

TOLEDO POLICE DEPARTMENT SUPPLEMENTAL CRIME REPORT TPD 38.3 Rev. 4/95(e)			
3 APPROVED DISPOSITION <input type="checkbox"/> Unfounded <input type="checkbox"/> Cleared - No Arrest <input type="checkbox"/> Cleared by Arrest <input type="checkbox"/> Adjusted <input type="checkbox"/> Investigation Continues <input type="checkbox"/> Inactive Case		1 VICTIM Person Reporting Offense 2 Records Section No.	
4 Location of Occurrence		5 Type of Premises or Name of Business Where Offense Was Committed	
6 Victim's Race, Sex, Age, D.O.B.		7 Date & Time of this Report	
8 Date & Time Occurred	9 Date & Time Reported	10 Address of Victim/Person Reporting	11 Phone
12 Form Used As: CONTINUATION SHEET SUPPLEMENTAL FOLLOW-UP R.R.E. <input type="checkbox"/> FOR CURRENT REPORT <input type="checkbox"/> INFORMATION <input type="checkbox"/> INVESTIGATION <input type="checkbox"/> DISPOSITION			13 Further Police Action Req'd. <input type="checkbox"/> YES <input type="checkbox"/> NO
14 Type of Report Continued: <input type="checkbox"/> CRIME <input type="checkbox"/> JUVENILE <input type="checkbox"/> FOLLOW-UP		15 Offense Reported as: <input type="checkbox"/> TMC <input type="checkbox"/> ORC	
16 Change to: <input type="checkbox"/> TMC <input type="checkbox"/> ORC			
17 (To Be Completed By Officer Preparing Felony Package)			
IDENTIFICATION <input type="checkbox"/> On View <input type="checkbox"/> One on One <input type="checkbox"/> Line Up <input type="checkbox"/> Photo	STATEMENT <input type="checkbox"/> None <input type="checkbox"/> Oral <input type="checkbox"/> Taped <input type="checkbox"/> Written <input type="checkbox"/> Waiver of Rights	SEARCH <input type="checkbox"/> Incident to Arrest <input type="checkbox"/> Waiver of Search <input type="checkbox"/> Search Warrant	Arrest Date: _____ Prelim. Date: _____ Criminal History: <input type="checkbox"/> YES <input type="checkbox"/> NO Pintout Enclosed: <input type="checkbox"/> YES <input type="checkbox"/> NO Investigator(s): _____ Duty Hrs. _____ Phone: _____

18

Complainant: Lt. Michael A. Smith Jr. #2499

Nature of Complaint: Unnecessary Use of Physical Control Techniques 103.3/5.16.21
Demeanor 103.3/5.14.2

IA Case: #8731

Subjects of Complaint: Officer Ashlyn Pluff #2653

Disposition: See Recommendations

Witnesses/Supplementals: Oshae Jones
 Officer Ashlyn Pluff #2653
 Officer Allie Missler #2808
 Officer Patrick Hohenbreger #2791
 Officer Megan Vargas #2874
 Officer Savannah Kill #2877
 Officer Christopher Guanilo #2770
 Officer Jaylen May #2855
 Officer Russell Grunden #2846
 Officer Adrian Lanning #2802
 Officer Cole Decant #2701
 Officer Tyler Gawrych #2754
 Officer Paul Schwirzinski #2564
 Officer William Gregus #2582
 Officer Mark Smith #2503
 Sergeant Andrew Pennington #2625

19 Officer Reporting - I.D. No. Sgt. M. Comes #2158	20 Typed by: Date/Time MBC 11/16/22 14:00 hrs.	21 Supervisor's Approval	Date _____ Time _____
---	--	--------------------------	-----------------------

Synopsis of the complaint:

On July 31, 2022, Units had responded to a weapons call and multiple arrests were made. During the incident, Officer Ashlyn Pluff #2653 was observed to use profanities during the incident. While attempting to arrest and place handcuffs on Oshae Jones, Officer Pluff was observed to strike her with an open hand, on the rear of her head.

Evidence:

- * Copy of DIF
- * Audio of 911 call.
- * Audio of communications dispatch.
- * Body Worn Camera video from Officers: Pluff #2653, Missler #2808, Hohenbreger #2791, Vargas #2874, Kill #2877, Guanilo #2770 May #2855, Grunden #2846, Lanning #2802, Decant #2701, Schwirzinski #2564, Gregus #2582, Smith #2503, Pennington #2625
- * In-Car Video from Vehicles: #171, #261, #267, #270, #296, #297, #298, #321
- * Video from front porch of 2730 Lawrence.
- * Crime Report RB# 031052-22.
- * (8) Supplemental Reports RB# 031052-22.
- * (3) Response to Resistance Reports: RTR22-7-567, RTR22-7-568, RTR22-8-685
- * (3) Criminal Affidavits of Oshae Jones.
- * (3) Still photos from BWC of Vargas #2874.
- * Incident Detail Report #TOP22139154.
- * Portion of Department Manual Section 103.2, Response to Resistance
- * Video recorded statement from Attorney Bey.
- * Written statement from Attorney Bey and related email correspondence.

Supplemental Reports:**Officer Ashlyn Pluff #2653**

The following is a verbatim copy of the Supplemental Report written by Officer Ashlyn Pluff #2653.

On 08/05/2022, at 2230 HRS at 525 N Erie, I have been directed to submit this report by Sgt. M. Comes. This report is being submitted as a condition of employment and non-compliance on my part could subject me to disciplinary sanctions for insubordination.

I retain the right to amend or change this record upon reflection to correct any unintended errors without subjecting myself to a charge of untruthfulness.

I reserve for all other purposes my Constitutional Rights under the Fifth, Sixth, and Fourteenth Amendments to the United States Constitution as well as all other rights prescribed by law. In conclusion, this report is given under the legal doctrines set forth in *Garrity v. New Jersey*, 385 U.S. 492 (1967).

