INTO ROADWAY

99 - OTHER IMPROPER ACTION

SEQUENCE OF EVENTS

1 - OVERTURN/ROLL OVER

2 - FIRE/EXPLOSION

3 - IMMOBILIZATION

4 - JACKKNIFE

5 - CARGO/EQUIPMENT LOSS OR SHIFT

6 - EQUIPMENT FAILURE

7 - SEPARATION OF UNITS

8 - RAN OFF ROAD RIGHT

9 - RAN OFF ROAD LEFT

10 - CROSS MEDIAN

11 - CROSS CENTERLINE - OPPOSITE DIRECTION OF TRAVEL

12 - DOWNHILL RUNAWAY

13 - OTHER NON-COLLISION

14 - PEDESTRIAN

15 - PEDAL CYCLE

16 - RAILWAY VEHICLE

17 - ANIMAL - FARM

18 - ANIMAL - DEER

19 - ANIMAL - OTHER

20 - MOTOR VEHICLE IN TRANSPORT

21 - PARKED MOTOR VEHICLE

22 - WORK ZONE MAINTENANCE EQUIPMENT

23 - STRUCK BY FALLING, SHIFTING CARGO OR ANYTHING SET IN MOTION BY A MOTOR VEHICLE

24 - OTHER MOVABLE OBJECT

COLLISION WITH FIXED OBJECT - STRUCK

25 - IMPACT ATTENUATION / CRASH CUSHION

26 - BRIDGE OVERHEAD STRUCTURE

27 - BRIDGE PIER OR ABUTMENT

28 - BRIDGE PARAPET

29 - BRIDGE RAIL

30 - GUARD RAIL FACE

31 - GUARDRAIL END

32 - PORTABLE BARRIER

33 - MEDIAN CABLE BARRIER

34 - MEDIAN GUARDRAIL BARRIER

35 - MEDIAN CONCRETE BARRIER

36 - MEDIAN OTHER BARRIER

37 - TRAFFIC SIGN POST

38 - OVERHEAD SIGN POST

39 - LIGHT / LUMINAIRES SUPPORT

40 - UTILITY POLE

41 - OTHER POST, POLE OR SUPPORT

42 - CULVERT

43 - CURB

44 - DITCH

45 - EMBANKMENT

46 - FENCE

47 - MAILBOX

48 - TREE

49 - FIRE HYDRANT

50 - WORK ZONE MAINTENANCE EQUIPMENT

51 - WALL

52 - BUILDING

53 - TUNNEL

54 - OTHER FIXED OBJECT

99 - OTHER / UNKNOWN

FIRST HARMFUL EVENT

1

MOST H

LOCAL REPORT NUMBER	
2 0 2 1 - 0 0 0 0 8 5 6 6	
DAMAGE	
DAMAGE SCALE	
1 - NONE 2 - MINOR DAMAGE 9 - UNKNOWN	3 - FUNCTIONAL DAMAGE 4 - DISABLING DAMAGE
1 1	
DAMAGED AREA(S) INDICATE ALL THAT APPLY	
              	
☐ - NO DAMAGE [0] ☐ - UNDERCARRIAGE [14] ☐ - TOP [13] ☐ - ALL AREAS [15] ☐ - UNIT NOT AT SCENE [16]	
INITIAL POINT OF CONTACT	
0 - NO DAMAGE 14 - UNDERCARRIAGE 1-12 - REFER TO UNIT DIAGRAM 15 - VEHICLE NOT AT SCENE 13 - TOP 99 - UNKNOWN	
0 0	
TRAFFIC	
TRAFFICWAY FLOW 1 - ONE-WAY 2 - TWO-WAY FROM 2 TO 4	TRAFFIC CONTROL 1 - ROUNDABOUT 4 - STOP SIGN 2 - SIGNAL 5 - YIELD SIGN 3 - FLASHER 6 - NO CONTROL
# OF THROUGH LANES ON ROAD 2	RAIL GRADE CROSSING 1 - NOT INVOLVED 2 - INVOLVED-ACTIVE CROSSING 3 - INVOLVED-PASSIVE CROSSING 1
UNIT / NON-MOTORIST DIRECTION	
1 - NORTH 5 - NORTHEAST 2 - SOUTH 6 - NORTHWEST 3 - EAST 7 - SOUTHEAST 4 - WEST 8 - SOUTHWEST 9 - OTHER / UNKNOWN	
FROM 3 TO 4	
UNIT SPEED 0 0 5	DETECTED SPEED 1 - STATED / ESTIMATED SPEED 2 - CALCULATED / EDR 3 - UNDETERMINED 1
POSTED SPEED 2 5	



MOTORIST / Non-MOTORIST

LOCAL REPORT NUMBER

2 0 2 1 - 0 0 0 0 8 5 6 6

UNIT # 0 1 NAME: LAST, FIRST, MIDDLE
Prokop, Christine E

ADDRESS: STREET, CITY, STATE, ZIP

1014 RIVERSIDE DR, ELYRIA, OH 44035

DATE OF BIRTH 0 9 0 7 1 9 7 1 AGE 4 9 GENDER F

CONTACT PHONE - INCLUDE AREA CODE

4 4 0

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
2	2	LifeCare	UH Elyria	0 1	☐	0 1	1	1	1
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER				
O H									
OL CLASS	ENDORSEMENT	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)	
4			1	☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	1	STATUS	TYPE	VALU	STATUS
						1	1		1

UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER					
ADDRESS: STREET, CITY, STATE, ZIP	CONTACT PHONE - INCLUDE AREA CODE								
INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
					☐				
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER				
OL CLASS	ENDORSEMENT	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)	
				☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG		STATUS	TYPE	VALU	STATUS

UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER					
ADDRESS: STREET, CITY, STATE, ZIP	CONTACT PHONE - INCLUDE AREA CODE								
INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
					☐				
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER				
OL CLASS	ENDORSEMENT	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)	
				☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG		STATUS	TYPE	VALU	STATUS

INJURIES	SEATING POSITION	AIR BAG	OL CLASS	OL RESTRICTION(S)	DRIVER DISTRACTION	TEST STATUS
1 - FATAL 2 - SUSPECTED SERIOUS INJURY 3 - SUSPECTED MINOR INJURY 4 - POSSIBLE INJURY 5 - NO APPARENT INJURY	1 - FRONT - LEFT SIDE (MOTORCYCLE DRIVER) 2 - FRONT - MIDDLE 3 - FRONT - RIGHT SIDE 4 - SECOND - LEFT SIDE (MOTORCYCLE PASSENGER) 5 - SECOND - MIDDLE 6 - SECOND - RIGHT SIDE 7 - THIRD - LEFT SIDE (MOTORCYCLE SIDE CAR) 8 - THIRD - MIDDLE 9 - THIRD - RIGHT SIDE 10 - SLEEPER SECTION OF TRUCK CAB 11 - PASSENGER IN OTHER ENCLOSED CARGO AREA (NON-TRAILING UNIT, BUS, PICK-UP WITH CAP) 12 - PASSENGER IN UNENCLOSED CARGO AREA 13 - TRAILING UNIT 14 - RIDING ON VEHICLE EXTERIOR (NON-TRAILING UNIT) 15 - NON-MOTORIST 99 - OTHER / UNKNOWN	1 - NOT DEPLOYED 2 - DEPLOYED FRONT 3 - DEPLOYED SIDE 4 - DEPLOYED BOTH FRONT / SIDE 5 - NOT APPLICABLE 9 - DEPLOYMENT UNKNOWN	1 - CLASS A 2 - CLASS B 3 - CLASS C 4 - REGULAR CLASS (OHIO - D) 5 - MC MOPED ONLY 6 - NO VALID OL	1 - ALCOHOL INTERLOCK DEVICE 2 - COL INTRASTATE ONLY 3 - CORRECTIVE LENSES 4 - FARM WAIVER 5 - EXCEPT CLASS A BUS 6 - EXCEPT CLASS A & CLASS B BUS 7 - EXCEPT TRACTOR-TRAILER 8 - INTERMEDIATE LICENSE RESTRICTIONS 9 - LEARNER'S PERMIT RESTRICTIONS 10 - LIMITED TO DAYLIGHT ONLY 11 - LIMITED TO EMPLOYMENT 12 - LIMITED - OTHER 13 - MECHANICAL DEVICES (SPECIAL BRAKES, HAND CONTROLS, OR OTHER ADAPTIVE DEVICES) 14 - MILITARY VEHICLES ONLY 15 - MOTOR VEHICLES WITHOUT AIR BRAKES 16 - OUTSIDE MIRROR 17 - PROSTHETIC AID 18 - OTHER	1 - NOT DISTRACTED 2 - MANUALLY OPERATING AN ELECTRONIC COMMUNICATION DEVICE (TEXTING, TYPING, DIALING) 3 - TALKING ON HANDS-FREE COMMUNICATION DEVICE 4 - TALKING ON HAND-HELD COMMUNICATION DEVICE 5 - OTHER ACTIVITY WITH AN ELECTRONIC DEVICE 6 - PASSENGER 7 - OTHER DISTRACTION INSIDE THE VEHICLE 8 - OTHER DISTRACTION OUTSIDE THE VEHICLE 9 - OTHER / UNKNOWN	1 - NONE GIVEN 2 - TEST REFUSED 3 - TEST GIVEN, CONTAMINATED SAMPLE / UNUSABLE 4 - TEST GIVEN, RESULTS KNOWN 5 - TEST GIVEN, RESULTS UNKNOWN
INJURED TAKEN BY	EJECTION		OL ENDORSEMENT	ALCOHOL TEST TYPE		
1 - NOT TRANSPORTED / TREATED AT SCENE 2 - EMS 3 - POLICE 9 - OTHER / UNKNOWN	1 - NOT EJECTED 2 - PARTIALLY EJECTED 3 - TOTALLY EJECTED 4 - NOT APPLICABLE		H - HAZMAT M - MOTORCYCLE P - PASSENGER N - TANKER Q - MOTOR SCOOTER R - THREE-WHEEL MOTORCYCLE S - SCHOOL BUS T - DOUBLE & TRIPLE TRAILERS X - TANKER / HAZMAT	1 - NONE 2 - BLOOD 3 - URINE 4 - BREATH 5 - OTHER		
SAFETY EQUIPMENT	TRAPPED		GENDER	DRUG TEST TYPE		
1 - NONE USED 2 - SHOULDER BELT ONLY USED 3 - LAP BELT ONLY USED 4 - SHOULDER & LAP BELT USED 5 - CHILD RESTRAINT SYSTEM - FORWARD FACING 6 - CHILD RESTRAINT SYSTEM - REAR FACING 7 - BOOSTER SEAT 8 - HELMET USED 9 - PROTECTIVE PADS USED (ELBOW, KNEES, ETC) 10 - REFLECTIVE CLOTHING 11 - LIGHTING - PEDESTRIAN / BICYCLE ONLY 99 - OTHER / UNKNOWN	1 - NOT TRAPPED 2 - EXTRICATED BY MECHANICAL MEANS 3 - FREED BY NON-MECHANICAL MEANS		F - FEMALE M - MALE U - OTHER / UNKNOWN	1 - NONE 2 - BLOOD 3 - URINE 4 - OTHER		
				DRUG TEST RESULT(S)		
				1 - AMPHETAMINES 2 - BARBITURATES 3 - BENZODIAZEPINES 4 - CANNABINOIDS 5 - COCAINE 6 - OPIATES / OPIOIDS 7 - OTHER 8 - NEGATIVE RESULTS		



Narrative Continuation

LOCAL REPORT NUMBER

2 0 2 1 - 0 0 0 0 8 5 6 6

UNIT 1 DRIVER SUSTAINED POSSIBLE
SERIOUS INJURY FROM BEING DRAGGED UNDER THE VEHICLE BACKING FROM DRIVEWAY ON
A SLOPE. NO DAMAGE REPORTED TO VEHICLE AND DRIVER OF UNIT 1 WAS TAKEN TO
HOSPITAL BY EMS.

OHIO DEPARTMENT OF PUBLIC SAFETY TRAFFIC CRASH REPORT *DENOTES MANDATORY FIELD FOR SUPPLEMENT REPORT										LOCAL REPORT NUMBER*					
☒ PHOTOS TAKEN ☐ SECONDARY CRASH		☐ OH-2 ☐ OH-1P ☐ OTHER ☐ PRIVATE PROPERTY		LOCAL INFORMATION				2021-00006431		HIT/SKIP 1 - SOLVED 2 - UNSOLVED		NUMBER OF UNITS 01	UNIT IN ERROR 98 - ANIMAL 99 - UNKNOWN 01		
REPORTING AGENCY NAME*		NCIC*		CRASH DATE / TIME*				CRASH SEVERITY							
Elyria PD		04704		03202021 2326				1 - FATAL 2 - SERIOUS INJURY SUSPECTED 3 - MINOR INJURY SUSPECTED 4 - INJURY POSSIBLE 5 - PROPERTY DAMAGE ONLY							
UNTY*	LOCALITY*	LOCATION: CITY, VILLAGE, TOWNSHIP*		LOCATION ROAD NAME		ROAD TYPE		LATITUDE (DECIMAL DEGREES)							
47	1	Elyria		LOWELL		S T		41.375283							
ROUTE TYPE	ROUTE NUMBER	PREFIX	1 - NORTH 2 - SOUTH 3 - EAST 4 - WEST	REFERENCE ROAD NAME (ROAD, MILEPOST, HOUSE #)		ROAD TYPE		LONGITUDE (DECIMAL DEGREES)							
				MURRAY RIDGE		R D		-8.15011							
REFERENCE POINT		DIRECTION		ROUTE TYPE		ROAD TYPE		INTERSECTION RELATED							
1 - INTERSECTION 2 - MILE POST 3 - HOUSE #		1 - NORTH 2 - SOUTH 3 - EAST 4 - WEST		IR - INTERSTATE ROUTE (TP) US - FEDERAL US ROUTE SR - STATE ROUTE CR - NUMBERED COUNTY ROUTE TR - NUMBERED TOWNSHIP ROUTE		AL - ALLEY AV - AVENUE BL - BOULEVARD CR - CIRCLE CT - COURT DR - DRIVE NE - HEIGHTS		HW - HIGHWAY LA - LANE MP - MILEPOST OV - OVAL PK - PARKWAY PI - PIKE PL - PLACE		☐ WITHIN INTERSECTION OR ON APPROACH ☐ WITHIN INTERCHANGE AREA ☐ ROADWAY DIVIDED					
DISTANCE FROM REFERENCE		DISTANCE UNIT OF MEASURE													
		1 - MILES 2 - FEET 3 - YARDS													
LOCATION OF FIRST HARMFUL EVENT				MANNER OF CRASH COLLISION/IMPACT				DIRECTION OF TRAVEL		MEDIAN TYPE					
1 - ON ROADWAY 2 - ON SHOULDER 3 - IN MEDIAN 4 - ON ROADSIDE 5 - ON GORE 6 - OUTSIDE TRAFFIC WAY 7 - ON RAMP 8 - OFF RAMP				9 - CROSSOVER 10 - DRIVEWAY/ALLEY ACCESS 11 - RAILWAY GRADE CROSSING 12 - SHARED USE PATHS OR TRAILS 13 - BIKE LANE 14 - TOLL BOOTH 99 - OTHER / UNKNOWN				1 - NOT COLLISION BETWEEN TWO MOTOR VEHICLES IN TRANSPORT 2 - REAR-END 3 - HEAD-ON 4 - REAR-TO-REAR 5 - BACKING 6 - ANGLE 7 - SIDESWIPE, SAME DIRECTION 8 - SIDESWIPE, OPPOSITE DIRECTION 9 - OTHER / UNKNOWN				1 - NORTH 2 - SOUTH 3 - EAST 4 - WEST		1 - DIVIDED FLUSH MEDIAN (<4 FEET) 2 - DIVIDED FLUSH MEDIAN (>4 FEET) 3 - DIVIDED, DEPRESSED MEDIAN (ANY TYPE) 4 - DIVIDED, RAISED MEDIAN (ANY TYPE) 9 - OTHER/UNKNOWN	
☐ WORK ZONE RELATED ☐ WORKERS PRESENT ☐ LAW ENFORCEMENT PRESENT ☐ ACTIVE SCHOOL ZONE		WORK ZONE TYPE		LOCATION OF CRASH IN WORK ZONE		CONTOUR		CONDITIONS		SURFACE					
		1 - LANE CLOSURE 2 - LANE SHIFT/CROSSOVER 3 - WORK ON SHOULDER OR MEDIAN 4 - INTERMITTENT OR MOVING WORK 5 - OTHER		1 - BEFORE THE 1ST WORK ZONE WARNING SIGN 2 - ADVANCE WARNING AREA 3 - TRANSITION AREA 4 - ACTIVITY AREA 5 - TERMINATION AREA		1 1 - STRAIGHT LEVEL 2 - STRAIGHT GRADE 3 - CURVE LEVEL 4 - CURVE GRADE 9 - OTHER/UNKNOWN		1 1 - DRY 2 - WET 3 - SNOW 4 - ICE 5 - SAND, MUD, DIRT, OIL, GRAVEL 6 - WATER (STANDING, MOVING) 7 - SLUSH 9 - OTHER/UNKNOWN		2 1 - CONCRETE 2 - BLACKTOP, BITUMINOUS, ASPHALT 3 - BRICK/BLOCK 4 - SLAG, GRAVEL, STONE 5 - DIRT 9 - OTHER/UNKNOWN					
LIGHT CONDITION		WEATHER													
1 - DAYLIGHT 2 - DAWN/DUSK 3 - DARK - LIGHTED ROADWAY 4 - DARK - ROADWAY NOT LIGHTED 5 - DARK - UNKNOWN ROADWAY LIGHTING 9 - OTHER / UNKNOWN		1 - CLEAR 2 - CLOUDY 3 - FOG, SMOG, SMOKE 4 - RAIN 5 - SLEET, HAIL		6 - SNOW 7 - SEVERE CROSSWINDS 8 - BLOWING SAND, SOIL, DIRT, SNOW 9 - FREEZING RAIN OR FREEZING DRIZZLE 99 - OTHER / UNKNOWN											
NARRATIVE UNIT ONE WAS TRAVELING EAST BOUND ON LOWELL ST. JUST EAST MURRAY RIDGE RD. UNIT ONE RAN OFF THE ROAD LEFT STRIKING A UTILITY POLE. UNIT ONE APPEARED TO BE SUFFERING FROM MEDICAL CONDITION CAUSING ACCIDENT.															
CRASH REPORTED DATE / TIME		DISPATCH DATE / TIME		ARRIVAL DATE / TIME		SCENE CLEARED DATE / TIME		REPORT TAKEN BY							
03202021 2326		03202021 2328		03202021 2335		03212021 0004		☒ POLICE AGENCY ☐ MOTORIST							
TOTAL TIME DWAY CLOSED		OTHER INVESTIGATION TIME		TOTAL MINUTES		OFFICER'S NAME*		CHECKED BY OFFICER'S NAME*							
0		1		37		Larson		Varga							
						OFFICER'S BADGE NUMBER*		CHECKED BY OFFICER'S BADGE NUMBER*							
						199		313							
☐ SUPPLEMENT (CORRECTIONS OR ADDITIONS TO AN OFFICER'S REPORT MUST BE REPORTED)															



UNIT #

01

OWNER NAME: LAST, FIRST, MIDDLE

MILLER, MICHAEL A

OWNER PHONE: (AREA CODE) (PHONE NUMBER)

NEAREST ADDRESS: STREET, CITY, STATE, ZIP

114 W 23RD ST LORAIN, OH 44052

COMMERCIAL CARRIER: NAME, ADDRESS, CITY, STATE, ZIP

COMMERCIAL CARRIER PHONE: (AREA CODE) (PHONE NUMBER)

LP STATE

OH

LICENSE PLATE #

VEHICLE IDENTIFICATION #

VEHICLE YEAR

2011

VEHICLE MAKE

Toyota

INSURANCE VERIFIED

INSURANCE COMPANY

INSURANCE POLICY #

COLOR

MAR

VEHICLE MODEL

HIG

TYPE OF USE

COMMERCIAL

GOVERNMENT

IN EMERGENCY RESPONSE

US DOT #

TOWED BY: COMPANY NAME

Sugar Ridge Tow

INTERLOCK DEVICE EQUIPPED

HIT/SKIP UNIT

#OCCUPANTS

01

VEHICLE WEIGHT BY GVW/GCWR

1 - <10K LBS.

2 - 10,001 - 26K LBS.

3 - >26K LBS.

HAZARDOUS MATERIAL

MATERIAL RELEASED

CLASS

PLACARD ID #

UNIT TYPE

03

1 - PASSENGER CAR

2 - PASSENGER VAN (MINI VAN)

3 - SPORT UTILITY VEHICLE

4 - PICK UP

5 - CARGO VAN

6 - VAN (15 SEATS)

7 - MOTORCYCLE 2-WHEELED

8 - MOTORCYCLE 3-WHEELED

9 - AUTOCYCLE

10 - MOPED OR MOTORIZED BICYCLE

11 - ALL-TERRAIN VEHICLE (ATV/UTV)

12 - GOLF CART

13 - SNOWMOBILE

14 - SINGLE UNIT TRUCK

15 - SEMI-TRACTOR

16 - FARM EQUIPMENT

17 - MOTORHOME

18 - LIMO (LIVERY VEHICLE)

19 - BUS (16+ PASSENGERS)

20 - OTHER VEHICLE

21 - HEAVY EQUIPMENT

22 - ANIMAL W/ATH RIDER C.

23 - PEDESTRIAN / SKATER

24 - WHEELCHAIR (ANY TYPE)

25 - OTHER NON-MOTORIST

26 - BICYCLE

27 - TRAIN

99 - UNKNOWN OR HIT/SKIP

OF TRAILING UNITS

00

WAS VEHICLE OPERATING IN AUTONOMOUS MODE WHEN CRASH OCCURRED?

1 - YES

2 - NO

9 - OTHER / UNKNOWN

AUTONOMOUS MODE LEVEL

0

0 - NO AUTOMATION

1 - DRIVER ASSISTANCE

2 - PARTIAL AUTOMATION

3 - CONDITIONAL AUTOMATION

4 - HIGH AUTOMATION

5 - FULL AUTOMATION

9 - UNKNOWN

SPECIAL FUNCTION

01

1 - NONE

2 - TAXI

3 - ELECTRONIC RIDE SHARING

4 - SCHOOL TRANSPORT

5 - BUS - TRANSIT/COMMUTER

6 - BUS - CHARTER/TOUR

7 - BUS - INTERCITY

8 - BUS - SHUTTLE

9 - BUS - OTHER

10 - AMBULANCE

11 - FIRE

12 - MILITARY

13 - POLICE

14 - PUBLIC UTILITY

15 - CONSTRUCTION EQUIPMENT

16 - FARM

17 - MOWING

18 - SNOW REMOVAL

19 - TOWING

20 - SAFETY SERVICE PATROL

21 - MAIL CARRIER

99 - OTHER / UNKNOWN

CARGO BODY TYPE

01

1 - NO CARGO BODY TYPE / NOT APPLICABLE

2 - BUS

3 - VEHICLE TOWING ANOTHER MOTOR VEHICLE

4 - LOGGING

5 - INTERMODAL CONTAINER CHASSIS

6 - CARGO VAN/ENCLOSED BOX

7 - CRAN/CHIPS/RUMBLE

8 - POLE

9 - CARGO TANK

10 - FLAT BED

11 - DUMP

12 - CONCRETE MIXER

13 - AUTO TRANSPORTER

14 - CARGO BAG/REFUSE

99 - OTHER / UNKNOWN

VEHICLE DEFECTS

01

1 - TURN SIGNALS

2 - HEAD LAMPS

3 - TAIL LAMPS

4 - BRAKES

5 - STEERING

6 - TIRE BLOWOUT

7 - WORN OR SLICK TIRES

8 - TRAILER EQUIPMENT DEFECTIVE

9 - MOTOR TROUBLE

10 - DISABLED FROM PRIOR ACCIDENT

99 - OTHER / UNKNOWN

NON-MOTORIST LOCATION AT IMPACT

01

1 - INTERSECTION - MARKED CROSSWALK

2 - INTERSECTION - UNMARKED CROSSWALK

3 - INTERSECTION - OTHER

4 - SHOULDER - MARKED CROSSWALK

5 - TRAVEL LANE - OTHER

6 - BICYCLE LANE

7 - SHOULDER / ROADSIDE

8 - SIDEWALK

9 - MEDIAN/CROSSING ISLAND

10 - DRIVEWAY ACCESS

11 - SHARED USE PATHS OR TRAILS

12 - FIRST RESPONDER AT INCIDENT SCENE

99 - OTHER / UNKNOWN

ACTION

03

1 - NON-CONTACT

2 - NON-COLLISION

3 - STRIKING

4 - STRUCK

5 - BOTH STRIKING & STRUCK

9 - OTHER / UNKNOWN

1 - STRAIGHT AHEAD

2 - BACKING

3 - CHANGING LANES

4 - OVERTAKING/PASSING

5 - MAKING RIGHT TURN

6 - MAKING LEFT TURN

7 - MAKING U-TURN

8 - ENTERING TRAFFIC LANE

9 - LEAVING TRAFFIC LANE

10 - PARKED

11 - SLOWING OR STOPPED IN TRAFFIC

12 - DRIVERLESS

13 - NEGOTIATING A CURVE

14 - ENTERING OR CROSSING SPECIFIED LOCATION

15 - WALKING, RUNNING, JOGGING, PLAYING

16 - WORKING

17 - PUSHING VEHICLE

18 - APPROACHING OR LEAVING VEHICLE

19 - STANDING

20 - OTHER NON-MOTORIST

99 - OTHER / UNKNOWN

CONTINUING CIRCUMSTANCES

11

1 - NONE

2 - FAILURE TO YIELD

3 - RAN RED LIGHT

4 - RAN STOP SIGN

5 - UNSAFE SPEED

6 - IMPROPER TURN

7 - LEFT OF CENTER

8 - FOLLOWING TOO CLOSE / AHEAD

9 - IMPROPER LANE CHANGE

10 - IMPROPER PASSING

11 - DROVE OFF ROAD

12 - IMPROPER BACKING

13 - IMPROPER START FROM A PARKED POSITION

14 - STOPPED OR PARKED ILLEGALLY

15 - SWERVING TO AVOID

16 - WRONG WAY

17 - VISION OBSTRUCTION

18 - OPERATING DEFECTIVE EQUIPMENT

19 - LOAD SHIFTING/FALLING/SPILLING

20 - IMPROPER CROSSING

21 - LYING IN ROADWAY

22 - NOT DISCREIBABLE

23 - OPENING DOOR INTO ROADWAY

99 - OTHER IMPROPER ACTION

SEQUENCE OF EVENTS

09

1 - OVERTURN/ROLLOVER

2 - FIRE/EXPLOSION

3 - IMMERSION

4 - JACKKNIFE

5 - CARGO / EQUIPMENT LOSS OR SHIFT

6 - EQUIPMENT FAILURE

7 - SEPARATION OF UNITS

8 - RAN OFF ROAD RIGHT

9 - RAN OFF ROAD LEFT

10 - CROSS MEDIAN

11 - CROSS CENTERLINE - OPPOSITE DIRECTION OF TRAVEL

12 - DOWNHILL RUNAWAY

13 - OTHER NON-COLLISION

14 - PEDESTRIAN

15 - PEDALCYCLE

16 - RAILWAY VEHICLE

17 - ANIMAL - FARM

18 - ANIMAL - DEER

19 - ANIMAL - OTHER

20 - MOTOR VEHICLE IN TRANSPORT

21 - PARKED MOTOR VEHICLE

22 - WORK ZONE MAINTENANCE EQUIPMENT

23 - SHIFTING CARGO OR ANYTHING SET IN MOTION BY A MOTOR VEHICLE

24 - OTHER MOVABLE OBJECT

COLLISION WITH FIXED OBJECT - STRUCK

00

25 - IMPACT ATTENUATOR / CRASH CUSHION

26 - BRIDGE OVERHEAD STRUCTURE

27 - BRIDGE PIER OR ABUTMENT

28 - BRIDGE PARAPET

29 - BRIDGE RAIL

30 - GUARDRAIL FENCE

31 - GUARDRAIL END

32 - PORTABLE BARRIER

33 - MEDIAN CABLE BARRIER

34 - MEDIAN GUARDRAIL BARRIER

35 - MEDIAN CONCRETE BARRIER

36 - MEDIAN OTHER BARRIER

37 - TRAFFIC SIGN POST

38 - OVERHEAD SIGN POST

39 - LIGHT / LUMINAIRES SUPPORT

40 - UTILITY POLE

41 - OTHER POST, POLE OR SUPPORT

42 - CULVERT

43 - CURB

44 - DITCH

45 - EMBANKMENT

46 - FENCE

47 - MAIL BOX

48 - TREE

49 - FIRE HYDRANT

50 - WORK ZONE MAINTENANCE EQUIPMENT

51 - WALL

52 - BUILDING

53 - TUNNEL

54 - OTHER FIXED OBJECT

99 - OTHER / UNKNOWN

FIRST HARMFUL EVENT

1

LOCAL REPORT NUMBER	
2021-00006431	
DAMAGE	
DAMAGE SCALE	
1 - NONE 2 - MINOR DAMAGE 9 - UNKNOWN 3 - FUNCTIONAL DAMAGE 4 - DISABLING DAMAGE	
DAMAGED AREA(S) INDICATE ALL THAT APPLY	
         	
☐ NO DAMAGE (0) ☐ UNDERCARRIAGE (14) ☐ TOP (13) ☐ ALL AREAS (15) ☐ UNIT NOT AT SCENE (16)	
INITIAL POINT OF CONTACT 0 - NO DAMAGE 14 - UNDERCARRIAGE 1-12 - REFER TO UNIT DIAGRAM 15 - VEHICLE NOT AT SCENE 13 - TOP 99 - UNKNOWN	
TRAFFIC	
TRAFFICWAY FLOW 1 - ONE-WAY 2 - TWO-WAY	TRAFFIC CONTROL 1 - ROUNDABOUT 4 - STOP SIGN 2 - SIGNAL 5 - YIELD SIGN 3 - FLASHER 6 - NO CONTROL
# OF THROUGH LANES ON ROAD	RAIL GRADE CROSSING 1 - NOT INVOLVED 2 - INVOLVED ACTIVE CROSSING 3 - INVOLVED PASSIVE CROSSING
UNIT / NON-MOTORIST DIRECTION	
FROM 4 TO 3	
UNIT SPEED	DETECTED SPEED 1 - STATED / ESTIMATED SPEED 2 - CALCULATED / EDR 3 - UNDETERMINED
POSTED SPEED	



MOTORIST / Non-MOTORIST

LOCAL REPORT NUMBER

2021-00006431

UNIT # NAME: LAST, FIRST, MIDDLE
0,1 MILLER, DEBRA LDATE OF BIRTH AGE GENDER
07091960 60 F

ADDRESS: STREET, CITY, STATE, ZIP

CONTACT PHONE - INCLUDE AREA CODE

1114 W 23RD ST LORAIN, OH 44052

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
3	2	LifeCare	UH Elyria	04	☐	01	2	1	1
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER				
OH									
OL CLASS	ENDORSEMENT	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)	
4			1	☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	4	1	1	1	1

UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER					
ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE							
INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
					☐				
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER				
OL CLASS	ENDORSEMENT	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)	
				☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG					

UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER					
ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE							
INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
					☐				
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER				
OL CLASS	ENDORSEMENT	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)	
				☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG					

