



Cincinnati Police Department
STAFF NOTES

March 04, 2008

Colonel Thomas H. Streicher, Jr., Police Chief

I N S I D E

Planning Section

- [Agency Personnel Files](#)
- [Fund Raising Events Within City Departments](#)

Inspections Section

- [Detail Coordination Unit to Utilize PCS Communicator](#)
- [2007 Firearm Discharge Board Annual Report](#)

Police Supply Unit

- [New Body Armor and Carrier](#)

Records Section

- [Court Holiday – Good Friday](#)

Training Section

- [Evans Street Temporary Closure](#)

Chief's Office

- [Commendations](#)

1. AGENCY PERSONNEL FILES

In accordance with Section 2.5 of the City Human Resources Policies and Procedures Manual, agencies are required to keep a personnel folder on each active, transferred, or retired employee. Employees are required to immediately inform their supervisors of any change in the following areas:

- Name
- Address
- Telephone number
- Emergency notification information
- Marital Status

Employees have the right to review their personnel folder upon request.

2. FUND RAISING EVENTS WITHIN CITY DEPARTMENTS

Employees are reminded the Cincinnati Health Department has a statutory responsibility to license and regulate some temporary food service operations; including those for charitable purposes. City employees who plan on conducting events that involve the preparation and sale of food items should contact the Cincinnati Health Department at 564-1751.

Events where food items are free and no donations are accepted, such as National Night Out, are not regulated and do not require a license.

3. DETAIL COORDINATION UNIT TO UTILIZE PCS COMMUNICATOR

Throughout the year, Detail Coordination Unit (DCU) often receives last minute or urgent police service detail requests from outside employers. In order to fill these last minute detail requests in a quick, efficient manner, DCU will begin utilizing the PCS communicator system.

This system will automatically make calls to a "contact group" delivering a pre-recorded message with the open detail information. Officers interested in working the detail should immediately contact DCU. The detail will be filled by the first available officer accepting the detail. Once the detail is filled, another message will be sent advising the detail is filled. The "contact group" will consist of officers who request these notifies and submit a Form 668C, Overtime Availability Request.

Officers interested in working time and one half details scheduled by DCU should submit a Form 668C, Overtime Availability Request, to DCU by March 21, 2008.

4. 2007 FIREARM DISCHARGE BOARD ANNUAL REPORT

[Attached](#) to these Staff Notes is the 2007 Firearm Discharge Board Annual Report. It is a summary of six critical firearm discharge incidents by Police Department personnel. The investigation into each incident was concluded during the 2007 calendar year.

5. NEW BODY ARMOR AND CARRIER

The new Extreme XT-HP, level II body armor ordered at annual uniform inspections, is available at Supply Unit. The new carrier will allow for a multitude of adjustments to eliminate many of the fitting problems experienced in the past. Each body armor carrier will include six side straps. Two straps for each side are similar to the current carrier in use, along with one wider strap.

The shoulder strap system will contain two sets of straps. This will allow each officer to personally adjust his/her carrier to their personal physique to prevent the rolling of body armor corners.

Proper adjustment of the multiple straps is important for both comfort and safety. It is not necessary to use all of the straps provided, but officers will need to keep the unused straps for any future changes in body shape. Supply Unit personnel can assist officers with strap adjustments on the new style carriers.

As with all previously issued body armor, when placing the body armor panels into the front and back carrier, it is imperative to ensure the label on the armor panels are worn facing the body.

[Attached](#) to these Staff Notes is a diagram of the new body armor. Any officer needing alterations or changes to the new vest must respond to Roy Tailors Uniform Company, 1905 Dalton Ave. Cincinnati, OH 45214.

6. COURT HOLIDAY – GOOD FRIDAY

The Hamilton County Municipal Court will observe the Good Friday Holiday on Friday March 21, 2008. The Hamilton County Municipal Court will be open in the A.M. only. All court rooms will close at 12:30 P.M.

Police officers are reminded to not issue citations requiring a court appearance on this date.