On 07/31 /2022 this officer responded to the area of Detroit and Lawrence for a code 3 weapons call. Upon our arrival, we observed an extremely large crowd occupying the block; including the street, sidewalks, and yards of numerous properties. Upon the arrival of more crews, including command, we began attempting to disperse the crowd. During this time, multiple arrests took place, most without incident. While actively dispersing a crowd, a female, OShae Jones, walked up behind this unit and other crews, screaming and failing to follow instructions. Jones was ordered multiple times to back up, all of which were ignored as she continued to walk closer. Jones was impeding the lawful duties of officers on scene, which posed a threat to crews still attempting to disperse the crowd by taking multiple officers away from the efforts when we were already grossly outnumbered.

While Jones was being taken into custody, she began actively resisting by repeatedly pulling her arms away and turning into this officer. Jones was given verbal commands to stop this behavior multiple times before profanity was eventually used. While attempting to affect the arrest, I utilized joint manipulation of the arms as Jones repeatedly pulled her arms away. Due to being in such close contact and Jones repeatedly turning closer to my face, I also utilized head control by pushing the side of her face away from mine in an attempt to ensure officer safety from bodily fluids.

During the course of Jones' arrest, other individuals began walking up on officers furthering the officer safety concerns; to which I responded by verbally telling them to back up multiple times.

After the handcuffs were eventually able to be placed on Jones, she was escorted to Ofc. Missler and Ofc. Vargas' patrol car by Ofc. Guanilo and I; Jones was subsequently transported and booked into LCJ.

Witnesses:

Ofc. A. Missler #2808

Ofc. C. Guanilo #2770

Ofc. M. Vargas #2874

Ofc. P. Hohenberger #2791

Officer Allie Missler #2808

The following is a verbatim copy of the Supplemental Report written by Officer Allie Missler #2808.

On 08/06/2022, at 0014 hours, at the Toledo Police Safety Building, I have been directed to submit this report by Lt Smith. This report is being submitted as a condition of employment and non-compliance on my part could subject me to disciplinary sanctions for insubordination.

I retain the right to amend or change this record upon reflection to correct any unintended errors without subjecting myself to a charge of untruthfulness.

I reserve for all other purposes my constitutional rights under the fifth, sixth, and fourteenth amendments to the United States Constitution as well as all other rights prescribed by law. In conclusion, this report is given under the legal doctrines set forth in Garrity vs. New Jersey, 385 U.S. 492 (1967).

On the listed date and time, this unit was at the listed location assisting other units in dispersing an extremely large party that we were dispatched to. Multiple subjects on scene were supposed to be carrying

firearms. This unit (Missler and Vargas) observed many individuals not listening to commands given by the officers that were on scene and failing to disperse. This unit had told Oshea, and the other woman she was with, to go back to their home so they didn't interfere with the rest of the incident that did not involve them. Oshea then walked over to the other side of the street to attempt to get Ofc Guanilo's badge number, and record him with her cell phone. Ofc Pluff was also on the other side of the street and directed Oshea to go home, to which she did not comply. At this time, Ofc Pluff began attempting to take Oshea into custody. This Officer spotted Ofc Pluff taking Oshea into custody and went to assist. This officer did grab Oshea's right arm so she could not pull away and took the cell phone out of her hands so that handcuffs could be applied. Oshea was pulling away when Ofc Pluff attempted to place her into handcuffs and she kept turning her head looking towards Ofc Pluff. At this time, This Officer did observe Ofc Pluff strike Oshea in the head. This Officer did not know at the time of the incident if the strike by Ofc Pluff was open hand or close hand, nor did this Officer see what part of the head it was on. After reviewing the body camera at a later time, This Officer did observe that it was an open hand strike to the back of the head. Due to Oshea becoming more agitated, This Officer then applied a handcuff to the right arm and then the left arm once other officers were able to place it behind her back. Oshea was then walked to the cm by Ofc Guanilo and Ofc Pluff. This unit then transported Oshea to LCJ after the arrest without incident.

Officer Patrick Hohenberger #2791

The following is a verbatim copy of the Supplemental Report written by Officer Patrick Hohenberger #2791.

On 08/09/2022 2339 hours at Central District Station I have been directed to submit this report by Sgt. Comes 2158. This report is being submitted as a condition of employment and non-compliance on my part could subject me to disciplinary sanctions for insubordination.

I retain the right to amend or change this record upon reflection to correct any unintended errors without subjecting myself to charge of untruthfulness.

I reserve for all other purposes my Constitutional Rights under the Fifth, Sixth, and Fourteenth Amendments to the United States Constitution as well as all other right prescribed by law. In conclusion this report is given under the legal doctrines set forth in *Garrity vs. New Jersey*, 385 U.S. 492 (1967)

On the listed date and time I was working Unit 113 when I was dispatched to a weapons call at the listed location, along with other crews. Upon arrival, I found the entire street of Lawrence to be full for a block party. I waited for other crews to arrive, along with a Sgt., to clear the street. After the block party was cleared and multiple arrests were made, the victim, Oshae Jones, was observed to be argumentative with multiple officers. Oshae Jones was told multiple times to leave the area. Oshae Jones was then seen to cross the street towards officers in an argumentative manner. At this time, Ofc. Pluff approached Oshae Jones and informed her she was under arrest. As Ofc. Pluff was attempting to put Oshae Jones in handcuffs, she continued to be argumentative and twist and pull her wrists from Ofc. Pluff. I attempted to calm Oshae Jones down and informed her to simply comply and things could be figured out more clearly once the handcuffs were on. Oshae Jones then attempted to turn her body towards Ofc. Pluff while Ofc. Pluff was still putting handcuffs on. At this time, Ofc. Pluff utilized what appeared to be an open hml ded stun towards Oshae Jones upper body. At this time other officers went more hands on with Oshae Jones to place her into cuffs, and I removed myself from the situation to assist Sgt. Pennington, who was speaking with Oshae Jones associate.

Respectfully,

Ofc. Patrick Hohenberger 2791

Officer Megan Vargas #2874

The following is a verbatim copy of the Supplemental Report written by Officer Megan Vargas #2874.

On 08/07/2022, 2230 hrs., at the Toledo Police Scott Park station, I have been directed to submit this report by Lt. Smith. This report is being submitted as a condition of employment and non-compliance on my part could subject me to disciplinary sanctions for insubordination.

