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By JAMES W. WADE III
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On Tuesday the Ohio Attorney General's Office released their finding regarding the investigation into the Nov. 29 chase, turned deadly shooting of two unarmed passengers. The finding indicates a systemic failure in the Cleveland Police Department as detailed by Ohio Attorney General Mike DeWine.

DeWine spoke about what took place, detailing the events of that fatal night, saying many police

policies were discarded and the system failed everyone. "We have violations all over the place, a lack of command and control," DeWine said.

"By failing to provide adequate structure and support, the system failed the officers. The number of vehicles involved contributed to crossfire that risked the lives of many, many officers. It's a miracle officers weren't killed," DeWine added.

According toClevelandpolice policy, officers are not supposed to join a pursuit without permission from a supervisor. Of the 62 officers involved, 59 of them never asked permission to join the chase, DeWine said.

In this 290 page report it was clear that no weapon was ever found as stated by the first officer who started the chase. "My niece Malissa Williams and Timothy Russell lost their lives due to these officers wanting to kill," said Walter Jackson, Williams' uncle.

The investigation also revealed the pursuit lasted 22 minutes, reached speeds in excess of 100 miles per hour, and that suspects Timothy Russell, who was intoxicated and had cocaine in his system, and Malissa Williams, who also had cocaine in her system and was a diagnosed

paranoid schizophrenic, never had a weapon.

DeWine's team searched the suspects' vehicle, surrounding areas of the chase along with the chase route. They also used a metal detector and searched for a weapon in storm drains and waterways, but no weapons were ever found.

We also learned that gunshot residue tests revealed nothing about whether Russell and Williams had and/or fired guns.

The residue found on them and the vehicle likely came from police who fired at them from close range.

Audible gunfire from the first shot to the last was 17.8 seconds, DeWine said. The surprise highlight in the review came from officer Michael Brelo. According to Brelo's story, he climbed onto the trunk and then the top of a patrol car and reloaded his gun, firing 49 rounds. "I have never been so afraid in my life," said Brelo.

Having served in Iraq the officer said he saw the suspects moving and stated I could not understand why they are still moving, shooting at us. Even throug hIraq, I never fired my weapon." "How can these officers just get away with murder? No, better yet executing two people and not be charged with murder?" Malissa's uncle asked. DeWine had an almost

two-hour long news conference and touched on a lot of problems with the way the police handled this situation.

Some of the radio traffic tapes revealed one officer asking for stop sticks. The supervisor replied saying they didn't have any that worked, their last pair broke three years ago. We also heard that officers, who thought Russell's car may have backfired, failed to radio that belief.

Later, after DeWine finished his press conference, Cleveland Police Chief Mike McGrath and Mayor Frank Jackson held their own press conference, but could not answer most of the questions reporters asked following the Ohio Attorney General's Office investigation into the fatal night of Nov. 29.

McGrath was asked why 59 of the 62 officers involved in the incident did not get supervisory permission to be part of the pursuit, which is required by police policy. "Those are questions we will hopefully get answered in our administrative review," McGrath said.

Jackson and McGrath only said their administrative review will determine if officers acted within proper protocol or not. If they didn't, they will be held accountable. "The severity of

consequences for officers involved in the incident will be determined by how much they were outside the box.”

Mayor Jackson respects the AG's report, he said, but it doesn’t lend itself to the criminal side of the incident. On the night of Nov. 29, authorities said they thought a gunshot was fired toward them at theJusticeCenter. That prompted the police pursuit involving 62 officers. The 22-minute chase ended inEast Clevelandwith 137 bullets fired killing two.

“We supply police officers with whatever they need to do their job and whatever they need to do their job in a professional way,” Mayor Jackson said. He noted that equipment and overtime were included.

“I’m under no pressure but to do the right thing,”Jackson added. “The thirteen officers who fired a weapon that night remain on restricted duty,” McGrath said. Mayor Jackson said “We will be looking at how much of the AG's report we can accept as is and how much we need to dig deeper.”

“I agree that something happened and there's a reason why. We are going to get to the bottom of that,"Jacksonsaid. “If it’s something about the system, we'll correct it. If it's an individual, well address that person.”

The prosecutor's office will review the 290-page report. Cuyahoga County Prosecutor Tim McGinty said friendly fire tore up police vehicles. He also called it a miracle that police burials didn't follow the chase.

"What you have just heard is a tragedy. A tragedy for Russell, Williams and their families," DeWine said. "Make no mistake about it. This is also tough for each officer involved."

Many of the officers told investigators they were frightened and legitimately feared for their lives. Thetemperament at the scene was quiet and somber. Afterwards, according to DeWine, officers were in a state of shock, looking at each other for injuries and bullet holes.

"I am disappointed with the Ohio Attorney General's report on his review of the police shootings of Timothy Russell and Malissa Williams on Nov. 29, 2012. A chronology of events is certainly welcomed, but without a thorough forensic investigation, drawing conclusions primarily based on interviews and suggesting only that 'the system' was at fault leave much to be desired," said Congresswoman Fudge.

She went on to say that "most of us were aware before Attorney General DeWine's investigation began, that a breakdown in the system occurred. It was clearly evident. The Attorney General stated that the purpose of his 'investigation' was to gather facts and the State of Ohio was not asked by the Cuyahoga County Prosecutor, Timothy McGinty, or the City of East Cleveland (where the chase ended and the shootings by Cleveland Police occurred) to determine criminal culpability. Yet, Mr. DeWine found the 'system' at fault.

"I am sure that changes in system response requirements have and will occur, but it is clear that the individual and collective exercise of sound judgment and prior training was not present during the events of Nov. 29th. Accountability rests with people as well as systems, and cannot be minimized or overshadowed by the breakdowns in a system."

Congresswoman Fudge ended with, "I am encouraged that Mr. McGinty has indicated he will present facts to a grand jury. Justice demands accountability for the tragic events of this incident."

Normally, the AG's investigation isn't made public and is given to the prosecuting attorney. "But there was nothing normal about this case," DeWine said.

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