INJURIES	SEATING POSITION	AIR BAG	OL CLASS	OL RESTRICTION(S)	DRIVER DISTRACTION	TEST STATUS
1 - FATAL	1 - FRONT - LEFT SIDE (MOTORCYCLE DRIVER)	1 - NOT DEPLOYED	1 - CLASS A	1 - ALCOHOL INTERLOCK DEVICE	1 - NOT DISTRACTED	1 - NONE GIVEN
2 - SUSPECTED SERIOUS INJURY	2 - FRONT - MIDDLE	2 - DEPLOYED FRONT	2 - CLASS B	2 - COL INTRASTATE ONLY	2 - MANUALLY OPERATING AN ELECTRONIC COMMUNICATION DEVICE (TEXTING, TYPING, DIALING)	2 - TEST REFUSED
3 - SUSPECTED MINOR INJURY	3 - FRONT - RIGHT SIDE	3 - DEPLOYED SIDE	3 - CLASS C	3 - CORRECTIVE LENSES	3 - TALKING ON HANDS-FREE COMMUNICATION DEVICE	3 - TEST GIVEN, CONTAMINATED SAMPLE / UNUSABLE
4 - POSSIBLE INJURY	4 - SECOND - LEFT SIDE (MOTORCYCLE PASSENGER)	4 - DEPLOYED BOTH FRONT / SIDE	4 - REGULAR CLASS (OHIO = D)	4 - FARM WAIVER	4 - TALKING ON HAND-HELD COMMUNICATION DEVICE	4 - TEST GIVEN, RESULTS KNOWN
5 - NO APPARENT INJURY	5 - SECOND - MIDDLE	5 - NOT APPLICABLE	5 - MC MOPED ONLY	5 - EXCEPT CLASS A BUS & CLASS B BUS	5 - OTHER ACTIVITY WITH AN ELECTRONIC DEVICE	5 - TEST GIVEN, RESULTS UNKNOWN
INJURED TAKEN BY	6 - SECOND - RIGHT SIDE	9 - DEPLOYMENT UNKNOWN	6 - NO VALID OL	7 - EXCEPT TRACTOR-TRAILER	6 - PASSENGER	ALCOHOL TEST TYPE
1 - NOT TRANSPORTED / TREATED AT SCENE	7 - THIRD - LEFT SIDE (MOTORCYCLE SIDE (CAR))	EJECTION	OL ENDORSEMENT	8 - INTERMEDIATE LICENSE RESTRICTIONS	7 - OTHER DISTRACTION INSIDE THE VEHICLE	1 - NONE
2 - EMS	8 - THIRD - MIDDLE	1 - NOT EJECTED	H - HAZMAT	9 - LEARNER'S PERMIT RESTRICTIONS	8 - OTHER DISTRACTION OUTSIDE THE VEHICLE	2 - BLOOD
3 - POLICE	9 - THIRD - RIGHT SIDE	2 - PARTIALLY EJECTED	M - MOTORCYCLE	10 - LIMITED TO DAYLIGHT ONLY	9 - OTHER / UNKNOWN	3 - URINE
9 - OTHER / UNKNOWN	10 - SLEEPER SECTION OF TRUCK CAB	3 - TOTALLY EJECTED	P - PASSENGER	11 - LIMITED TO EMPLOYMENT	CONDITION	4 - BREATH
SAFETY EQUIPMENT	11 - PASSENGER IN OTHER ENCLOSED CARGO AREA (NON-TRAILING UNIT, BUS, PICK-UP WITH CAP)	4 - NOT APPLICABLE	N - TANKER	12 - LIMITED - OTHER	1 - APPARENTLY NORMAL	5 - OTHER
1 - NONE USED	12 - PASSENGER IN UNENCLOSED CARGO AREA	TRAPPED	Q - MOTOR SCOOTER	13 - MECHANICAL DEVICES (SPECIAL BRAKES, HAND CONTROLS, OR OTHER ADAPTIVE DEVICES)	2 - PHYSICAL IMPAIRMENT	DRUG TEST TYPE
2 - SHOULDER BELT ONLY USED	13 - TRAILING UNIT	1 - NOT TRAPPED	R - THREE-WHEEL MOTORCYCLE	14 - MILITARY VEHICLES ONLY	3 - EMOTIONAL (E.G., DEPRESSED, ANGRY, DISTURBED)	1 - NONE
3 - LAP BELT ONLY USED	14 - RIDING ON VEHICLE EXTERIOR (NON-TRAILING UNIT)	2 - EXTRICATED BY MECHANICAL MEANS	S - SCHOOL BUS	15 - MOTOR VEHICLES WITHOUT AIR BRAKES	4 - ILLNESS	2 - BLOOD
4 - SHOULDER & LAP BELT USED	15 - NON-MOTORIST	3 - FREED BY NON-MECHANICAL MEANS	T - DOUBLE & TRIPLE TRAILERS	16 - OUTSIDE MIRROR	5 - FELL ASLEEP, FAINTED, FATIGUED, ETC.	3 - URINE
5 - CHILD RESTRAINT SYSTEM - FORWARD FACING	99 - OTHER / UNKNOWN	GENDER	X - TANKER / HAZMAT	17 - PROSTHETIC AID	6 - UNDER THE INFLUENCE OF MEDICATIONS / DRUGS / ALCOHOL	4 - OTHER
6 - CHILD RESTRAINT SYSTEM - REAR FACING		F - FEMALE		18 - OTHER	9 - OTHER / UNKNOWN	DRUG TEST RESULT(S)
7 - BOOSTER SEAT		M - MALE				1 - AMPHETAMINES
8 - HELMET USED		U - OTHER / UNKNOWN				2 - BARBITURATES
9 - PROTECTIVE PADS USED (ELBOW, KNEES, ETC.)						3 - BENZODIAZEPINES
EFFECTIVE CLOTHING						4 - CANNABINOIDS
LIGHTING - PEDESTRIAN / BICYCLE ONLY						5 - COCAINE
99 - OTHER / UNKNOWN						6 - OPIATES / OPIOIDS
						7 - OTHER
						8 - NEGATIVE RESULTS



TRAFFIC CRASH REPORT

*DENOTES MANDATORY FIELD FOR SUPPLEMENT REPORT

LOCAL REPORT NUMBER*

☒ PHOTOS TAKEN ☐ SECONDARY CRASH ☐ PRIVATE PROPERTY		☐ OH-2 ☐ OH-3 ☐ OH-1P ☐ OTHER		LOCAL INFORMATION		2 0 2 4 - 0 0 0 2 9 1 0 9					
REPORTING AGENCY NAME* Elyria Police Department				NCIC* 0 4 7 0 4		HIT/SKIP 1 - SOLVED 2 - UNSOLVED 0 1		NUMBER OF UNITS 0 1		UNIT IN ERROR 98 - ANIMAL 99 - UNKNOWN 0 1	
COUNTY* 4 7		LOCALITY* 1 1 1 - CITY 2 - VILLAGE 3 - TOWNSHIP		LOCATION: CITY, VILLAGE, TOWNSHIP* Elyria		CRASH DATE / TIME* 10 12 20 24 / 14 44		CRASH SEVERITY 1 - FATAL 2 - SERIOUS INJURY SUSPECTED 3 - MINOR INJURY SUSPECTED 4 - INJURY POSSIBLE 5 - PROPERTY DAMAGE ONLY 4			
ROUTE TYPE MIDDLE		ROUTE NUMBER 1620		PREFIX N - NORTH S - SOUTH E - EAST W - WEST		LOCATION ROAD NAME MIDDLE		ROAD TYPE A V		LATITUDE DECIMAL DEGREES 41.351163	
ROUTE TYPE MIDDLE		ROUTE NUMBER 1620		PREFIX N - NORTH S - SOUTH E - EAST W - WEST		REFERENCE ROAD NAME (ROAD, MILEPOST, HOUSE #) 1620		ROAD TYPE		LONGITUDE DECIMAL DEGREES -82.107365	
REFERENCE POINT 1 - INTERSECTION 2 - MILE POST 3 - HOUSE # 3		DIRECTION N - NORTH S - SOUTH E - EAST W - WEST		ROUTE TYPE IR - INTERSTATE ROUTE (TP) US - FEDERAL US ROUTE SR - STATE ROUTE CR - NUMBERED COUNTY ROUTE TR - NUMBERED TOWNSHIP ROUTE		ROAD TYPE AL - ALLEY AV - AVENUE BL - BOULEVARD CR - CIRCLE CT - COURT DR - DRIVE HE - HEIGHTS HW - HIGHWAY LA - LANE MP - MILEPOST OV - OVAL PK - PARKWAY PI - PIKE PL - PLACE RD - ROAD SQ - SQUARE ST - STREET TE - TERRACE TL - TRAIL WA - WAY		INTERSECTION RELATED ☒ WITHIN INTERSECTION OR ON APPROACH ☐ WITHIN INTERCHANGE AREA NUMBER OF APPROACHES 4			
DISTANCE FROM REFERENCE 0 4		DISTANCE UNIT OF MEASURE 1 - MILES 2 - FEET 3 - YARDS		LOCATION OF FIRST HARMFUL EVENT 1 - ON ROADWAY 2 - ON SHOULDER 3 - IN MEDIAN 4 - ON ROADSIDE 5 - ON GORE 6 - OUTSIDE TRAFFIC WAY 7 - ON RAMP 8 - OFF RAMP 9 - CROSSOVER 10 - DRIVEWAY/ALLEY ACCESS 11 - RAILWAY GRADE CROSSING 12 - SHARED USE PATHS OR TRAILS 13 - BIKE LANE 14 - TOLL BOOTH 99 - OTHER / UNKNOWN		MANNER OF CRASH COLLISION/IMPACT 1 - NOT COLLISION BETWEEN TWO MOTOR VEHICLES IN TRANSPORT 2 - REAR-END 3 - HEAD-ON 4 - REAR-TO-REAR 5 - BACKING 6 - ANGLE 7 - SIDESWIPE, SAME DIRECTION 8 - SIDESWIPE, OPPOSITE DIRECTION 9 - OTHER / UNKNOWN		DIRECTION OF TRAVEL N - NORTH S - SOUTH E - EAST W - WEST		MEDIAN TYPE 1 - DIVIDED FLUSH MEDIAN (<4 FEET) 2 - DIVIDED FLUSH MEDIAN (≥4 FEET) 3 - DIVIDED, DEPRESSED MEDIAN (ANY TYPE) 4 - DIVIDED, RAISED MEDIAN (ANY TYPE) 9 - OTHER/UNKNOWN	
☐ WORK ZONE RELATED ☐ WORKERS PRESENT ☐ LAW ENFORCEMENT PRESENT ☐ ACTIVE SCHOOL ZONE		WORK ZONE TYPE 1 - LANE CLOSURE 2 - LANE SHIFT/CROSSOVER 3 - WORK ON SHOULDER OR MEDIAN 4 - INTERMITTENT OR MOVING WORK 5 - OTHER		LOCATION OF CRASH IN WORK ZONE 1 - BEFORE THE 1ST WORK ZONE WARNING SIGN 2 - ADVANCE WARNING AREA 3 - TRANSITION AREA 4 - ACTIVITY AREA 5 - TERMINATION AREA		CONTOUR 1 - STRAIGHT LEVEL 2 - STRAIGHT GRADE 3 - CURVE LEVEL 4 - CURVE GRADE 9 - OTHER/UNKNOWN		CONDITIONS 1 - DRY 2 - WET 3 - SNOW 4 - ICE 5 - SAND, MUD, DIRT, OIL, GRAVEL 6 - WATER (STANDING, MOVING) 7 - SLUSH 9 - OTHER/UNKNOWN		SURFACE 1 - CONCRETE 2 - BLACKTOP, BITUMINOUS, ASPHALT 3 - BRICK/BLOCK 4 - SLAG, GRAVEL, STONE 5 - DIRT 9 - OTHER/UNKNOWN	
LIGHT CONDITION 1 - DAYLIGHT 2 - DAWN/DUSK 3 - DARK - LIGHTED ROADWAY 4 - DARK - ROADWAY NOT LIGHTED 5 - DARK - UNKNOWN ROADWAY LIGHTING 9 - OTHER / UNKNOWN 1		WEATHER 1 - CLEAR 2 - CLOUDY 3 - FOG, SMOG, SMOKE 4 - RAIN 5 - SLEET, HAIL 6 - SNOW 7 - SEVERE CROSSWINDS 8 - BLOWING SAND, SOIL, DIRT, SNOW 9 - FREEZING RAIN OR FREEZING DRIZZLE 99 - OTHER / UNKNOWN 0 1		NARRATIVE Unit 01 was N/B on Middle Ave. near 17th St. The operator of Unit 01 suffered a medical emergency and lost consciousness, losing control of the vehicle. Unit 01 ran off road right and struck a utility pole. Operator of Unit 01 transported to UH Elyria by Lifecare. Vehicle towed from scene by Sugar Ridge Towing.							
CRASH REPORTED DATE / TIME 0 1 2 2 0 2 4 / 14 44		DISPATCH DATE / TIME 10 12 20 24 / 14 48		ARRIVAL DATE / TIME 10 12 20 24 / 14 50		SCENE CLEARED DATE / TIME 10 12 20 24 / 16 12		REPORT TAKEN BY ☒ POLICE AGENCY ☐ MOTORIST ☐ SUPPLEMENT (CORRECTION IS ADDITION TO AN EXISTING REPORT)			
TOTAL TIME ROADWAY CLOSED 0 7 2		OTHER INVESTIGATION TIME 0 3 0		TOTAL MINUTES 1 1 4		OFFICER'S NAME* Witthuhn, John R		CHECKED BY OFFICER'S NAME* Ross, Frances M		OFFICER'S BADGE NUMBER* 3 3 7	
								CHECKED BY OFFICER'S BADGE NUMBER* 9 2 8			



Indicate the north direction with an "N" on the compass diagram.

1

Middle Ave.

Middle Ave.

17th St.

Sugar Ridge

Middle Ave.

UNIT # 01	OWNER NAME: LAST, FIRST, MIDDLE (X) SAME AS DRIVER AMEND, KEITH, A	OWNER PHONE: (AREA CODE) (XXX) XXX-XXXX 440
OWNER ADDRESS: STREET, CITY, STATE, ZIP (X) SAME AS DRIVER 45 ACADEMY CT, ELYRIA, OH 44035		
COMMERCIAL CARRIER: NAME, ADDRESS, CITY, STATE, ZIP		
LP STATE OH	LICENSE PLATE # [REDACTED]	VEHICLE IDENTIFICATION # [REDACTED]
INSURANCE VERIFIED	INSURANCE COMPANY [REDACTED]	INSURANCE POLICY # [REDACTED]
TYPE OF USE ☐ COMMERCIAL ☐ GOVERNMENT ☐ IN EMERGENCY RESPONSE	US DOT # [REDACTED]	VEHICLE YEAR 1999
INTERLOCK DEVICE EQUIPPED	HIT/SKIP UNIT 01	VEHICLE MAKE Nissan
HAZARDOUS MATERIAL ☐ MATERIAL CLASS # ☐ PLACARD ID #		VEHICLE MODEL PATHFINDER
TOWED BY: COMPANY NAME Sugar Ridge Towing		
VEHICLE WEIGHT GVWR/GCWR 1 - <10K LBS 2 - 10,001 - 26K LBS 3 - >26K LBS		
UNIT TYPE 03		
# OF TRAILING UNITS 0		
WAS VEHICLE OPERATING IN AUTONOMOUS MODE WHEN CRASH OCCURRED? 1 - YES 2 - NO 9 - OTHER / UNKNOWN 2		
AUTONOMOUS MODE LEVEL 0		
SPECIAL FUNCTION 01		
CARGO BODY TYPE 01		
VEHICLE DEFECTS [REDACTED]		
NON-MOTORIST LOCATION AT IMPACT [REDACTED]		
ACTION 3		
CONTRIBUTING CIRCUMSTANCES 01		
SEQUENCE OF EVENTS 08		
FIRST HARMFUL EVENT 1		
MOST HARMFUL EVENT 1		

LOCAL REPORT NUMBER 2024-00029109	
DAMAGE DAMAGE SCALE 4	
DAMAGED AREA(S) INDICATE ALL THAT APPLY	
INITIAL POINT OF CONTACT 12	
TRAFFIC TRAFFICWAY FLOW 2	
RAIL GRADE CROSSING 1	
UNIT / NON-MOTORIST DIRECTION FROM 2 TO 1	
UNIT SPEED [REDACTED]	
DETECTED SPEED 3	



MOTORIST / Non-MOTORIST

LOCAL REPORT NUMBER

2 0 2 4 - 0 0 0 2 9 1 0 9

UNIT # 0 1 NAME: LAST, FIRST, MIDDLE
AMEND, KEITH, A

ADDRESS: STREET, CITY, STATE, ZIP

145 ACADEMY CT, ELYRIA, OH 44035

DATE OF BIRTH 1 1 0 1 1 9 5 7 AGE 6 6 GENDER M

CONTACT PHONE - INCLUDE AREA CODE

4 4 0

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED		
4	2	LifeCare	UH Elyria	0 4	☐	0 1	2	1	1		
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER						
O H			☐								
OL CLASS	ENDORSEMENT	RESTRICTION	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)			
4			1	☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	5	STATUS	TYPE	VALUE	STATUS	TYPE	RESULT
						1	1		1	1	

UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER							
ADDRESS: STREET, CITY, STATE, ZIP	CONTACT PHONE - INCLUDE AREA CODE										
INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED		
					☐						
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER						
			☐								
OL CLASS	ENDORSEMENT	RESTRICTION	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)			
				☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG		STATUS	TYPE	VALUE	STATUS	TYPE	RESULT

UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER							
ADDRESS: STREET, CITY, STATE, ZIP	CONTACT PHONE - INCLUDE AREA CODE										
INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED		
					☐						
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER						
			☐								
OL CLASS	ENDORSEMENT	RESTRICTION	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)			
				☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG		STATUS	TYPE	VALUE	STATUS	TYPE	RESULT

INJURIES	SEATING POSITION	AIR BAG	OL CLASS	OL RESTRICTION(S)	DRIVER DISTRACTION	TEST STATUS
1 - FATAL 2 - SUSPECTED SERIOUS INJURY 3 - SUSPECTED MINOR INJURY 4 - POSSIBLE INJURY 5 - NO APPARENT INJURY	1 - FRONT - LEFT SIDE (MOTORCYCLE DRIVER) 2 - FRONT - MIDDLE 3 - FRONT - RIGHT SIDE 4 - SECOND - LEFT SIDE (MOTORCYCLE PASSENGER) 5 - SECOND - MIDDLE 6 - SECOND - RIGHT SIDE 7 - THIRD - LEFT SIDE (MOTORCYCLE SIDE CAR) 8 - THIRD - MIDDLE 9 - THIRD - RIGHT SIDE 10 - SLEEPER SECTION OF TRUCK CAB 11 - PASSENGER IN OTHER ENCLOSED CARGO AREA (NON-TRAILING UNIT, BUS, PICK-UP WITH CAP) 12 - PASSENGER IN UNENCLOSED CARGO AREA 13 - TRAILING UNIT 14 - RIDING ON VEHICLE EXTERIOR (NON-TRAILING UNIT) 15 - NON-MOTORIST 99 - OTHER / UNKNOWN	1 - NOT DEPLOYED 2 - DEPLOYED FRONT 3 - DEPLOYED SIDE 4 - DEPLOYED BOTH FRONT / SIDE 5 - NOT APPLICABLE 9 - DEPLOYMENT UNKNOWN	1 - CLASS A 2 - CLASS B 3 - CLASS C 4 - REGULAR CLASS (OHIO - D) 5 - MC MOPED ONLY 6 - NO VALID OL	1 - ALCOHOL INTERLOCK DEVICE 2 - CDL INTRASTATE ONLY 3 - CORRECTIVE LENSES 4 - FARM WAIVER 5 - EXCEPT CLASS A BUS 6 - EXCEPT CLASS A & CLASS B BUS 7 - EXCEPT TRACTOR-TRAILER 8 - INTERMEDIATE LICENSE RESTRICTIONS 9 - LEARNER'S PERMIT RESTRICTIONS 10 - LIMITED TO DAYLIGHT ONLY 11 - LIMITED TO EMPLOYMENT 12 - LIMITED - OTHER 13 - MECHANICAL DEVICES (SPECIAL BRAKES, HAND CONTROLS, OR OTHER ADAPTIVE DEVICES) 14 - MILITARY VEHICLES ONLY 15 - MOTOR VEHICLES WITHOUT AIR BRAKES 16 - OUTSIDE MIRROR 17 - PROSTHETIC AID 18 - OTHER	1 - NOT DISTRACTED 2 - MANUALLY OPERATING AN ELECTRONIC COMMUNICATION DEVICE (TEXTING, TYPING, DIALING) 3 - TALKING ON HANDS-FREE COMMUNICATION DEVICE 4 - TALKING ON HAND-HELD COMMUNICATION DEVICE 5 - OTHER ACTIVITY WITH AN ELECTRONIC DEVICE 6 - PASSENGER 7 - OTHER DISTRACTION INSIDE THE VEHICLE 8 - OTHER DISTRACTION OUTSIDE THE VEHICLE 9 - OTHER / UNKNOWN	1 - NONE GIVEN 2 - TEST REFUSED 3 - TEST GIVEN, CONTAMINATED SAMPLE / UNUSABLE 4 - TEST GIVEN, RESULTS KNOWN 5 - TEST GIVEN, RESULTS UNKNOWN
INJURED TAKEN BY	EJECTION		OL ENDORSEMENT	ALCOHOL TEST TYPE		
1 - NOT TRANSPORTED / TREATED AT SCENE 2 - EMS 3 - POLICE 9 - OTHER / UNKNOWN	1 - NOT EJECTED 2 - PARTIALLY EJECTED 3 - TOTALLY EJECTED 4 - NOT APPLICABLE		H - HAZMAT M - MOTORCYCLE P - PASSENGER N - TANKER Q - MOTOR SCOOTER R - THREE-WHEEL MOTORCYCLE S - SCHOOL BUS T - DOUBLE & TRIPLE TRAILERS X - TANKER / HAZMAT	1 - NONE 2 - BLOOD 3 - URINE 4 - BREATH 5 - OTHER		
SAFETY EQUIPMENT	TRAPPED		GENDER	DRUG TEST TYPE		
1 - NONE USED 2 - SHOULDER BELT ONLY USED 3 - LAP BELT ONLY USED 4 - SHOULDER & LAP BELT USED 5 - CHILD RESTRAINT SYSTEM - FORWARD FACING 6 - CHILD RESTRAINT SYSTEM - REAR FACING 7 - BOOSTER SEAT 8 - HELMET USED 9 - PROTECTIVE PADS USED (ELBOW, KNEES, ETC) 10 - REFLECTIVE CLOTHING 11 - LIGHTING - PEDESTRIAN / BICYCLE ONLY 99 - OTHER / UNKNOWN	1 - NOT TRAPPED 2 - EXTRICATED BY MECHANICAL MEANS 3 - FREED BY NON-MECHANICAL MEANS		F - FEMALE M - MALE U - OTHER / UNKNOWN	1 - NONE 2 - BLOOD 3 - URINE 4 - OTHER		
				DRUG TEST RESULT(S)		
				1 - AMPHETAMINES 2 - BARBITURATES 3 - BENZODIAZEPINES 4 - CANNABINOIDS 5 - COCAINE 6 - OPIATES / OPIOIDS 7 - OTHER 8 - NEGATIVE RESULTS		



TRAFFIC CRASH REPORT

*DENOTES MANDATORY FIELD FOR SUPPLEMENT REPORT

LOCAL REPORT NUMBER*

☒ PHOTOS TAKEN ☐ SECONDARY CRASH ☐ PRIVATE PROPERTY		☐ OH-2 ☐ OH-3 ☐ OH-1P ☐ OTHER		LOCAL INFORMATION		2,0,2,4 - 0,0,0,2,6,3,7,3					
REPORTING AGENCY NAME* Elyria Police Department				NCIC* 0,4,7,0,4		HIT/SKIP 1 - SOLVED 2 - UNSOLVED		NUMBER OF UNITS 0,1		UNIT IN ERROR 98 - ANIMAL 99 - UNKNOWN	
COUNTY* 4,7		LOCALITY* 1 - CITY 2 - VILLAGE 3 - TOWNSHIP Elyria		LOCATION: CITY, VILLAGE, TOWNSHIP*		CRASH DATE/TIME* 09142024/1433		CRASH SEVERITY 1 - FATAL 2 - SERIOUS INJURY SUSPECTED 3 - MINOR INJURY SUSPECTED 4 - INJURY POSSIBLE 5 - PROPERTY DAMAGE ONLY			
ROUTE TYPE S, T		ROUTE NUMBER 3		PREFIX E		LOCATION ROAD NAME BROAD		ROAD TYPE S, T		LATITUDE DECIMAL DEGREES 41,3,6,7,6,6	
ROUTE TYPE S, T		ROUTE NUMBER 3		PREFIX E		REFERENCE ROAD NAME (ROAD, MILEPOST, HOUSE #) Bridge		ROAD TYPE S, T		LONGITUDE DECIMAL DEGREES -82,1,0,0,1,4	
REFERENCE POINT 1 - INTERSECTION 2 - MILE POST 3 - HOUSE # 1		DIRECTION N - NORTH S - SOUTH E - EAST W - WEST 3		ROUTE TYPE IR - INTERSTATE ROUTE (TP) US - FEDERAL US ROUTE SR - STATE ROUTE CR - NUMBERED COUNTY ROUTE TR - NUMBERED TOWNSHIP ROUTE		ROAD TYPE AL - ALLEY AV - AVENUE BL - BOULEVARD CR - CIRCLE CT - COURT DR - DRIVE HE - HEIGHTS HW - HIGHWAY LA - LANE MP - MILEPOST OV - OVAL PK - PARKWAY PI - PIKE PL - PLACE RD - ROAD SQ - SQUARE ST - STREET TE - TERRACE TL - TRAIL WA - WAY		INTERSECTION RELATED ☐ WITHIN INTERSECTION OR ON APPROACH ☐ WITHIN INTERCHANGE AREA NUMBER OF APPROACHES		ROADWAY ☐ ROADWAY DIVIDED	
DISTANCE FROM REFERENCE 1,0,0		DISTANCE UNIT OF MEASURE 1 - MILES 2 - FEET 3 - YARDS 2		LOCATION OF FIRST HARMFUL EVENT 1 - ON ROADWAY 2 - ON SHOULDER 3 - IN MEDIAN 4 - ON ROADSIDE 5 - ON GORE 6 - OUTSIDE TRAFFIC WAY 7 - ON RAMP 8 - OFF RAMP 9 - CROSSOVER 10 - DRIVEWAY/ALLEY ACCESS 11 - RAILWAY GRADE CROSSING 12 - SHARED USE PATHS OR TRAILS 13 - BIKE LANE 14 - TOLL BOOTH 99 - OTHER / UNKNOWN		MANNER OF CRASH COLLISION/IMPACT 1 - NOT COLLISION BETWEEN TWO MOTOR VEHICLES IN TRANSPORT 2 - REAR-END 3 - HEAD-ON 4 - REAR-TO-REAR 5 - BACKING 6 - ANGLE 7 - SIDESWIPE, SAME DIRECTION 8 - SIDESWIPE, OPPOSITE DIRECTION 9 - OTHER / UNKNOWN		DIRECTION OF TRAVEL N - NORTH S - SOUTH E - EAST W - WEST		MEDIAN TYPE 1 - DIVIDED FLUSH MEDIAN (<4 FEET) 2 - DIVIDED FLUSH MEDIAN (≥4 FEET) 3 - DIVIDED, DEPRESSED MEDIAN (ANY TYPE) 4 - DIVIDED, RAISED MEDIAN (ANY TYPE) 9 - OTHER/UNKNOWN	
☐ WORK ZONE RELATED ☐ WORKERS PRESENT ☐ LAW ENFORCEMENT PRESENT ☐ ACTIVE SCHOOL ZONE		WORK ZONE TYPE 1 - LANE CLOSURE 2 - LANE SHIFT/CROSSOVER 3 - WORK ON SHOULDER OR MEDIAN 4 - INTERMITTENT OR MOVING WORK 5 - OTHER		LOCATION OF CRASH IN WORK ZONE 1 - BEFORE THE 1ST WORK ZONE WARNING SIGN 2 - ADVANCE WARNING AREA 3 - TRANSITION AREA 4 - ACTIVITY AREA 5 - TERMINATION AREA		CONTOUR 1 - STRAIGHT LEVEL 2 - STRAIGHT GRADE 3 - CURVE LEVEL 4 - CURVE GRADE 9 - OTHER/UNKNOWN		CONDITIONS 1 - DRY 2 - WET 3 - SNOW 4 - ICE 5 - SAND, MUD, DIRT, OIL, GRAVEL 6 - WATER (STANDING, MOVING) 7 - SLUSH 9 - OTHER/UNKNOWN		SURFACE 1 - CONCRETE 2 - BLACKTOP, BITUMINOUS, ASPHALT 3 - BRICK/BLOCK 4 - SLAG, GRAVEL, STONE 5 - DIRT 9 - OTHER/UNKNOWN	
LIGHT CONDITION 1 - DAYLIGHT 2 - DAWN/DUSK 3 - DARK - LIGHTED ROADWAY 4 - DARK - ROADWAY NOT LIGHTED 5 - DARK - UNKNOWN ROADWAY LIGHTING 9 - OTHER / UNKNOWN		WEATHER 1 - CLEAR 2 - CLOUDY 3 - FOG, SMOG, SMOKE 4 - RAIN 5 - SLEET, HAIL 6 - SNOW 7 - SEVERE CROSSWINDS 8 - BLOWING SAND, SOIL, DIRT, SNOW 9 - FREEZING RAIN OR FREEZING DRIZZLE 99 - OTHER / UNKNOWN		NARRATIVE UNIT #1 WAS TRAVELING E/B ON BROAD ST. THROUGH THE INTERSECTION TOWARDS E. BROAD ST. DRIVER OF UNIT #1 BLACKED OUT AND LOST CONTROL OF VEHICLE. UNIT #1 CROSSED OVER TWO W/B LANES OF TRAVEL STRIKING A CONCRETE BARRIER. UNIT #1 CONTINUED TO RIDE THE BRIDGE CURB TILL ITS FINAL REST OBSERVED 100' EAST OF THE INTERSECTION.		Indicate the north direction with an "N" on the compass diagram. 					
CRASH REPORTED DATE / TIME 09142024/1433		DISPATCH DATE / TIME 09142024/1435		ARRIVAL DATE / TIME 09142024/1435		SCENE CLEARED DATE / TIME 09142024/1527		REPORT TAKEN BY ☒ POLICE AGENCY ☐ MOTORIST ☐ SUPPLEMENT (CORRECTION OR ADDITION TO AN EXISTING REPORT NEEDED TO CORRECT)			
TOTAL TIME ROADWAY CLOSED 0,5,2		OTHER INVESTIGATION TIME 0,0,0		TOTAL MINUTES 0,5,2		OFFICER'S NAME* Webber, Jacob D		CHECKED BY OFFICER'S NAME* Harris, Benjamin W			
OFFICER'S BADGE NUMBER* 3,2,3		CHECKED BY OFFICER'S BADGE NUMBER* 1,4,3									

UNIT #				OWNER NAME: LAST, FIRST, MIDDLE (SAME AS DRIVER)				OWNER PHONE: (AREA CODE) (NUMBER)				LOCAL REPORT NUMBER							
0, 1				SNYDER, ALICE, A				4, 4, 0				2, 0, 2, 4 - 0, 0, 0, 2, 6, 3, 7, 3							
/NER ADDRESS: STREET, CITY, STATE, ZIP (SAME AS DRIVER)								DAMAGE											
244 SPRUCE LN, BRUNSWICK, OH 44212								DAMAGE SCALE											
COMMERCIAL CARRIER: NAME, ADDRESS, CITY, STATE, ZIP								1 - NONE 3 - FUNCTIONAL DAMAGE 2 - MINOR DAMAGE 4 - DISABLING DAMAGE 9 - UNKNOWN											
COMMERCIAL CARRIER PHONE: INCLUDE AREA CODE								DAMAGED AREA(S) INDICATE ALL THAT APPLY											
LP STATE: OH				LICENSE PLATE #				VEHICLE YEAR: 2, 0, 2, 4				VEHICLE MAKE: Ford							
INSURANCE VERIFIED				INSURANCE COMPANY				INSURANCE POLICY #				COLOR: BLK							
TYPE OF USE				IN EMERGENCY RESPONSE				US DOT #				TOWED BY: COMPANY NAME							
COMMERCIAL				GOVERNMENT								Sugar Ridge Towing							
INTERLOCK DEVICE EQUIPPED				HIT/SKIP UNIT				# OCCUPANTS				HAZARDOUS MATERIAL							
								0, 2				MATERIAL RELEASED							
												PLACARD							
VEHICLE WEIGHT GVWR/GCWR				1 - <10K LBS. 2 - 10,001 - 26K LBS. 3 - >26K LBS.				18 - LIMO (LIVERY VEHICLE) 19 - BUS (16+ PASSENGERS) 20 - OTHER VEHICLE 21 - HEAVY EQUIPMENT 22 - ANIMAL WITH RIDER OR ANIMAL-DRAWN VEHICLE				23 - PEDESTRIAN / SKATER 24 - WHEELCHAIR (ANY TYPE) 25 - OTHER NON-VOTORIST 26 - BICYCLE 27 - TRAIN 99 - UNKNOWN OR HIT/SKIP							
UNIT TYPE				1 - PASSENGER CAR 2 - PASSENGER VAN (MINIVAN) 3 - SPORT UTILITY VEHICLE 4 - PICKUP 5 - CARGO VAN 6 - VAN (9-15 SEATS) 7 - MOTORCYCLE 2-WHEELED 8 - MOTORCYCLE 3-WHEELED 9 - AUTOCYCLE 10 - MOPED OR MOTORIZED BICYCLE 11 - ALL TERRAIN VEHICLE (ATV/UTV) 12 - GOLF CART 13 - SNOWMOBILE 14 - SINGLE UNIT TRUCK 15 - SEMI-TRACTOR 16 - FARM EQUIPMENT 17 - MOTORHOME				# OF TRAILING UNITS				WAS VEHICLE OPERATING IN AUTONOMOUS MODE WHEN CRASH OCCURRED?				0 - NO AUTOMATION 1 - DRIVER ASSISTANCE 2 - PARTIAL AUTOMATION 3 - CONDITIONAL AUTOMATION 4 - HIGH AUTOMATION 5 - FULL AUTOMATION 9 - UNKNOWN			
2																			
SPECIAL FUNCTION				1 - NONE 2 - TAXI 3 - ELECTRONIC RIDE SHARING 4 - SCHOOL TRANSPORT 5 - BUS - TRANSDOMINUTER 6 - BUS - CHARTER/TOUR 7 - BUS - INTERCITY 8 - BUS - SHUTTLE 9 - BUS - OTHER 10 - AMBULANCE 11 - FIRE 12 - MILITARY 13 - POLICE 14 - PUBLIC UTILITY 15 - CONSTRUCTION EQUIPMENT 16 - FARM 17 - MOWING 18 - SNOW REMOVAL 19 - TOWING 20 - SAFETY SERVICE PATROL 21 - MAIL CARRIER 99 - OTHER / UNKNOWN															
CARGO BODY TYPE				1 - NO CARGO BODY TYPE / NOT APPLICABLE 2 - BUS 3 - VEHICLE TOWING ANOTHER MOTOR VEHICLE 4 - LOGGING 5 - INTERMODAL CONTAINER CHASSIS 6 - CARGO VAN/ENCLOSED BOX 7 - GRAINCHIPS/GRAVEL 8 - POLE 9 - CARGO TANK 10 - FLAT BED 11 - DUMP 12 - CONCRETE MIXER 13 - AUTO TRANSPORTER 14 - GARBAGE/REFUSE 99 - OTHER / UNKNOWN															
VEHICLE DEFECTS				1 - TURN SIGNALS 2 - HEAD LAMPS 3 - TAIL LAMPS 4 - BRAKES 5 - STEERING 6 - TIRE BLOWOUT 7 - WORN OR SLICK TIRES 8 - TRAILER EQUIPMENT DEFECTIVE 9 - MOTOR TROUBLE 10 - DISABLED - FROM PRIOR ACCIDENT 99 - OTHER / UNKNOWN															
NON-MOTORIST LOCATION AT IMPACT				1 - INTERSECTION - MARKED CROSSWALK 2 - INTERSECTION - UNMARKED CROSSWALK 3 - INTERSECTION - OTHER 4 - MEDIAN - MARKED CROSSWALK 5 - TRAVEL LANE - OTHER LOCATION 6 - BICYCLE LAKE 7 - SHOULDER / ROADSIDE 8 - SIDEWALK 9 - MEDIAN CROSSING ISLAND 10 - DRIVEWAY ACCESS 11 - SHARED USE PATHS OR TRAILS 12 - FIRST RESPONDER AT INCIDENT SCENE 99 - OTHER / UNKNOWN															
ACTION				1 - NON-CONTACT 2 - NON-COLLISION 3 - STRIKING 4 - STRUCK 5 - BOTH STRIKING & STRUCK 9 - OTHER / UNKNOWN 1 - STRAIGHT AHEAD 2 - BACKING 3 - CHANGING LANES 4 - OVERTAKING/PASSING 5 - MAKING RIGHT TURN 6 - MAKING LEFT TURN 7 - MAKING U-TURN 8 - ENTERING TRAFFIC LANE 9 - LEAVING TRAFFIC LANE 10 - PARKED 11 - SLOWING OR STOPPED IN TRAFFIC 12 - DRIVERLESS 13 - NEGOTIATING A CURVE 14 - ENTERING OR CROSSING SPECIFIED LOCATION 15 - WALKING, RUNNING, JOGGING, PLAYING 16 - WORKING 17 - PUSHING VEHICLE 18 - APPROACHING OR LEAVING VEHICLE 19 - STANDING 20 - OTHER NON-VOTORIST 21 - STANDING OUTSIDE DISABLED VEHICLE 99 - OTHER / UNKNOWN															
CONTRIBUTING CIRCUMSTANCES				1 - NONE 2 - FAILURE TO YIELD 3 - RAN RED LIGHT 4 - RAN STOP SIGN 5 - UNSAFE SPEED 6 - IMPROPER TURN 7 - LEFT OF CENTER 8 - FOLLOWING TOO CLOSE / ACDA 9 - IMPROPER LANE CHANGE 10 - IMPROPER PASSING 11 - DROVE OFF ROAD 12 - IMPROPER BACKING 13 - IMPROPER START FROM A PARKED POSITION 14 - STOPPED OR PARKED ILLEGALLY 15 - SWERVING TO AVOID 16 - WRONG WAY 17 - VISION OBSTRUCTION 18 - OPERATING DEFECTIVE EQUIPMENT 19 - LOAD SHIFTING/FALLING/SPILLING 20 - IMPROPER CROSSING 21 - LYING IN ROADWAY 22 - NOT DISCERNIBLE 23 - OPENING DOOR INTO ROADWAY 99 - OTHER IMPROPER ACTION															
SEQUENCE OF EVENTS				1 - OVERTURN/ROLLOVER 2 - FIRE/EXPLOSION 3 - IMMERSION 4 - JACKKNIFE 5 - CARGO / EQUIPMENT LOSS OR SHIFT 6 - EQUIPMENT FAILURE 7 - SEPARATION OF UNITS 8 - RAN OFF ROAD RIGHT 9 - RAN OFF ROAD LEFT 10 - CROSS MEDIAN 11 - CROSS CENTERLINE - OPPOSITE DIRECTION OF TRAVEL 12 - DOWNHILL RUNAWAY 13 - OTHER NON-COLLISION 14 - PEDESTRIAN 15 - PEDAL CYCLE 16 - RAILWAY VEHICLE 17 - ANIMAL - FARM 18 - ANIMAL - DEER 19 - ANIMAL - OTHER 20 - MOTOR VEHICLE IN TRANSPORT 21 - PARKED MOTOR VEHICLE 22 - WORK ZONE MAINTENANCE EQUIPMENT 23 - STRUCK BY FALLING, SHIFTING CARGO OR ANYTHING SET IN MOTION BY A MOTOR VEHICLE 24 - OTHER MOVABLE OBJECT															
COLLISION WITH FIXED OBJECT - STRUCK				25 - IMPACT ATTENUATOR / CRASH CUSHION 26 - BRIDGE OVERHEAD STRUCTURE 27 - BRIDGE PIER OR ABUTMENT 28 - BRIDGE PARAPET 29 - BRIDGE RAIL 30 - GUARDRAIL FACE 31 - GUARDRAIL END 32 - PORTABLE BARRIER 33 - MEDIAN CABLE BARRIER 34 - MEDIAN GUARDRAIL BARRIER 35 - MEDIAN CONCRETE BARRIER 36 - MEDIAN OTHER BARRIER 37 - TRAFFIC SIGN POST 38 - OVERHEAD SIGN POST 39 - LIGHT / LUMINARIES SUPPORT 40 - UTILITY POLE 41 - OTHER POST, POLE OR SUPPORT 42 - CULVERT 43 - CURB 44 - DITCH 45 - EMBANKMENT 46 - FENCE 47 - MAILBOX 48 - TREE 49 - FIRE HYDRANT 50 - WORK ZONE MAINTENANCE EQUIPMENT 51 - WALL 52 - BUILDING 53 - TUNNEL 54 - OTHER FIXED OBJECT 99 - OTHER / UNKNOWN															
FIRST HARMFUL EVENT				2				MOST HARMFUL EVENT				3							
TRAFFICWAY FLOW				1 - ONE-WAY 2 - TWO-WAY				TRAFFIC CONTROL				1 - ROUNDABOUT 2 - SIGNAL 3 - FLASHER 4 - STOP SIGN 5 - YIELD SIGN 6 - NO CONTROL							
# OF THROUGH LANES ON ROAD				4				RAIL GRADE CROSSING				1 - NOT INVOLVED 2 - INVOLVED-ACTIVE CROSSING 3 - INVOLVED-PASSIVE CROSSING							
UNIT / NON-MOTORIST DIRECTION				FROM 4 TO 3				UNIT SPEED				DETECTED SPEED							
												1 - STATED / ESTIMATED SPEED 2 - CALCULATED / EDR 3 - UNDETERMINED							
POSTED SPEED				2, 5															