I retain the right to amend or change this record upon reflection to correct any unintended errors without subjecting myself to a charge of untruthfulness.

I reserve for all other purposes my Constitutional Rights under the Fifth, Sixth, and Fourteenth Amendments to the United States Constitution as well as all other rights prescribed by law. In conclusion this report is given under the legal doctrines set forth in *Garrity vs. New Jersey*, 385 U.S. 492 (1967)

On the listed date and time this unit (Vargas, #2874/Missler, #2808) was on scene at the listed location assisting other units in dispersing a extremely large party that we were dispatched to. Dispatch advised all units that it was reported that multiple subjects on scene had weapons. This unit observed multiple people not following orders to disperse. This unit held the perimeter around the location while officers were arresting a unknown male who would not comply and continued to resist in the front yard. While the male was being handcuffed this unit was approached by an unknown female carrying a small child who claimed the male being arrested was her son. This unit instructed the female to back up several times. The unknown female then left the location. This unit continued instructing people to disperse while the unknown male was walked back to patrol cars near the location by Ofc. Guanilo. This unit started walking towards Ofc. Guanilo for officer safety after seeing people walking towards him. Once this unit got to the patrol cars the unknown female with the small child returned to the location with a unknown female who was later identified as OShae Jones. This unit spoke with OShae and the female who was carrying a small child. This unit instructed OShae and the other female to go home multiple times. OShae continued to ask this unit why her friend was arrested and what the officers badge number was that arrested her friend. This officer instructed OShae that everything related to the call is public record and the arresting officers name would be on the report and all she would be doing is making the situation worse if she stayed and continued to ask questions. OShae then walked across the street towards Ofc. Pluff while attempting to record Ofc. Guanilo with her cell phone. Ofc. Pluff then directed OShae to go home. OShae did not comply. Ofc. Pluff began to take OShae into custody. This unit spotted Ofc. Pluff getting OShae into custody, Ofc. Missler assisted in attempting to handcuff OShae, this unit (Vargas) stood by to assist if needed. As Ofc. Pluff was trying to get OShae to comply, the female with the baby tried to grab the cell phone. This officer instructed the female that the cell phone is OShae's property and it must go with her. The female complied and stepped back while continuing to yell at Ofc. Pluff. Ofc. Missler (#2808) assisted Ofc. Pluff by grabbing OShae's right hand, and took the cell phone from her hand so she could be handcuffed. This officer grabbed the cell phone from Ofc. Missler. This officer did observe OShae continuously trying to turn her head to look at Ofc. Pluff while asking questions about why she was being arrested. This officer did see Ofc. Pluff strike OShae in the back of the head. This officer had to review

body cam footage to positively say how Ofc. Pluff struck OShae, which after reviewing the video it showed Ofc. Pluff striking OShae with a open hand while using head manipulations. Ofc. Missler was able to get OShea's right arm handcuffed. Other officers assisted in getting OShea's left arm behind her back for Ofc. Missler to handcuff. OShea was then walked to the car by Ofc. Guanilo and Ofc. Pluff. This unit (Vargas/Missler) transported OShea after the arrest to LCJ without incident or injury.

Officer Megan M. Vargas #2874

Officer Savannah Kill #2877

The following is a verbatim copy of the Supplemental Report written by Officer Savannah Kill #2877.

On listed date and time, this unit had responded to a call at Lawrence+Wall Toledo OH 43610 regarding a loud, large party with at least one gun involved. This unit had already placed a separate individual in this units patrol car and was going back to assist other units to finish clearing the area. Officer Pluff #2653 can be heard yelling multiple times throughout the incident "time to go" and "let's move". This unit was on their way to clear out one of the last groups with other units when Oshae approached demanding "his" badge number. Pluff directly told Oshae multiple times "go away", "back up" and "go". Oshae refused to comply with these orders, so Pluff decided to handcuff Oshae. While Oshae was being handcuffed, a woman who had been accompanying Oshae approached Pluff and Oshae attempting to get Oshae's phone from her. Pluff told the woman to back up and Officer Kill #2877 put herself between the woman and Pluff again told her to back up. Sgt Pennington then approached offering to talk to the woman at a separate location. The woman complied and followed Pennington. Officer turned back around to face Pluff and Oshae and noticed that Pluff was being assisted by Officer Missler #2808 in handcuffing Oshae who still had not yet been successfully handcuffed. Officer Kill heard Pluff tell Oshae to "stop moving" two separate times. Oshae continued to twist her body and arms in a way that made it difficult for her to be handcuffed. Oshae then turns her head toward Pluff and began yelling. Pluff then appeared to redirect Oshae's face back away from her own face. Officer Guanilo #2770 then steps in to assist in finally successfully handcuffing Oshae. Pluff and Guanilo then lead Oshae over to Missler's patrol car so that Missler and her partner, Officer Vargas #2874 can transport Oshae to LCC.

BWC worn and activated.

Officer Christopher Guanilo #2770

The following is a verbatim copy of the Supplemental Report written by Officer Christopher Guanilo #2770.

On 08/06/2022 at 00:06 I am Submitting this report at the request of Lt. Michael Smith with the internal affairs department. I am submitting this report at the condition of my employment. The statements contained in this record are to the best of my Knowledge, true and accurate. I, however reserve the right to amend, clarify, or edit this document upon further reflection, without subjecting myself to any admission to issues of false or inaccurate reporting.

I reserve for all other purpose my constitutional right under the 5th and 14th amendment to The United

states constitution as well as other right prescribed by law. In conclusion this report is given under the legal doctrine set forth in Garrity Vs New Jersey. 385 U.s 492(1967)

On 07/31/2022 this officer and his partner Lanning #2802 were dispatched to a weapons call at N Detroit and Delaware St Toledo Ohio. Call text stated that there was a male with a gun in his hand and over 50 people at the location. At the scene this unit assisted crews on scene with dispersing a vely large block patty. Let it be noted the year prior there were several people shot at the location of a block party as well. This officer approached the scene with care and caution. Let it be noted that this officer and other officers on scene did cleared the location per commands request and did arrest people who failed to disperse.