7. EVANS STREET TEMPORARY CLOSURE

Due to an ongoing Water Works project, the intersection of River Road and Evans Street is closed. Turning onto Evans Street from River Road is not permitted. In addition, there is no access to River Road from Evans Street.

Employees and visitors responding to the Spinney Field Complex should use either Gest Street or the West Eighth Street Viaduct as alternate routes. If using West Eighth Street, turn south onto Burns Street (at the firehouse) and immediately turn east onto the ramp, proceed under the viaduct. You may also access Burns Street from River Road; one street to the west of Evans Street.

Eventually, this project will proceed north and through the Spinney Field parking lot. Access to the building via Police Academy Drive may be temporarily limited to one lane. Parking space may be limited due to pipe installation.

The Evans Street closure will be in effect until further notice. The Water Works project is anticipated to be ongoing for several weeks.

8. COMMENDATIONS FOR THE WEEK OF 02/26/08-03/04/08

**SERGEANT TERRY DUKES
SERGEANT DANIEL McSHANE
DISTRICT FIVE**

Sergeant Dukes and Sergeant McShane were patrolling the Clifton Heights, University Heights, and Fairview Heights (CUF) neighborhoods on January 21, 2008 at approximately 1950 hours. As they patrolled, they were flagged down by a citizen who was accosted by three suspects attempting to rob him at gun point. Both sergeants were aware of the rash of robberies plaguing District Five in the CUF and Northside neighborhoods as a result of reviewing daily crime reports. Sergeant McShane advised PCS of his location and called for additional cars to respond to the area. He and Sergeant Dukes approached the suspects and placed them under arrest. The suspects were identified as being involved in two robberies in the CUF area that evening and were in possession of the handgun used in both offenses. During further investigation, all three suspects admitted to additional robberies in the CUF, Northside, Roselawn and Finneytown areas. These suspects have been implicated in nine robberies. The actions of Sergeant Dukes and Sergeant McShane have helped alleviate fear in these neighborhoods.

Sergeants Terry Dukes and Daniel McShane are deserving of my commendation for their sense of duty, alertness, and knowledge of district crime problems and crime trends which resulted in the removal of dangerous felons from the city's streets.

City of Cincinnati



Interdepartmental
Correspondence Sheet

Date 01/30/08

To Colonel Thomas H. Streicher, Jr., Police Chief
From Captain Gary W. Lee, Inspection Section Commander
Copies to
Subject **2007 Firearm Discharge Board Annual Report**

The following summary is submitted in accordance with Procedure 12.550; Discharging of Firearms by Police Personnel. This summary is an analysis of six critical firearm discharge incidents by department personnel wherein the investigation was concluded during the 2007, calendar year.

1. **Police Officer Jose Laboy, District Three.**

On April 12, 2007, at 2133 hours, District Three units responded to 1430 Beech Avenue for a report of an Aggravated Robbery in progress. Police Officer Jose Laboy, Badge P645, and his partner Police Officer Stephanie Ball, Badge P53, responded to the area and located a subject matching the description of one of the robbery suspects. As the officers approached, the suspect, Mr. Michael Tucker, turned toward the officers. As Mr. Tucker turned, Officer Laboy observed a metal object in his hand. Believing the object was a handgun, Officer Laboy shouted a warning, then fired one shot at Mr. Tucker. The shot did not take effect, and Mr. Tucker fled on foot. Following a brief foot pursuit, the area was secured and Mr. Tucker was apprehended as a result of a canine track. During his flight, Mr. Tucker discarded his .380 caliber semi-automatic handgun, which was located during a subsequent canine track the next morning.

2. **Police Officer Freddie Vincent, District Five**

On April 18, 2007, at 0057 hours, Police Officer Freddie Vincent, Badge P578, was one of several officers working a liquor permit premise extension of police service parking lot detail at Vito's Nightclub, 7750 Reading Road in District Four. During the course of the evening, an altercation broke out inside the nightclub, causing several patrons to be ejected from the premises by bar employees. Officer Vincent and another officer followed the patrons to the rear parking lot to make sure the subjects left the property. While in the rear parking lot, the patrons engaged in a second altercation.