MOTORIST / Non-MOTORIST

LOCAL REPORT NUMBER
2,0,2,4 - 0,0,0,2,6,3,7,3

UNIT # 0,1	NAME: LAST, FIRST, MIDDLE SNYDER, JOHN, DONALD	DATE OF BIRTH 1,2,2,0,1,9,3,6		AGE 8,7	GENDER M
ADDRESS: STREET, CITY, STATE, ZIP 5244 SPRUCE POINTE LN, BRUNSWICK, OH 44212		CONTACT PHONE - INCLUDE AREA CODE			
INJURIES 3	INJURED TAKEN BY 2	EMS AGENCY (NAME) LifeCare	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY) UH Elyria	SAFETY EQUIPMENT USED 0,4	☐ DOT-COMPLIANT MC HELMET
OL STATE OH	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE ☐	OFFENSE DESCRIPTION	CITATION NUMBER
OL CLASS	ENDORSEMENT SELECT UP TO 3	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY 1	ALCOHOL / DRUG SUSPECTED ☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	CONDITION 5
ALCOHOL TEST STATUS TYPE VALUE		STATUS TYPE		DRUG TEST(S) TYPE RESULT SELECT UP TO 4	
1 1 .		1 1			
UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH		AGE	GENDER
ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE			
INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	☐ DOT-COMPLIANT MC HELMET
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE ☐	OFFENSE DESCRIPTION	CITATION NUMBER
OL CLASS	ENDORSEMENT SELECT UP TO 3	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED ☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	CONDITION
ALCOHOL TEST STATUS TYPE VALUE		STATUS TYPE		DRUG TEST(S) TYPE RESULT SELECT UP TO 4	
UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH		AGE	GENDER
ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE			
INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	☐ DOT-COMPLIANT MC HELMET
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE ☐	OFFENSE DESCRIPTION	CITATION NUMBER
OL CLASS	ENDORSEMENT SELECT UP TO 3	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED ☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	CONDITION
ALCOHOL TEST STATUS TYPE VALUE		STATUS TYPE		DRUG TEST(S) TYPE RESULT SELECT UP TO 4	
INJURIES	SEATING POSITION	AIR BAG	OL CLASS	OL RESTRICTION(S)	DRIVER DISTRACTION
1 - FATAL	1 - FRONT - LEFT SIDE (MOTORCYCLE DRIVER)	1 - NOT DEPLOYED	1 - CLASS A	1 - ALCOHOL INTERLOCK DEVICE	1 - NOT DISTRACTED
2 - SUSPECTED SERIOUS INJURY	2 - FRONT - MIDDLE	2 - DEPLOYED FRONT	2 - CLASS B	2 - COL INTRASTATE ONLY	2 - MANUALLY OPERATING AN ELECTRONIC COMMUNICATION DEVICE (TEXTING, TYPING, DIALING)
3 - SUSPECTED MINOR INJURY	3 - FRONT - RIGHT SIDE	3 - DEPLOYED SIDE	3 - CLASS C	3 - CORRECTIVE LENSES	3 - TALKING ON HANDS-FREE COMMUNICATION DEVICE
4 - POSSIBLE INJURY	4 - SECOND - LEFT SIDE (MOTORCYCLE PASSENGER)	4 - DEPLOYED BOTH FRONT / SIDE	4 - REGULAR CLASS (OHIO - D)	4 - FARM WAIVER	4 - TALKING ON HAND-HELD COMMUNICATION DEVICE
5 - NO APPARENT INJURY	5 - SECOND - MIDDLE	5 - NOT APPLICABLE	5 - MC IMPED ONLY	5 - EXCEPT CLASS A & CLASS B BUS	5 - OTHER ACTIVITY WITH AN ELECTRONIC DEVICE
INJURED TAKEN BY	6 - SECOND - RIGHT SIDE	9 - DEPLOYMENT UNKNOWN	6 - NO VALID OL	7 - EXCEPT TRACTOR-TRAILER RESTRICTIONS	6 - PASSENGER
1 - NOT TRANSPORTED / TREATED AT SCENE	7 - THIRD - LEFT SIDE (MOTORCYCLE SIDE CAR)	EJECTION	OL ENDORSEMENT	8 - INTERMEDIATE LICENSE RESTRICTIONS	7 - OTHER DISTRACTION INSIDE THE VEHICLE
2 - EMS	8 - THIRD - MIDDLE	1 - NOT EJECTED	H - HAZMAT	9 - LEARNER'S PERMIT RESTRICTIONS	8 - OTHER DISTRACTION OUTSIDE THE VEHICLE
3 - POLICE	9 - THIRD - RIGHT SIDE	2 - PARTIALLY EJECTED	M - MOTORCYCLE	10 - LIMITED TO DAYLIGHT ONLY	9 - OTHER / UNKNOWN
9 - OTHER / UNKNOWN	10 - SLEEPER SECTION OF TRUCK CAB	3 - TOTALLY EJECTED	P - PASSENGER	11 - LIMITED TO EMPLOYMENT	CONDITION
SAFETY EQUIPMENT	11 - PASSENGER IN OTHER ENCLOSED CARGO AREA (NON-TRAILING UNIT, BUS, PICK-UP WITH CAP)	4 - NOT APPLICABLE	N - TANKER	12 - LIMITED - OTHER	1 - APPARENTLY NORMAL
1 - NONE USED	12 - PASSENGER IN UNENCLOSED CARGO AREA	TRAPPED	Q - MOTOR SCOOTER	13 - MECHANICAL DEVICES (SPECIAL BRAKES, HAND CONTROLS, OR OTHER ADAPTIVE DEVICES)	2 - PHYSICAL IMPAIRMENT
2 - SHOULDER BELT ONLY USED	13 - TRAILING UNIT	1 - NOT TRAPPED	R - THREE-WHEEL MOTORCYCLE	14 - MILITARY VEHICLES ONLY	3 - EMOTIONAL (E.G., DEPRESSED, ANGRY, DISTRAINED)
3 - LAP BELT ONLY USED	14 - RIDING ON VEHICLE EXTERIOR (NON-TRAILING UNIT)	2 - EXTRICATED BY MECHANICAL MEANS	S - SCHOOL BUS	15 - MOTOR VEHICLES WITHOUT AIR BRAKES	4 - ILLNESS
4 - SHOULDER & LAP BELT USED	15 - NON-MOTORIST	3 - FREED BY NON-MECHANICAL MEANS	T - DOUBLE & TRIPLE TRAILERS	16 - OUTSIDE MIRROR	5 - FELL ASLEEP, FAINTED, FATIGUED, ETC.
5 - CHILD RESTRAINT SYSTEM - FORWARD FACING	99 - OTHER / UNKNOWN	GENDER	X - TANKER / HAZMAT	17 - PROSTHETIC AID	6 - UNDER THE INFLUENCE OF MEDICATIONS / DRUGS / ALCOHOL
6 - CHILD RESTRAINT SYSTEM - REAR FACING		F - FEMALE		18 - OTHER	9 - OTHER / UNKNOWN
7 - BOOSTER SEAT		M - MALE			DRUG TEST TYPE
9 - HELMET USED		U - OTHER / UNKNOWN			1 - NONE
PROTECTIVE PADS USED (ELBOW, KNEES, ETC.)					2 - BLOOD
10 - REFLECTIVE CLOTHING					3 - URINE
11 - LIGHTING - PEDESTRIAN / BICYCLE ONLY					4 - BREATH
99 - OTHER / UNKNOWN					5 - OTHER
					DRUG TEST RESULT(S)
					1 - AMPHETAMINES
					2 - BARBITURATES
					3 - BENZODIAZEPINES
					4 - CANNABINOIDS
					5 - COCAINE
					6 - OPIATES / OPIODS
					7 - OTHER
					8 - NEGATIVE RESULTS



OCCUPANT / WITNESS ADDENDUM

LOCAL REPORT NUMBER
2 0 2 4 - 0 0 0 2 6 3 7 3

UNIT # 01	NAME: LAST, FIRST, MIDDLE SNYDER, ALICE, A	DATE OF BIRTH 0 7 2 8 1 9 4 1	AGE 8 3	GENDER F
ADDRESS: STREET, CITY, STATE, ZIP 5244 SPRUCE LN, BRUNSWICK, OH 44212		CONTACT PHONE - INCLUDE AREA CODE 4 4 0		

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
4	1			0 4	☐	0 3	4	1	1
UNIT # NAME: LAST, FIRST, MIDDLE ADDRESS: STREET, CITY, STATE, ZIP					DATE OF BIRTH AGE GENDER CONTACT PHONE - INCLUDE AREA CODE				
UNIT # NAME: LAST, FIRST, MIDDLE ADDRESS: STREET, CITY, STATE, ZIP					DATE OF BIRTH AGE GENDER CONTACT PHONE - INCLUDE AREA CODE				
UNIT # NAME: LAST, FIRST, MIDDLE ADDRESS: STREET, CITY, STATE, ZIP					DATE OF BIRTH AGE GENDER CONTACT PHONE - INCLUDE AREA CODE				
UNIT # NAME: LAST, FIRST, MIDDLE ADDRESS: STREET, CITY, STATE, ZIP					DATE OF BIRTH AGE GENDER CONTACT PHONE - INCLUDE AREA CODE				

INJURIES	SAFETY EQUIPMENT USED	SEATING POSITION	AIR BAG USAGE
1 - FATAL 2 - SUSPECTED SERIOUS INJURY 3 - SUSPECTED MINOR INJURY 4 - POSSIBLE INJURY 5 - NO APPARENT INJURY	1 - NONE USED - VEHICLE OCCUPANT 2 - SHOULDER BELT ONLY USED 3 - LAP BELT ONLY USED 4 - SHOULDER & LAP BELT USED 5 - CHILD RESTRAINT SYSTEM - FORWARD FACING 6 - CHILD RESTRAINT SYSTEM - REAR FACING 7 - BOOSTER SEAT 8 - HELMET USED 9 - PROTECTIVE PADS USED (ELBOW, KNEES, ETC.) 10 - REFLECTIVE CLOTHING 11 - LIGHTING - PEDESTRIAN / BICYCLE ONLY 99 - OTHER / UNKNOWN	1 - FRONT - LEFT SIDE (MOTORCYCLE DRIVER) 2 - FRONT - MIDDLE 3 - FRONT - RIGHT SIDE 4 - SECOND - LEFT SIDE (MOTORCYCLE PASSENGER) 5 - SECOND - MIDDLE 6 - SECOND - RIGHT SIDE 7 - THIRD - LEFT SIDE (MOTORCYCLE SIDE CAR) 8 - THIRD - MIDDLE 9 - THIRD - RIGHT SIDE 10 - SLEEPER SECTION OF TRUCK CAB 11 - PASSENGER IN OTHER ENCLOSED CARGO AREA (NON-TRAILING UNIT, BUS, PICK-UP WITH CAP) 12 - PASSENGER IN UNENCLOSED CARGO AREA 13 - TRAILING UNIT 14 - RIDING ON VEHICLE EXTERIOR (NON-TRAILING UNIT) 15 - NON-MOTORIST 99 - OTHER / UNKNOWN	1 - NOT DEPLOYED 2 - DEPLOYED FRONT 3 - DEPLOYED SIDE 4 - DEPLOYED BOTH FRONT/SIDE 5 - NOT APPLICABLE 9 - DEPLOYMENT UNKNOWN EJECTION 1 - NOT EJECTED 2 - PARTIALLY EJECTED 3 - TOTALLY EJECTED 4 - NOT APPLICABLE TRAPPED 1 - NOT TRAPPED 2 - EXTRICATED BY MECHANICAL MEANS 3 - FREED BY NON-MECHANICAL MEANS
INJURED TAKEN BY 1 - NOT TRANSPORTED / TREATED AT SCENE 2 - EMS 3 - POLICE 9 - OTHER / UNKNOWN			
GENDER F - FEMALE M - MALE U - OTHER / UNKNOWN			

NAME: LAST, FIRST, MIDDLE ADDRESS: STREET, CITY, STATE, ZIP	DATE OF BIRTH AGE GENDER CONTACT PHONE - INCLUDE AREA CODE
NAME: LAST, FIRST, MIDDLE ADDRESS: STREET, CITY, STATE, ZIP	DATE OF BIRTH AGE GENDER CONTACT PHONE - INCLUDE AREA CODE
NAME: LAST, FIRST, MIDDLE ADDRESS: STREET, CITY, STATE, ZIP	DATE OF BIRTH AGE GENDER CONTACT PHONE - INCLUDE AREA CODE



LOCAL REPORT NUMBER*

HSY7001 OH1 1/19 [760-0820]

UNIT # 01		OWNER NAME: LAST, FIRST, MIDDLE (SAVE AS DRIVER) CARTER, NATHANIEL, C		OWNER PHONE 440	
OWNER ADDRESS: STREET, CITY, STATE, ZIP (SAME AS DRIVER) 306 30TH ST, LORAIN, OH 44055		COMMERCIAL CARRIER: NAME, ADDRESS, CITY, STATE, ZIP			
LP STATE OH	LICENSE PLATE #	VEHICLE IDENTIFICATION #		VEHICLE YEAR 2007	VEHICLE MAKE Suzuki
☐ INSURANCE VERIFIED	INSURANCE COMPANY	INSURANCE POLICY #	COLOR WHI	VEHICLE MODEL GSXR750	
TYPE OF USE ☐ COMMERCIAL ☐ GOVERNMENT ☐ IN EMERGENCY RESPONSE		US DOT #	TOWED BY: COMPANY NAME Sugar Ridge Towing		
☐ INTERLOCK DEVICE EQUIPPED	☐ HIT/SKIP UNIT	#OCCUPANTS 01	HAZARDOUS MATERIAL ☐ MATERIAL RELEASED ☐ PLACARD		
UNIT TYPE 07		VEHICLE WEIGHT GVWR/GCWR 1 - ≤10K LBS 2 - 10,001 - 26K LBS 3 - >26K LBS			
1 - PASSENGER CAR 2 - PASSENGER VAN (MINIVAN) 3 - SPORT UTILITY VEHICLE 4 - PICKUP 5 - CARGO VAN 6 - VAN (9-15 SEATS)		7 - MOTORCYCLE 2-WHEELED 8 - MOTORCYCLE 3-WHEELED 9 - AUTO CYCLE 10 - MOPED OR MOTORIZED BICYCLE 11 - ALL TERRAIN VEHICLE (ATV/UTV) 12 - GOLF CART 13 - SNOWMOBILE 14 - SINGLE UNIT TRUCK 15 - SEMI-TRACTOR 16 - FARM EQUIPMENT 17 - MOTORHOME 18 - LIMO (LIVERY VEHICLE) 19 - BUS (16+ PASSENGERS) 20 - OTHER VEHICLE 21 - HEAVY EQUIPMENT 22 - ANIMAL WITH RIDER OR ANIMAL-DRAWN VEHICLE 23 - PEDESTRIAN / SKATER 24 - WHEELCHAIR (ANY TYPE) 25 - OTHER NON-MOTORIST 26 - BICYCLE 27 - TRAIN 99 - UNKNOWN OR HIT/SKIP			
# OF TRAILING UNITS		WAS VEHICLE OPERATING IN AUTONOMOUS MODE WHEN CRASH OCCURRED? 2 1 - YES 2 - NO 9 - OTHER / UNKNOWN			
AUTONOMOUS MODE LEVEL 0		0 - NO AUTOMATION 1 - DRIVER ASSISTANCE 2 - PARTIAL AUTOMATION 3 - CONDITIONAL AUTOMATION 4 - HIGH AUTOMATION 5 - FULL AUTOMATION 9 - UNKNOWN			
SPECIAL FUNCTION 01		1 - NONE 2 - TAXI 3 - ELECTRONIC RIDE SHARING 4 - SCHOOL TRANSPORT 5 - BUS - TRANSIT/COMMUTER 6 - BUS - CHARTER/TOUR 7 - BUS - INTERCITY 8 - BUS - SHUTTLE 9 - BUS - OTHER 10 - AMBULANCE 11 - FIRE 12 - MILITARY 13 - POLICE 14 - PUBLIC UTILITY 15 - CONSTRUCTION EQUIPMENT 16 - FARM 17 - MOWING 18 - SNOW REMOVAL 19 - TOWING 20 - SAFETY SERVICE PATROL 21 - MAIL CARRIER 99 - OTHER / UNKNOWN			
CARGO BODY TYPE 01		1 - NO CARGO BODY TYPE / NOT APPLICABLE 2 - BUS 3 - VEHICLE TOWING ANOTHER MOTOR VEHICLE 4 - COILING 5 - INTERMODAL CONTAINER CHASSIS 6 - CARGO VAN/ENCLOSED BOX 7 - GRAINCHIPS/GRAVEL 8 - POLE 9 - CARGO TANK 10 - FLAT BED 11 - DUMP 12 - CONCRETE MIXER 13 - AUTO TRANSPORTER 14 - GARBAGE/REFUSE 99 - OTHER / UNKNOWN			
VEHICLE DEFECTS		1 - TURN SIGNALS 2 - HEAD LAMPS 3 - TAIL LAMPS 4 - BRAKES 5 - STEERING 6 - TIRE BLOWOUT 7 - WORN OR SLICK TIRES 8 - TRAILER EQUIPMENT DEFECTIVE 9 - MOTOR TROUBLE 10 - DISABLED FROM PRIOR ACCIDENT 99 - OTHER / UNKNOWN			
NON-MOTORIST LOCATION AT IMPACT		1 - INTERSECTION - MARKED CROSSWALK 2 - INTERSECTION - UNMARKED CROSSWALK 5 - TRAVEL LANE - OTHER LOCATIONS 3 - INTERSECTION - OTHER 4 - MIDBLOCK - MARKED CROSSWALK 7 - SHOULDER / ROADSIDE 8 - SIDEWALK 9 - MEDIAN/CROSSING ISLAND 10 - DRIVEWAY ACCESS 11 - SHARED USE PATHS OR TRAILS 12 - FIRST RESPONDER AT INCIDENT SCENE 99 - OTHER / UNKNOWN			
ACTION 2		1 - NON-CONTACT 2 - NON-COLLISION 3 - STRUCK 4 - STRUCK 5 - BOTH STRIKING & STRUCK 9 - OTHER / UNKNOWN 1 - STRAIGHT AHEAD 2 - BACKING 3 - CHANGING LANES 4 - OVERTAKING/PASSING 5 - MAKING RIGHT TURN 6 - MAKING LEFT TURN 7 - MAKING U-TURN 8 - ENTERING TRAFFIC LANE 9 - LEAVING TRAFFIC LANE 10 - PARKED 11 - SLOWING OR STOPPED IN TRAFFIC 12 - DRIVERLESS 13 - NEGOTIATING A CURVE 14 - ENTERING OR CROSSING SPECIFIED LOCATION 15 - WALKING, RUNNING, JOGGING, PLAYING 16 - WORKING 17 - PUSHING VEHICLE 18 - APPROACHING OR LEAVING VEHICLE 19 - STANDING 20 - OTHER NON-MOTORIST 21 - STANDING OUTSIDE DISABLED VEHICLE 99 - OTHER / UNKNOWN			
CONTRIBUTING CIRCUMSTANCES 05		1 - NONE 2 - FAILURE TO YIELD 3 - RAN RED LIGHT 4 - RAN STOP SIGN 5 - UNSAFE SPEED 6 - IMPROPER TURN 7 - LEFT OF CENTER 8 - FOLLOWING TOO CLOSE / ACDA 9 - IMPROPER LANE CHANGE 10 - IMPROPER PASSING 11 - DROVE OFF ROAD 12 - IMPROPER BACKING 13 - IMPROPER START FROM A PARKED POSITION 14 - STOPPED OR PARKED ILLEGALLY 15 - SWERVING TO AVOID 16 - WRONG WAY 17 - VISION OBSTRUCTION 18 - OPERATING DEFECTIVE EQUIPMENT 19 - LOAD SHIFTING/FALLING/SPILLING 20 - IMPROPER CROSSING 21 - LYING IN ROADWAY 22 - NOT DISCRIBABLE 23 - OPENING DOOR INTO ROADWAY 99 - OTHER IMPROPER ACTION			
SEQUENCE OF EVENTS 08		1 - OVERTURN/ROLLOVER 2 - FIRE/EXPLOSION 3 - IMMERSION 4 - JACKKNIFE 5 - CARGO / EQUIPMENT LOSS OR SHIFT 6 - EQUIPMENT FAILURE 7 - SEPARATION OF UNITS 8 - RAN OFF ROAD RIGHT 9 - RAN OFF ROAD LEFT 10 - CROSS MEDIAN 11 - CROSS CENTERLINE - OPPOSITE DIRECTION OF TRAVEL 12 - DOWNHILL RUNAWAY 13 - OTHER NON-COLLISION 14 - PEDESTRIAN 15 - PEDAL CYCLE 16 - RAILWAY VEHICLE 17 - ANIMAL - FARM 18 - ANIMAL - DEER 19 - ANIMAL - OTHER 20 - MOTOR VEHICLE IN TRANSPORT 21 - PARKED MOTOR VEHICLE 22 - WORK ZONE MAINTENANCE EQUIPMENT 23 - STRUCK BY FALLING, SHIFTING CARGO OR ANYTHING SET IN MOTION BY A MOTOR VEHICLE 24 - OTHER MOVABLE OBJECT			
COLLISION WITH FIXED OBJECT - STRUCK		31 - GUARDRAIL END 32 - PORTABLE BARRIER 33 - MEDIAN CABLE BARRIER 34 - MEDIAN GUARDRAIL BARRIER 35 - MEDIAN CONCRETE BARRIER 36 - MEDIAN OTHER BARRIER 37 - TRAFFIC SIGN POST 38 - OVERHEAD SIGN POST 39 - LIGHT / LUMINARIES SUPPORT 40 - UTILITY POLE 41 - OTHER POST, POLE OR SUPPORT 42 - CULVERT 43 - CURB 44 - DITCH 45 - EMBANKMENT 46 - FENCE 47 - MAIL BOX 48 - TREE 49 - FIRE HYDRANT 50 - WORK ZONE MAINTENANCE EQUIPMENT 51 - WALL 52 - BUILDING 53 - TUNNEL 54 - OTHER FIXED OBJECT 99 - OTHER / UNKNOWN			
FIRST HARMFUL EVENT 1		MOST HARMFUL EVENT 2			

LOCAL REPORT NUMBER 2021-00026167	
DAMAGE SCALE 4 1 - NONE 2 - MINOR DAMAGE 3 - FUNCTIONAL DAMAGE 4 - DISABLING DAMAGE 9 - UNKNOWN	
DAMAGED AREA(S) INDICATE ALL THAT APPLY	
☐ NO DAMAGE (01) ☐ UNDERCARRIAGE (14) ☐ TOP (13) ☐ ALL AREAS (15) ☐ UNIT NOT AT SCENE (16)	
INITIAL POINT OF CONTACT 01 0 - NO DAMAGE 1-12 - REFER TO UNIT DIAGRAM 13 - TOP 14 - UNDERCARRIAGE 15 - VEHICLE NOT AT SCENE 99 - UNKNOWN	
TRAFFIC	
TRAFFICWAY FLOW 1 1 - ONE-WAY 2 - TWO-WAY	TRAFFIC CONTROL 4 1 - ROUNDABOUT 2 - SIGNAL 3 - FLASHER 4 - STOP SIGN 5 - YIELD SIGN 6 - NO CONTROL
# OF THROUGH LANES ON ROAD 2	RAIL GRADE CROSSING 1 - NOT INVOLVED 2 - INVOLVED-ACTIVE CROSSING 3 - INVOLVED-PASSIVE CROSSING
UNIT / NON-MOTORIST DIRECTION FROM 1 TO 7	
UNIT SPEED 3	DETECTED SPEED 3 1 - STATED / ESTIMATED SPEED 2 - CALCULATED / EDR 3 - UNDETERMINED
POSTED SPEED 3	



MOTORIST / Non-MOTORIST

LOCAL REPORT NUMBER
2,0,2,1 - 0,0,0,2,6,1,6,7

UNIT # 0,1 NAME: LAST, FIRST, MIDDLE CARTER, NATHANIEL, C
DATE OF BIRTH 0,7,0,6,1,9,9,9 AGE 2,2 GENDER M

ADDRESS: STREET, CITY, STATE, ZIP 2306 E 30TH ST, LORAIN, OH 44055
CONTACT PHONE - INCLUDE AREA CODE 4,4,0

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
2	2	LifeCare	UH Elyria	0,1		0,1	5	3	1
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER				
O,H									
OL CLASS	ENDORSEMENT	RESTRICTION (SELECT UP TO 3)	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)	
			1	☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	1	STATUS	TYPE	VALUE	STATUS
						1	1		1

UNIT # NAME: LAST, FIRST, MIDDLE
DATE OF BIRTH AGE GENDER

ADDRESS: STREET, CITY, STATE, ZIP
CONTACT PHONE - INCLUDE AREA CODE

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER				
OL CLASS	ENDORSEMENT	RESTRICTION (SELECT UP TO 3)	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)	
				☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG		STATUS	TYPE	VALUE	STATUS

UNIT # NAME: LAST, FIRST, MIDDLE
DATE OF BIRTH AGE GENDER

ADDRESS: STREET, CITY, STATE, ZIP
CONTACT PHONE - INCLUDE AREA CODE

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER				
OL CLASS	ENDORSEMENT	RESTRICTION (SELECT UP TO 3)	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)	
				☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG		STATUS	TYPE	VALUE	STATUS

INJURIES	SEATING POSITION	AIR BAG	OL CLASS	OL RESTRICTION(S)	DRIVER DISTRACTION	TEST STATUS
1 - FATAL	1 - FRONT - LEFT SIDE (MOTORCYCLE DRIVER)	1 - NOT DEPLOYED	1 - CLASS A	1 - ALCOHOL INTERLOCK DEVICE	1 - NOT DISTRACTED	1 - NONE GIVEN
2 - SUSPECTED SERIOUS INJURY	2 - FRONT - MIDDLE	2 - DEPLOYED FRONT	2 - CLASS B	2 - CDL INTRASTATE ONLY	2 - MANUALLY OPERATING AN ELECTRONIC COMMUNICATION DEVICE (TEXTING, TYPING, DIALING)	2 - TEST REFUSED
3 - SUSPECTED MINOR INJURY	3 - FRONT - RIGHT SIDE	3 - DEPLOYED SIDE	3 - CLASS C	3 - CORRECTIVE LENSES	3 - TALKING ON HANDS-FREE COMMUNICATION DEVICE	3 - TEST GIVEN, CONTAMINATED SAMPLE / UNSAMPLE
4 - POSSIBLE INJURY	4 - SECOND - LEFT SIDE (MOTORCYCLE PASSENGER)	4 - DEPLOYED BOTH FRONT / SIDE	4 - REGULAR CLASS (OHIO - D)	4 - FARM WAIVER	4 - TALKING ON HAND-HELD COMMUNICATION DEVICE	4 - TEST GIVEN, RESULTS KNOWN
5 - NO APPARENT INJURY	5 - SECOND - MIDDLE	5 - NOT APPLICABLE	5 - MC MOPED ONLY	5 - EXCEPT CLASS A BUS & CLASS B BUS	5 - OTHER ACTIVITY WITH AN ELECTRONIC DEVICE	5 - TEST GIVEN, RESULTS UNKNOWN
INJURED TAKEN BY	6 - SECOND - RIGHT SIDE	9 - DEPLOYMENT UNKNOWN	6 - NO VALID OL	7 - EXCEPT TRACTOR-TRAILER		ALCOHOL TEST TYPE
1 - NOT TRANSPORTED / TREATED AT SCENE	7 - THIRD - LEFT SIDE (MOTORCYCLE SIDE CAR)	EJECTION	OL ENDORSEMENT	8 - INTERMEDIATE LICENSE RESTRICTIONS		1 - NONE
2 - EMS	8 - THIRD - MIDDLE	1 - NOT EJECTED	H - HAZMAT	9 - LEARNER'S PERMIT RESTRICTIONS		2 - BLOOD
3 - POLICE	9 - THIRD - RIGHT SIDE	2 - PARTIALLY EJECTED	M - MOTORCYCLE	10 - LIMITED TO DAYLIGHT ONLY		3 - URINE
9 - OTHER / UNKNOWN	10 - SLEEPER SECTION OF TRUCK CAB	3 - TOTALLY EJECTED	P - PASSENGER	11 - LIMITED TO EMPLOYMENT		4 - BREATH
SAFETY EQUIPMENT	11 - PASSENGER IN OTHER ENCLOSED CARGO AREA (ON-TRAILING UNIT, BUS, PICK-UP WITH CAP)	4 - NOT APPLICABLE	N - TANKER	12 - LIMITED - OTHER		5 - OTHER
1 - NONE USED	12 - PASSENGER IN UNENCLOSED CARGO AREA	TRAPPED	Q - MOTOR SCOOTER	13 - MECHANICAL DEVICES (SPECIAL BRAKES, HAND CONTROLS, OR OTHER ADAPTIVE DEVICES)	CONDITION	DRUG TEST TYPE
2 - SHOULDER BELT ONLY USED	13 - TRAILING UNIT	1 - NOT TRAPPED	R - THREE-WHEEL MOTORCYCLE	14 - MILITARY VEHICLES ONLY	1 - APPARENTLY NORMAL	1 - NONE
3 - LAP BELT ONLY USED	14 - RIDING ON VEHICLE EXTERIOR (NON-TRAILING UNIT)	2 - EXTRICATED BY MECHANICAL MEANS	S - SCHOOL BUS	15 - MOTOR VEHICLES WITHOUT AIR BRAKES	2 - PHYSICAL IMPAIRMENT	2 - BLOOD
4 - SHOULDER & LAP BELT USED	15 - NON-MOTORIST	3 - FREED BY NON-MECHANICAL MEANS	T - DOUBLE & TRIPLE TRAILERS	16 - OUTSIDE MIRROR	3 - EMOTIONAL (E.G., EUPHORED, ANGRY, DISTRESSED)	3 - URINE
5 - CHILD RESTRAINT SYSTEM - FORWARD FACING	99 - OTHER / UNKNOWN		X - TANKER / HAZMAT	17 - PROSTHETIC AID	4 - ILLNESS	4 - OTHER
6 - CHILD RESTRAINT SYSTEM - REAR FACING				18 - OTHER	5 - FELL ASLEEP, FAINTED, FATIGUED, ETC.	DRUG TEST RESULT(S)
7 - BOOSTER SEAT			GENDER		6 - UNDER THE INFLUENCE OF MEDICATIONS / DRUGS / ALCOHOL	1 - AMPHETAMINES
8 - HELMET USED			F - FEMALE		9 - OTHER / UNKNOWN	2 - BARBITURATES
9 - PROTECTIVE PADS USED (ELBOW, KNEES, ETC.)			M - MALE			3 - BENZODIAZEPINES
10 - REFLECTIVE CLOTHING			U - OTHER / UNKNOWN			4 - CANNABINOIDS
11 - LIGHTING - PEDESTRIAN / BICYCLE ONLY						5 - COCAINE
99 - OTHER / UNKNOWN						6 - OPIATES / OPIMIDS
						7 - OTHER
						8 - NEGATIVE RESULTS