This officer Guanilo #2770 was present at the time of Oshae Jones arrest. This officer did observe Oshae Jones refusing to comply with, officer's Pluff command to stop moving. This officer observed officers Pluff struggling to handcuff Oshae Jones, due to her resisting and turning towards the officers. This officer heard officer pluff utter a cuss word to Oshae Jones to stop fucking moving. This officer was also present when officer pluff employed an open hand stun to Oshae Jones head, do to her resisting and turning back to yell at officer Pluff. Ofc. Pluff then struggled to place Oshae Jones in handcuffs do to her resisting. This officers BWC was activated.

Officer Jaylen May #2855

The following is a verbatim copy of the Supplemental Report written by Officer Jaylen May #2855

On Oct. 06, 2022, 00:12, at the Safety Building, I have been directed to submit this report by Lt. Wallace, This report is being submitted as a condition of employment and non-compliance on my part could subject me to disciplinary sanctions for insubordination.

I retain the right to amend the right to amend or change this record upon reflection to correct any unintended errors without subjecting myself to a charge of untruthfulness.

I reserve for all other purpose my Constitutional Rights under the Fifth, Sixth, and Fourteenth Amendments to the United States Constitution as well as all other rights prescribed by law. In conclusion this report is given under the legal doctrines set forth in Garrity vs. New Jersey, 385 U.S. 492(1967)

On the listed date, as this officer walked back from clearing a crowd with unit 305, this officer observed officers attempting to place Oshae Jones into custody. This officer observed Oshae Jones resisting while officers attempted to place handcuffs on her. This officer then attempted to assist officers but was not needed as Ofc. Missler placed her handcuffs on Oshae Jones.

Interviews:

Officer Ashlyn Pluff #2653

On October 5, 2022 at 23:17 hours, Officer Ashlyn Pluff #2653 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Officer Pluff was allowed to read a copy of the DIF and Sworn Employee Bill of Rights. Officer Pluff stated she understood her rights and had no questions

regarding her rights. Officer Pluff stated she wished to have her attorney/union representative present at the time of the interview. Present on behalf of Officer Pluff was Officer Michael Haynes #2263, President of the Toledo Police Patrolman's Association.

(The following is a summary of the interview conducted with Officer Pluff and does not include all questions asked of her or all of the statements made by her; nor does the summary necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Officer Pluff stated she was familiar with the incident relating to the interview. Officer Pluff stated she reviewed her body worn camera footage on the night of the incident and has since seen various video clips that were broadcast on the news but has not reviewed any other video footage. Officer Pluff stated she was responding to dispatched weapons call where a male with a gun was reported to be involved with a large gathering in the street. Officer Pluff stated that the description of the male was similar to a previous weapons call at International Park. Officer Pluff stated the call was at approximately 04:00 hours and she responded as a two person unit with her partner Officer Kill. Officer Pluff stated she arrived with another crew and was one of the first on scene. Officer Pluff stated when she arrived she observed a large disorderly group in the area. Officer Pluff estimated that there were approximately two hundred people present. Officer Pluff estimated that approximately ten officers and one sergeant eventually responded to the call. Officer Pluff stated they waited for other officers to respond before proceeding into the crowd for officer safety, based on the size of the crowd. Officer Pluff stated that she and other officers approached as a group and gave orders for the crowd to disperse and a large part of the crowd did not comply, ignoring the orders and making statements that they did not have to leave. Officer Pluff stated that arrests were eventually made of individuals that refused to comply with the orders to leave. Officer Pluff stated she was present for the arrest of individuals in the front yard of a residence on Lawrence near Lindsay. Officer Pluff stated she did not observe Oshae Jones at the location at the time the arrests were made and did not recall seeing her prior to her encounter with her at the intersection of Lawrence and Wall.

Officer Pluff stated that Ms. Jones approached her and other officers at the intersection of Lawrence and Wall as they were still clearing individuals from the area. Officer Pluff stated that as Ms. Jones approached and appeared to be agitated, yelling that she wanted someone's badge number but did not know whose number she wanted. Officer Pluff stated she gave multiple orders for her to step back and not come any closer prior to placing her in custody but Ms. Jones did not comply and continued to advance coming within three to five feet of her. Officer Pluff stated that at this point she attempted to take Ms. Jones into custody for failure to disperse and she began to physically resist by pulling her arms away and turning into her. Officer Pluff stated she was giving orders to Ms. Jones at this time to place her hands behind her back, stop resisting, stop pulling away and stop turning into her. Officer Pluff stated she at least had one arm of Ms. Jones but did not recall if she had both or if another officer was assisting her with the other arm. Officer Pluff stated that after continuing to try to get handcuffs on Ms. Jones and maintain control of her hands while she continued to turn into her, she eventually used a hair/head control technique. Officer Pluff stated she did not use any stun techniques, weaponless strikes or punching. Officer Pluff estimated that it was a few minutes from the time she attempted to take Ms. Jones into custody until she was secured in handcuffs. Officer Pluff stated that handcuffing a compliant individual does not take that long but because of Ms. Jones resisting, this instance took longer.

Officer Pluff was provided portions of department manual section 103.2, Response to Resistance for review. Officer Pluff stated that the actions of Ms. Jones were synonymous with the definitions of action/resistance, active resistance and non-compliance in the department manual. Officer Pluff stated she responded based on the actions of Ms. Jones. Officer Pluff stated that she did not initially realize who Ms. Jones was but it dawned on her while they were in close contact as another female that was with Ms. Jones was yelling that she was a boxer.

Officer Pluff stated that prior to her encounter with Ms. Jones in the intersection, she did recall Ms. Jones and another female yelling with other officers about wanting someone's badge number, but she was not directly involved. Body worn camera footage from Officer Pluff and Officer Missler was played for her, showing her walking by as Ms. Jones and a female with a baby were engaged with Officer Missler and Officer Vargas. Officer Pluff acknowledged making comments to the female with the baby to get her baby out of the street because it was four o'clock in the morning and to be a better parent. Officer Pluff stated she made the comments because on the previous 4th of July, there was a massive shootout at the same location where numerous children were running around just as they were on this occasion and that on that previous occasion there were children that had been shot. Officer Pluff stated that prior to this point, she did not recall seeing the female with the baby and acknowledged that she had no specific context as to the woman's reason for being at the scene.