Officer Vincent observed an unidentified male draw a handgun and fire three or four shots at one of the other subjects involved in the argument. Officer Vincent ordered the assailant to drop his weapon, at which time the subject turned and fired one shot at the officers. Officer Vincent fired

four shots at the subject. The unidentified assailant fled the scene in an unknown manner and was never located.

3. Police Officer Jason Rees, District One

On April 20, 2007, at 0052 hours, Police Officer Jason Rees was on routine uniform patrol in District One. Officer Rees observed a subject, later identified as Mr. Gilbert Mallory, engage in a suspected hand to hand drug transaction. As Officer Rees approached, Mr. Mallory fled on foot near the Parktown Café at 1726 Linn Street. As Officer Rees pursued on foot, Mr. Mallory lost his footing and fell to the ground. When Mr. Mallory fell, he dropped a semi-automatic pistol. As Officer Rees approached the suspect, he observed Mr. Mallory trying to regain his footing and reach for the handgun. Officer Rees shouted several commands for Mr. Mallory to stay on the ground and show his hands, but Mr. Mallory refused to comply. As Mr. Mallory reached for the handgun, Officer Rees fired one shot striking Mr. Mallory in the upper left arm. Mr. Mallory was then arrested without further incident.

4. Police Officer Adarryl Birch, Vortex Unit

On May 18, 2007, at 2119 hours, Police Officer Adarryl Birch, Badge P108, and his partner Police Officer Daniel Downing, Badge P383, were on uniform patrol in the area of Ziegler Park, 1311 Sycamore Street. The officers were in the area as perimeter support for a District One Violent Crimes Squad (VCS) covert operation that was being conducted in the park. As VCS officers began to make their arrests, Officers Birch and Downing observed a subject, later identified as Mr. Shane Welch, running from the park. Believing that Mr. Welch was a subject of the investigation, Officers Birch and Downing attempted to intercept him as he ran from the area. As Mr. Welch ran toward the officers, they observed that he was holding a gun in his hand. Officer Birch shouted several commands for Mr. Welch to stop running and drop the gun. Mr. Welch refused to comply with the orders and continued to run directly toward the two officers with gun in hand. Officer Birch fired two shots at Mr. Welch, striking him in the right side and right arm. Mr. Welch ran several more feet, dropped his gun, and fell to the ground. Mr. Welch was then arrested without further incident.

**5. Police Officer Jason Horner, District Three
Police Officer Regina Williams, District Three
Police Officer Scott Brians, District Three
Police Officer Mark Ruter, District Three**

On May 27, 2007, at 1619 hours, Police Officer Jason Horner, Badge P544, Police Officer Regina Williams, Badge P285, Police Officer Scott Brians, Badge P37, and Police Officer Mark Ruter, Badge P900, were all on uniform patrol in District Three. Police Officer Horner responded to the United Dairy Farmers (UDF) located at 1865 Queen City Avenue to investigate a theft complaint. While at that location, UDF employees advised Officer Horner that the theft suspect, later identified as Mr. Qayyim Moore, was standing outside the store. Officer Horner approached Mr. Moore and began to question him.

During the questioning, Mr. Moore suddenly turned and ran from Officer Horner, running eastbound down Queen City Avenue. Officer Horner pursued Mr. Moore on foot. During the course of the foot pursuit, Mr. Moore turned and fired two shots at the officer with the .22 caliber pistol that he had concealed on his person. During the encounter, Officer Horner fired four shots at Mr. Moore.

Police Officer Regina Williams and Police Officer Scott Brians also responded to the Officer Needs Assistance dispatch, located Mr. Moore, and joined in the foot pursuit. During the course of their foot pursuit, Mr. Moore turned and fired two shots at Officer Williams. Officer Williams fired a total of 12 shots at Mr. Moore during the encounter. Officer Brians fired 2 shots at Mr. Moore when he (Moore) pointed his weapon at the officers. Officer Ruter responded to the scene and positioned his vehicle so as to intercept Mr. Moore as he ran eastbound on Queen City Avenue. Officer Ruter fired 1 shot at Mr. Moore as Mr. Moore pointed his weapon at other officers. Mr. Moore succumbed to his injuries and was pronounced dead at the scene.