Narrative Continuation

LOCAL REPORT NUMBER

2 0 2 1 - 0 0 0 2 6 1 6 7

80 FEET FROM THE DRIVER.



TRAFFIC CRASH REPORT

*DENOTES MANDATORY FIELD FOR SUPPLEMENT REPORT

LOCAL REPORT NUMBER*

☒ PHOTOS TAKEN		☒ OH-2 ☐ OH-3		LOCAL INFORMATION		2 0 2 2 - 0 0 0 2 2 6 8 9	
☐ SECONDARY CRASH		☐ OH-1P ☐ OTHER		REPORTING AGENCY NAME*		NCIC*	
☐ PRIVATE PROPERTY				Elyria Police Department		0 4 7 0 4	
COUNTY*	LOCALITY*	LOCATION: CITY, VILLAGE, TOWNSHIP*		CRASH DATE / TIME*		CRASH SEVERITY	
4 7	1	Elyria		08192022/0804		3	
ROUTE TYPE	ROUTE NUMBER	PREFIX	N - NORTH S - SOUTH E - EAST W - WEST	LOCATION ROAD NAME	ROAD TYPE	LATITUDE DECIMAL DEGREES	CRASH SEVERITY
				WEST	A V	41.367762	1 - FATAL
ROUTE TYPE	ROUTE NUMBER	PREFIX	N - NORTH S - SOUTH E - EAST W - WEST	REFERENCE ROAD NAME (ROAD, MILEPOST, HOUSE #)	ROAD TYPE	LONGITUDE DECIMAL DEGREES	2 - SERIOUS INJURY SUSPECTED
				BROAD	S T	-82.110250	3 - MINOR INJURY SUSPECTED
REFERENCE POINT	DIRECTION FROM REFERENCE	ROUTE TYPE	ROAD TYPE	INTERSECTION RELATED			
1 - INTERSECTION	1 - NORTH	IR - INTERSTATE ROUTE (TP)	AL - ALLEY	☒ WITHIN INTERSECTION OR ON APPROACH			
2 - MILE POST	2 - SOUTH	US - FEDERAL US ROUTE	AV - AVENUE	☐ WITHIN INTERCHANGE AREA			
3 - HOUSE #	3 - EAST	SR - STATE ROUTE	BL - BOULEVARD	NUMBER OF APPROACHES			
DISTANCE FROM REFERENCE	DISTANCE UNIT OF MEASURE	CR - NUMBERED COUNTY ROUTE	CR - CIRCLE	ROADWAY			
7 5	2	TR - NUMBERED TOWNSHIP ROUTE	CT - COURT	☐ ROADWAY DIVIDED			
	3 - YARDS		DR - DRIVE				
			HE - HEIGHTS				
			PL - PLACE				
LOCATION OF FIRST HARMFUL EVENT		MANNER OF CRASH COLLISION/IMPACT		DIRECTION OF TRAVEL		MEDIAN TYPE	
1 - ON ROADWAY		1 - NOT COLLISION		N - NORTH		1 - DIVIDED FLUSH MEDIAN (<4 FEET)	
2 - ON SHOULDER		4 - REAR-TO-REAR		S - SOUTH		2 - DIVIDED FLUSH MEDIAN (>4 FEET)	
3 - IN MEDIAN		5 - BACKING		E - EAST		3 - DIVIDED, DEPRESSED MEDIAN (ANY TYPE)	
4 - ON ROADSIDE		6 - ANGLE		W - WEST		4 - DIVIDED, RAISED MEDIAN (ANY TYPE)	
5 - ON GORE		7 - SIDESWIPE, SAME DIRECTION				9 - OTHER/UNKNOWN	
6 - OUTSIDE TRAFFIC WAY		8 - SIDESWIPE, OPPOSITE DIRECTION					
7 - ON RAMP		9 - OTHER / UNKNOWN					
8 - OFF RAMP							
99 - OTHER / UNKNOWN							
☐ WORK ZONE RELATED		WORK ZONE TYPE		LOCATION OF CRASH IN WORK ZONE		CONTOUR	
☐ WORKERS PRESENT		1 - LANE CLOSURE		1 - BEFORE THE 1ST WORK ZONE WARNING SIGN		1 - STRAIGHT LEVEL	
☐ LAW ENFORCEMENT PRESENT		2 - LANE SHIFT/CROSSOVER		2 - ADVANCE WARNING AREA		2 - STRAIGHT GRADE	
☐ ACTIVE SCHOOL ZONE		3 - WORK ON SHOULDER OR MEDIAN		3 - TRANSITION AREA		3 - CURVE LEVEL	
		4 - INTERMITTENT OR MOVING WORK		4 - ACTIVITY AREA		4 - CURVE GRADE	
		5 - OTHER		5 - TERMINATION AREA		9 - OTHER/UNKNOWN	
LIGHT CONDITION		WEATHER		CONDITIONS		SURFACE	
1 - DAYLIGHT		1 - CLEAR		1 - DRY		1 - CONCRETE	
2 - DAWN/DUSK		2 - CLOUDY		2 - WET		2 - BLACKTOP, BITUMINOUS, ASPHALT	
3 - DARK - LIGHTED ROADWAY		3 - FOG, SMOG, SMOKE		3 - SNOW		3 - BRICK/BLOCK	
4 - DARK - ROADWAY NOT LIGHTED		4 - RAIN		4 - ICE		4 - SLAG, GRAVEL, STONE	
5 - DARK - UNKNOWN ROADWAY LIGHTING		5 - SLEET, HAIL		5 - SAND, MUD, DIRT, OIL, GRAVEL		5 - DIRT	
9 - OTHER / UNKNOWN		6 - SNOW		6 - WATER (STANDING, MOVING)		9 - OTHER/UNKNOWN	
		7 - SEVERE CROSSWINDS		7 - SLUSH			
		8 - BLOWING SAND, SOIL, DIRT, SNOW		9 - OTHER/UNKNOWN			
		9 - FREEZING RAIN OR FREEZING DRIZZLE					
		99 - OTHER / UNKNOWN					
NARRATIVE							
Unit 1 was northbound, in the #1 lane on West Ave. approaching Broad St. The driver of Unit 1 had a medical emergency, drove off the right side of the road, over the curb, onto the sidewalk where the front of Unit 1 struck a utility pole. Unit 1 continued north on the sidewalk of West Ave, passing through the intersection of Broad St, still on the sidewalk. The front of Unit 1 struck a decorative brick stanchion on the west side of 595 Broad St. the impact caused Unit to rollover onto the roof, and in the process, the left side of Unit 1 struck							
CRASH REPORTED DATE / TIME							
08192022/0804							
DISPATCH DATE / TIME							
08192022/0848							
ARRIVAL DATE / TIME							
08192022/0848							
SCENE CLEARED DATE / TIME							
08192022/0945							
REPORT TAKEN BY							
☒ POLICE AGENCY							
☐ MOTORIST							
☐ SUPPLEMENT (CORRECTION IS ADDITION)							
TOTAL TIME ROADWAY CLOSED							
0 6 0							
OTHER INVESTIGATION TIME							
0 6 0							
TOTAL MINUTES							
1 1 7							
OFFICER'S NAME*							
Mitchell, Paige B.							
CHECKED BY OFFICER'S NAME*							
Buckway, Richard T							
OFFICER'S BADGE NUMBER*							
2 2 9							
CHECKED BY OFFICER'S BADGE NUMBER*							
0 4 9							



Indicate the north direction with an "N" on the compass diagram.

Not To Scale

UNIT #

01

OWNER NAME: LAST, FIRST, MIDDLE (X) SALES AS DRIVER

Howard, Natalie, N

OWNER PHONE: (XXX) XXX-XXXX (X) SALES AS DRIVER

440

INER ADDRESS: STREET, CITY, STATE, ZIP (X) SALES AS DRIVER

65 10TH ST, ELYRIA, OH 44035

COMMERCIAL CARRIER: NAME, ADDRESS, CITY, STATE, ZIP

COMMERCIAL CARRIER PHONE: INCLUDE AREA CODE

LP STATE

OH

LICENSE PLATE #

VEHICLE IDENTIFICATION #

VEHICLE YEAR

2013

VEHICLE MAKE

Chevrolet

INSURANCE VERIFIED

INSURANCE COMPANY

INSURANCE POLICY #

COLOR

SIL

VEHICLE MODEL

Cruze

TYPE OF USE

COMMERCIAL

GOVERNMENT

IN EMERGENCY RESPONSE

US DOT #

TOWED BY: COMPANY NAME

Sugar Ridge Towing

HAZARDOUS MATERIAL

MATERIAL RELEASED

CLASS #

PLACARD ID #

INTERLOCK DEVICE EQUIPPED

HITS/SKIP UNIT

#OCCUPANTS

01

VEHICLE WEIGHT GVWR/GCWR

1 - <10K LBS

2 - 10,001 - 26K LBS

3 - >26K LBS

UNIT TYPE

01

1 - PASSENGER CAR

2 - PASSENGER VAN (MINIVAN)

3 - SPORT UTILITY VEHICLE

4 - PICKUP

5 - CARGO VAN

6 - VAN (9-15 SEATS)

7 - MOTORCYCLE 2-WHEELED

8 - MOTORCYCLE 3-WHEELED

9 - AUTOCYCLE

10 - MOPED OR MOTORIZED BICYCLE

11 - ALL TERRAIN VEHICLE (ATV/UTV)

12 - GOLF CART

13 - SNOWMOBILE

14 - SINGLE UNIT TRUCK

15 - SEMI-TRACTOR

16 - FARM EQUIPMENT

17 - MOTORHOME

18 - LIMO (LIVERY VEHICLE)

19 - BUS (16+ PASSENGERS)

20 - OTHER VEHICLE

21 - HEAVY EQUIPMENT

22 - ANIMAL WITH RIDER OR ANIMAL-DRAWN VEHICLE

23 - PEDESTRIAN / SKATER

24 - WHEELCHAIR (ANY TYPE)

25 - OTHER NON-MOTORIST

26 - BICYCLE

27 - TRAILER

99 - UNKNOWN OR HITS/SKIP

OF TRAILING UNITS

WAS VEHICLE OPERATING IN AUTONOMOUS MODE WHEN CRASH OCCURRED?

1 - YES

2 - NO

9 - OTHER / UNKNOWN

AUTONOMOUS MODE LEVEL

0

1 - NO AUTOMATION

2 - PARTIAL AUTOMATION

3 - CONDITIONAL AUTOMATION

4 - HIGH AUTOMATION

5 - FULL AUTOMATION

9 - UNKNOWN

SPECIAL FUNCTION

01

1 - NONE

2 - TAXI

3 - ELECTRONIC RIDE SHARING

4 - SCHOOL TRANSPORT

5 - BUS - TRANSPORT COMMUTER

6 - BUS - CHARTER/TOUR

7 - BUS - INTERCITY

8 - BUS - SHUTTLE

9 - BUS - OTHER

10 - AMBULANCE

11 - FIRE

12 - MILITARY

13 - POLICE

14 - PUBLIC UTILITY

15 - CONSTRUCTION EQUIPMENT

16 - FARM

17 - MOWING

18 - SNOW REMOVAL

19 - TOWING

20 - SAFETY SERVICE PATROL

21 - MAIL CARRIER

99 - OTHER / UNKNOWN

CARGO BODY TYPE

01

1 - NO CARGO BODY TYPE / NOT APPLICABLE

2 - BUS

3 - VEHICLE TOWING ANOTHER MOTOR VEHICLE

4 - LOGGING

5 - INTERMODAL CONTAINER CHASSIS

6 - CARGO VAN/ENCLOSED BOX

7 - GRAIN/CHIPS/GRAVEL

8 - POLE

9 - CARGO TANK

10 - FLAT BED

11 - DUMP

12 - CONCRETE MIXER

13 - AUTOTRANSPORTER

14 - CARGO BAG/REFUSE

99 - OTHER / UNKNOWN

VEHICLE DEFECTS

1 - TURN SIGNALS

2 - HEAD LAMPS

3 - TAIL LAMPS

4 - BRAKES

5 - STEERING

6 - TIRE BLOWOUT

7 - WORN OR SLICK TIRES

8 - TRAILER EQUIPMENT DEFECTIVE

9 - MOTOR VEHICLE

10 - DISABLED FROM PRIOR ACCIDENT

99 - OTHER / UNKNOWN

NON-MOTORIST LOCATION AT IMPACT

1 - INTERSECTION - MARKED CROSSWALK

2 - INTERSECTION - UNMARKED CROSSWALK

3 - INTERSECTION - OTHER

4 - MIDBLOCK - MARKED CROSSWALK

5 - TRAVEL LANE - OTHER LOCATION

6 - BICYCLE LANE

7 - SHOULDER / ROADSIDE

8 - SIDEWALK

9 - MEDIAN/CROSSING ISLAND

10 - DRIVEWAY ACCESS

11 - SHARED USE PATHS OR TRAILS

12 - FIRST RESPONDER AT INCIDENT SCENE

99 - OTHER / UNKNOWN

ACTION

3

1 - NON-CONTACT

2 - NON-COLLISION

3 - STRIKING

4 - STRUCK

5 - BOTH STRIKING & STRUCK

9 - OTHER / UNKNOWN

1 - STRAIGHT AHEAD

2 - BACKING

3 - CHANGING LANES

4 - OVERTAKING/PASSING

5 - MAKING RIGHT TURN

6 - MAKING LEFT TURN

7 - MAKING U-TURN

8 - ENTERING TRAFFIC LANE

9 - LEAVING TRAFFIC LANE

10 - PARKED

11 - SLOWING OR STOPPED IN TRAFFIC

12 - DRIVERLESS

13 - NEGOTIATING A CURVE

14 - ENTERING OR CROSSING SPECIFIED LOCATION

15 - WALKING, RUNNING, JOGGING, PLAYING

16 - WORKING

17 - PUSHING VEHICLE

18 - APPROACHING OR LEAVING VEHICLE

19 - STANDING

20 - OTHER NON-MOTORIST

21 - STANDING OUTSIDE DISABLED VEHICLE

99 - OTHER / UNKNOWN

CONTRIBUTING CIRCUMSTANCES

11

1 - NONE

2 - FAILURE TO YIELD

3 - RAN RED LIGHT

4 - RAN STOP SIGN

5 - UNSAFE SPEED

6 - IMPROPER TURN

7 - LEFT OF CENTER

8 - FOLLOWING TOO CLOSE / CLOS

9 - IMPROPER LANE CHANGE

10 - IMPROPER PASSING

11 - DROVE OFF ROAD

12 - IMPROPER BACKING

13 - IMPROPER START FROM A PARKED POSITION

14 - STOPPED OR PARKED ILLEGALLY

15 - SWERVING TO AVOID

16 - WRONG WAY

17 - VISION OBSTRUCTION

18 - OPERATING DEFECTIVE EQUIPMENT

19 - LOAD SHIFTING/FALLING/SPILLING

20 - IMPROPER CROSSING

21 - LYING IN ROADWAY

22 - NOT DISCERNIBLE

23 - OPENING DOOR INTO ROADWAY

99 - OTHER IMPROPER ACTION

SEQUENCE OF EVENTS

1 - OVERTURN/ROLLOVER

2 - FIRE/EXPLOSION

3 - IMMERSION

4 - JACKKNIFE

5 - CARGO EQUIPMENT LOSS OR SHIFT

6 - EQUIPMENT FAILURE

7 - SEPARATION OF UNITS

8 - RAN OFF ROAD RIGHT

9 - RAN OFF ROAD LEFT

10 - CROSS MEDIAN

11 - CROSS CENTERLINE - OPPOSITE DIRECTION OF TRAVEL

12 - DOWNHILL RUNAWAY

13 - OTHER NON-COLLISION

14 - PEDESTRIAN

15 - PEDAL CYCLE

16 - RAILWAY VEHICLE

17 - ANIMAL - FARM

18 - ANIMAL - DEER

19 - ANIMAL - OTHER

20 - MOTOR VEHICLE IN TRANSPORT

21 - PARKED MOTOR VEHICLE

22 - WORK ZONE MAINTENANCE EQUIPMENT

23 - STRUCK BY FALLING, SHIFTING CARGO OR ANYTHING SET IN MOTION BY A MOTOR VEHICLE

24 - OTHER MOVABLE OBJECT

COLLISION WITH FIXED OBJECT - STRUCK

25 - IMPACT ATTENUATOR / CRASH CUSHION

26 - BRIDGE OVERHEAD STRUCTURE

27 - BRIDGE PIER OR ABUTMENT

28 - BRIDGE PARAPET

29 - BRIDGE RAIL

30 - GUARD RAIL FACE

31 - GUARDRAIL END

32 - PORTABLE BARRIER

33 - MEDIAN CABLE BARRIER

34 - MEDIAN GUARDRAIL BARRIER

35 - MEDIAN CONCRETE BARRIER

36 - MEDIAN OTHER BARRIER

37 - TRAFFIC SIGN POST

38 - OVERHEAD SIGN POST

39 - LIGHT / LUMINARIES SUPPORT

40 - UTILITY POLE

41 - OTHER POST, POLE OR SUPPORT

42 - CULVERT

43 - CURB

44 - DITCH

45 - EMBANKMENT

46 - FENCE

47 - MAILBOX

48 - TREE

49 - FIRE HYDRANT

50 - WORK ZONE MAINTENANCE EQUIPMENT

51 - WALL

52 - BUILDING

53 - TUNNEL

54 - OTHER FIXED OBJECT

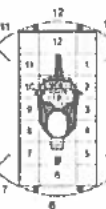
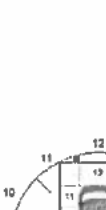
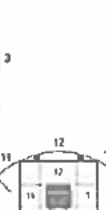
99 - OTHER / UNKNOWN

FIRST HARMFUL EVENT

2

MOST HARMFUL EVENT

3

LOCAL REPORT NUMBER	
2 0 2 2 - 0 0 0 2 2 6 8 9	
DAMAGE	
DAMAGE SCALE	
1 - NONE 2 - MINOR DAMAGE 9 - UNKNOWN 3 - FUNCTIONAL DAMAGE 4 - DISABLING DAMAGE	
4	
DAMAGED AREA(S) INDICATE ALL THAT APPLY	
     	
 12 3 6  12 3 6  12 3 6  12 3 6	
☐ - NO DAMAGE [0] ☐ - UNDERCARRIAGE [14]	
☐ - TOP [13] ☒ - ALL AREAS [15]	
☐ - UNIT NOT AT SCENE [16]	
INITIAL POINT OF CONTACT	
0 - NO DAMAGE 1-12 - REFER TO UNIT DIAGRAM 13 - TOP 14 - UNDERCARRIAGE 15 - VEHICLE NOT AT SCENE 99 - UNKNOWN	
TRAFFIC	
TRAFFICWAY FLOW 1 - ONE-WAY 2 - TWO-WAY	TRAFFIC CONTROL 1 - ROUNDABOUT 2 - SIGNAL 3 - FLASHER 4 - STOP SIGN 5 - YIELD SIGN 6 - NO CONTROL
2	6
# OF THROUGH LANES ON ROAD 2	RAIL GRADE CROSSING 1 - NOT INVOLVED 2 - INVOLVED-ACTIVE CROSSING 3 - INVOLVED-PASSIVE CROSSING
2	1
UNIT / NON-MOTORIST DIRECTION	
1 - NORTH 2 - SOUTH 3 - EAST 4 - WEST 5 - NORTHEAST 6 - NORTHWEST 7 - SOUTHEAST 8 - SOUTHWEST 9 - OTHER / UNKNOWN	
FROM 2 TO 1	
UNIT SPEED 0 2 5	DETECTED SPEED 1 - STATED / ESTIMATED SPEED 2 - CALCULATED / EDR 3 - UNDETERMINED
1	
POSTED SPEED 2 5	



MOTORIST / Non-MOTORIST

LOCAL REPORT NUMBER			
2,0,2,2 - 0,0,0,2,2,6,8,9			
DATE OF BIRTH		AGE	GENDER
0,6,2,2,1,9,8,9		3,3	F
CONTACT PHONE - INCLUDE AREA CODE			
4,4,0 [REDACTED]			

UNIT #	NAME: LAST, FIRST, MIDDLE
0,1	Howard, Natalie, N
ADDRESS: STREET, CITY, STATE, ZIP	
465 10TH ST, ELYRIA, OH 44035	

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	☐ DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED		
3	2	LifeCare	MetroHealth	0,1		0,1	4	1	2		
OL STATE	OPERATOR LICENSE NUMBER		OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION		CITATION NUMBER				
O,H	[REDACTED]										
OL CLASS	ENDORSEMENT	RESTRICTION	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)			
	SELECT UP TO 2	SELECT UP TO 3		☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	4	STATUS	TYPE	VALUE	STATUS	TYPE	RESULT
			1			1	1		1	1	

UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER							
ADDRESS: STREET, CITY, STATE, ZIP											
CONTACT PHONE - INCLUDE AREA CODE											
INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	☐ DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED		
OL STATE	OPERATOR LICENSE NUMBER		OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION		CITATION NUMBER				
OL CLASS	ENDORSEMENT	RESTRICTION	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)			
	SELECT UP TO 2	SELECT UP TO 3		☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG		STATUS	TYPE	VALUE	STATUS	TYPE	RESULT

UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER							
ADDRESS: STREET, CITY, STATE, ZIP											
CONTACT PHONE - INCLUDE AREA CODE											
INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	☐ DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED		
OL STATE	OPERATOR LICENSE NUMBER		OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION		CITATION NUMBER				
OL CLASS	ENDORSEMENT	RESTRICTION	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED	CONDITION	ALCOHOL TEST		DRUG TEST(S)			
	SELECT UP TO 2	SELECT UP TO 3		☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG		STATUS	TYPE	VALUE	STATUS	TYPE	RESULT

INJURIES	SEATING POSITION	AIR BAG	OL CLASS	OL RESTRICTION(S)	DRIVER DISTRACTION	TEST STATUS
1. FATAL	1. FRONT - LEFT SIDE (MOTORCYCLE DRIVER)	1. NOT DEPLOYED	1. CLASS A	1. ALCOHOL INTERLOCK DEVICE	1. NOT DISTRACTED	1. NONE GIVEN
2. SUSPECTED SERIOUS INJURY	2. FRONT - MIDDLE	2. DEPLOYED FRONT	2. CLASS B	2. COLL INTRASTATE ONLY	2. MANUALLY OPERATING AN ELECTRONIC COMMUNICATION DEVICE (TEXTING, TYPING, DIALING)	2. TEST REFUSED
3. SUSPECTED MINOR INJURY	3. FRONT - RIGHT SIDE	3. DEPLOYED SIDE	3. CLASS C	3. CORRECTIVE LENSES	3. TALKING ON HANDS-FREE COMMUNICATION DEVICE	3. TEST GIVEN, CONTAMINATED SAMPLE / UNUSABLE
4. POSSIBLE INJURY	4. SECOND - LEFT SIDE (MOTORCYCLE PASSENGER)	4. DEPLOYED BOTH FRONT / SIDE	4. REGULAR CLASS (OHIO - D)	4. FARM WAIVER	4. TALKING ON HAND-HELD COMMUNICATION DEVICE	4. TEST GIVEN, RESULTS KNOWN
5. NO APPARENT INJURY	5. SECOND - MIDDLE	5. NOT APPLICABLE	5. MC MOPED ONLY	5. EXCEPT CLASS A BUS	5. OTHER ACTIVITY WITH AN ELECTRONIC DEVICE	5. TEST GIVEN, RESULTS UNKNOWN
INJURED TAKEN BY	6. SECOND - RIGHT SIDE	9. DEPLOYMENT UNKNOWN	6. NO VALID OL	7. EXCEPT TRACTOR-TRAILER		ALCOHOL TEST TYPE
1. NOT TRANSPORTED / TREATED AT SCENE	7. THIRD - LEFT SIDE (MOTORCYCLE SIDE CAR)	EJECTION		8. INTERMEDIATE LICENSE RESTRICTIONS		1. NONE
2. EMS	8. THIRD - MIDDLE	1. NOT EJECTED	H. HAZMAT	9. LEARNER'S PERMIT RESTRICTIONS		2. BLOOD
3. POLICE	9. THIRD - RIGHT SIDE	2. PARTIALLY EJECTED	M. MOTORCYCLE	10. LIMITED TO DAYLIGHT ONLY		3. URINE
9. OTHER / UNKNOWN	10. SLEEPER SECTION OF TRUCK CAB	3. TOTALLY EJECTED	P. PASSENGER	11. LIMITED TO EMPLOYMENT		4. BREATH
SAFETY EQUIPMENT	11. PASSENGER IN OTHER ENCLOSED CARGO AREA (NON-TRAILING UNIT, BUS, PICK-UP WITH CAP)	4. NOT APPLICABLE	N. TANKER	12. LIMITED - OTHER		5. OTHER
1. NONE USED	12. PASSENGER IN UNENCLOSED CARGO AREA	TRAPPED	Q. MOTOR SCOOTER	13. MECHANICAL DEVICES (SPECIAL BRAKES, HAND CONTROLS, OR OTHER ADAPTIVE DEVICES)		DRUG TEST TYPE
2. SHOULDER BELT ONLY USED	13. TRAILING UNIT	1. NOT TRAPPED	R. THREE-WHEEL MOTORCYCLE	14. MILITARY VEHICLES ONLY		1. NONE
3. LAP BELT ONLY USED	14. RIDING ON VEHICLE EXTERIOR (NON-TRAILING UNIT)	2. EXTRICATED BY MECHANICAL MEANS	S. SCHOOL BUS	15. MOTOR VEHICLES WITHOUT AIR BRAKES		2. BLOOD
4. SHOULDER & LAP BELT USED	15. NON-MOTORIST	3. FREED BY NON-MECHANICAL MEANS	T. DOUBLE & TRIPLE TRAILERS	16. OUTSIDE MIRROR	CONDITION	3. URINE
5. CHILD RESTRAINT SYSTEM - FORWARD FACING	99. OTHER / UNKNOWN		X. TANKER / HAZMAT	17. PROSTHETIC AID	1. APPARENTLY NORMAL	4. OTHER
6. CHILD RESTRAINT SYSTEM - REAR FACING				18. OTHER	2. PHYSICAL IMPAIRMENT	
7. BOOSTER SEAT					3. EMOTIONAL (E.G. DEPRESSION, ANGRY, DISTURBED)	
8. HELMET USED					4. ILLNESS	
9. PROTECTIVE PADS USED (ELBOW, KNEES, ETC)					5. FELL ASLEEP, FAINTED, FATIGUED, ETC.	
10. REFLECTIVE CLOTHING					6. UNDER THE INFLUENCE OF MEDICATIONS / DRUGS / ALCOHOL	DRUG TEST RESULT(S)
11. LIGHTING - PEDESTRIAN / BICYCLE ONLY					9. OTHER / UNKNOWN	1. AMPHETAMINES
99. OTHER / UNKNOWN						2. BARBITURATES
						3. BENZODIAZEPINES
						4. CANNABINOIDS
						5. COCAINE
						6. OPIATES / OPIOIDS
						7. OTHER
						8. NEGATIVE RESULTS



Narrative Continuation

LOCAL REPORT NUMBER

2 0 2 2 - 0 0 0 2 2 6 8 9

and dislodged the fire hydrant; Unit 1 came to final rest, facing north east. The driver had to be freed by mechanical means and was later flown to MetroHealth. The department used a sUAS (drone) to photograph the scene.