Additional body worn camera footage from Officer Pluff was played for her, showing her interaction with Ms. Jones at the intersection of Lawrence and Wall. Officer Pluff acknowledged that she yelled at the woman with the baby to back up and used profanity while doing so because the woman was reaching in attempting to get Ms. Jones' cell phone from her and her hand was in very close proximity to her weapon. Officer Pluff acknowledged using profanity directed towards Ms. Jones on two occasions while attempting to take her into custody. Officer Pluff stated she was not agitated during the exchange but concerned with Ms. Jones approaching her and other officers then refusing to follow orders to stop. Officer Pluff acknowledged that as a police officer she is held to a higher standard. Officer Pluff stated that the use of profanity can sometimes be effective in getting compliance from an individual who is non-compliant and even already agitated.

Officer Savannah Kill #2877

On October 6, 2022 at 01:08 hours, Officer Savannah Kill #2877 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Officer Kill was allowed to read a copy of the DIF and Sworn Employee Bill of Rights. Officer Kill stated she understood her rights and had no questions regarding her rights. Officer Kill stated she wished to have her attorney/union representative present at the time of the interview. Present on behalf of Officer Kill was Officer Michael Haynes #2263, President of the Toledo Police Patrolman's Association.

(The following is a summary of the interview conducted with Officer Kill and does not include all questions asked of her or all of the statements made by her; nor does the summary necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Officer Kill stated she was familiar with the incident relating to the interview. Officer Kill stated she

reviewed her body worn camera footage from the incident when requested to complete a supplemental report in relation to this investigation as well as other body worn camera footage during a prosecutor's pretrial meeting and various clips on the local news. Officer Kill stated she was responding to a weapons call involving a large party and someone with a gun at 03:50 hours. Officer Kill stated she was working a two person unit with Officer Pluff. Officer Kill stated she was the second or third crew on scene and observed cars and people all over the roadways and loud music. Officer Kill estimated the crowd to be four to six hundred people with fifteen or twenty officers that responded. Officer Kill stated she waited in her vehicle for other officers and a sergeant to respond to the scene. Officer Kill stated that prior to additional officers arriving they got on their intercoms and gave orders for people to leave then eventually got out approached the crowd and continued giving orders to leave. Officer Kill stated the majority of the crowd was compliant with orders to leave but there were some individuals that were not, despite repeated orders to do so. Officer Kill stated that arrests were eventually made at a house where individuals refused to comply with orders that had been given by officers to disperse.

Officer Kill stated she did not recall Oshae Jones being present prior to the arrests being made or at the time of the arrests and did not recall seeing Ms. Jones prior to her encounter with Officer Pluff at the intersection of Lawrence and Wall. Officer Kill stated that Ms. Jones approached Officer Pluff and other officers at the intersection while it was still being cleared and observed Officer Pluff giving orders to Ms. Jones to leave, back up and go away while Ms. Jones refused to respond or comply and continued to stand there, demanding an unknown officer's badge number. Officer Kill stated that Officer Pluff attempted to take Ms. Jones into custody at which point another woman with a baby approached and was reaching towards Ms. Jones and Officer Pluff, attempting to get Ms. Jones' phone. Officer Kill stated she stepped between them and told the woman with the baby to leave and back up at which point Sergeant Pennington came and offered to speak with the woman. Officer Kill stated when she turned back around, Officer Missler was with Officer Pluff, attempting to handcuff Ms. Jones. Officer Kill stated she observed Ms. Jones verbally and physically resist Officer Pluff, yelling at Officer Pluff, twisting and moving her wrists and body making it difficult for officers to place her hands together. Officer Kill stated she heard Officer Pluff keep telling Ms. Jones to stop moving but she continued to move and Officer Pluff then used a hair/head control technique to prevent Oshae Jones from turning into her. Officer Kill stated that when the woman with the baby approached, she was in very close proximity to Officer Pluff and almost could have grazed Officer Pluff's weapon.

Officer Cole DeCant #2701

On October 6, 2022 at 01:38 hours, Officer Cole DeCant #2701 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Officer DeCant was allowed to read a copy of the DIF and Sworn Employee Bill of Rights. Officer DeCant stated he understood his rights and had no questions regarding his rights. Officer DeCant stated he wished to have his attorney/union representative present at the time of the interview. Present on behalf of Officer DeCant was Officer Michael Haynes #2263, President of the Toledo Police Patrolman's Association.

(The following is a summary of the interview conducted with Officer DeCant and does not include all questions asked of him or all of the statements made by him; nor does the summary necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Officer DeCant stated he was familiar with the incident relating to the interview and had not reviewed any body worn camera or in-car camera footage from the incident. Officer DeCant stated he was a single person unit and was responding to a Code-3 weapons call at approximately 03:50 hours. Officer Cole stated there were two or more crews on scene and he observed a lot of people and cars everywhere, throughout the street and along the block of Lawrence. Officer DeCant estimated one hundred or a couple hundred people were present. Officer DeCant stated that when he arrived he observed people scattering and for the most part, walking away, trying to get to their vehicles. Officer DeCant stated he and other officers approached the crowd, giving repeated orders to disperse and the orders were followed by some individuals but ignored by others. Officer DeCant stated eventually arrests were made for individuals that did not obey the orders given by officers and the majority of the arrests occurred at a residence on Lawrence. Officer Decant stated he had not observed Oshae Jones prior to or at the time the arrests were made and he did not recall seeing her prior to her encounter with Officer Pluff at the intersection of Lawrence and Wall.