6. Police Officer Donald Meece, District Four

On September 14, 2007, at 0058 hours, Police Officer Donald Meece, Badge P14, responded to the area of 418 Kasota Avenue in District Four. Officer Meece was on uniform patrol and operating in response to a home invasion robbery that had just occurred. Officer Meece observed a subject, matching the suspect description, running from the area. Officer Meece engaged in a foot pursuit of the suspect. During the foot pursuit, the suspect turned and fired two shots at the officer. Officer Meece fired three shots at his assailant, who was never captured or identified.

Summary and Analysis

An analysis of each of the six (6) police intervention shootings revealed the following information.

(Note: In several incidents, multiple officers were present during an event. However, officer involvement was only scored if the officer was either directly involved, fired shots, or was injured as a direct result of the armed encounter.)

Sex and Race

- One (1) police officer was a male, Hispanic
 - Two (2) police officers were male, black
 - One (1) police officer was female, black
 - Five (5) police officers were male, white

 - Six (6) assailants were male, black
-

Police Officers Years of Service at the Time of the Incident

- PO Jose Laboy 1 year of service
- PO Freddie Vincent 12 years of service
- PO Jason Rees 3 years and 1 month of service
- PO Adarryl Birch 2 years and 5 months of service
- PO Jason Horner 1 year and 1 month of service
- PO Regina Williams 4 years and 9 months of service
- PO Scott Brians 4 years and 3 months of service
- PO Mark Ruter 1 year and 8 months of service
- PO Donald Meece 10 years and 2 months of service

Age of Assailants

(Note: Assailants are listed in the same order as the corresponding officers listed above)

- Mr. Michael Tucker 20 years of age (PO Laboy)
- Unidentified Subject Unknown (PO Vincent)
- Mr. Gilbert Mallory 26 years of age (PO Rees)
- Mr. Shane Welch 19 years of age (PO Birch)
- Mr. Qayyim Moore 25 years of age (PO Horner, et al.)
- Unidentified Subject 20 years of age* (PO Meece)
*(Estimated)

Duty Status of Involved Police Officers

- Eight (8) officers were on duty and in uniform
- One (1) officer was working a uniform extension of police service detail

Units of Assignment

- One (1) officer was assigned to District One
- Five (5) officers were assigned to District Three
- One (1) officer was assigned to District Four
- One (1) officer was assigned to District Five
- One (1) officer was assigned to the Vortex Unit

Place of Occurrence:

- Two (2) incidents occurred in District One
- Two (2) incidents occurred in District Three
- Two (2) incidents occurred in District Four

Police Action Prior to Armed Encounter

- Two (2) officers were engaged in an investigation
- Four (4) officers encountered a crime in progress
- Three (3) officers were engaged in suspect contacts

Foot Pursuits

- Four (4) of the six incidents involved a foot pursuit either before or during the deadly force encounter

Time of Day:

- Five (5) incidents occurred during the night season
- One (1) incident occurred during daylight hours
 - PO Laboy 2133 Hours
 - PO Vincent 0057 Hours
 - PO Rees 0052 Hours
 - PO Birch 2119 Hours
 - PO Horner, et al. 1619 Hours
 - PO Meece 0058 Hours

Weaponry

- All nine (9) police officers who fired a weapon utilized their department issued Smith and Wesson M&P 9MM pistol.
 - PO Laboy's suspect possessed a Bryco Jennings .380 caliber semi-automatic pistol
 - PO Vincent's assailant's weapon was not recovered. (No shell casings left at scene)
 - PO Rees' suspect possessed a Ruger .45 caliber semi-automatic pistol
 - PO Birch's suspect possessed a Smith and Wesson .32 caliber revolver
 - PO Horner's (et al.) assailant utilized a Bryco Jennings .22 caliber semi-automatic pistol*
 - PO Meece's assailant utilized a Glock .40 caliber semi-automatic pistol*
 - *All six (6) assailants/suspects possessed or used firearms during the police interventions. Five (5) firearms were recovered. Three assailants fired at police officers. Two (2) of the three recovered firearms used to fire at the police misfired or jammed after firing.
-