OHIO DEPARTMENT OF PUBLIC SAFETY TRAFFIC CRASH REPORT *DENOTES MANDATORY FIELD FOR SUPPLEMENT REPORT										LOCAL REPORT NUMBER*		
☒ PHOTOS TAKEN		☐ OH-2 ☐ OH-3		LOCAL INFORMATION			2 0 2 3 - 0 0 0 1 7 3 9 0					
☐ SECONDARY CRASH		☐ OH-1P ☐ OTHER		REPORTING AGENCY NAME*			NCIC*					
☐ PRIVATE PROPERTY				Elyria Police Department			0 4 7 0 4					
COUNTY*	LOCALITY*	LOCATION: CITY, VILLAGE, TOWNSHIP*					CRASH DATE / TIME*		CRASH SEVERITY			
4 7	1	Elyria					06082023/2143		2			
ROUTE TYPE	ROUTE NUMBER	PREFIX	N - NORTH S - SOUTH E - EAST W - WEST	LOCATION ROAD NAME			ROAD TYPE	LATITUDE DECIMAL DEGREES		1 - FATAL 2 - SERIOUS INJURY SUSPECTED 3 - MINOR INJURY SUSPECTED 4 - INJURY POSSIBLE 5 - PROPERTY DAMAGE ONLY		
1 R	90			190				41.405634				
ROUTE TYPE	ROUTE NUMBER	PREFIX	N - NORTH S - SOUTH E - EAST W - WEST	REFERENCE ROAD NAME (ROAD, MILEPOST, HOUSE #)			ROAD TYPE	LONGITUDE DECIMAL DEGREES				
S R	57			LORAIN			B L	-82.114444				
REFERENCE POINT	DIRECTION FROM REFERENCE		ROUTE TYPE		ROAD TYPE		INTERSECTION RELATED					
1 - INTERSECTION 2 - MILE POST 3 - HOUSE #	3		IR - INTERSTATE ROUTE(TP) US - FEDERAL US ROUTE SR - STATE ROUTE CR - NUMBERED COUNTY ROUTE TR - NUMBERED TOWNSHIP ROUTE		AL - ALLEY AV - AVENUE BL - BOULEVARD CR - CIRCLE CT - COURT DR - DRIVE HE - HEIGHTS		HW - HIGHWAY LA - LANE MP - MILEPOST OV - OVAL PK - PARKWAY PI - PIKE PL - PLACE RD - ROAD SQ - SQUARE ST - STREET TE - TERRACE TL - TRAIL WA - WAY		☒ WITHIN INTERSECTION OR ON APPROACH ☐ WITHIN INTERCHANGE AREA ☒ ROADWAY DIVIDED			
DISTANCE FROM REFERENCE	DISTANCE UNIT OF MEASURE								NUMBER OF APPROACHES			
8 2 0	2								2			
LOCATION OF FIRST HARMFUL EVENT				MANNER OF CRASH COLLISION/IMPACT				DIRECTION OF TRAVEL		MEDIAN TYPE		
0 1				1 - NOT COLLISION BETWEEN TWO MOTOR VEHICLES IN TRANSPORT 2 - REAR-END 3 - HEAD-ON				4 - REAR-TO-REAR 5 - BACKING 6 - ANGLE 7 - SIDESWIPE, SAME DIRECTION 8 - SIDESWIPE, OPPOSITE DIRECTION 9 - OTHER / UNKNOWN		4		
1 - ON ROADWAY 2 - ON SHOULDER 3 - IN MEDIAN 4 - ON ROADSIDE 5 - ON GORE 6 - OUTSIDE TRAFFIC WAY 7 - ON RAMP 8 - OFF RAMP				9 - CROSSOVER 10 - DRIVEWAY/ALLEY ACCESS 11 - RAILWAY GRADE CROSSING 12 - SHARED USE PATHS OR TRAILS 13 - BIKE LANE 14 - TOLL BOOTH 99 - OTHER / UNKNOWN				N - NORTH S - SOUTH E - EAST W - WEST		3		
☐ WORK ZONE RELATED ☐ WORKERS PRESENT ☐ LAW ENFORCEMENT PRESENT ☐ ACTIVE SCHOOL ZONE				WORK ZONE TYPE		LOCATION OF CRASH IN WORK ZONE		CONTOUR		CONDITIONS		
				1 - LANE CLOSURE 2 - LANE SHIFT/CROSSOVER 3 - WORK ON SHOULDER OR MEDIAN 4 - INTERMITTENT OR MOVING WORK 5 - OTHER		1 - BEFORE THE 1ST WORK ZONE WARNING SIGN 2 - ADVANCE WARNING AREA 3 - TRANSITION AREA 4 - ACTIVITY AREA 5 - TERMINATION AREA		4		1		
LIGHT CONDITION				WEATHER				SURFACE				
3				0 1				2				
1 - DAYLIGHT 2 - DAWN/DUSK 3 - DARK - LIGHTED ROADWAY 4 - DARK - ROADWAY NOT LIGHTED 5 - DARK - UNKNOWN ROADWAY LIGHTING 9 - OTHER / UNKNOWN				1 - CLEAR 2 - CLOUDY 3 - FOG, SMOG, SMOKE 4 - RAIN 5 - SLEET, HAIL		6 - SNOW 7 - SEVERE CROSSWINDS 8 - BLOWING SAND, SOIL, DIRT, SNOW 9 - FREEZING RAIN OR FREEZING DRIZZLE 99 - OTHER / UNKNOWN		1 - STRAIGHT LEVEL 2 - STRAIGHT GRADE 3 - CURVE LEVEL 4 - CURVE GRADE 9 - OTHER/UNKNOWN		1 - DRY 2 - WET 3 - SNOW 4 - ICE 5 - SAND, MUD, DIRT, OIL, GRAVEL 6 - WATER (STANDING, MOVING) 7 - SLUSH 9 - OTHER/UNKNOWN		
NARRATIVE								 Indicate the north direction with an "N" on the compass diagram.				
UNIT #1 WAS TRAVELING W/B ON IR90 AND EXITED ONTO THE OFF RAMP AT SR 57.												
UNIT #1 FAILED TO NEGOTIATE THE CURVE, WENT OFF THE ROAD TO THE RIGHT AND STRUCK THE GUARDRAIL. BOTH OCCUPANTS WERE EJECTED FROM THE MOTORCYCLE. BOTH OCCUPANTS SUSTAINED INJURIES AND WERE TRANSPORTED TO THE HOSPITAL BY LIFECARE.												
CRASH REPORTED DATE / TIME		DISPATCH DATE / TIME		ARRIVAL DATE / TIME		SCENE CLEARED DATE / TIME		REPORT TAKEN BY				
6 0 8 2 0 2 3 / 2 1 4 3		0 6 0 8 2 0 2 3 / 2 1 4 7		0 6 0 8 2 0 2 3 / 2 1 4 9		0 6 0 8 2 0 2 3 / 2 3 1 8		☒ POLICE AGENCY ☐ MOTORIST				
TOTAL TIME ROADWAY CLOSED	OTHER INVESTIGATION TIME	TOTAL MINUTES	OFFICER'S NAME*		CHECKED BY OFFICER'S NAME*		☐ SUPPLEMENT (CORRECTION OR ADDITION TO AN EXISTING REPORT) (SEE INSTRUCTIONS)					
0 6 0	1 5 1	2 2 9	Mitchell, Paige B.		Ross, Frances M							
		OFFICER'S BADGE NUMBER*		CHECKED BY OFFICER'S BADGE NUMBER*								
		2 2 9		9 2 8								

UNIT #

OWNER NAME: LAST, FIRST, MIDDLE (SAVE AS DRIVER)

OWNER ADDRESS: STREET, CITY, STATE, ZIP (SAVE AS DRIVER)

COMMERCIAL CARRIER: NAME, ADDRESS, CITY, STATE, ZIP

4, 1

Pavilack, Charles, Richard

25 7TH ST, ELYRIA, OH 44035

OWNER PHONE: (AREA CODE) PHONE NUMBER

4, 4, 0

LP STATE

LICENSE PLATE #

VEHICLE IDENTIFICATION #

VEHICLE YEAR

VEHICLE MAKE

INSURANCE VERIFIED

INSURANCE COMPANY

INSURANCE POLICY #

COLOR

VEHICLE MODEL

TYPE OF USE

US DOT #

TOWED BY: COMPANY NAME

HAZARDOUS MATERIAL

INTERLOCK DEVICE EQUIPPED

HIT/SKIP UNIT

#OCCUPANTS

VEHICLE WEIGHT GVWR/GCWR

UNIT TYPE

OF TRAILING UNITS

1 - PASSENGER CAR

2 - PASSENGER VAN (MINIVAN)

3 - SPORT UTILITY VEHICLE

4 - PICKUP

5 - CARGO VAN

6 - VAN (15 SEATS)

7 - MOTORCYCLE 2-WHEELED

8 - MOTORCYCLE 3-WHEELED

9 - AUTOCYCLE

10 - MOPED OR MOTORIZED BICYCLE

11 - ALL TERRAIN VEHICLE (ATV/UTV)

12 - GOLF CART

13 - SNOWMOBILE

14 - SINGLE UNIT TRUCK

15 - SEMI-TRACTOR

16 - FARM EQUIPMENT

17 - MOTORHOME

18 - LIMOLIVERY VEHICLE

19 - BUS (16 PASSENGERS)

20 - OTHER VEHICLE

21 - HEAVY EQUIPMENT

22 - ANIMAL WITH RIDER OR ANIMAL-DRAWN VEHICLE

23 - PEDESTRIAN / SKATER

24 - WHEELCHAIR (ANY TYPE)

25 - OTHER NON-MOTORIST

26 - BICYCLE

27 - TRAILER

99 - UNKNOWN OR HIT/SKIP

WAS VEHICLE OPERATING IN AUTONOMOUS MODE WHEN CRASH OCCURRED?

1 - YES 2 - NO 9 - OTHER / UNKNOWN

AUTONOMOUS MODE LEVEL

3 - NO AUTOMATION

4 - DRIVER ASSISTANCE

5 - PARTIAL AUTOMATION

6 - CONDITIONAL AUTOMATION

7 - HIGH AUTOMATION

8 - FULL AUTOMATION

9 - UNKNOWN

SPECIAL FUNCTION

1 - NONE

2 - TAXI

3 - ELECTRONIC RIDE SHARING

4 - SCHOOL TRASPCT

5 - BUS - TRANSIT/COMMUTER

6 - BUS - CHARTER/TOUR

7 - BUS - INTERCITY

8 - BUS - SHUTTLE

9 - BUS - OTHER

10 - AMBULANCE

11 - FIRE

12 - MILITARY

13 - POLICE

14 - PUBLIC UTILITY

15 - CONSTRUCTION EQUIPMENT

16 - FARM

17 - MOWING

18 - SNOW REMOVAL

19 - TOWING

20 - SAFETY SERVICE PATROL

21 - MAIL CARRIER

99 - OTHER / UNKNOWN

CARGO BODY TYPE

1 - NO CARGO BODY TYPE / NOT APPLICABLE

2 - BUS

3 - VEHICLE TOWING ANOTHER MOTOR VEHICLE

4 - LOGGING

5 - INTERMODAL CONTAINER CHASSIS

6 - CARGO VAN/ENCLOSED BOX

7 - GRAIN/CHIPS/GRAVEL

8 - POLE

9 - CARGO TANK

10 - FLAT BED

11 - DUMP

12 - CONCRETE MIXER

13 - AUTO TRANSPORTER

14 - GARBAGE/REFUSE

99 - OTHER / UNKNOWN

VEHICLE DEFECTS

1 - TURN SIGNALS

2 - HEAD LAMPS

3 - TAIL LAMPS

4 - BRAKES

5 - STEERING

6 - TIRE BLOWOUT

7 - WORN OR SLICK TIRES

8 - TRAILER EQUIPMENT DEFECTIVE

9 - MOTOR TROUBLE

10 - DISABLED FROM PREVIOUS ACCIDENT

99 - OTHER / UNKNOWN

NON-MOTORIST LOCATION AT IMPACT

1 - INTERSECTION - MARKED CROSSWALK

2 - INTERSECTION - UNMARKED CROSSWALK

3 - INTERSECTION - OTHER

4 - WIDEBLOCK - MARKED CROSSWALK

5 - TRAVEL LANE - OTHER LOCATION

6 - BICYCLE LANE

7 - SHOULDER / ROADSIDE

8 - SIDEWALK

9 - MEDIAN/CROSSING ISLAND

10 - DRIVEWAY ACCESS

11 - SHARED USE PATHS OR TRAILS

12 - FIRST RESPONDER AT INCIDENT SCENE

99 - OTHER / UNKNOWN

ACTION

1 - NON-CONTACT

2 - NON-COLLISION

3 - STRUCK

4 - STRUCK

5 - BOTH STRUCK & STRUCK

9 - OTHER / UNKNOWN

1 - STRUCK AT A HEAD

2 - BACKING

3 - CHANGING LANES

4 - OVERTAKING/PASSING

5 - MAKING RIGHT TURN

6 - MAKING LEFT TURN

7 - MAKING U-TURN

8 - ENTERING TRAFFIC LANE

9 - LEAVING TRAFFIC LANE

10 - PARKED

11 - SLOWING OR STOPPED IN TRAFFIC

12 - DRIVERLESS

13 - NEGOTIATING A CURVE

14 - ENTERING OR CROSSING SPECIFIED LOCATION

15 - WALKING, RUNNING, JOGGING, PLAYING

16 - WORKING

17 - PUSHING VEHICLE

18 - APPROACHING OR LEAVING VEHICLE

19 - STANDING

20 - OTHER NON-MOTORIST

21 - STANDING OUTSIDE DISABLED VEHICLE

99 - OTHER / UNKNOWN

CONTRIBUTING CIRCUMSTANCES

1 - NONE

2 - FAILURE TO YIELD

3 - RAN RED LIGHT

4 - RAN STOP SIGN

5 - UNSAFE SPEED

6 - IMPROPER TURN

7 - LEFT OF CENTER

8 - FOLLOWING TOO CLOSE / AHEAD

9 - IMPROPER LANE CHANGE

10 - IMPROPER PASSING

11 - DROVE OFF ROAD

12 - IMPROPER BACKING

13 - IMPROPER START FROM A PARKED POSITION

14 - STOPPED OR PARKED ILLEGALLY

15 - SWERVING TO AVOID

16 - WRONG WAY

17 - VISION OBSTRUCTION

18 - OPERATING DEFECTIVE EQUIPMENT

19 - ROAD SHIFTING/FALLING/SPILLING

20 - IMPROPER CROSSING

21 - LYING IN ROADWAY

22 - NOT DISCERNIBLE

23 - OPENING DOOR INTO ROADWAY

99 - OTHER IMPROPER ACTION

SEQUENCE OF EVENTS

1 - OVERTURN/ROLLOVER

2 - FIRE/EXPLOSION

3 - IMMERSION

4 - JACKKNIFE

5 - CARGO / EQUIPMENT LOSS OR SHIFT

6 - EQUIPMENT FAILURE

7 - SEPARATION OF UNITS

8 - RAN OFF ROAD RIGHT

9 - RAN OFF ROAD LEFT

10 - CROSS MEDIAN

11 - CROSS CENTERLINE - OPPOSITE DIRECTION OF TRAVEL

12 - DOWNHILL RUNAWAY

13 - OTHER NON-COLLISION

14 - PEDESTRIAN

15 - PEDALCYCLE

16 - RAILWAY VEHICLE

17 - ANIMAL - FARM

18 - ANIMAL - DEER

19 - ANIMAL - OTHER

20 - MOTOR VEHICLE IN TRANSPORT

21 - PARKED MOTOR VEHICLE

22 - WORK ZONE MAINTENANCE EQUIPMENT

23 - STRUCK BY FALLING, SHIFTING CARGO OR ANYTHING SET IN MOTION BY A MOTOR VEHICLE

24 - OTHER MOVABLE OBJECT

COLLISION WITH FIXED OBJECT - STRUCK

25 - IMPACT ATTENUATOR / CRASH CUSHION

26 - BRIDGE OVERHEAD STRUCTURE

27 - BRIDGE PIER OR ABUTMENT

28 - BRIDGE PARAPET

29 - BRIDGE RAIL

30 - GUARDRAIL FACE

31 - GUARDRAIL END

32 - PORTABLE BARRIER

33 - MEDIAN CABLE BARRIER

34 - MEDIAN GUARDRAIL BARRIER

35 - MEDIAN CONCRETE BARRIER

36 - MEDIAN OTHER BARRIER

37 - TRAFFIC SIGN POST

38 - OVER-HEAD SIGN POST

39 - LIGHT / LUMINARIES SUPPORT

40 - UTILITY POLE

41 - OTHER POST, POLE OR SUPPORT

42 - CULVERT

43 - CURB

44 - DITCH

45 - EMBANKMENT

46 - FENCE

47 - MAILBOX

48 - TREE

49 - FIRE HYDRANT

50 - WORK ZONE MAINTENANCE EQUIPMENT

51 - WALL

52 - BUILDING

53 - TUNNEL

54 - OTHER FIXED OBJECT

99 - OTHER / UNKNOWN

FIRST HARMFUL EVENT

MOST HARMFUL EVENT

LOCAL REPORT NUMBER	
2 0 2 3 - 0 0 0 1 7 3 9 0	
DAMAGE	
DAMAGE SCALE	
1 - NONE 2 - MINOR DAMAGE 9 - UNKNOWN	3 - FUNCTIONAL DAMAGE 4 - DISABLING DAMAGE
4	
DAMAGED AREA(S) (INDICATE ALL THAT APPLY)	



MOTORIST / Non-MOTORIST

LOCAL REPORT NUMBER
2 0 2 3 - 0 0 0 1 7 3 9 0

UNIT # 0 1	NAME: LAST, FIRST, MIDDLE Pavilack, Charles, Richard	DATE OF BIRTH 0 7 2 5 1 9 8 8	AGE 3 4	GENDER M
ADDRESS: STREET, CITY, STATE, ZIP 225 7TH ST, ELYRIA, OH 44035		CONTACT PHONE - INCLUDE AREA CODE 4 4 0 [REDACTED]		

INJURIES 2	INJURED TAKEN BY 2	EMS AGENCY (NAME) LifeCare	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY) MetroHealth	SAFETY EQUIPMENT USED 0 8	☒ DOT-COMPLIANT MC HELMET	SEATING POSITION 0 1	AIR BAG USAGE 5	EJECTION 3	TRAPPED 1
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE ☐	OFFENSE DESCRIPTION	CITATION NUMBER				
OL CLASS	ENDORSEMENT SELECT UP TO 2 1 8	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY 1	ALCOHOL / DRUG SUSPECTED ☒ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	CONDITION 6	ALCOHOL TEST STATUS TYPE VALUE 1 1	DRUG TEST(S) STATUS TYPE RESULT SELECT UP TO 4 1 1		

UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER					
ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE							
INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	☐ DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE ☐	OFFENSE DESCRIPTION	CITATION NUMBER				
OL CLASS	ENDORSEMENT SELECT UP TO 2	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED ☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	CONDITION	ALCOHOL TEST STATUS TYPE VALUE	DRUG TEST(S) STATUS TYPE RESULT SELECT UP TO 4		

UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER					
ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE							
INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	☐ DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE ☐	OFFENSE DESCRIPTION	CITATION NUMBER				
OL CLASS	ENDORSEMENT SELECT UP TO 2	RESTRICTION SELECT UP TO 3	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED ☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	CONDITION	ALCOHOL TEST STATUS TYPE VALUE	DRUG TEST(S) STATUS TYPE RESULT SELECT UP TO 4		

INJURIES	SEATING POSITION	AIR BAG	OL CLASS	OL RESTRICTION(S)	DRIVER DISTRACTION	TEST STATUS
1 - FATAL	1 - FRONT - LEFT SIDE (MOTORCYCLE DRIVER)	1 - NOT DEPLOYED	1 - CLASS A	1 - ALCOHOL INTERLOCK DEVICE	1 - NOT DISTRACTED	1 - NONE GIVEN
2 - SUSPECTED SERIOUS INJURY	2 - FRONT - MIDDLE	2 - DEPLOYED FRONT	2 - CLASS B	2 - COL INTRASTATE ONLY	2 - MANUALLY OPERATING AN ELECTRONIC COMMUNICATION DEVICE (TEXTING, TYPING, DIALING)	2 - TEST REFUSED
3 - SUSPECTED MAJOR INJURY	3 - FRONT - RIGHT SIDE	3 - DEPLOYED SIDE	3 - CLASS C	3 - CORRECTIVE LENSES	3 - TALKING ON HANDS-FREE COMMUNICATION DEVICE	3 - TEST GIVEN, CONTAMINATED SAMPLE / UNUSABLE
4 - POSSIBLE INJURY	4 - SECOND - LEFT SIDE (MOTORCYCLE PASSENGER)	4 - DEPLOYED BOTH FRONT / SIDE	4 - REGULAR CLASS (OHIO = D)	4 - FARIN WAIVER	4 - TALKING ON HAND-HELD COMMUNICATION DEVICE	4 - TEST GIVEN, RESULTS KNOWN
5 - NO APPARENT INJURY	5 - SECOND - MIDDLE	5 - NOT APPLICABLE	5 - MC MOPED ONLY	5 - EXCEPT CLASS A BUS	5 - OTHER ACTIVITY WITH AN ELECTRONIC DEVICE	5 - TEST GIVEN, RESULTS UNKNOWN
INJURED TAKEN BY	6 - SECOND - RIGHT SIDE	9 - DEPLOYMENT UNKNOWN	6 - NO VALID DL	6 - EXCEPT CLASS A & CLASS B BUS	6 - PASSENGER	ALCOHOL TEST TYPE
1 - NOT TRANSPORTED / TREATED AT SCENE	7 - THIRD - LEFT SIDE (MOTORCYCLE SIDE CAR)	EJECTION	OL ENDORSEMENT	7 - EXCEPT TRACTOR-TRAILER	7 - OTHER DISTRACTION INSIDE THE VEHICLE	1 - NONE
2 - EMS	8 - THIRD - MIDDLE	1 - NOT EJECTED	H - HAZMAT	8 - INTERMEDIATE LICENSE RESTRICTIONS	8 - OTHER DISTRACTION OUTSIDE THE VEHICLE	2 - BLOOD
3 - POLICE	9 - THIRD - RIGHT SIDE	2 - PARTIALLY EJECTED	M - MOTORCYCLE	9 - LEARNER'S PERMIT RESTRICTIONS	9 - OTHER / UNKNOWN	3 - URINE
9 - OTHER / UNKNOWN	10 - SLEEPER SECTION OF TRUCK CAB	3 - TOTALLY EJECTED	P - PASSENGER	10 - LIMITED TO DAYLIGHT ONLY	CONDITION	4 - BREATH
SAFETY EQUIPMENT	11 - PASSENGER IN OTHER ENCLOSED CARGO AREA (NON TRAILING UNIT, BUS, PICK-UP WITH CAPI)	4 - NOT APPLICABLE	N - TANKER	11 - LIMITED TO EMPLOYMENT	1 - APPARENTLY NORMAL	5 - OTHER
1 - NONE USED	12 - PASSENGER IN UNENCLOSED CARGO AREA	TRAPPED	Q - MOTOR SCOOTER	12 - LIMITED - OTHER	2 - PHYSICAL IMPAIRMENT	DRUG TEST TYPE
2 - SHOULDER BELT ONLY USED	13 - TRAILING UNIT	1 - NOT TRAPPED	R - THREE-WHEEL MOTORCYCLE	13 - MECHANICAL DEVICES (SPECIAL BRAKES, HAND CONTROLS, OR OTHER ADAPTIVE DEVICES)	3 - EMOTIONAL (E.G., DEPRESSED, ANGRY, DISTRESSED)	1 - NONE
3 - LAP BELT ONLY USED	14 - RIDING ON VEHICLE EXTERIOR (NON TRAILING UNIT)	2 - EXTRICATED BY MECHANICAL MEANS	S - SCHOOL BUS	14 - MILITARY VEHICLES ONLY	4 - ILLNESS	2 - BLOOD
4 - SHOULDER & LAP BELT USED	15 - NON-MOTORIST	3 - FREED BY NON-MECHANICAL MEANS	T - DOUBLE & TRIPLE TRAILERS	15 - MOTOR VEHICLES WITHOUT AIR BRAKES	5 - FELL ASLEEP, FAINTED, FATIGUED, ETC.	3 - URINE
5 - CHILD RESTRAINT SYSTEM - FORWARD FACING	99 - OTHER / UNKNOWN	GENDER	X - TANKER / HAZMAT	16 - OUTSIDE MIRROR	6 - UNDER THE INFLUENCE OF MEDICATIONS / DRUGS / ALCOHOL	4 - OTHER
6 - CHILD RESTRAINT SYSTEM - REAR FACING		F - FEMALE		17 - PROSTHETIC AID	9 - OTHER / UNKNOWN	DRUG TEST RESULT(S)
7 - BOOSTER SEAT		M - MALE		18 - OTHER		1 - AMPHETAMINES
8 - HELMET USED		U - OTHER / UNKNOWN				2 - BARBITURATES
PROTECTIVE PADS USED (ELBOW, KNEES, ETC.)						3 - BENZODIAZEPINES
10 - REFLECTIVE CLOTHING						4 - CANNABINOIDS
11 - LIGHTING - PEDESTRIAN / BICYCLE ONLY						5 - COCAINE
99 - OTHER / UNKNOWN						6 - OPIATES / OPIOIDS
						7 - OTHER
						8 - NEGATIVE RESULTS



OCCUPANT / WITNESS ADDENDUM

LOCAL REPORT NUMBER
2 0 2 3 - 0 0 0 1 7 3 9 0

UNIT # 01	NAME: LAST, FIRST, MIDDLE BRYSON, REBECCA, ELAINE	DATE OF BIRTH 0 1 0 3 1 9 8 9	AGE 3 4	GENDER F
ADDRESS: STREET, CITY, STATE, ZIP 117 SOUTH CAROLINA AVE, ELYRIA, OH 44035		CONTACT PHONE - INCLUDE AREA CODE		

INJURIES 2	INJURED TAKEN BY 2	EMS AGENCY (NAME) LifeCare	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY) UH Elyria	SAFETY EQUIPMENT USED 0 8	☐ DOT-COMPLIANT MC HELMET	SEATING POSITION 0 4	AIR BAG USAGE 5	EJECTION 3	TRAPPED 1
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UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER
ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE		

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	☐ DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
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UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER
ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE		

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	☐ DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
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UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER
ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE		

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO: MEDICAL FACILITY (NAME, CITY)	SAFETY EQUIPMENT USED	☐ DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED
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INJURIES	SAFETY EQUIPMENT USED	SEATING POSITION	AIR BAG USAGE
1 - FATAL	1 - NONE USED - VEHICLE OCCUPANT	1 - FRONT - LEFT SIDE (MOTORCYCLE DRIVER)	1 - NOT DEPLOYED
2 - SUSPECTED SERIOUS INJURY	2 - SHOULDER BELT ONLY USED	2 - FRONT - MIDDLE	2 - DEPLOYED FRONT
3 - SUSPECTED MINOR INJURY	3 - LAP BELT ONLY USED	3 - FRONT - RIGHT SIDE	3 - DEPLOYED SIDE
4 - POSSIBLE INJURY	4 - SHOULDER & LAP BELT USED	4 - SECOND - LEFT SIDE (MOTORCYCLE PASSENGER)	4 - DEPLOYED BOTH FRONT/SIDE
5 - NO APPARENT INJURY	5 - CHILD RESTRAINT SYSTEM - FORWARD FACING	5 - SECOND - MIDDLE	5 - NOT APPLICABLE
	6 - CHILD RESTRAINT SYSTEM - REAR FACING	6 - SECOND - RIGHT SIDE	9 - DEPLOYMENT UNKNOWN
	7 - BOOSTER SEAT	7 - THIRD - LEFT SIDE (MOTORCYCLE SIDE CAR)	
	8 - HELMET USED	8 - THIRD - MIDDLE	
	9 - PROTECTIVE PADS USED (ELBOW, KNEES, ETC.)	9 - THIRD - RIGHT SIDE	
	10 - REFLECTIVE CLOTHING	10 - SLEEPER SECTION OF TRUCK CAB	
	11 - LIGHTING - PEDESTRIAN / BICYCLE ONLY	11 - PASSENGER IN OTHER ENCLOSED CARGO AREA (NON-TRAILING UNIT, BUS, PICK-UP WITH CAP)	
	99 - OTHER / UNKNOWN	12 - PASSENGER IN UNENCLOSED CARGO AREA	
		13 - TRAILING UNIT	
		14 - RIDING ON VEHICLE EXTERIOR (NON-TRAILING UNIT)	
		15 - NON-MOTORIST	
		99 - OTHER / UNKNOWN	

NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER
ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE	

NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER
ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE	

NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER
ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE	

COMPLAINT

10



Complaint #10

Issue of the city providing cell phones to all officers was brought up due to Officer Constantino using his personal cell phone and a public records request being made.

Chief Pelko did have a conversation with Officer Constantino in regards to this matter. It was brought to his attention that this was not put in for the budget for this year. Stating this, it would not be out of the question to entertain this idea for the next budgeted year. Chief Pelko was under the impression that this conversation could be continued and would be something to bring up at contract negotiations or labor meetings. As with the TEMS, this is something that needs to be thought out and discussed.

Captain Groomes has been working on getting a quote for this. Currently it would cost the city approximately \$27,000 per year to outfit 60 officers. It should also be noted that to my knowledge when a request was sent out for the 2025 budget, there was not a response from any officer/supervisor asking for cell phones for patrol officers.

It should also be noted that during the prior administration, this issue was brought up when discussing body cameras. It was ultimately decided by that administration to not purchase the cell phones for all officers.



COMPLAINT

11



Complaint #11

Officer Hume was involved in an officer involved shooting on May 12, 2024 while he was assigned to the US Marshal Task Force. This was a stand off that lasted several hours in Shaker Heights and from my understanding being supervised by the Shaker Heights PD and the US Marshals.

Officer Mitchell claims that Chief Pelko hindered her responsibilities as a union representative during this incident and that she had to use compensatory time while here as her shift started at 1800 hours. It should be noted that Officer Mitchell was permitted to go out to the scene. It was Chief Pelko's understanding that her and Officer Constantino were going to the scene as moral support due to the situation involving a local police officer killed in the line of duty. Eventually she was told that she needed to have someone cover her shift by Captain Welsh. Per their collective bargaining contract, union leave shall be granted with no loss of pay in order to perform their union functions to include attendance at conventions, conferences, and seminars and they shall provide 24 hours' notice. If Officer Mitchell believed using CT was in violation of the contract she has the option to grieve this and as President of the Union she should know this process. No grievance or concern was brought to Chief Pelko's attention.



Chief Pelko did make phone contact with Officer Mitchell upon learning of the officer shooting at approximately 1905 hours. It was learned that officers involved were "ok" and were going to be returning back to EPD shortly. Chief Pelko was concerned and did reach out to Officer Hume and Lewis by phone and confirmed they were "ok" and returning to EPD (Officer Hume has been involved with Officer involved shootings prior to this incident). Chief Pelko did not believe it was necessary to go out to the scene as it was already over when confirmation was made in regards to Officer Hume being involved and the officers were returning to EPD. Contact was made by phone with both Officer Mitchell, Officer Hume and Officer Lewis. If I recall correctly, Captain Welsh also reached out to all officers and ensured they were 'Ok'. From these conversations all appeared to be fine with the current situation and did not need Chief Pelko to respond. It appeared from these conversations proper protocol was being followed by the pertinent agency's on scene for this matter.

Chief Pelko also had contact with US Marshal Nate Lupica who was on scene and who was the supervisor for Officer Hume and Officer Lewis. US Marshal Lupica ensured Chief Pelko that EPD officers were ok and was comfortable with them returning to EPD. He was advised that EPD would cooperate with the investigation and that if he needed anything to let Chief Pelko know (this would include providing body cam footage). He did exchange a firearm for Officer Hume as his firearm was taken for the investigation.

***This incident was being handled by appropriate supervision and the appropriate department(s) to handle the scene and investigation. It was not an EPD scene or investigation. Phone call conversations were had to ensure protocol was being followed. Anything administratively that needed to be done by EPD was relayed over phone calls and by the OIC once officers arrived on station.



Officers were advised of the process of being involved in a shooting. Contact was made with the Officer in charge who was advised to ensure officers were ok and to proceed with protocol for this type of event when they arrived on station. I was never advised of this not happening.



Protocol was followed and the officer placed on paid leave pending their evaluation by a psychologist.

In regards to Officer Mitchell stating that she was “forced to act in a supervisor role to facilitate the body camera footage being obtained by BCI for their investigation” is confusing to me. This footage would be and was provided to the investigators. A check of BWC shows that Sgt. Buckway distributed this footage on May 13 at 1157 hours. See documentation.

Chief Pelko did reach out to the Shaker Heights Chief of Police and the BCI investigators to inquire if anything was needed and to help facilitate any interviews if necessary.



Elyria Police Department - OH



ELYRIA, OH, US

Document generated: 20 Nov 2024 - 13:16:50 -05:00 by Sergeant Buckway, Richard (EL049)

Audit Trail Date Range: 12 May 2024 - 20 Nov 2024

EVIDENCE AUDIT TRAIL

Evidence		Source	
Evidence ID	2024-00013422	Device Type	Axon Body 3
Categories	Use of Force Homicide/Death Investigation Officer Involved Shooting	Device Name	X60A5263P
Title	Hume OIS	Serial Number	X60A5263P
		Other	
Document Checksum	Sha2-66efee0f23b9ce46b6c107bd35913bffe7fa140b799391d80715834e12c1753		
Record Start	12 May 2024 - 12:42:51 -04:00		
Uploaded	12 May 2024 - 23:02:23 -04:00		
Uploader	Ptl Hume, Gage (Badge ID: EL151)		
Unique ID	55C119304E7A46919AD4D57489727E6B		
		Usage	
		Page views	10
		File downloads	
		Video playbacks	9
		Last Viewed Or Downloaded On	20 Nov 2024 13:16:48

#	Date	Time	User	Activity
1	12 May 2024	12:42:51 (-04:00)	System	Recording started due to button press Pre-event audio recording: Disabled Video mask: Disabled
2	12 May 2024	12:43:01 (-04:00)	System	Evidence Record Created
3	12 May 2024	12:43:01 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence title added: 'Axon Body 3 Video 2024-05-12 1242 X60A5263P'
4	12 May 2024	12:43:01 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Custom metadata field axon.evidenceDeviceHomeId set to e607a35a-238a-4088-b787-1e01db6a10b6
5	12 May 2024	12:43:01 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Custom metadata field axon.evidenceDeviceHomeName set to EPD
6	12 May 2024	12:43:01 (-04:00)	System	Evidence Record Created in Recording status. Video not uploaded.
7	12 May 2024	18:17:17 (-04:00)	System	Recording stopped due to button press
8	12 May 2024	18:17:31 (-04:00)	System	Evidence Record updated with recording end time
9	12 May 2024	18:17:32 (-04:00)	System	Audio track upload started over LTE connection
10	12 May 2024	21:22:20 (-04:00)	System	Evidence upload started when camera was docked
11	12 May 2024	23:02:22 (-04:00)	System	Marker Added
12	12 May 2024	23:02:22 (-04:00)	System	Marker Added

#	Date	Time	User	Activity
13	12 May 2024	23:02:22 (-04:00)	System	Evidence Uploaded with Checksum. Computed Checksum: TREE-1024k 0eef6791aa7c922331708bfb7535904d745fa1e0db74223 99f30b09431e15b15b8
14	12 May 2024	23:02:22 (-04:00)	System	Evidence Authenticity Validated. Device Serial Number: X60A5263P
15	12 May 2024	23:02:22 (-04:00)	System	Auto-Transcribe Request Received. Client IP Address: N/A
16	12 May 2024	23:02:23 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Retention Level Updated Update source is Uncategorized Retention Deletion is now scheduled for 12 May 2025 12:42:51 (-04:00)
17	12 May 2024	23:02:24 (-04:00)	System	Evidence successfully uploaded when camera was docked
18	12 May 2024	23:02:25 (-04:00)	System	System Detected Incorrect Recorded Duration Recorded duration changed from 20095.759 to 20095.76.
19	12 May 2024	23:02:27 (-04:00)	System	Evidence automatically deleted from device after successful upload when docked
20	12 May 2024	23:05:14 (-04:00)	System	Evidence Checksum Recomputed. Computed Checksums: TREE-1024k 0eef6791aa7c922331708bfb7535904d745fa1e0db74223 99f30b09431e15b15b8 SHA-256 66efee0f23b9ce46b6c107bd35913bffe7fa140b799391d 80715834e12c1753
21	12 May 2024	23:06:58 (-04:00)	System	Auto-Transcript Created. Client IP Address: N/A
22	13 May 2024	09:08:42 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Evidence Record Accessed. Client IP Address: 76.190.58.130
23	13 May 2024	09:08:44 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Evidence Transcript Accessed. Client IP Address: 76.190.58.130
24	13 May 2024	09:08:44 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Media File Buffered by System at Page Load. Client IP 76.190.58.130
25	13 May 2024	09:08:46 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Evidence Record Streamed. Client IP Address: 76.190.58.130
26	13 May 2024	10:31:25 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Category 'Homicide/Death Investigation' Added
27	13 May 2024	10:31:25 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Retention Level Updated Deletion is no longer scheduled Source of update is Category Homicide/Death Investigation
28	13 May 2024	10:31:26 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Category 'Officer Involved Shooting' Added
29	13 May 2024	10:31:27 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Evidence access class changed to Confidential.
30	13 May 2024	10:31:27 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Chief Pelko, William (Badge ID: EL243) was granted Role-based access. Access expires: no expiration
31	13 May 2024	10:31:28 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Category 'Use of Force' Added
32	13 May 2024	10:43:18 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	External ID '2024-13422' added
33	13 May 2024	10:43:18 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Evidence title updated from 'Axon Body 3 Video 2024-05-12 1242 X60A5263P' to 'Hume OIS'