Officer Decant stated he observed Ms. Jones and a female with a baby approach a group of officers and they appeared to be upset and yelling but he did not know what they were upset about. Officer DeCant stated that he could not recall any specific commands given by Officer Pluff to Ms. Jones but officers were giving general commands for people to leave and go back in their house. Officer DeCant stated he believed that when he observed the interaction between Officer Pluff and Ms. Jones, Ms. Jones was in custody and handcuffed at that point. Officer DeCant stated Ms. Jones did not appear to be compliant at the time but he did not recall any specific physical actions by Ms. Jones and believed there were enough officers present to handle the situation. Officer DeCant stated he did not assist in taking Ms. Jones into custody and continued walking to his vehicle.

Officer Megan Vargas #2874

On October 10, 2022 at 22:54 hours, Officer Megan Vargas #2874 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Officer Vargas was allowed to read a copy of the DIF and Sworn Employee Bill of Rights. Officer Vargas stated she understood her rights and had no questions regarding her rights. Officer Vargas stated she wished to have her attorney/union representative present at the time of the interview. Present on behalf of Officer Vargas were Officer Michael Haynes #2263, President of the Toledo Police Patrolman's Association and Officer Gregory Zattau #2277, 1st Vice President of the Toledo Police Patrolman's Association.

(The following is a summary of the interview conducted with Officer Vargas and does not include all questions asked of her or all of the statements made by her; nor does the summary necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Officer Vargas stated she was familiar with the incident relating to the interview. Officer Vargas stated she reviewed her body worn camera footage from the incident when requested to complete a supplemental report in relation to this investigation as well as other body worn camera footage during a prosecutor's pretrial meeting. Officer Vargas stated she was responding to a weapons call involving a large party and someone wearing all black with a gun at approximately 03:50 hours. Officer Vargas stated she was working a two person unit with Officer Missler. Officer Vargas stated there were maybe one or two crews

on scene, prior to their arrival. Officer Vargas stated that when they arrived she observed some people leaving but more were going towards the party so they waited for Sergeant Pennington to arrive with a pepperball gun. Officer Vargas estimated that at least one hundred people were present and ten to twelve officers responded. Officer Vargas stated that as they approached they were telling people that they had to go and were trying to push them out of the area. Officer Vargas stated that the people were not compliant at first and repeated orders had to be given at which point some people began to comply. Officer Vargas stated as they were pushing their way in towards where the other officers were, arrests were already being made but she did not know what happened leading to that.

Officer Vargas stated she did not recall seeing Oshae Jones at the time the arrests were made but did recall an encounter with her prior to the encounter with Officer Pluff in the intersection of Lawrence and Wall. Officer Vargas stated at the time of the arrests she had made contact with a female carrying a baby that stated one of the people arrested was her son. Officer Vargas stated that a short time later while they were down the street near the police vehicles, the female with the baby gotten Ms. Jones and returned with her. Officer Vargas stated Ms. Jones wanted to know who the officer was that arrested an individual and kept saying that she wanted his badge number. Officer Vargas stated she advised them that she did not have the badge number but all the information would be documented on the report and advised them to go home. Officer Vargas stated that Ms. Jones then saw Officer Guanilo walk by and went to go follow him. Office Vargas stated at first, Ms. Jones was kind of calm but then started to get more agitated and did not like the answers she was given which elevated her agitation and when she walked across the street to follow Guanilo, she was definitely more agitated because she was kind of charging across the street.

Officer Vargas stated as Ms. Jones approached officers, Officer Pluff gave her orders to go home that were ignored by Ms. Jones and she continued to walk toward Officer Pluff, closing the gap at which point Officer Pluff attempted to take Ms. Jones into custody and place her in handcuffs. Officer Vargas stated Ms. Jones kept turning her head to talk to Officer Pluff which made her body turn into Officer Pluff and Officer Pluff told Ms. Jones to stop but she wasn't stopping. Officer Vargas stated she observed Ms. Jones physically resist Officer Pluff by continuing to move and pulling away. Officer Vargas stated Officer Pluff gave verbal commands to Ms. Jones to stop, using profanity while doing so and was physically attempting to get Ms. Jones handcuffed when she used a stun technique that she initially thought was something else. Officer Vargas stated that the woman with the baby approached, attempting to get Ms. Jones' phone while Officer Pluff was engaged with Ms. Jones and reached in very close proximity to Officer Pluff's weapon.

Officer Patrick Hohenberger #2791

On October 11, 2022 at 00:25 hours, Officer Patrick Hohenberger #2791 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Officer Hohenberger was allowed to read a copy of the DIF and Sworn Employee Bill of Rights. Officer Hohenberger stated he understood his rights and had no questions regarding his rights. Officer Hohenberger he wished to have his attorney/union representative present at the time of the interview. Present on behalf of Officer Hohenberger were Officer Michael Haynes #2263, President of the Toledo Police Patrolman's Association and Officer Gregory Zattau #2277, 1st Vice President of the Toledo Police Patrolman Association.

(The following is a summary of the interview conducted with Officer Hohenberger and does not include all questions asked of him or all of the statements made by him; nor does the summary

necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Officer Hohenberger stated he was familiar with the incident relating to the interview and had reviewed his body worn camera footage when requested to complete a supplemental report in relation to this investigation. Officer Hohenberger stated he was a single person unit and was responding to a weapons call at approximately 03:50 hours involving a large group of people on the block with an individual in all black waving a gun around. Officer Hohenberger stated he was the first crew on scene and observed the entire block of Lawrence full of people in the street and yards and estimated that there were a couple hundred people present. Officer Hohenberger stated he waited for other crews to arrive before approaching the group and estimated that ten to twelve other officers eventually arrived on scene. Officer Hohenberger stated that when they approached the group they gave orders for the crowd to disperse with some of the group being compliant and a few that did not comply. Officer Hohenberger stated that arrests were eventually made for individuals that failed to comply with orders to disperse and he was present at a residence on Lawrence for arrests that were made there. Officer Hohenberger stated that he did not see Oshae Jones the entire time prior to her encounter with Officer Pluff in the intersection of Lawrence and Wall.