Shooting Distance Between Officer and Assailant

Police Officer:	Shooting Distance:	Assailant/Suspect
• PO Jose Laboy 1 Shot	6 Feet	Mr. Michael Tucker
• PO Freddie Vincent 4 Shots+	90 Feet	Unidentified Assailant
• PO Jason Rees 1 Shot*	35 Feet	Mr. Gilbert Mallory
• PO Adarryl Birch 2 Shots*	18 Feet	Mr. Shane Welch
• PO Jason Horner 1 Shot 2 Shots^ 1 Shot^	25 Feet 70 Feet 45 Feet	Mr. Qayyim Moore
• PO Regina Williams 6 Shots^ 6 Shots^	45 Feet 90 Feet	Mr. Qayyim Moore
• PO Scott Brians 2 Shots^	70 Feet	Mr. Qayyim Moore
• PO Mark Ruter 1 Shot^	100 Feet	Mr. Qayyim Moore
• PO Donald Meece 3 Shots+	35 Feet	Unidentified Assailant

* Shot took effect
^ Unable to determine which shots took effect
+ Unknown if shot took effect

Shots Fired During the Encounter

Note: All assailants were armed with firearms during the police interventions.

Police Officer		Assailant/Suspect	
• PO Jose Laboy	1 Shot	Mr. Michael Tucker	Gun in hand No shot fired
• PO Freddie Vincent	4 Shots	Unidentified Assailant	1 Shot
• PO Jason Rees	1 Shot	Mr. Gilbert Mallory	Reaching for firearm No shot fired
• PO Adarryl Birch	2 Shots	Mr. Shane Welch	Gun in hand No shot fired
• PO Jason Horner	4 Shots	Mr. Qayyim Moore	1 Shot
• PO Regina Williams	12 Shots	Mr. Qayyim Moore	2 Shots
• PO Scott Brians	2 Shots	Mr. Qayyim Moore	Shooting at others
• PO Mark Ruter	1 Shot	Mr. Qayyim Moore	Shooting at others
• PO Donald Meece	3 Shots	Unidentified Assailant	2 Shots

Shots Taking Effect

Note: No police officers were injured during the armed encounters. Three assailants/suspects were injured, one fatally.

Police Officer		Assailant/Suspect	
• PO Jason Rees	(1) Shot	Mr. Gilbert Mallory	Shot once in the upper left arm

Police Officer		Assailant/Suspect
• PO Adarryl Birch	(2) Shots	Mr. Shane Welch Shot in the right chest and right arm
• PO Horner, et al.	(19) Shots	Mr. Qayyim Moore – Deceased Shot in upper back, right groin, right thigh, Left forearm, and left thigh

Criminal Case Dispositions

• Mr. Michael Tucker	Carrying concealed weapon Tampering with evidence	18 Months 2 Years Concurrent Sentence
• Mr. Gilbert Mallory	Carrying concealed weapon Weapons under disability	6 Months 2 Years Consecutive Sentence
• Mr. Shane Welch	Weapons under disability	2 Years + 1 Year Spec Consecutive Sentence

Conclusions and Recommendations

The Firearm Discharge Board recommended that the circumstances involved in all six of these incidents be incorporated into future training scenarios by the Police Academy. Specific training topics included the following.

- Threat recognition, assessment, and response
- Proper radio usage during foot pursuits
- Shooting decision-making including shooting distances, appropriate shooting backdrops, proper sight alignment and sight picture
- Evidence identification, protection and handling
- Crime scene management techniques

The Firearm Discharge Board recommends that upon approval, each bureau commander receives a copy of this report for distribution to each district, section, and unit commander.


GWL

AJ Carrier Male