#	Date	Time	User	Activity
34	13 May 2024	10:46:25 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Evidence Record Added to Case '2024-00013422'
35	13 May 2024	10:49:04 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Evidence Record Accessed. Client IP Address: 76.190.58.130
36	13 May 2024	10:49:05 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Media File Buffered by System at Page Load. Client IP 76.190.58.130
37	13 May 2024	10:49:06 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Evidence Transcript Accessed. Client IP Address: 76.190.58.130
38	13 May 2024	10:54:14 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Evidence Record Streamed. Client IP Address: 76.190.58.130
39	13 May 2024	11:19:45 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Marker Added
40	13 May 2024	11:20:05 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Description Edited
41	13 May 2024	11:57:39 (-04:00)	Sgt Buckway, Richard (Badge ID: EL049) Username: buckway@cityofelyria.org User ID: [REDACTED]	External ID Updated from '2024-13422' to '2024-00013422'
42	13 May 2024	12:10:27 (-04:00)	Client IP Address: 64.128.48.50	Evidence downloaded in case evidence package 2 of 2 via download link emailed to Kollar, Mark (Badge ID: 11, Agency: Ohio Attorney General's Office).
43	13 May 2024	13:03:37 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Record Accessed. Client IP Address: 76.190.58.130
44	13 May 2024	13:03:38 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Transcript Accessed. Client IP Address: 76.190.58.130
45	13 May 2024	13:03:39 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Media File Buffered by System at Page Load. Client IP 76.190.58.130
46	13 May 2024	13:03:45 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Record Streamed. Client IP Address: 76.190.58.130
47	13 May 2024	13:15:17 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Marker Added
48	13 May 2024	13:15:54 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Marker Edited
49	13 May 2024	13:27:40 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Marker Added
50	13 May 2024	13:28:01 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Marker Edited
51	13 May 2024	13:30:11 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Record Added to Case 'FID: 11424686'
52	13 May 2024	14:25:38 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Evidence Record Accessed. Client IP Address: 76.190.58.130
53	13 May 2024	14:25:39 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Media File Buffered by System at Page Load. Client IP 76.190.58.130
54	13 May 2024	14:25:39 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Evidence Transcript Accessed. Client IP Address: 76.190.58.130
55	13 May 2024	14:26:07 (-04:00)	Chief Pelko, William (Badge ID: EL243) Username: pelko@cityofelyria.org User ID: [REDACTED]	Evidence Record Streamed. Client IP Address: 76.190.58.130

#	Date	Time	User	Activity
56	13 May 2024	14:34:57 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Record Accessed. Client IP Address: 76.190.58.130
57	13 May 2024	14:34:59 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Transcript Accessed. Client IP Address: 76.190.58.130
58	13 May 2024	14:35:00 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Media File Buffered by System at Page Load. Client IP 76.190.58.130
59	13 May 2024	14:35:35 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Record Streamed. Client IP Address: 76.190.58.130
60	13 May 2024	15:13:55 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence copy created at agency United States Marshals Service
61	15 May 2024	11:24:50 (-04:00)	Client IP Address: 40.94.29.134	Evidence downloaded in case evidence package 2 of 2 via download link emailed to Kollar, Mark (Badge ID: 11, Agency: Ohio Attorney General's Office).
62	15 May 2024	13:08:52 (-04:00)	Client IP Address: 40.94.28.132	Evidence downloaded in case evidence package 2 of 2 via download link emailed to Kollar, Mark (Badge ID: 11, Agency: Ohio Attorney General's Office).
63	15 May 2024	16:36:49 (-04:00)	Client IP Address: 64.128.48.50	Evidence downloaded in case evidence package 2 of 2 via download link emailed to Kollar, Mark (Badge ID: 11, Agency: Ohio Attorney General's Office).
64	15 May 2024	18:57:48 (-04:00)	Client IP Address: 64.128.48.50	Evidence downloaded in case evidence package 2 of 2 via download link emailed to Kollar, Mark (Badge ID: 11, Agency: Ohio Attorney General's Office).
65	15 May 2024	18:59:11 (-04:00)	Client IP Address: 40.94.28.144	Evidence downloaded in case evidence package 2 of 2 via download link emailed to Kollar, Mark (Badge ID: 11, Agency: Ohio Attorney General's Office).
66	15 May 2024	19:59:08 (-04:00)	Client IP Address: 64.128.48.50	Evidence downloaded in case evidence package 2 of 2 via download link emailed to Kollar, Mark (Badge ID: 11, Agency: Ohio Attorney General's Office).
67	17 May 2024	09:10:08 (-04:00)	Client IP Address: 23.244.9.146	Evidence downloaded in case evidence package 2 of 2 via download link emailed to Leffler, Daniel (Badge ID: 4a634c3693a0, Agency: my.evidence.com).
68	22 May 2024	19:21:09 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Record Accessed. Client IP Address: 76.190.58.130
69	22 May 2024	19:21:10 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Transcript Accessed. Client IP Address: 76.190.58.130
70	22 May 2024	19:21:10 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Media File Buffered by System at Page Load. Client IP 76.190.58.130
71	22 May 2024	19:24:20 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Transcript Accessed. Client IP Address: 76.190.58.130
72	22 May 2024	19:24:20 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Media File Buffered by System at Page Load. Client IP 76.190.58.130
73	22 May 2024	19:24:27 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Record Streamed. Client IP Address: 76.190.58.130
74	22 May 2024	19:37:57 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Record Accessed. Client IP Address: 76.190.58.130
75	22 May 2024	19:37:59 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Transcript Accessed. Client IP Address: 76.190.58.130
76	22 May 2024	19:37:59 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Media File Buffered by System at Page Load. Client IP 76.190.58.130
77	22 May 2024	19:38:19 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Record Streamed. Client IP Address: 76.190.58.130

#	Date	Time	User	Activity
78	01 Jun 2024	05:29:48 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Record Accessed. Client IP Address: 76.190.58.130
79	01 Jun 2024	05:29:50 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Transcript Accessed. Client IP Address: 76.190.58.130
80	01 Jun 2024	05:29:50 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Media File Buffered by System at Page Load. Client IP 76.190.58.130
81	01 Jun 2024	05:29:55 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Record Streamed. Client IP Address: 76.190.58.130
82	27 Oct 2024	04:58:01 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Record Accessed. Client IP Address: 76.190.58.130
83	27 Oct 2024	04:58:02 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Transcript Accessed. Client IP Address: 76.190.58.130
84	27 Oct 2024	04:58:03 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Media File Buffered by System at Page Load. Client IP 76.190.58.130
85	27 Oct 2024	05:14:10 (-04:00)	Ptl Hume, Gage (Badge ID: EL151) Username: ghume@cityofelyria.org User ID: [REDACTED]	Evidence Record Streamed. Client IP Address: 76.190.58.130
86	20 Nov 2024	13:16:04 (-05:00)	Sgt Buckway, Richard (Badge ID: EL049) Username: buckway@cityofelyria.org User ID: [REDACTED]	Evidence Record Accessed. Client IP Address: 76.190.58.130
87	20 Nov 2024	13:16:06 (-05:00)	Sgt Buckway, Richard (Badge ID: EL049) Username: buckway@cityofelyria.org User ID: [REDACTED]	Evidence Transcript Accessed. Client IP Address: 76.190.58.130
88	20 Nov 2024	13:16:07 (-05:00)	Sgt Buckway, Richard (Badge ID: EL049) Username: buckway@cityofelyria.org User ID: [REDACTED]	Media File Buffered by System at Page Load. Client IP 76.190.58.130
89	20 Nov 2024	13:16:47 (-05:00)	Sgt Buckway, Richard (Badge ID: EL049) Username: buckway@cityofelyria.org User ID: [REDACTED]	Evidence Audit Trail Downloaded

COMPLAINT

12



Complaint #12

Sgt. Webber not showing up for a mandatory supervisor meeting on 10-08-2024 and receiving a verbal reprimand.

This is not an EPPA issue and if Sgt. Webber had any issues with it he could grieve it.

It should be noted that Chief Pelko believes that if a supervisor report was not completed that Officer Mitchell would complain and state that patrol officers are held accountable when they do not show up to work yet supervisors are not.

As far as Officer Mitchell stating that "Chief Pelko demonstrated no interest, caring or support for the fact that officers have personal problems that need dealt with..." is absurd as I continue to have conversations with Sgt. Webber in regards to his current situation that he is going through and offer support and understanding when I can.



COMPLAINT

13



Complaint #13

Lt. Lantz having a relationship with Brittney Drake, Sgt. Drake's estranged wife.

This is not an EPPA issue.

Contact was made with City of Elyria Labor Attorney, Susan Anderson, in regards to this complaint. She advised that there is nothing the police department and/or city can do as long as it does not affect the workplace. Sgt. Drake was informed of this and was not happy and wanted a meeting with the city. Chief Pelko brought this to the attention of city hall and they stated they would not meet as there was nothing that could be done.

Chief Pelko did discuss this situation with both individuals in private and gave suggestions on how to handle it.



COMPLAINT

14



Complaint #14

Officer Mitchell being placed on the “Brady” list.

Officer Mitchell references that “the Elyria Police Department will not release information gained from this interview to any other person or agency without your approval and will hold it as confidential, except as mandated by law, appropriate and competent authority, as necessary for disciplinary proceedings or appeals to such disciplinary proceedings.”

It is my understanding that “Prosecutors must make a Brady disclosure in criminal cases whenever a failure to do so would deny a defendant's right to a fair trial.” The U.S. Supreme Court mandated this disclosure in the case of *Brady v. Maryland*. It also states that the “Government’s obligation to disclose favorable evidence under Brady covers not only material exculpatory evidence but also information that could impeach government witnesses.”

In *United States vs. Giglio* the “Brady rule includes evidence that could be used to impeach a witness”, “when the reliability of a given witness may be determinative to guilt or innocence, non-disclosure of evidence affecting credibility falls within the rule regardless of where withheld in good faith.”



In the case of *Kyles Vs. Whitley* it states that “knowledge imputed to the prosecution includes knowledge that the police may have” and a “prosecutor has a duty to learn of any favorable evidence now to others acting on behalf of the government...this includes the police.”

EPD policy states the following:

II. DISCLOSURE OF PERSONNEL INFORMATION

A. If a member of this Department is a material witness in a criminal case, a person or persons designated by the Chief of Police shall examine the personnel file and/or internal affairs file of the employee to determine whether they contain Brady information. If Brady information is located, the following procedure shall apply:

i. In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and Department member shall be notified of the potential presence of Brady material in the member’s personnel file.

ii. The person or persons designated by the Chief of Police, shall periodically examine the personnel files and/or internal affairs files of all employees who may be material witnesses in criminal cases to determine whether they contain Brady information. The obligation to provide Brady information is ongoing. If any new Brady information is identified, the prosecuting attorney shall be notified.

III. INVESTIGATING BRADY ISSUES



A. If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in criminal conduct, the information shall be investigated and processed in accordance with the General Order 3.04 – Complaint Handling and Investigations. This



information must be shared with the prosecutor's Department to ensure compliance with Brady. IV. TRAINING Department personnel shall receive periodic training on the requirements of this policy.

This investigation was given to Lorain County Prosecutor Tomlinson as there are truthfulness concerns and the obligation from case law and EPD policy.

With the above stated I believe that this material must be submitted to the prosecutors. The fact that that Officer Mitchell believes this is retaliatory is again absurd. As the Chief, I have an obligation to ensure that this information is passed along to the prosecutors for the integrity of the cases and the criminal justice system. If this information is not provided it could be detrimental to the case, with a negative outcome for prosecution. The information provided was from the investigation which described Officer Mitchell's actions and statements. If I left something out, one party could suggest that I was not transparent and withholding pertinent information.

As far as Officer Mitchell stating that Chief Pelko should be on the Brady list due to him stating that the union is involved in hiring, which Officer Mitchell claims to be false is untrue. EPD does include officers who are in the EPPA and FOP unions in the hiring board. Police personnel, who are in the unions, are also the ones that assist and perform the background investigations on the candidates. Officer Mitchell in complaint #2 states she did the background for dispatchers (unknown if she was the president at this time). This statement by Officer Mitchell reaffirms that she is untruthful when she makes statements like this.



In reference to Officer Chalkley never disputing claims made against him. The question asked during his arbitration was "Did you ask him specifically if there were any facts that he disputed?" The answer was "I think, I think the word he was –do you dispute anything in here? Are you agreeing to everything that's in this report? And he affirmed that he agreed to everything and, yeah, he did not dispute anything in the report."

Again, this was Officer Chalkley confirming that everything in the Captain Groomes report that was read back to him was accurate and he was not disputing the report of Captain Groomes.



NUMBER: 6.15	Elyria Police Department General Order	
EFFECTIVE: 6-5-23 REVISED: N/A DISTRIBUTION: ALL PERSONNEL		
Chief William R. Pelko 	Exculpatory Evidence – Brady Material Disclosure	

PURPOSE: This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information to a prosecuting attorney.

POLICY: The Elyria Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Elyria Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

DEFINITIONS:

Brady information - Information known or possessed by the Elyria Police Department that is material to the prosecution or defense of a criminal defendant.

I. DISCLOSURE OF INVESTIGATIVE INFORMATION [CALEA 42.1.6]

- A. Employees must include in their investigative reports, adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an employee learns of potentially incriminating or exculpatory information any time after submission of a case, the employee or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's Department.
- B. If information is believed to be privileged or confidential (e.g., confidential informant or protected personnel files); the information will be forwarded to the prosecutor to determine the appropriate manner in which to proceed.
- C. Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial, this includes evidence that could be used to impeach an employee's credibility on cross examination. Determining whether evidence or facts are material often requires legal or even judicial review. If an employee is unsure whether evidence or facts are material, the employee shall address the issue with a supervisor.
 - i. Supervisors who are uncertain about whether evidence or facts are material shall address the issue in a written memo to an appropriate prosecutor. A copy of the memo shall be retained in the Department's records management system.

II. DISCLOSURE OF PERSONNEL INFORMATION

- A. If a member of this Department is a material witness in a criminal case, a person or persons designated by the Chief of Police shall examine the personnel file and/or internal affairs file of the employee to determine whether they contain *Brady* information. If *Brady* information is located, the following procedure shall apply:
- i. In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and Department member shall be notified of the potential presence of *Brady* material in the member's personnel file.
 - ii. The person or persons designated by the Chief of Police, shall periodically examine the personnel files and/or internal affairs files of all employees who may be material witnesses in criminal cases to determine whether they contain *Brady* information. The obligation to provide *Brady* information is ongoing. If any new *Brady* information is identified, the prosecuting attorney shall be notified.

III. INVESTIGATING BRADY ISSUES

- A. If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in criminal conduct, the information shall be investigated and processed in accordance with the General Order 3.04 – Complaint Handling and Investigations. This information must be shared with the prosecutor's Department to ensure compliance with Brady.

IV. TRAINING

Department personnel shall receive periodic training on the requirements of this policy.

CROSS REFERENCE TO DIRECTIVES: GO.3.04 Complaint Handling and Investigations

CROSS REFERENCE TO STANDARDS: CALEA 26.2.1, 26.2.2, 26.3.1, 26.3.2, 26.3.8 & 42.1.6

CROSS REFERENCE TO FORMS: N/A

SUPERSEDES: N/A

NUMBER: 6.15 EFFECTIVE: 6-5-23 REVISED: N/A DISTRIBUTION: ALL PERSONNEL	Elyria Police Department General Order	
Chief William R. Pelko 		

PURPOSE: This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information to a prosecuting attorney.

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- B. If information is believed to be privileged or confidential (e.g., confidential informant or protected personnel files); the information will be forwarded to the prosecutor to determine the appropriate manner in which to proceed.
- C. Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial, this includes evidence that could be used to impeach an employee's credibility on cross examination. Determining whether evidence or facts are material often requires legal or even judicial review. If an employee is unsure whether evidence or facts are material, the employee shall address the issue with a supervisor.
 - i. Supervisors who are uncertain about whether evidence or facts are material shall address the issue in a written memo to an appropriate prosecutor. A copy of the memo shall be retained in the Department's records management system.

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 - ii. The person or persons designated by the Chief of Police, shall periodically examine the personnel files and/or internal affairs files of all employees who may be material witnesses in criminal cases to determine whether they contain *Brady* information. The obligation to provide *Brady* information is ongoing. If any new *Brady* information is identified, the prosecuting attorney shall be notified.

III. INVESTIGATING BRADY ISSUES

- A. If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in criminal conduct, the information shall be investigated and processed in accordance with the General Order 3.04 – Complaint Handling and Investigations. This information must be shared with the prosecutor's Department to ensure compliance with *Brady*.

IV. TRAINING

Department personnel shall receive periodic training on the requirements of this policy.

CROSS REFERENCE TO DIRECTIVES: GO.3.04 Complaint Handling and Investigations

CROSS REFERENCE TO STANDARDS: CALEA 26.2.1, 26.2.2, 26.3.1, 26.3.2, 26.3.8 & 42.1.6

CROSS REFERENCE TO FORMS: N/A

SUPERSEDES: N/A

William Pelko

From: Chris Pyanowski
Sent: Friday, November 8, 2024 12:54 PM
To: William Pelko
Subject: RE: Brady

What part of this policy did you rely on when making your referral regarding Officer Mitchell to the Lorain County Prosecutor's Office?

From: William Pelko <pelko@cityofelyria.org>
Sent: Friday, November 8, 2024 12:41 PM
To: Chris Pyanowski <cpyanowski@cityofelyria.org>
Subject: RE: Brady



William Pelko #243
Chief
Elyria Police Department

T: 440-326-1337
F: 440-326-1338
18 West Ave. Elyria, Ohio 44035
pelko@cityofelyria.org

This message is intended solely for the recipient to which it is addressed. If you are not the intended recipient, you should not disclose, distribute or copy this email. Please notify the sender immediately by email and delete this email from your system.

From: Chris Pyanowski <cpyanowski@cityofelyria.org>
Sent: Friday, November 8, 2024 11:00 AM
To: William Pelko <pelko@cityofelyria.org>
Subject: Brady

Chief,

Please provide me with EPD's Brady policy.

Chris Pyanowski, J.D., M.B.A.
Safety Service Director
City of Elyria
11 Court St., Suite 301
Elyria, OH 44035
(440) 326-1417 (O)

(440) 865-3796 (C)



William Pelko

From: Chris Pyanowski
Sent: Monday, November 11, 2024 12:09 PM
To: 'Keating Anderson, Susan'
Cc: William Pelko
Subject: FW: Brady determination by Lorain County Prosecutor's Office
Attachments: Grievance Settlement -Mitchell.PDF

Follow Up Flag: Follow up
Flag Status: Flagged

FYI.

From: Chris Pyanowski
Sent: Monday, November 11, 2024 12:07 PM
To: Paige B. Mitchell <pmitchell@cityofelyria.org>
Subject: RE: Brady determination by Lorain County Prosecutor's Office

I don't believe it is appropriate for Chief Pelko to request you be removed from the Brady list. I believe that it should be an independent determination made by the Prosecutors Office based on all of the information available. As I stated when we met last week. I am not convinced that a settled grievance whereby the Mayor reached the settlement agreement that he did should trump the Prosecutor Office's review and ultimate determination. I would leave that up to them to decide based on their review of the law. However, I recognize that is certainly an argument that you can make in support of your desired result. I have attached the executed grievance settlement document for your convenience so that you can provide it to the Prosecutors Office.

Chris Pyanowski, J.D., M.B.A.
Safety Service Director
City of Elyria
131 Court St., Suite 301
Elyria, OH 44035
(440) 326-1417 (O)
(440) 865-3796 (C)

From: Paige B. Mitchell <pmitchell@cityofelyria.org>
Sent: Monday, November 11, 2024 11:59 AM
To: Chris Pyanowski <cpyanowski@cityofelyria.org>
Subject: RE: Brady determination by Lorain County Prosecutor's Office

Director,
Absolutely I do. I responded to Mr. Burge's email the day he sent it requesting a hearing be scheduled, however I have not received any response from him. I will likely follow up with Prosecutor Tomlinson this week to see if he can assist with getting something scheduled.

We are also going to follow up with Chief Pelko about his statements to Officer Constantino that he has no issue with handing over a letter with Mayor Brubaker's findings during my grievance hearing and requesting that my name be removed from the list.

Happy Veteran's Day!

-Paige.

From: Chris Pyanowski <cpyanowski@cityofelyria.org>

nt: Monday, November 11, 2024 11:50 AM

to: Paige B. Mitchell <pmitchell@cityofelyria.org>

Subject: Brady determination by Lorain County Prosecutor's Office

Officer Mitchell:

In Lorain County Prosecutor Office Chief of Staff James Burge's notice that he had concluded you are a Brady officer dated October 23, 2024, he states that "[you] may appeal [his] determination by contacting [Jim Burge] to schedule a hearing before the three attorneys in the {LCPO's} major trial division." Have you scheduled such an appeal hearing or do you intend to do so?

Chris Pyanowski, J.D., M.B.A.

Safety Service Director

City of Elyria

131 Court St., Suite 301

Elyria, OH 44035

(440) 326-1417 (O)

(440) 865-3796 (C)

COMPLAINT

15

Complaint #15

Officer Mitchell states that it is a hostile work environment at EPD.

Officer Mitchell has on numerous occasions come to my office to discuss matters. As far as them waiving their disciplinary hearings this is their choice.

I would dispute the facts that she stated I was "so angry and upset" and became "irate" during Officer Chalkley's hearing as this is the time and place for the officer to state their side of the story if they so please. I have nothing to lose or gain from this incident as Officer Chalkley was the one under investigation. Her opinion is purely subjective and does not provide any facts or support for this statement other than her opinion.

I do believe that the business here is handled in a professional and business-like manner. Again, Officer Mitchell provides no pertinent facts just her opinion. It should be noted in Officer Chalkley's grievance ruling it stated that the grievant's due process rights were not violated by the employer. (page 46 of arbitrator ruling, Complaint #2).

As far as the discipline issue with Officer Mitchell and Officer Hersh in regards to the Garvin Ave incident. I was advised by the SSD to conduct an investigation with this incident. When this was concluded I had to give my recommendations. I submitted what I believed was appropriate. Ms. Mitchell's recommendation was termination due to that fact that there were truthfulness issues that came up along with the other facts of the case. I had concerns of her becoming a Brady Officer and the repercussions this could have on future criminal cases. In regards to Officer Hersh, after examining the facts I issued the discipline I believed to be appropriate.

Officer Mitchell states that any time a contractual issue is brought up or mention of a grievance is brought up Chief Pelko "threatens to make the discipline more harsh or worse than what is recommended by those supervisors below him." She goes on to cite Officer Colon having a supervisor report completed recently for calling in sick and creating a pattern of abuse of sick time. In this write up, there was another write up from May 2024 that was referenced. Neither Officer Colon, nor the union, were made aware of this write up that was referenced." Officer Mitchell brought this up to "the Department" (unknown who exactly she brought this up to as I do not recall having a conversation with her in regards to this matter). She stated that the department could not use this as progressive due to him not being served with the paperwork.

I could not locate this supervisor report that she was referencing. I do recall on or about 07-24-2024 Officer Colon was in a car accident in the back-parking lot (see attached supervisor report). It was brought up that he may have been late for work as this was why he was in a hurry and had an accident. I do recall advising Captain Welsh that he (Officer Colon) recently had a reporting for duty incident and that there would have to be progressive discipline if he was in fact late. I believe a check of his time when he arrived was completed and he had plenty of time to report to work and being late was not an issue. Therefore, he was issued a supervisor report for violating 1.43 Operating Vehicles.

It was at this time that it was looked into about Officer Colon's May 2024 write up for reporting for duty. A check revealed that the supervisor report from 05-18-2024 was never signed off on by Officer Colon.

Lt. Ligas who initially wrote up this report was advised of this and told to resubmit the report as it was misplaced from when Chief Pelko signed off and returned it to Captain Welsh to have it signed off on by Officer Colon. This was completed.

Officer Colon was issued a written reprimand for the May 2024 violation due to having a previous write up for this same violation on August 7, 2023 where he was issued a verbal reprimand. See attached documents.

Officer Mitchell goes on to state that morale is lower than it has been in her nine years. This was this first I have heard of this. It may be true for her personally as to her recent incidents.

She states the efforts made by the city to employ and retain its officers are failing because of Chief Pelko. This is in fact not true as is evident by our employment numbers. In 2021 when Chief Pelko took over as Chief of Police there were 80 officers. There are currently 86 officers. In the past year only one officer has left and this was a new hire who resigned after two months stating that EPD was too fast paced for him. In fact, two officers, Officer Hume and Officer Travaglianti had left EPD and recently returned.

It should be noted that upon becoming chief, Chief Pelko met with union officials as there was a retention problem at EPD. The union stated that being on eight hour shifts and salary were two of the major reasons officers were leaving. Due to this Chief Pelko implemented twelve hour shifts and also obtained a significant raise for patrol officers in order to help with retention. Starting salary was \$67,349.81 for Class A patrol officers at that time, now it is \$75,000. This raise was unprecedented and we have never obtained this significant of a raise that I can recall in my time working at EPD.

It should be noted that in this time and age of law enforcement it is easy for officers to move from department to department. We are not seeing this trend in the past year. In order to foster positive moral and maintain personnel Chief Pelko has done the following since becoming chief:

- Implemented 12 hours shifts at the request of the officers. (It should be noted that this was a major concern of the union and why they stated officers were leaving EPD)
- Increased salary from \$67,349.81 to \$75,000 (Another major point why officers were leaving)
- Provide monthly newsletter to keep employees updated
- Started a traffic unit
- A full time SRO at Elyria High School
- Permitting officers to work with the US Marshal Task Force
- NIU established again
- Allowed beards for officers (raise money from this to give back to community)
- Body and Dash Cameras
- Permitted officers to work out on their lunch time to improve physical fitness and mental well being
- Implemented a new firearm platform, both pistol and rifle
- Issued shields to supervisors and SRO for officer safety on calls
- Issued less than lethal pepper ball rifles to supervisors
- Purchased new rifles for SRT snipers
- Purchased armored vehicle

Officer Mitchell states that that there has been a sharp increase in discipline, union grievances, and civil lawsuits under Chief Pelko.

In addressing the increase in discipline, we have a young department that does make mistakes. The majority of this discipline is brought up through the chain of command to Chief Pelko. As the chief it is my responsibility to ensure that all laws, policies and procedures are followed as well as to have corrective action and discipline applied so the same mistakes are not made.

As far as grievances go, I am aware of five grievances with the EPPA since I have been chief. I do not believe this is outrageous in my tenure as chief of police (Dec. 2021). These are as follows:

- One was for an officer being skipped over for overtime on 09-19-2023. This officer was awarded to work a holdover since he was passed over.
- Officer Chalkley grieved his suspension for IA 2022-04 which was upheld by an arbitrator. See Complaint #2.
- Officer Mitchell grieved her verbal warning for reporting for duty. This was denied by SSD Lundy and Mayor Whitfield. (I do recall someone advising she had a conversation with Mayor Brubaker over this but do not know the outcome).
- Officer Mitchell and Officer Hersh's grievance in regards to the Garvin Ave. incident.

See attached documentation.

In regards to civil lawsuits, it should be noted that Officer Mitchell has been at the crux of some of these. She is/was involved with the following suits:

1:17-cv-01104-JG Jones v. City of Elyria, Ohio et al (dismissed without prejudice 08/18/2017)

1:18-cv-00929-JG Jones v. City of Elyria, Ohio et al (re-filing of above case; settled 08/27/2020)

1:19-cv-01035-RHC Bodiford v. Stammitti et al (dismissed against Mitchell on 08/29/2019 for failure to state a claim)

1:23-cv-01126-CEF Webb v. City of Elyria et al (settled and dismissed on 10/31/2023)

1:24-cv-00802-PAG Ortiz et al. v. Mitchell et al. (pending)

As far as cases in Lorain County Court of Common Pleas, there were two but both were later removed (aka transferred) to federal court and are the same cases as two of those already listed above. These are: CODY JONES V/S ELYRIA OHIO (CITY OF) Case Number: 17CV192198

PATSY BODIFORD V/S PHIL STAMMITI Case Number: 19CV197822

It is apparent that Officer Mitchell is retaliating against Chief Pelko for her being put on the "Brady" list. Most of these issues or concerns were never brought up to Chief Pelko or were answered accordingly and she simply does not like the answer. It was only until she was determined to be a "Brady" officer that she went back in time to bring up a variety of issues and complaints. It has also been brought to my attention that this is the reason why she is filing this complaint.



The majority of these complaints are one-sided and lack content, context and facts. As union president, Officer Mitchell is aware of the grievant and complaint process which is evident from her grievances. If she has issues she should be following the contract and filing grievances, not waiting until something major happens to her and then retaliate.

As Chief of Police I will continue to perform my duties, enforce laws, policy and procedures and ensure standards are met. As it relates to union matters, Officer Mitchell needs to take accountability for her actions and not just give her side of the story. It is my belief that Officer Mitchell is creating the hostile work environment and a morale problem (if one exists) with her documented discipline, lawsuits and not giving the entire story with all the facts. I believe she is using her position as Union President to retaliate against me for being disciplined for her actions.

In the future I welcome the union to bring concerns and issues up to me so they can be addressed appropriately.

Chief William Pelko



ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

EMPLOYEE: Officer Victor Colon 054

INCIDENT DATE: 05/18/24

LOCATION: 18 West Ave

DESCRIPTION OF INCIDENT:

On 05/08/24 Lt Ligas sent an alert through Planit notifying patrol of a vacancy that needed filled for a patrol officer on 05/18/24. Due to an OIS on 05/12/24, it became necessary to fill 2 vacancies on 05/18/24. Another alert was sent out through Planit on 05/16/24 stating that if there were no volunteers by 05/17/24 then Officers Colon and Kubas would be forced in from 1800 to 0200 hours. Officer Mason volunteered for 1 spot and no one else volunteered. It became necessary to force in Officer Colon, who was first up on the force list for C platoon. Officer Colon was notified via Planit through text and email and Lt Ligas called the only listed phone number for Officer Colon listed in the EPD Employee Directory (440-452-4529). Lt Ligas called the number twice. The first time the call was immediately sent to voicemail. Lt Ligas called back a second time and again was immediately sent to voicemail. A message was left for Officer Colon advising him that he was being ordered in on 5/18/24 from 1800 to 0200 hours.

On 05/18/24 Officer Colon did not show up for work and did not call in. Lt Ligas then had to utilize officers working the Wilkes Villa Detail and Officer Walland to cover the remainder of the shift after his Apples Detail to fill the vacancy left by Officer Colon not reporting for duty.

VIOLATION:

1.05 Reporting for Duty

CHECK OF PREVIOUS SUPERVISOR'S REPORTS

COMPLETED BY: Lt Ligas 204

DATE: 05/19/24

EARLY INTERVENTION REVIEW (MANDATORY FIELD, SEE GO 3.12)☐ NOT A TRACKED ACTIVITY☐ EIS THRESHOLD NOT REACHED☒ EIS THRESHOLD REACHED OR EXCEEDED (SEE SUPERVISOR COMMENTS BELOW)**SUPERVISOR RECOMMENDATIONS (Check all that apply)**

☐ No Violation ☐ Verbal Counseling ☒ Written Reprimand ☐ Chief review for assignment or hearing
☐ Early Intervention ☐ Remedial Training ☐ Performance Improvement Plan ☐ Other (Describe in comments)

SUPERVISOR COMMENTS:

Officer Colon's personnel file shows 4 previous violations since 2018: 06/17/18, 07/19/18, 05/17/19, and 08/07/23.

SUBMITTED BY: Lt Ligas 204

DATE: 05/19/24

SUPERVISOR REVIEW & APPROVAL

(If "Disapprove" describe on separate attached document)

TEAM SERGEANT OR IMMEDIATE SUPERVISOR:

DATE:

☒ APPROVE☐ DISAPPROVE

SHIFT OR UNIT COMMANDER:

DATE:

☒ APPROVE☐ DISAPPROVE

DIVISION COMMANDER:

DATE:

☒ APPROVE☐ DISAPPROVE

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

CHIEF OF POLICE: <i>W. R. R.</i>	DATE: <i>0801-2024</i>	☒ APPROVE ☐ DISAPPROVE
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CHIEF OF POLICE ORDERED ACTIVITIES (Check all that apply)			
☐ No Violation (Closed)	☐ Verbal Counseling	☒ Written reprimand	☐ Assigned to IA Track #
☐ Chief to submit certification of suspension to SSD (maintain copy and SSD response with this report)			
☐ Early Intervention	☐ PIP Developed	☐ Remedial Training Ordered	☐ Other (Describe below)

ACTIVITY COMPLETION BY DATE: *08-07-2024*

COMMENTS:

CHIEF OF POLICE: <i>W. R. R. 243</i>	DATE: <i>0801-2024</i>
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DOCUMENTATION OF COMPLETED ACTIVITIES (Check all that apply)			
☐ Counseling Session Completed	☒ Written Reprimand Issued		
☐ Early Intervention Completed	☐ PIP Developed	☐ Remedial Training Completed	☐ Other (Describe below)
Letter of: ☐ Suspension Issued (attach) ☐ Reduction in Rank Issued (attach) ☐ Dismissal Issued (attach)			

COMPLETED BY: <i>Capt. J. Welsh</i>	DATE: <i>8-6-24</i>
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SUPERVISOR COMMENTS (Describe Activities): ☐ SEE ATTACHMENT

EMPLOYEE'S ACKNOWLEDGEMENT: <i>[Signature]</i> #054	DATE: <i>08/06/24</i>
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EMPLOYEE'S COMMENTS:

FORWARD TO CHIEF'S OFFICE UPON COMPLETION

FINAL DISPOSITION (Complete when applicable)			
INVESTIGATIVE CLOSURE			
☐ Unfounded	☐ Exonerated	☐ Not Sustained	☒ Sustained ☐ Sustained-Other

All activities ordered through my office and/or the Safety Service Director has been completed.

CHIEF OF POLICE: <i>W. R. R. 243</i>	DATE: <i>08-12-2024</i>
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COMMENTS:

**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT**

CHIEF'S SECRETARY TO SCAN COMPLETED REPORT INTO EMPLOYEE ELECTRONIC FILE
& PLACE HARDCOPY IN ADMINISTRATIVE FILE ROOM

Original: Chief through channels as completed

Copies: Chief where original held for investigation/review; Division Commander; Unit Commander;
Reporting Supervisor; Officer involved in incident

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

EMPLOYEE: Ptl. V. Colon #054

INCIDENT DATE: 08-07-23

LOCATION: 18 West Ave.

DESCRIPTION OF INCIDENT:

On 8-7-23 at 1800 hours, Night Shift was assembled in the briefing room for the start of their regularly scheduled 12 hour shift. Ptl. Colon was absent from briefing at this time. A phone call to his cell phone revealed that he had overslept for the start of his shift. Ptl. Colon arrived at EPD at 1835 hours and reported for duty. Ptl. Colon was docked 35 minutes of Comp Time since the shift was above minimum safety levels.