Officer Hohenberger stated that Ms. Jones approached Officer Pluff and other officers at the intersection of Lawrence and Wall while the area was still being cleared and when he turned around he observed that she had already approached and the officers were attempting to place her in handcuffs. Officer Hohenberger stated he approached and attempted to calm the situation and told Ms. Jones to comply with the officers and they would explain everything when she was detained. Officer Hohenberger stated that Ms. Jones did not want to listen and kept yelling back and forth. Officer Hohenberger stated he observed Ms. Jones resisting by continually attempting to pull her arms away and attempt to turn around to face Officer Pluff while being verbally argumentative. Officer Hohenberger stated that Officer Pluff was giving verbal commands to Ms. Jones to stop turning around and pulling her arms. Officer Hohenberger stated he witnessed Pluff and other officers physically attempting to get Ms. Jones handcuffed behind her back and witnessed Officer Pluff use hair/head control and a stun technique.

Officer Christopher Guanilo #2770

On October 11, 2022 at 00:56 hours, Officer Christopher Guanilo #2770 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Officer Guanilo was allowed to read a copy of the DIF and Sworn Employee Bill of Rights. Officer Guanilo stated he understood his rights and had no questions regarding his rights. Officer Guanilo stated he wished to have his attorney/union representative present at the time of the interview. Present on behalf of Officer Guanilo were Officer Michael Haynes #2263, President of the Toledo Police Patrolman's Association and Officer Gregory Zattau #2277, 1st Vice President of the Toledo Police Patrolman Association.

(The following is a summary of the interview conducted with Officer Guanilo and does not include all questions asked of him or all of the statements made by him; nor does the summary necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Officer Guanilo stated he was familiar with the incident relating to the interview and had reviewed his body worn camera footage when requested to complete a supplemental report in relation to this investigation as well as other clips on social media. Officer Guanilo stated he was a two person unit with Officer Lanning and was responding to a weapons call at approximately 03:50 hours involving a male in all black with a gun and a large block party. Officer Guanilo stated that when he arrived he observed a mass amount of people and recalled the year prior where there were seven people shot at the location, though he was not present during that incident. Officer Guanilo stated that there were approximately ten to fifteen officers that responded to the location where fifty or a lot more people were present. Officer Guanilo stated he and other officers approached as a group for officer safety and gave orders for people to leave with some complying and some lingering around. Officer Guanilo stated that arrests were eventually made for individuals that refused to comply with the repeated orders to leave. Officer Guanilo stated he participated in making arrests on Lawrence at a house where people were refusing to leave or go inside. Officer Guanilo stated he did not recall Oshae Jones being present at the time the arrests were made but believes that he may have encountered her later, at some point prior to her interaction with Officer Pluff in the intersection of Lawrence and Wall. Officer Guanilo stated he arrested Kenneth White and believes him to be the boyfriend of Ms. Jones and that when he encountered her, she was asking other officers about him and he advised her that he was going to jail.

Officer Guanilo stated he did not observe Ms. Jones approach Officer Pluff and other officers at the intersection of Lawrence and Wall while the area was being cleared but did recall officers attempting to take Ms. Jones into custody. Officer Guanilo stated that Ms. Jones did not appear to be compliant with commands given by officers and was arguing with officers, especially Officer Pluff and seemed like she was physically resisting by moving a lot. Officer Guanilo stated he recalled Officer Hohenberger telling Ms. Jones to calm down and believes that Officer Missler was assisting Officer Pluff with getting Ms. Jones arms behind her back to be handcuffed. Officer Guanilo stated that at some point, he assisted with the handcuffing of Ms. Jones by grabbing her hand. Officer Guanilo stated he witnessed Officer Pluff use a stun technique while engaged with Ms. Jones and it was after the stun technique in an attempt to get her to comply that he grabbed Ms. Jones' arm and hand so another officer could get her handcuffed. Officer Guanilo stated that his action amounted to a joint manipulation technique and he and his partner completed a response to resistance report relating to it.

Officer Jaylen May #22855

On October 13, 2022 at 00:01 hours, Officer Jaylen May #2855 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Officer May was allowed to read a copy of the DIF and Sworn Employee Bill of Rights. Officer May stated he understood his rights and had no questions regarding his rights. Officer May stated he wished to have his attorney/union representative present at the time of the interview. Present on behalf of Officer May was Officer Jacob Wescott #2568, 2nd Vice President of the Toledo Police Patrolman Association.

(The following is a summary of the interview conducted with Officer May and does not include all questions asked of him or all of the statements made by him; nor does the summary necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Officer May stated he was familiar with the incident relating to the interview and had reviewed body worn camera footage when present at a prosecutor's pretrial meeting relating to the incident. Officer May stated he was a two person unit with Officer Grunden and was responding to a weapons call at approximately 03:50 hours involving a male waving a gun and recalled a block party at that location from a couple years ago although he was not present for that incident. Officer May stated that when he arrived he observed about two hundred people in the street having a block party. Officer May stated that there were approximately ten officers that responded to the location and they waited for a sergeant to arrive before approaching the crowd for officer safety reasons. Officer May stated that as they approached orders were being given for people to disperse and the crowd complied with the exception of a group of approximately eight individuals at a house, one of whom Officer May observed to have a drum magazine visible in his waistband. Officer May stated that arrests were eventually made for individuals that refused to comply with the repeated orders to leave. Officer May stated he was present when individuals were arrested at that house. Officer May stated he did not recall Oshae Jones being present at the time the arrests were made or prior to her encounter with Officer Pluff at the intersection of Lawrence and Wall.

Officer May stated he did not observe Ms. Jones approach Officer Pluff and other officers at the intersection of Lawrence and Wall while the area was still being cleared because he was walking with his sergeant on Wall, continuing to clear people from the area. Officer May stated that when they started walking back to the intersection of Lawrence and Wall, he observed officers attempting to get Ms. Jones in custody. Officer May described Ms. Jones as kind of irritated and heard Officer Pluff giving orders for Ms. Jones to stop resisting as Ms. Jones kept moving around and pulling away as Officer Pluff was attempting to handcuff her. Officer May stated that Ms. Jones was not compliant with the orders given by Officer Pluff and continued to resist. Officer May stated he believed that Officer Pluff was being assisted by Officers Vargas, Missler and Guanilo who were using joint manipulation to get Ms. Jones in handcuffs but did not witness any officers use hair/head control or stun techniques. Officer May stated he remembered a female with a baby approximately ten feet from the encounter and she was asking for Ms. Jones' phone. Officer May stated he attempted to assist by handcuffing Ms. Jones but they were not needed as another officer had handcuffs. Officer May was shown his body worn camera footage from the incident and stated he did not observe the action of Officer Pluff at the moment Ms. Jones stated she was hit by Officer Pluff. Upon review of the footage, Officer May stated he believed it was a hair/head control technique, bordering on a stun technique.