Ptl. Colon had worked a 12 hour shift the night before (Sunday) and had attended a court appearance on Monday 8-7-23 from 1400-1430 hours. After turning in his subpoena to the OIC he went home and took a nap prior to starting his next 12 hour shift (8-7-23 at 1800 hours) for which he overslept. Sgt. Ross observed that there have been no violations of this type by Ptl. Colon within the past two (2) years. Ptl. Colon apologized for his absence and stated that he will make every effort to ensure that it does not happen again.

VIOLATION:

1.05 Reporting for Duty:

Officers shall report for duty at the time and place required by assignment, orders, or voluntary assignment, and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Judicial subpoenas shall constitute an order to report for duty under this section.

CHECK OF PREVIOUS SUPERVISOR'S REPORTS

COMPLETED BY: Sgt. Ross #263

DATE: 08-07-23

EARLY INTERVENTION REVIEW (MANDATORY FIELD, SEE GO 3.12)☐ NOT A TRACKED ACTIVITY☒ EIS THRESHOLD NOT REACHED☐ EIS THRESHOLD REACHED OR EXCEEDED (SEE SUPERVISOR COMMENTS BELOW)**SUPERVISOR RECOMMENDATIONS (Check all that apply)**

☐ No Violation ☒ Verbal Counseling ☐ Written Reprimand ☐ Chief review for assignment or hearing
☐ Early Intervention ☐ Remedial Training ☐ Performance Improvement Plan ☐ Other (Describe in comments)

SUPERVISOR COMMENTS:

None

SUBMITTED BY: Sgt. Ross #263

DATE: 08-07-23

SUPERVISOR REVIEW & APPROVAL

(If "Disapprove" describe on separate attached document)

TEAM SERGEANT OR IMMEDIATE SUPERVISOR: <i>Sgt. Ross #263</i>	DATE: <i>08-07-23</i>	☒ APPROVE ☐ DISAPPROVE
SHIFT OR UNIT COMMANDER: <i>LT. Wade 315</i>	DATE: <i>8/7/23</i>	☒ APPROVE ☐ DISAPPROVE
DIVISION COMMANDER: <i>Capt. James Pugh 321</i>	DATE: <i>8/30/23</i>	☒ APPROVE ☐ DISAPPROVE

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

CHIEF OF POLICE: <i>U. R. R. 243</i>	DATE: <i>08-31-2023</i>	☒ APPROVE ☐ DISAPPROVE
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CHIEF OF POLICE ORDERED ACTIVITIES (Check all that apply)		
☐ No Violation (Closed) ☒ Verbal Counseling ☐ Written reprimand ☐ Assigned to IA Track # ☐ Chief to submit certification of suspension to SSD (maintain copy and SSD response with this report) ☐ Early Intervention ☐ PIP Developed ☐ Remedial Training Ordered ☐ Other (Describe below)		
ACTIVITY COMPLETION BY DATE: <i>09-08-2023</i>		
COMMENTS:		
CHIEF OF POLICE: <i>U. R. R. 243</i>	DATE: <i>08-31-2023</i>	

DOCUMENTATION OF COMPLETED ACTIVITIES (Check all that apply)	
☒ Counseling Session Completed ☐ Written Reprimand Issued ☐ Early Intervention Completed ☐ PIP Developed ☐ Remedial Training Completed ☐ Other (Describe below) Letter of: ☐ Suspension Issued (attach) ☐ Reduction in Rank Issued (attach) ☐ Dismissal Issued (attach)	
COMPLETED BY: <i>Lt. The 315</i>	DATE: <i>9/3/23</i>
SUPERVISOR COMMENTS (Describe Activities): ☐ SEE ATTACHMENT	

EMPLOYEE'S ACKNOWLEDGEMENT: <i>U. R. R. #054</i>	DATE: <i>9/03/23</i>
EMPLOYEE'S COMMENTS:	
FORWARD TO CHIEF'S OFFICE UPON COMPLETION: ☒	

FINAL DISPOSITION (Complete when applicable)	
INVESTIGATIVE CLOSURE	
☐ Unfounded ☐ Exonerated ☐ Not Sustained ☒ Sustained ☐ Sustained-Other	
All activities ordered through my office and/or the Safety Service Director has been completed.	
CHIEF OF POLICE: <i>U. R. R. 247</i>	DATE: <i>09-05-2023</i>
COMMENTS:	

**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT**

**CHIEF'S SECRETARY TO SCAN COMPLETED REPORT INTO EMPLOYEE ELECTRONIC FILE
& PLACE HARDCOPY IN ADMINISTRATIVE FILE ROOM**

Original: Chief through channels as completed
Copies: Chief where original held for investigation/review; Division Commander; Unit Commander;
Reporting Supervisor; Officer involved in incident

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

EMPLOYEE: Ptl. Colon #054

INCIDENT DATE: 07-24-24

LOCATION: 18 West Ave.

DESCRIPTION OF INCIDENT:

On 07-24-24 at approximately 1759 hours, Ptl. Colon was driving his marked patrol car (IBM# 1480) in the backlot of the police station while arriving for his scheduled shift at 1800-0600 hours. Ptl. Colon stated that he was turning left into a parking space between two (2) parked patrol cars in the parking lot. Ptl. Colon misjudged his turn and the Right-Front wheel well of his patrol car struck the Left-Rear wheel well of Ptl. Sabeiha's parked/unoccupied patrol car (IBM# 1420). Sgt. Drake observed and photographed the damage to both vehicles and completed an OH-1. Sgt. Ross completed the city Vehicle Accident Report and this Supervisor Report on this incident. There were no reported injuries and the photos of both vehicles were uploaded to the incident.

VIOLATION:**1.43 Operating Vehicles**

Officers shall operate official vehicles in a careful and prudent manner, and shall obey all laws and all departmental orders pertaining to such operation. Loss or suspension of any driving license shall be reported to the Department immediately.

CHECK OF PREVIOUS SUPERVISOR'S REPORTS

COMPLETED BY: Sgt. Ross #263

DATE: 07-24-24

EARLY INTERVENTION REVIEW (MANDATORY FIELD, SEE GO.3.12)☐ NOT A TRACKED ACTIVITY☒ EIS THRESHOLD NOT REACHED☐ EIS THRESHOLD REACHED OR EXCEEDED (SEE SUPERVISOR COMMENTS BELOW)**SUPERVISOR RECOMMENDATIONS (Check all that apply)**

☐ No Violation ☒ Verbal Counseling ☐ Written Reprimand ☐ Chief review for assignment or hearing
☐ Early Intervention ☐ Remedial Training ☐ Performance Improvement Plan ☐ Other (Describe in comments)

SUPERVISOR COMMENTS:

Ptl. Colon received a Written Reprimand for Reporting for Duty in May of 2024.

SUBMITTED BY: Sgt. Ross #263

DATE: 07-24-24

SUPERVISOR REVIEW & APPROVAL

(If "Disapprove", describe on separate attached document)

TEAM SERGEANT OR IMMEDIATE SUPERVISOR: <i>A.D. Ross #263</i>	DATE: <i>07-24-24</i>	☒ APPROVE ☐ DISAPPROVE
SHIFT OR UNIT COMMANDER: <i>LT. Ross 315</i>	DATE: <i>7-24-24</i>	☒ APPROVE ☐ DISAPPROVE
DIVISION COMMANDER: <i>Capt J. Welch 321</i>	DATE: <i>7-24-24</i>	☐ APPROVE ☒ DISAPPROVE <i>SEE ATTACHED</i>
CHIEF OF POLICE: <i>W. R. Ross 242</i>	DATE: <i>07-25-2024</i>	☒ APPROVE ☐ DISAPPROVE <i>W. R. Ross 242</i>

CHIEF OF POLICE ORDERED ACTIVITIES (Check all that apply)

☐ No Violation (Closed) ☐ Verbal Counseling ☒ Written reprimand ☐ Assigned to IA Track #

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

☐ Chief to submit certification of suspension to SSD (maintain copy and SSD response with this report) ☐ Early Intervention ☐ PIP Developed ☐ Remedial Training Ordered ☐ Other (Describe below)	
ACTIVITY COMPLETION BY DATE: 07-31-2024	
COMMENTS:	
CHIEF OF POLICE: W.R.P. 242	DATE: 07-25-2024

DOCUMENTATION OF COMPLETED ACTIVITIES (Check all that apply)	
☐ Counseling Session Completed ☒ Written Reprimand Issued ☐ Early Intervention Completed ☐ PIP Developed ☐ Remedial Training Completed ☐ Other (Describe below)	
Letter of: ☐ Suspension Issued (attach) ☐ Reduction in Rank Issued (attach) ☐ Dismissal Issued (attach)	
COMPLETED BY: Lt. Tice 315	DATE: 7/28/24
SUPERVISOR COMMENTS (Describe Activities): ☐ SEE ATTACHMENT	

EMPLOYEE'S ACKNOWLEDGEMENT: 1/1A GL #054	DATE: 7/28/24
EMPLOYEE'S COMMENTS:	
FORWARD TO CHIEF'S OFFICE UPON COMPLETION	

FINAL DISPOSITION (Complete when applicable)	
INVESTIGATIVE CLOSURE	
☐ Unfounded ☐ Exonerated ☐ Not Sustained ☒ Sustained ☐ Sustained-Other	
All activities ordered through my office and/or the Safety Service Director has been completed.	
CHIEF OF POLICE: W.R.P. 242	DATE: 07-29-2024
COMMENTS:	
CHIEF'S SECRETARY TO SCAN COMPLETED REPORT INTO EMPLOYEE ELECTRONIC FILE & PLACE HARDCOPY IN ADMINISTRATIVE FILE ROOM.	

Original: Chief through channels as completed

Division Commander's Addendum

Employee: Patrol Officer Victor Colon #054
Incident: 24-21083 (Private Property Crash)
Date: 07-24-2024 @ 1759 hours
Submitted by: Captain James Welsh #321

On Wednesday, July 24, 2024 at 1754 hours, Officer Victor Colon arrived at the Elyria Police Department, 18 West Ave. for his patrol shift that began at 6:00 pm and ended at 6:00 am. As Officer Colon parked his 2023 Police Explorer, IBM #1480 into the marked parking spaces in the employee parking lot, Officer Colon struck the unoccupied 2017 Ford Explorer, IBM #1420 that in the space next to Colon. The front, right passenger corner of Officer Colon's vehicle struck the rear, left driver's side corner of unoccupied 2017 Ford Explorer. As a result of the accident, both Ford Explorer's sustained non-functional damage that will require auto body repairs. Those estimates are forth coming.

Captain Welsh disagreed with Sgt. Ross and Lt. Wade's recommendation that Officer Colon should be disciplined with verbal counseling for violating Elyria Police Department Regulation for **Operating Vehicles, 1.43**. Capt. Welsh recommends to Chief Pelko that Officer Colon should be issued a written reprimand. Officer Colon was careless when parking his 2023 marked police cruiser and unaware of his surroundings; furthermore, Officer Colon failed to operate his vehicle in a safe and prudent manner which not only caused damage to his own city vehicle, but also caused damage to another city vehicle.

Officer Colon received prior discipline in the form of a written reprimand for on May 8, 2024 for not reporting for duty and on August 7, 2023 for reporting for duty 35 minutes late.

In addition to the written reprimand, I would also recommend that Officer Colon receive a suspension of support car privileges for any at-fault motor vehicle accidents in the next two years.

**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT**

Copies: Chief where original held for investigation/review; Division Commander; Unit Commander;
Reporting Supervisor; Officer involved in incident



Incident Report



Print Date/Time: 07/25/2024 08:35
Login ID: jwelsh

Elyria Police Department
ORI Number: OH0470400

Incident: 2024-00021083

Incident Date/Time: 7/24/2024 5:59:30 PM
Location: 18 WEST AVE
ELYRIA OH 44035
Phone Number:
Report Required: No
Prior Hazards: No
LE Case Number:

Incident Type: Accident Private Property
Venue: ELYRIA
Source: Officer Initiated
Priority: Low
Status: Just Occurred
Nature of Call:

Unit/Personnel

Unit	Personnel
EL315	EL315-Wade

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
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Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count	Date/Time
Unit: EL315		
Disposition	Count	Date/Time
Report	1	07/24/2024 17:59

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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IMG_0002



IMG_0003



IMG_0004





IMG_0006



IMG_0007



IMG_0008



OHIO DEPARTMENT OF PUBLIC SAFETY TRAFFIC CRASH REPORT *DENOTES MANDATORY FIELD FOR SUPPLEMENT REPORT										LOCAL REPORT NUMBER*					
☒ PHOTOS TAKEN ☐ OH-2 ☐ OH-3 ☐ SECONDARY CRASH ☐ OH-1P ☐ OTHER ☒ PRIVATE PROPERTY										2024-00021083					
LOCAL INFORMATION REPORTING AGENCY NAME* Elyria PD NCIC# 04704										HITS/KIP 1 - SOLVED 2 - UNSOLVED 02					
COUNTY* 47 LOCALITY* 1 CITY Elyria LOCATION: CITY, VILLAGE, TOWNSHIP* ROUTE TYPE ROUTE NUMBER PREFIX 1 - NORTH 2 - SOUTH 3 - EAST 4 - WEST LOCATION ROAD NAME ROAD TYPE West A V										CRASH DATE / TIME* 07242024 1759 CRASH SEVERITY 1 - FATAL 2 - SERIOUS INJURY SUSPECTED 3 - MINOR INJURY SUSPECTED 4 - INJURY POSSIBLE 5 - PROPERTY DAMAGE ONLY 5					
ROUTE TYPE ROUTE NUMBER PREFIX 1 - NORTH 2 - SOUTH 3 - EAST 4 - WEST REFERENCE ROAD NAME (ROAD, MILEPOST, HOUSE #) 18										LATITUDE (DECIMAL DEGREES) 4136907 LONGITUDE (DECIMAL DEGREES) -8210983					
REFERENCE POINT 1 - INTERSECTION 2 - MILE POST 3 - HOUSE # 3										INTERSECTION RELATED ☐ WITHIN INTERSECTION OR ON APPROACH ☐ WITHIN INTERCHANGE AREA NUMBER OF APPROACHES ROADWAY ☐ ROADWAY DIVIDED					
DISTANCE FROM REFERENCE DISTANCE UNIT OF MEASURE 1 - MILES 2 - FEET 3 - YARDS 06										MANNER OF CRASH COLLISION/IMPACT 1 - NOT COLLISION BETWEEN TWO MOTOR VEHICLES IN TRANSPORT 2 - REAR END 3 - HEAD-ON 4 - REAR-TO-REAR 5 - BACKING 6 - ANGLE 7 - SIDESWIPE, SAME DIRECTION 8 - SIDESWIPE, OPPOSITE DIRECTION 9 - OTHER / UNKNOWN 1					
LOCATION OF FIRST HARMFUL EVENT 1 - ON ROADWAY 2 - ON SHOULDER 3 - IN MEDIAN 4 - ON ROADSIDE 5 - ON GORE 6 - OUTSIDE TRAFFIC WAY 7 - ON RAMP 8 - OFF RAMP 9 - CROSSOVER 10 - DRIVEWAY/ALLEY ACCESS 11 - RAILWAY GRADE CROSSING 12 - SHARED USE PATHS OR TRAILS 13 - BIKE LANE 14 - TOLL BOOTH 99 - OTHER / UNKNOWN 06										DIRECTION OF TRAVEL 1 - NORTH 2 - SOUTH 3 - EAST 4 - WEST 1					
WORK ZONE RELATED ☐ WORKERS PRESENT ☐ LAW ENFORCEMENT PRESENT ☐ ACTIVE SCHOOL ZONE										WORK ZONE TYPE 1 - LANE CLOSURE 2 - LANE SHIFT/CROSSOVER 3 - WORK ON SHOULDER OR MEDIAN 4 - INTERMITTENT OR MOVING WORK 5 - OTHER 02					
LIGHT CONDITION 1 - DAYLIGHT 2 - DAWN/DUSK 3 - DARK - LIGHTED ROADWAY 4 - DARK - ROADWAY NOT LIGHTED 5 - DARK - UNKNOWN ROADWAY LIGHTING 9 - OTHER / UNKNOWN 1										WEATHER 1 - CLEAR 2 - CLOUDY 3 - FOG, SMOG, SMOKE 4 - RAIN 5 - SLEET, HAIL 6 - SNOW 7 - SEVERE CROSSWINDS 8 - BLOWING SAND, SOIL, DIRT, SNOW 9 - FREEZING RAIN OR FREEZING DRIZZLE 99 - OTHER / UNKNOWN 02					
CONTOUR 1 - STRAIGHT LEVEL 2 - STRAIGHT GRADE 3 - CURVE LEVEL 4 - CURVE GRADE 9 - OTHER/UNKNOWN 1										CONDITIONS 1 - DRY 2 - WET 3 - SNOW 4 - ICE 5 - SAND, MUO, DIRT, OIL, GRAVEL 6 - WATER (STANDING, MOVING) 7 - SLUSH 9 - OTHER/UNKNOWN 1					
SURFACE 1 - CONCRETE 2 - BLACKTOP, BITUMINOUS ASPHALT 3 - BRICK/BLOCK 4 - SLAG, GRAVEL, STONE 5 - DIRT 9 - OTHER/UNKNOWN 2										Indicate the north direction with an "N" on the compass diagram.					
NARRATIVE Unit #1 was a marked Elyria Police Department patrol Explorer IBR# 1420/268 parked in a marked parking space facing W/B. Unit #2 was a marked Elyria Police patrol Explorer IBR# 1480/054 traveling through the Elyria Police department parking lot N/B. Unit #2 attempted to pull into the parking space to the left of Unit #1 striking the left rear quarter panel of Unit #1 with the right front quarter panel of Unit #2. There was minor damage done to both vehicles and photographs were taken.															
CRASH REPORTED DATE / TIME 07242024 1759				DISPATCH DATE / TIME 07242024 1759				ARRIVAL DATE / TIME 07242024 1759				SCENE CLEARED DATE / TIME 07242024 1830			
TOTAL TIME ROADWAY CLOSED 0				OTHER INVESTIGATION TIME 30				TOTAL MINUTES 61				OFFICER'S NAME* Drake			
OFFICER'S BADGE NUMBER* 079				CHECKED BY OFFICER'S NAME* Harris				CHECKED BY OFFICER'S BADGE NUMBER* 143				REPORT TAKEN BY ☒ POLICE AGENCY ☐ MOTORIST ☐ SUPPLEMENT (CORRELATION - ADDITION)			

UNIT # 01		OWNER NAME: LAST, FIRST, MIDDLE: City of Elyria,		OWNER PHONE: 440	
OWNER ADDRESS: STREET, CITY, STATE, ZIP: 131 Court ST Elyria, OH 44035		COMMERCIAL CARRIER PHONE: 			
LP STATE: OH		LICENSE PLATE # 		VEHICLE IDENTIFICATION # 	
INSURANCE VERIFIED ☒		INSURANCE COMPANY TRAVELERS		INSURANCE POLICY # 810-73992745	
TYPE OF USE ☒ COMMERCIAL ☐ GOVERNMENT ☐ IN EMERGENCY RESPONSE		US DOT # 		TOWED BY: COMPANY NAME 	
INTERLOCK DEVICE EQUIPPED ☐		HIT/SKIP UNIT ☐		HAZARDOUS MATERIAL CLASS # PLACARD ID # 	
VEHICLE WEIGHT GVW/GCWR 1 - ≤10K LBS. 2 - 10,001 - 26K LBS. 3 - >26K LBS.		VEHICLE YEAR 2017		VEHICLE MAKE Ford	
VEHICLE MODEL Explorer		COLOR BLK			
1 - PASSENGER CAR 2 - PASSENGER VAN (MINIVAN) 3 - SPORT UTILITY VEHICLE 4 - PICKUP 5 - CARGO VAN 6 - VAN (9-15 SEATS) 7 - MOTORCYCLE 2-WHEELED 8 - MOTORCYCLE 3-WHEELED 9 - AUTOCYCLE 10 - MOPED OR AUTORIZED BICYCLE 11 - ALL TERRAIN VEHICLE (ATV/UTV) 12 - GOLF CART 13 - SNOWMOBILE 14 - SINGLE UNIT TRUCK 15 - SEMI TRACTOR 16 - FARM EQUIPMENT 17 - MOTORHOME 18 - LIMOLINE/VEHICLE 19 - BUS (16+ PASSENGER) 20 - OTHER VEHICLE 21 - HEAVY EQUIPMENT 22 - ANIMAL WITH RIDER OR ANIMAL DRAWN VEHICLE 23 - PEDESTRIAN/ SKATER 24 - WHEELCHAIR (ANY TYPE) 25 - OTHER NON-MOTORIST 26 - BICYCLE 27 - TRAILER 99 - UNKNOWN OR HIT/SKIP		DAMAGE SCALE 1 - NONE 2 - MINOR DAMAGE 3 - FUNCTIONAL DAMAGE 4 - DISABLING DAMAGE 9 - UNKNOWN			
UNIT TYPE 03		DAMAGED AREA(S) INDICATE ALL THAT APPLY			
# OF TRAILING UNITS 0					
VEHICLE OPERATING IN AUTONOMOUS MODE WHEN CRASH OCCURRED 1 - YES 2 - NO 9 - OTHER/UNKNOWN		AUTONOMOUS MODE LEVEL 0			
SPECIAL FUNCTION 13					
CARGO BODY TYPE 01					
VEHICLE DEFECTS 					
CRASH LOCATION AT IMPACT 					
ACTION 4					
CIRCUMSTANCES 01					
SEQUENCE OF EVENTS 20					
FIRST HARMFUL EVENT 1					
MOST HARMFUL EVENT 1					
TRAFFICWAY FLOW 2					
TRAFFIC CONTROL 6					
# OF THROUGH LANES ON ROAD 2					
RAIL GRADE CROSSING 1					
UNIT / NON-MOTORIST DIRECTION FROM 3 TO 4					
UNIT SPEED 0					
POSTED SPEED 					
DETECTED SPEED 1					

LOCAL REPORT NUMBER
2024-00021083

UNIT # 02	OWNER NAME: LAST, FIRST, MIDDLE City of Elyria,	OWNER PHONE: () - () - () 440
OWNER ADDRESS: STREET, CITY, STATE, ZIP 131 Court St Elyria, OH 44035		
COMMERCIAL CARRIER: NAME, ADDRESS, CITY, STATE, ZIP		
COMMERCIAL CARRIER PHONE: () - () - ()		

LP STATE OH	LICENSE PLATE # 1A0000	VEHICLE IDENTIFICATION # 1A0000	VEHICLE YEAR 2023	VEHICLE MAKE Ford
INSURANCE VERIFIED	INSURANCE COMPANY TRAVELERS	INSURANCE POLICY # 810-7J992745	COLOR BLK	VEHICLE MODEL Explorer

☐ COMMERCIAL ☐ INTERLOCK DEVICE EQUIPPED	☒ GOVERNMENT ☐ HIT/SKIP UNIT	TYPE OF USE ☐ IN EMERGENCY RESPONSE	US DOT # 01	VEHICLE WEIGHT GVW/GCW 1 - <10K LBS. 2 - 10,001 - 26K LBS. 3 - >26K LBS.	HAZARDOUS MATERIAL CLASS # PLACARD TO # ☐ MATERIAL RELEASED ☐ PLACARD
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UNIT TYPE 03	1 - PASSENGER CAR 2 - PASSENGER VEHICLE (LIMOUSINE) 3 - SPORT UTILITY VEHICLE 4 - PICKUP 5 - CARGO VAN 6 - VAN (9-15 SEATS)	7 - MOTORCYCLE 2-WHEELED 8 - MOTORCYCLE 3-WHEELED 9 - AUTOCYCLE 10 - MOPED OR AUTOMOTORIZED BICYCLE 11 - ALL TERRAIN VEHICLE (ATV/UTV)	12 - GOLF CART 13 - SNOWMOBILE 14 - SINGLE UNIT TRUCK 15 - SEMI-TRACTOR 16 - FARM EQUIPMENT 17 - MOTORHOME	18 - LIMOUSINE (VEHICLE) 19 - BUS (CL - PASSENGER) 20 - OTHER VEHICLE 21 - HEAVY EQUIPMENT 22 - ANIMAL WITH RIDER 23 - ANIMAL-DRAWN VEHICLE	23 - PEDESTRIAN/ SKATER 24 - WHEELCHAIR (ANY TYPE) 25 - OTHER NON-MOTORIST 26 - BICYCLE 27 - TRAILER 99 - UNKNOWN OR MISKIP
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# OF TRAILING UNITS 2	WAS VEHICLE OPERATING IN AUTONOMOUS MODE WHEN CRASH OCCURRED? 1 - YES 2 - NO 9 - OTHER/ UNKNOWN	AUTONOMOUS MODE LEVEL 0	0 - NO AUTOMATION 1 - DRIVER ASSISTANCE 2 - PARTIAL AUTOMATION 3 - CONDITIONAL AUTOMATION 4 - HIGH AUTOMATION 5 - FULL AUTOMATION	9 - UNKNOWN
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SPECIAL FUNCTION 13	1 - NONE 2 - TAXI 3 - ELECTRONIC ROAD SHARING 4 - SCHOOL TRANSPORT 5 - BUS - TRANSCOMMUTER	6 - BUS - CHARTER/TOUR 7 - BUS - INTERCITY 8 - BUS - SHUTTLE 9 - BUS - OTHER 10 - AMBULANCE	11 - FIRE 12 - MILITARY 13 - POLICE 14 - PUBLIC UTILITY 15 - CONSTRUCTION EQUIPMENT	16 - FARM 17 - MOWING 18 - SNOW REMOVAL 19 - TOWING 20 - SAFETY SERVICE PATROL	21 - MAIL CARRIER 99 - OTHER/ UNKNOWN
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CARGO BODY TYPE 01	1 - NO CARGO BODY TYPE / NOT APPLICABLE 2 - BUS	3 - VEHICLE TOWING ANOTHER MOTOR VEHICLE 4 - LOGGING 5 - INTERMODAL CONTAINER CHASSIS 6 - CARGO VAN/ENCLOSED BOX 7 - CRANE/CRAWLER	8 - POLE 9 - CARGO TANK 10 - FLAT BED 11 - DUMP 12 - CONCRETE MIXER 13 - AUTOTRANSFERRER 14 - GARBAGE/REFUSE 99 - OTHER/ UNKNOWN
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VEHICLE DEFECTS	1 - TURN SIGNALS 2 - HEADLAMPS 3 - TAIL LAMPS	4 - BRAKES 5 - STEERING 6 - TIRE BLOWOUT	7 - WORN OR SLICK TIRES 8 - TRAILER EQUIPMENT DEFECTIVE	9 - MOTOR TROUBLE 10 - DISABLED FROM PRIOR ACCIDENT	99 - OTHER/ UNKNOWN
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WAS VEHICLE LOCATION AT IMPACT 01	1 - INTERSECTION - MARKED CROSSWALK 2 - INTERSECTION - UNMARKED CROSSWALK 3 - INTERSECTION - OTHER	4 - MEDIAN - MARKED CROSSWALK 5 - TRAVEL LANE - OTHER	6 - BICYCLE LANE 7 - SHOULDER/ ROADSIDE 8 - SIDEWALK 9 - MEDIAN CROSSING ISLAND 10 - DRIVEWAY ACCESS 11 - SHARED USE PATHS OR TRAILS	12 - FIRST RESPONDER AT INCIDENT SCENE 99 - OTHER/ UNKNOWN
---	--	---	--	--

ACTION 06	1 - NON-CONTACT 2 - NON-COLLISION 3 - STRIKING 4 - STRUCK 5 - BOTH STRIKING 6 - STRUCK 9 - OTHER/ UNKNOWN	1 - STRAIGHT AHEAD 2 - BACKING 3 - CHANGING LANES 4 - OVERTAKING/PASSING 5 - MAKING RIGHT TURN 6 - MAKING LEFT TURN	7 - MAKING U-TURN 8 - ENTERING TRAFFIC LANE 9 - LEAVING TRAFFIC LANE 10 - PARKED 11 - SLOWING OR STOPPED IN TRAFFIC 12 - DRIVE/LESS	13 - NEGOTIATING A CURVE 14 - ENTERING OR CROSSING SPECIFIED LOCATION 15 - WALKING, RUNNING, JOGGING, PLAYING 16 - WORKING 17 - PUSHING VEHICLE	18 - APPROACHING OR LEAVING VEHICLE 19 - STANDING 20 - OTHER NON-MOTORIST 21 - STANDING OUTSIDE DISABLED VEHICLE 99 - OTHER/ UNKNOWN
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CONTRIBUTING CIRCUMSTANCES 06	1 - NONE 2 - FAILURE TO YIELD 3 - RAN RED LIGHT 4 - RAN STOP SIGN 5 - UNSAFE SPEED 6 - IMPROPER TURN	7 - LEFT OF CENTER 8 - FOLLOWING TOO CLOSE/TAILGATE 9 - IMPROPER LANE CHANGE 10 - IMPROPER PASSING 11 - DROVE OFF ROAD 12 - IMPROPER BACKING	13 - IMPROPER START FROM A PARKED POSITION 14 - STOPPED OR PARKED ILLEGALLY 15 - SWERVING TO AVOID 16 - WYING WAY	17 - VISION OBSTRUCTION 18 - OPERATING DEFECTIVE EQUIPMENT 19 - LOAD SHIFTING/TIPPING SPILLING 20 - IMPROPER CROSSING	21 - LYING IN ROADWAY 22 - NOT DISCERNIBLE 23 - OPENING DOOR INTO ROADWAY 99 - OTHER/ UNKNOWN
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SEQUENCE OF EVENTS 121	1 - OVERTURN/ROLLOVER 2 - FIRE/EXPLOSION 3 - IMMERSION 4 - JACKKNIFE 5 - CARGO/EQUIPMENT LOSS OR SHIFT	6 - EQUIPMENT FAILURE 7 - SEPARATION OF UNITS 8 - RAN OFF ROAD (RIGHT) 9 - RAN OFF ROAD (LEFT) 10 - CROSS MEDIAN	11 - CROSS CENTERLINE - OPPOSITE DIRECTION OF TRAVEL 12 - DOWNHILL RUNAWAY 13 - OTHER NON-COLLISION 14 - PEDESTRIAN 15 - PEDALCYCLE	16 - RAILWAY VEHICLE 17 - ANIMAL - FARM 18 - ANIMAL - DEER 19 - ANIMAL - OTHER 20 - MOTOR VEHICLE IN TRANSPORT 21 - PARKED MOTOR VEHICLE	22 - WORK ZONE MAINTENANCE EQUIPMENT 23 - STRUCK BY FALLING, SHIFTING CARGO OR ANYTHING SET IN MOTION BY A MOTOR VEHICLE 24 - OTHER KNOWABLE OBJECT
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COLLISION WITH FIXED OBJECT - STRUCK 1	25 - IMPACT ATTENUATOR / CRASH CUSHION 26 - BRIDGE OVERHEAD STRUCTURE 27 - BRIDGE PIER OR ABUTMENT 28 - BRIDGE PARAPET 29 - BRIDGE RAIL 30 - GUARDRAIL FACE	31 - GUARDRAIL END 32 - PORTABLE BARRIER 33 - MEDIAN CABLE BARRIER 34 - MEDIAN GUARDRAIL BARRIER 35 - MEDIAN CONCRETE BARRIER 36 - MEDIAN OTHER BARRIER	37 - TRAFFIC SIGN POST 38 - OVERHEAD SIGN POST 39 - LIGHT / LUMINAIRES SUPPORT 40 - UTILITY POLE 41 - OTHER POST, POLE OR SUPPORT 42 - CULVERT	43 - CURB 44 - DITCH 45 - EMBANKMENT 46 - FENCE 47 - MAILBOX 48 - TREE 49 - FIRE HYDRANT	50 - WORK ZONE MAINTENANCE EQUIPMENT 51 - WALL 52 - BUILDING 53 - TUNNEL 54 - OTHER FIXED OBJECT 99 - OTHER/ UNKNOWN
--	--	--	---	--	--

FIRST HARMFUL EVENT 1	MOST HARMFUL EVENT 1
---------------------------------	--------------------------------

DAMAGE DAMAGE SCALE 2	1 - NONE 2 - MINOR DAMAGE 3 - FUNCTIONAL DAMAGE 4 - DISABLING DAMAGE 9 - UNKNOWN
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DAMAGED AREAS INDICATE ALL THAT APPLY
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☐ NO DAMAGE [0]	☐ UNDERCARRIAGE [14]
☐ TOP [13]	☐ ALL AREAS [15]
☐ UNIT NOT AT SCENE [16]	

INITIAL POINT OF CONTACT 01	0 - NO DAMAGE 1 - 12 - REFER TO UNIT DIAGRAM 13 - TOP 14 - UNDERCARRIAGE 15 - VEHICLE NOT AT SCENE 99 - UNKNOWN
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TRAFFICWAY FLOW 2	1 - ONE-WAY 2 - TWO-WAY	TRAFFIC CONTROL 6	1 - ROUNDABOUT 2 - SIGNAL 3 - FLASHER 4 - STOP SIGN 5 - YIELD SIGN 6 - NO CONTROL
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# OF THROUGH LANES ON ROAD 2	RAIL GRADE CROSSING 1	1 - NOT INVOLVED 2 - INVOLVED ACTIVE CROSSING 3 - INVOLVED PASSIVE CROSSING
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UNIT / NON-MOTORIST DIRECTION FROM 2 TO 4	1 - NORTH 2 - SOUTH 3 - EAST 4 - WEST 5 - NORTHEAST 6 - NORTHWEST 7 - SOUTHEAST 8 - SOUTHWEST 9 - OTHER/ UNKNOWN
--	--

UNIT SPEED 5	DETECTED SPEED 1	1 - STATED/ ESTIMATED 2 - CALCULATED/ FEDR 3 - UNDETERMINED
POSTED SPEED 5		



MOTORIST / Non-MOTORIST

LOCAL REPORT NUMBER
2024-00021083

UNIT # 01	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER
ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE		

INJURIES INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO MEDICAL FACILITY (NAME, CITY, STATE)	SAFETY EQUIPMENT USED ☐ DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED		
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER				
OL CLASS	ENDORSEMENT	RESTRICTION (SELECT UP TO 3)	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED ☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	CONDITION	ALCOHOL TEST STATUS TYPE VALUE		DRUG TEST(S) STATUS TYPE RESULT	

UNIT # 02	NAME: LAST, FIRST, MIDDLE Colon, Victor M III	DATE OF BIRTH 05221992	AGE 32	GENDER M
ADDRESS: STREET, CITY, STATE, ZIP 18 West AV Elyria, OH 44035		CONTACT PHONE - INCLUDE AREA CODE 440		

INJURIES 5	EMS AGENCY (NAME)	INJURED TAKEN TO MEDICAL FACILITY (NAME, CITY, STATE)	SAFETY EQUIPMENT USED 04	SEATING POSITION 01	AIR BAG USAGE 1	EJECTION 1	TRAPPED		
OL STATE OH	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER				
OL CLASS 4	ENDORSEMENT	RESTRICTION (SELECT UP TO 3)	DRIVER DISTRACTED BY 1	ALCOHOL / DRUG SUSPECTED ☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	CONDITION 1	ALCOHOL TEST STATUS TYPE VALUE		DRUG TEST(S) STATUS TYPE RESULT	

UNIT #	NAME: LAST, FIRST, MIDDLE	DATE OF BIRTH	AGE	GENDER
ADDRESS: STREET, CITY, STATE, ZIP		CONTACT PHONE - INCLUDE AREA CODE		

INJURIES	INJURED TAKEN BY	EMS AGENCY (NAME)	INJURED TAKEN TO MEDICAL FACILITY (NAME, CITY, STATE)	SAFETY EQUIPMENT USED ☐ DOT-COMPLIANT MC HELMET	SEATING POSITION	AIR BAG USAGE	EJECTION	TRAPPED	
OL STATE	OPERATOR LICENSE NUMBER	OFFENSE CHARGED	LOCAL CODE	OFFENSE DESCRIPTION	CITATION NUMBER				
OL CLASS	ENDORSEMENT	RESTRICTION (SELECT UP TO 3)	DRIVER DISTRACTED BY	ALCOHOL / DRUG SUSPECTED ☐ ALCOHOL ☐ MARIJUANA ☐ OTHER DRUG	CONDITION	ALCOHOL TEST STATUS TYPE VALUE		DRUG TEST(S) STATUS TYPE RESULT	

INJURIES	SEATING POSITION	AIR BAG	OL CLASS	OL RESTRICTION(S)	DRIVER DISTRACTION	TEST STATUS
1 - FATAL	1 - FRONT - LEFT SIDE (MOTORCYCLE DRIVER)	1 - NOT DEPLOYED	1 - CLASS A	1 - ALCOHOL INTERLOCK DEVICE	1 - NOT DISTRACTED	1 - NONE GIVEN
2 - SUSPECTED SERIOUS INJURY	2 - FRONT - MIDDLE	2 - DEPLOYED FRONT	2 - CLASS B	2 - COL INTRASTATE ONLY	2 - MANUALLY OPERATING AN ELECTRONIC COMMUNICATION DEVICE (TEXTING, TYPING, DIALING)	2 - TEST REFUSED
3 - SUSPECTED MINOR INJURY	3 - FRONT - RIGHT SIDE	3 - DEPLOYED SIDE	3 - CLASS C	3 - CORRECTIVE LENSES	3 - TALKING ON HANDS FREE COMMUNICATION DEVICE	3 - TEST GIVEN, CONTAMINATED SAMPLE / UNUSABLE
4 - POSSIBLE INJURY	4 - SECOND - LEFT SIDE (MOTORCYCLE PASSENGER)	4 - DEPLOYED BOTH FRONT / SIDE	4 - REGULAR CLASS (OHIO - D)	4 - FARM WAIVER	4 - TALKING ON HAND-HELD COMMUNICATION DEVICE	4 - TEST GIVEN, RESULTS KNOWN
5 - NO APPARENT INJURY	5 - SECOND - MIDDLE	5 - NOT APPLICABLE	5 - MIC MOPED ONLY	5 - EXCEPT CLASS A BUS	5 - OTHER ACTIVITY WITH AN ELECTRONIC DEVICE	5 - TEST GIVEN, RESULTS UNKNOWN
INJURED TAKEN BY	6 - SECOND - RIGHT SIDE (MOTORCYCLE SIDE CAR)	9 - DEPLOYMENT UNKNOWN	6 - NO VALID DL	6 - EXCEPT CLASS A & CLASS B BUS	6 - PASSENGER	ALCOHOL TEST TYPE
1 - NOT TRANSPORTED / TREATED AT SCENE	7 - THIRD - LEFT SIDE (MOTORCYCLE SIDE CAR)	EJECTION	OL ENDORSEMENT	7 - EXCEPT TRACTOR-TRAILER	7 - OTHER DISTRACTION INSIDE THE VEHICLE	1 - NONE
2 - EMS	8 - THIRD - MIDDLE	1 - NOT EJECTED	H - HAZMAT	8 - INTERMEDIATE LICENSE RESTRICTIONS	8 - OTHER DISTRACTION OUTSIDE THE VEHICLE	2 - BLOOD
3 - POLICE	9 - THIRD - RIGHT SIDE	2 - PARTIALLY EJECTED	M - MOTORCYCLE	9 - LEARNER'S PERMIT RESTRICTIONS	9 - OTHER / UNKNOWN	3 - URINE
9 - OTHER / UNKNOWN	10 - SLEEPER SECTION OF TRUCK CAB	3 - TOTALLY EJECTED	P - PASSENGER	10 - LIMITED TO DAYLIGHT ONLY	CONDITION	4 - BREATH
SAFETY EQUIPMENT	11 - PASSENGER IN OTHER ENCLOSED CARGO AREA (NON-TRAILING UNIT, BUS, PICK-UP WITH CAP)	4 - NOT APPLICABLE	N - TANKER	11 - LIMITED TO EMPLOYMENT	1 - APPARENTLY NORMAL	5 - OTHER
1 - NONE USED	12 - PASSENGER IN UNENCLOSED CARGO AREA	TRAPPED	Q - MOTOR SCOOTER	12 - LIMITED - OTHER	2 - PHYSICAL IMPAIRMENT	DRUG TEST TYPE
2 - SHOULDER BELT ONLY USED	13 - TRAILING UNIT	1 - NOT TRAPPED	R - THREE-WHEEL MOTORCYCLE	13 - MECHANICAL DEVICES (SPECIAL BRAKES, HAND CONTROLS, OR OTHER ADAPTIVE DEVICES)	3 - EMOTIONAL (E.G., ANXIETY, DEPRESSION, ETC.)	1 - NONE
3 - LAP BELT ONLY USED	14 - RIDING ON VEHICLE EXTERIOR (NON-TRAILING UNIT)	2 - EXTRICATED BY MECHANICAL MEANS	S - SCHOOL BUS	14 - MILITARY VEHICLES ONLY	4 - ILLNESS	2 - BLOOD
4 - SHOULDER & LAP BELT USED	15 - NON-MOTORIST	3 - FREED BY NON-MECHANICAL MEANS	T - DOUBLE & TRIPLE TRAILERS	15 - MOTOR VEHICLES WITHOUT AIR BRAKES	5 - FELT ASLEEP, FAINTED, FATIGUED, ETC.	3 - URINE
5 - CHILD RESTRAINT SYSTEM - FORWARD FACING	99 - OTHER / UNKNOWN	GENDER	X - TANKER / HAZMAT	16 - OUTSIDE MIRROR	6 - UNDER THE INFLUENCE OF MEDICATIONS / DRUGS / ALCOHOL	4 - OTHER
6 - CHILD RESTRAINT SYSTEM - REAR FACING		F - FEMALE		17 - PROSTHETIC AID	9 - OTHER / UNKNOWN	DRUG TEST RESULT(S)
7 - BOOSTER SEAT		M - MALE		18 - OTHER		1 - AMPHETAMINES
8 - HELMET USED		U - OTHER / UNKNOWN				2 - BARBITURATES
9 - PROTECTIVE PADS USED (ELBOW, KNEE, ETC.)						3 - BENZODIAZEPINES
10 - REFLECTIVE CLOTHING						4 - CANNABINOIDS
11 - LIGHTING - PEDESTRIAN / BICYCLE ONLY						5 - COCAINE
99 - OTHER / UNKNOWN						6 - OPIATES / OPIOIDS
						7 - OTHER
						8 - NEGATIVE RESULTS



CITY OF
ELYRIA

FRANK WHITFIELD, MAYOR

OFFICE OF SAFETY SERVICES
MATT LUNDY, DIRECTOR
(440) 326-1416

September 19, 2023

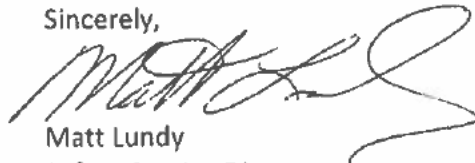
Paige Mitchell

Officer Mitchell,

By agreement of City administration and the union, the grievance filed on 10-16-2022 on behalf of Officer Nick Chalkley will be resolved by Officer Chalkley choosing a shift to be held over for 2 hours of work, with such hours to be paid at double time. Officer Chalkley should inform Chief Pelko of the shift in which he elects to be held over, and this hold over must happen before October 15, 2023.

Thank you for your cooperation in resolving this grievance.

Sincerely,



Matt Lundy
Safety-Service Director

CONNECT WITH US

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CITY OF
ELYRIA

FRANK WHITFIELD, MAYOR

Mayor Frank Whitfield
fwhitfield@cityofelyria.org
(440) 326-1402

December 6, 2023

Officer Paige Mitchell
pmitchell@cityofelyria.org

Officer Mitchell,

A step III hearing was conducted on November 21, 2023, with you, Dan Leffler, EPPA attorney, Jean Yousefi and myself. The Union presented their argument. After careful consideration, I am upholding the decision made by the Chief for the following reasons:

1. It is only a verbal counseling, and not more significant discipline; I believe a verbal counseling is a measured and appropriate mechanism to address the concerns surrounding Officer Mitchell's conduct in this situation.
2. There is no breach, misinterpretation, or improper application of the collective bargaining agreement in this matter.

It is for these reasons that I am upholding the decision made by the Police Chief. Grievance denied.

Sincerely,

Frank Whitfield
Mayor

cc: Jean Yousefi, HR
Chief Pelko

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CITY OF
ELYRIA

FRANK WHITFIELD, MAYOR

OFFICE OF SAFETY SERVICES
MATT LUNDY, DIRECTOR
(440) 326-1416

October 11, 2023

Officer Paige Mitchell
pmitchell@cityofelyria.org

Officer Mitchell,

On October 10, 2023, a Step II hearing was held with you, Dan Leffler, Matt Lundy, Chief Pelko and Jean Yousefi. During the hearing you stated that your mother had to pick you up because your car broke down as you were driving to her house to get Excedrin. You explained that she had previous plans to go out with her friends to Wolfey's and you decided to go along so as not to interfere with your mother's plans.

You stated that you understand how others would see it as a problem if they saw you out to dinner with a group of people after you had called off sick.

Your Union Representative, Dan Loeffler, started to say that this should be a verbal warning. Once it was explained that this is a verbal warning, he wanted it removed from the file. Mr. Loeffler went on to say that this could be considered retaliation for Officer Mitchell's participation in a recent arbitration. Such a claim is not true.

The city acknowledges that Officer Mitchell has a good attendance record. The city believes that Officer Mitchell showed poor judgement in deciding to have dinner out in public after having called off sick.

This grievance is denied.

Sincerely,

Matt Lundy
Safety-Service Director



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**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT**

EMPLOYEE: Officer Paige Mitchell 229

INCIDENT DATE: 5/11/23

LOCATION: 123 Garvin Av. And 18 West Av.

DESCRIPTION OF INCIDENT:

See IA 2024-02

VIOLATION:

General Order 2.01 - Rules and Regulations, to include:

1.01 Violation of Rules

Officers shall not commit any acts or omit any acts which act or omission constitutes a violation of any of the rules, regulations, directives, or orders of the Department, whether stated in this order or elsewhere.

1.02 Unbecoming Conduct

Officers shall conduct themselves at all times, both on and off duty, in such manner as to reflect most favorably on the Department. Conduct unbecoming an officer shall include that which brings the Department into disrepute or reflects discredit upon the officer as a member of the Department, or that which impairs the operation or efficiency of the Department or officer.

1.04 Conformance to Laws

A. Officers shall obey all laws of the United States and of any state and local jurisdiction in which the officers are present.

1.11 Unsatisfactory Performance

A. Officers shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Officers shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks, the failure to conform to work standards established for the officer's rank, grade, or position; the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention; or absence without leave. In addition to other indicia of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: repeated poor evaluations or a written record of repeated infractions of rules, regulations, directives or orders of the Department.

1.25 Courtesy

Officers shall be courteous to the public, including fellow officers and other departmental personnel. Officers shall be tactful in the performance of their duties, shall control their tempers, and exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, officers shall not use coarse, violent, profane, or insolent language or gestures, and shall not express any prejudice concerning race, gender, sex, sexual orientation, religion, politics, national origin, lifestyle or similar personal characteristics.

1.50 Arrest, Search, and Seizure

Officers shall not make any arrest, search, or seizure which they know or should know is not in accordance with law and departmental procedures.

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

General Order 3.01 - Mission, Vision and Core Values

II. PRINCIPLES REFLECTED IN MISSION STATEMENT:

B. Professional policing requires:

5. The delivery of quality services requires proper attention to the professional delivery of services to the public by personnel at all levels.

III. VISION

"The vision of the Elyria Police Department is to be a premier policing agency that enjoys the trust and confidence of the community. We are dedicated to providing professional policing through quality service and protection of our community. We will use a Community Policing philosophy while interacting with the public whom as our partners are worthy of our best service. We will constantly evaluate and improve our efforts to enhance public safety with the goals of reducing crime and improving the quality of life of our citizens."

IV. CORE VALUES

Core Values define this organization's culture and guides this department's behavior and how the police department will manage the daily operations in maintaining quality service to the citizens.

INTEGRITY

Integrity must be first and foremost. The willingness to do what is right at all times regardless of the situation. The Elyria Police Department is committed to the highest professional standards. Integrity and truthfulness in all relationships, and ethical conduct is expected and demanded by the members of this organization.

RESPECT

The Elyria Police Department personnel will treat all persons in a dignified and courteous manner and demonstrate an understanding of their cultural diversity in dealing with our public and private contacts.

SERVICE

The Elyria Police Department will provide professional, quality service.

ACCOUNTABILITY

The Elyria Police Department will hold their employees to the highest standards in our conduct on duty and off duty. Accountability requires that all personnel be responsible for actions required by their position. The goal of all members of the Elyria Police Department is to maintain superior performance with the trust and cooperation of the community.

General Order 4.02 - Arrest, Search and Seizure

II. Stop and Frisk Provisions

C.1. Lengthy detention, show of authority, or physical seizure or restraint of person, or his/her possessions, may convert stop into arrest requiring probable cause.

IV. Search Warrant Requirements

A.2. It is the policy of the Elyria Police Department that whenever practical, officers will secure a search warrant rather than relying on judicially recognized exceptions to the necessity for a warrant. When obtaining a search warrant is not practical, any search and seizure without a warrant performed by Department personnel shall conform to state and federal constitutional guidelines.

IX. Consent Searches

Search by consent may be conducted only when consent is given without force, duress or compulsion of any kind and must be limited to the area of search agreed upon by a person who has the capacity to consent, namely a property owner or one who has control over the property (State of Ohio v Robinette, 73 OhioSt.3d 650 (1995)).

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

D. Third party consent

Consent is valid if made by someone who has authority to consent and no co-occupant is physically present and objecting. In the event that law enforcement has removed a co-occupant, even one who has previously objected to law enforcement's entry, the consent of the occupant who is present is valid as long as the removal of the objector was objectively reasonable. Where the removal was the result of a valid detention or valid arrest, the removal is objectively reasonable (Fernandez v California, 2014 US Lexis 1636 (2014)).

X. Other Exceptions to Search Warrant Requirements

B. Lawful presence of officer

1. Officer must be lawfully:

- a. Present in place where he/she sees item at issue

General Order 4.02.2 - Field Interview and Pat-Down Searches

I. Procedures for Field Interviews

B. Procedures for Initiating a Field Interview

7. Suspects are not required, nor can they be compelled, to answer any questions posed during field interviews. Failure to respond to an officer's inquiries is not, in and of itself, sufficient grounds to make an arrest, although it may provide sufficient justification for additional observation and investigation.

CHECK OF PREVIOUS SUPERVISOR'S REPORTS

COMPLETED BY: Captain M. Groomes 138

DATE: 6/20/24

EARLY INTERVENTION REVIEW (MANDATORY FIELD, SEE GO 3.12)

☐ NOT A TRACKED ACTIVITY

☒ EIS THRESHOLD NOT REACHED

☐ EIS THRESHOLD REACHED OR EXCEEDED (SEE SUPERVISOR COMMENTS BELOW)

SUPERVISOR RECOMMENDATIONS (Check all that apply)

- | | | | |
|---|--|---|--|
| ☐ No Violation | ☐ Verbal Counseling | ☐ Written Reprimand | ☐ Chief review for assignment or hearing |
| ☐ Early Intervention | ☐ Remedial Training | ☐ Performance Improvement Plan | ☒ Other (Describe in comments) |

SUPERVISOR COMMENTS:

This investigation was steered toward becoming a review of Officer Mitchell's, Hersh's and Lewis's training and previous performances with regard to the handling of civil disputes. This came about because of Officer Mitchell's claim that she and officers of the Elyria Police Department were trained to handle civil disputes as she did on May 11, 2023, at 123 Garvin Av. In making such a claim, Officer Mitchell put the focus on training and, as a result, revealed that she acted outside of her training, inconsistent with her performance as a fully trained officer, and inconsistent with the way she has trained probationary officers in her role as a field training officer.

Captain Groomes found no evidence of formal, nor informal training that supports Officer Mitchell's claim. Though many officers of the Elyria Police Department acknowledge the use of the adage, "It's not illegal to break your own property," no officer has stated that they have been trained to apply, or have applied, the adage as justification for police sponsored forced entry into a residence, under circumstances such as were faced by officers on 5/11/23. The circumstances being; a civil dispute, involving a complainant's desire to recover property from a private residence when, the residency status of the complainant is in dispute and a party in control of the residence is denying entry to the complainant and to officers.

In performing inconsistent with the Elyria Police Department's training and general orders, Officer Mitchell failed to remain neutral during this event. She wrongfully detained an uninvolved party in Fusik. She failed to protect the rights of Ortiz. She failed to provide training to Officer Lewis that was in accordance with the

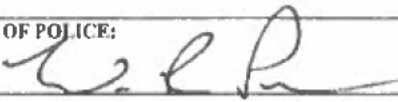
ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

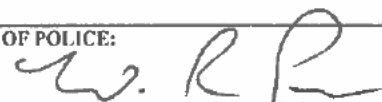
Elyria Police Department's training tasks and general orders. And, she failed to treat Fusik and Bolger with courtesy and respect.

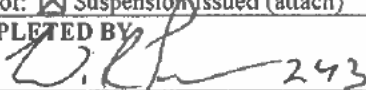
This report is being submitted directly to Director Pyanowski for review.

SUBMITTED BY: Captain M. Grooms 138

DATE: 6/21/24

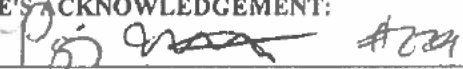
SUPERVISOR REVIEW & APPROVAL (If "Disapprove" describe on separate attached document)		
TEAM SERGEANT OR IMMEDIATE SUPERVISOR:	DATE:	☐ APPROVE ☐ DISAPPROVE
SHIFT OR UNIT COMMANDER:	DATE:	☐ APPROVE ☐ DISAPPROVE
DIVISION COMMANDER:	DATE:	☐ APPROVE ☐ DISAPPROVE
CHIEF OF POLICE: 	DATE: 06-24-2024	☒ APPROVE ☐ DISAPPROVE

CHIEF OF POLICE ORDERED ACTIVITIES (Check all that apply)	
☐ No Violation (Closed) ☐ Verbal Counseling ☐ Written reprimand ☐ Assigned to IA Track # ☒ Chief to submit certification of suspension to SSD (maintain copy and SSD response with this report) ☐ Early Intervention ☐ PIP Developed ☐ Remedial Training Ordered ☐ Other (Describe below)	
ACTIVITY COMPLETION BY DATE:	
COMMENTS: AUG 27 SSD ISSUE SUSPENSION: 30 DAYS W/ 10 IN ABBYANKE PENDING GOOD BEHAVIOR, NO MISCONDUCT/VIOLATIONS ONE POINT FROM 08-27-2024.	
CHIEF OF POLICE: 	DATE: 08-27-2024

DOCUMENTATION OF COMPLETED ACTIVITIES (Check all that apply)	
☐ Counseling Session Completed ☐ Written Reprimand Issued ☐ Early Intervention Completed ☐ PIP Developed ☐ Remedial Training Completed ☐ Other (Describe below)	
Letter of: ☒ Suspension Issued (attach) ☐ Reduction in Rank Issued (attach) ☐ Dismissal Issued (attach)	
COMPLETED BY:  243	DATE: 11-12-2024

SUPERVISOR COMMENTS (Describe Activities): ☒ SEE ATTACHMENT

SEE ATTACHED GRIEVANCE SETTLEMENT. SUSPENSION DATES
 SERVED AUG 28, 2024 TO SEPT 23, 2024.

EMPLOYEE'S ACKNOWLEDGEMENT:  #224	DATE: 11-12-2024
EMPLOYEE'S COMMENTS:	

ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT

FORWARD TO CHIEF'S OFFICE UPON COMPLETION	
FINAL DISPOSITION (Complete when applicable)	
INVESTIGATIVE CLOSURE	
☐ Unfounded ☐ Exonerated ☐ Not Sustained ☒ Sustained ☐ Sustained-Other	
All activities ordered through my office and/or the Safety Service Director has been completed.	
CHIEF OF POLICE: <i>W. R. 243</i>	DATE: <i>11-12-2024</i>
COMMENTS:	
CHIEF'S SECRETARY TO SCAN COMPLETED REPORT INTO EMPLOYEE ELECTRONIC FILE & PLACE HARD COPY IN ADMINISTRATIVE FILE ROOM	

Original: Chief through channels as completed
Copies: Chief where original held for investigation/review; Division Commander; Unit Commander;
Reporting Supervisor; Officer involved in incident

GRIEVANCE SETTLEMENT

This Grievance Settlement Agreement ("Agreement") is entered into between the City of Elyria ("City"), the Elyria Police Patrolman's Association ("Union"), and Paige Mitchell ("Grievant") (collectively, "the Parties.")

WHEREAS, The City and Union are parties to a collective bargaining agreement ("CBA") that expires December 31, 2024 and Grievant is a member of the Union;

WHEREAS, Grievant filed a grievance ("Grievance") challenging the issuance of a thirty (30) day suspension without pay on August 27, 2024 ("Thirty Day Suspension") for violations of certain departmental policies relating to incident 2023-13785, occurring at 123 Garvin Ave on May 11, 2023;

WHEREAS, the City denies that it violated the CBA in issuing the Suspension;

WHEREAS, to provide certainty to this matter, in consideration of legal precedent and to avoid the time and expense of further proceedings, the Parties now wish to memorialize their agreement relative to a resolution applicable to the disputed issues involved in this Grievance only.

NOW THEREFORE, the Parties agree as follows:

1. The Suspension issued to Grievant shall be based on the following violations of departmental policy, as identified in the August 1, 2024, discipline recommendation by Chief Pelko:

- 1.01 Violation of Rules
- 1.02 Unbecoming Conduct
- 1.04 Conformance to Law
- 1.11 Unsatisfactory Performance
- 1.25 Courtesy
- 1.50 Arrest, Search and Seizure
- 3.01 Mission, Vision and Core Values
- 4.02 Arrest, Search and Seizure
- 4.02.2 Field Interview and Pat-Down Searches

Section 1.45, Truthfulness, is not included as a basis for the discipline.

2. The Suspension shall be amended to a total suspension without pay of fifteen (15) days, with five (5) days held in abeyance pending good behavior and no additional misconduct and/or policy violations for a period of six (6) months from Grievant's execution of this Agreement. The ten (10) suspension without pay days served by the Grievant shall be charged in eight (8) hour shifts.

3. The Suspension shall be retroactive to May 11, 2023 for purposes of Article 33, Section 33.3C of the CBA.
4. The Parties agree that this Agreement resolves all outstanding issues surrounding the Suspension.
5. The Union and Grievant agree that, upon execution of this Agreement by all Parties, the Grievance shall be deemed withdrawn with prejudice.
6. The Parties agree that the negotiation of this Agreement and the subject matters contained within it, including without limitation the number of hours charged per shift during a suspension without pay, are non-precedent setting. This Agreement cannot be used in any other dispute between any of the Parties that is unrelated to the subject matter of this Agreement and/or Grievant.
7. Nothing contained herein shall constitute an admission of fault or liability of any kind by the City.

CITY OF ELYRIA

By: K.A. Re
Kevin A. Brubaker, Mayor

Date: 10-4-24

**ELYRIA POLICE PATROLMEN'S
ASSOCIATION**

By: [Signature]
Its: EPPA APPROVED

Date: 9/24/2024

GRIEVANT

[Signature]
Paige Mitchell

Date: 09/24/2024

**ELYRIA POLICE DEPARTMENT
SUPERVISOR'S REPORT**

EMPLOYEE: Officer Colty Hersh

INCIDENT DATE: 5/11/23

LOCATION: 123 Garvin Av. And 18 West Av.

DESCRIPTION OF INCIDENT:

See IA 2024-02

VIOLATION:

General Order 2.01 - Rules and Regulations, to include:

1.01 Violation of Rules

Officers shall not commit any acts or omit any acts which act or omission constitutes a violation of any of the rules, regulations, directives, or orders of the Department, whether stated in this order or elsewhere.

1.11 Unsatisfactory Performance

A. Officers shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Officers shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks, the failure to conform to work standards established for the officer's rank, grade, or position; the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention; or absence without leave. In addition to other indicia of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: repeated poor evaluations or a written record of repeated infractions of rules, regulations, directives or orders of the Department.

1.50 Arrest, Search, and Seizure

Officers shall not make any arrest, search, or seizure which they know or should know is not in accordance with law and departmental procedures.

General Order 4.02 - Arrest, Search and Seizure

IX. Consent Searches

Search by consent may be conducted only when consent is given without force, duress or compulsion of any kind and must be limited to the area of search agreed upon by a person who has the capacity to consent, namely a property owner or one who has control over the property (State of Ohio v Robinette, 73 OhioSt.3d 650 (1995)).

D. Third party consent

Consent is valid if made by someone who has authority to consent and no co-occupant is physically present and objecting. In the event that law enforcement has removed a co-occupant, even one who has previously objected to law enforcement's entry, the consent of the occupant who is present is valid as long as the removal of the objector was objectively reasonable. Where the removal was the result of a valid detention or valid arrest, the removal is objectively reasonable (Fernandez v California, 2014 US Lexis 1636 (2014)).

X. Other Exceptions to Search Warrant Requirements

B. Lawful presence of officer

1. Officer must be lawfully:

a. Present in place where he/she sees item at issue

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

CHECK OF PREVIOUS SUPERVISOR'S REPORTS

COMPLETED BY: Captain M. Grooms 138

DATE: 6/20/24

EARLY INTERVENTION REVIEW (MANDATORY FIELD, SEE GO.3.12)

- ☐ NOT A TRACKED ACTIVITY
☒ EIS THRESHOLD NOT REACHED
☐ EIS THRESHOLD REACHED OR EXCEEDED (SEE SUPERVISOR COMMENTS BELOW)

SUPERVISOR RECOMMENDATIONS (Check all that apply)			
☐ No Violation	☐ Verbal Counseling	☐ Written Reprimand	☐ Chief review for assignment or hearing
☐ Early Intervention	☐ Remedial Training	☐ Performance Improvement Plan	☒ Other (Describe in comments)

SUPERVISOR COMMENTS:

In his review of training records, Captain Grooms learned that Officer Hersh clearly demonstrated competency in the task of handling civil disputes. Officer Hersh's training records show that he was instructed to, and did, refer people to court for resolution of civil disputes. While in training, and handling a civil matter involving a request to recover property from a residence, Officer Hersh advised the complainant, "we cannot force anyone to let anyone in." This was a clear demonstration of Officer Hersh's understanding of what is expected of him, as an Elyria Police Officer, while handling civil disputes.

Though Officer Hersh did not provide Warner with the permission to make forced entry into 123 Garvin Av., he did make the statement, to Officer Mitchell, "She's got residency. You just want to kick her door down?" For this reason, Captain Grooms believes Officer Hersh was willing to act outside of his training, and the general orders established by the Elyria Police Department. Further, it can be argued that Officer Hersh had the opportunity to prevent Warner from entering the residence prior to her successfully kicking the door in.

During this investigation, Officer Hersh acknowledged the errors in judgement that were made during the event at 123 Garvin Av. Further, Officer Hersh did not make any broad excuses for his actions, other than to say that he fully believed Warner had residency at the time of the incident. When confronted with reasons why that belief was faulty, Officer Hersh acknowledged such.

This report is being submitted directly to Director Pyanowski for review.

SUBMITTED BY: Captain M. Grooms 138

DATE: 6/21/24

SUPERVISOR REVIEW & APPROVAL (If "Disapprove" describe on separate attached document)		
TEAM SERGEANT OR IMMEDIATE SUPERVISOR:	DATE:	☐ APPROVE ☐ DISAPPROVE
SHIFT OR UNIT COMMANDER:	DATE:	☐ APPROVE ☐ DISAPPROVE
DIVISION COMMANDER:	DATE:	☐ APPROVE ☐ DISAPPROVE
CHIEF OF POLICE: 	DATE: 06.21.2024	☒ APPROVE ☐ DISAPPROVE

CHIEF OF POLICE ORDERED ACTIVITIES (Check all that apply)	
☐ No Violation (Closed) ☐ Verbal Counseling ☐ Written reprimand ☐ Assigned to IA Track #	☒ Chief to submit certification of suspension to SSD (maintain copy and SSD response with this report)
☐ Early Intervention ☐ PIP Developed ☐ Remedial Training Ordered ☐ Other (Describe below)	
ACTIVITY COMPLETION BY DATE:	

ELYRIA POLICE DEPARTMENT SUPERVISOR'S REPORT

COMMENTS: AUG 27 SSD ISSUE SUSPENSION 1/3 DAYS, 2 DAYS IN ABSENCE	
CHIEF OF POLICE: <i>W. R. P.</i>	DATE: 08-27-2024

DOCUMENTATION OF COMPLETED ACTIVITIES (Check all that apply)	
☐ Counseling Session Completed	☒ Written Reprimand Issued
☐ Early Intervention Completed	☐ PIP Developed
☐ Remedial Training Completed	☐ Other (Describe below)
Letter of: ☒ Suspension Issued (attach) ☐ Reduction in Rank Issued (attach) ☐ Dismissal Issued (attach)	
COMPLETED BY: <i>W. R. P.</i>	DATE: 08-29-2024

SUPERVISOR COMMENTS (Describe Activities): ☐ SEE ATTACHMENT

SERVED SUSPENSION DATE 08-29-2024

SUSPENSION RESCINDED & DEEMED WRITTEN REPRIMAND.

SEE GRIEVANCE SETTLEMENT THAT IS ATTACHED *W. R. P. 243*
11-12-2024

EMPLOYEE'S ACKNOWLEDGEMENT: <i>141</i>	DATE: 11/13/2024
EMPLOYEE'S COMMENTS:	

FORWARD TO CHIEF'S OFFICE UPON COMPLETION

FINAL DISPOSITION (Complete when applicable)	
INVESTIGATIVE CLOSURE	
☐ Unfounded	☐ Exonerated
☐ Not Sustained	☒ Sustained
☐ Sustained-Other	
All activities ordered through my office and/or the Safety Service Director has been completed.	
CHIEF OF POLICE: <i>W. R. P. 243</i>	DATE: 11-13-2024
COMMENTS:	
CHIEF'S SECRETARY TO SCAN COMPLETED REPORT INTO EMPLOYEE ELECTRONIC FILE & PLACE HARDCOPY IN ADMINISTRATIVE FILE ROOM	

Original: Chief through channels as completed
 Copies: Chief where original held for investigation/review; Division Commander; Unit Commander;
 Reporting Supervisor; Officer involved in incident

GRIEVANCE SETTLEMENT

This Grievance Settlement Agreement ("Agreement") is entered into between the City of Elyria ("City"), the Elyria Police Patrolman's Association ("Union"), and Colty Hersh ("Grievant") (collectively, "the Parties.")

WHEREAS, The City and Union are parties to a collective bargaining agreement ("CBA") that expires December 31, 2024 and Grievant is a member of the Union;

WHEREAS, Grievant filed a grievance ("Grievance") challenging the issuance of a three (3) day suspension without pay on August 27, 2024 ("Three Day Suspension") for violations of certain departmental policies relating to Incident 2023-13785, occurring at 123 Garvin Ave on May 11, 2023;

WHEREAS, the City denies that it violated the CBA in issuing the Suspension;

WHEREAS, to provide certainty to this matter, in consideration of legal precedent, and to avoid the time and expense of further proceedings, the Parties now wish to memorialize their agreement relative to a resolution applicable to the disputed issues involved in this Grievance only.

NOW THEREFORE, the Parties agree as follows:

1. The Suspension shall be rescinded and deemed a written reprimand.
2. The Parties agree that this Agreement resolves all outstanding issues surrounding the Suspension.
3. The Union and Grievant agree that, upon execution of this Agreement by all Parties, the Grievance shall be deemed withdrawn with prejudice.
4. The Parties agree that the negotiation of this Agreement and the subject matters contained within it are non-precedent setting. This Agreement cannot be used in any other dispute between any of the Parties that is unrelated to the subject matter of this Agreement and/or Grievant.
5. Nothing contained herein shall constitute an admission of fault or liability of any kind by the City.

CITY OF ELYRIA

By: K.A. De
Kevin A. Brubaker, Mayor

Date: 11-12-24

ELYRIA POLICE PATROLMEN'S
ASSOCIATION

By: Paul Geph
Its: EPPA ATTORNEY

Date: 9/24/2024

GRIEVANT

C/141
Colb Hersh

Date: 9/26/24