Officer Russell Grunden #2846

On October 13, 2022 at 00:26 hours, Officer Russell Grunden #2846 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Officer Grunden was allowed to read a copy of the DIF and Sworn Employee Bill of Rights. Officer Grunden stated he understood his rights and had no questions regarding his rights. Officer Grunden stated he wished to have his attorney/union representative present at the time of the interview. Present on behalf of Officer Grunden was Officer Jacob Wescott #2568, 2nd Vice President of the Toledo Police Patrolman Association.

(The following is a summary of the interview conducted with Officer Grunden and does not include all questions asked of him or all of the statements made by him; nor does the summary necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Officer Grunden stated he was familiar with the incident relating to the interview and had only seen video from the incident that was broadcast on local media. Officer Grunden stated he was a two person unit with Officer May and was responding to a weapons call at approximately 03:50 hours involving third party call of somebody waving guns around with several hundred people present. Officer Grunden stated that when he arrived he observed hundreds of people all over the street and nobody seemed to care that the police were there, despite the fact that the emergency lights were activated on the police vehicles. Officer Grunden stated that there were ten plus officers that responded to the location and they gathered to formulate a plan to disperse the crowd for officer safety due to the large number of people compared to the number of officers. Officer Grunden stated that as they approached orders were being given for people to disperse and some people started complying, while others just migrated to other houses. Officer Grunden stated that arrests were eventually made for individuals that refused to comply with the repeated orders to leave. Officer Grunden stated he was present at a residence where there was a large group of males refusing to comply, one of whom had a drum magazine sticking out of his pants. As arrests were made, some individuals ran into the residence. Officer Grunden stated he did not recall Oshae Jones being present at the time the arrests were made or prior to her encounter with Officer Pluff at the intersection of Lawrence and Wall.

Officer Grunden stated he did not observe Ms. Jones approach Officer Pluff and other officers at the intersection of Lawrence and Wall while the area was still being cleared. Officer Grunden stated he was not sure if he was at his patrol car with a juvenile that had been arrested or with Sergeant Pennington pushing the crowd down the street at that time. Body worn camera footage from Officer Vargas was played for Officer Grunden showing Ms. Jones approaching Officer Pluff and other officers at the intersection of Lawrence and Wall. The time on the video was 04:12:41. This was compared with body worn camera footage from Officer Grunden at the same time which shows him in his police vehicle and then interacting with the juvenile that was in custody in the rear of the vehicle. Officer Grunden stated that he did not witness any of the interaction between Officer Pluff and Ms. Jones.

Officer Adrian Lanning #2802

On October 13, 2022 at 00:50 hours, Officer Adrian Lanning #2802 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Officer Lanning was allowed to read a copy of the DIF and Sworn Employee Bill of Rights. Officer Lanning stated he understood his rights and had no questions regarding his rights. Officer Lanning stated he wished to have his attorney/union representative present at the time of the interview. Present on behalf of Officer Lanning was Officer Jacob Wescott #2568, 2nd Vice President of the Toledo Police Patrolman Association.

(The following is a summary of the interview conducted with Officer Lanning and does not include all questions asked of him or all of the statements made by him; nor does the summary necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Officer Lanning stated he was familiar with the incident relating to the interview and had reviewed his body worn camera footage from a separate arrest during the incident and had seen other video broadcast on local media. Officer Lanning stated he was a two person unit with Officer Guanilo and was responding to a big disorder that may have been a weapons call as well at approximately 03:50 hours. Officer Lanning

stated that when he arrived he observed at least a hundred people in the street and yards of a residential area. Officer Lanning stated that he believed that approximately six to eight officers responded to the location. Officer Lanning remembered approaching the crowd with other officers and did not recall giving orders to disperse himself but believed that other officers were doing so. Officer Lanning stated that some of the crowd complied with the orders to disperse while others did not. Officer Lanning stated that arrests were eventually made for individuals that refused to comply with the repeated orders to leave. Officer Lanning stated he was present during an arrest at a residence where one male had a drum magazine sticking out of his pants. Officer Lanning stated he did not recall Oshae Jones being present at the time the arrests were made or prior to her encounter with Officer Pluff at the intersection of Lawrence and Wall.

Officer Lanning stated he did not observe Ms. Jones approach Officer Pluff and other officers at the intersection of Lawrence and Wall while the area was still being cleared. Officer Lanning stated he was at his vehicle away from the intersection, guarding a prisoner that was in custody from an earlier arrest. Officer Lanning stated he could hear some yelling and walked a little way towards the noise but was not close enough to distinguish anything specific about the incident.

Officer Allie Missler #2808

On October 17, 2022 at 23:53 hours, Officer Allie Missler #2808 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Officer Missler was allowed to read a copy of the DIF and Sworn Employee Bill of Rights. Officer Missler stated she understood her rights and had no questions regarding her rights. Officer Missler stated she wished to have her attorney/union representative present at the time of the interview. Present on behalf of Officer Missler was Officer Michael Haynes #2263, President of the Toledo Police Patrolman's Association.

(The following is a summary of the interview conducted with Officer Missler and does not include all questions asked of her or all of the statements made by her; nor does the summary necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Officer Missler stated she was familiar with the incident relating to the interview. Officer Missler stated she reviewed her body worn camera footage as well as footage from Officer Vargas and believed that she reviewed hers, the night of the incident and reviewed Vargas' when requested to complete a supplemental report in relation to this investigation. Officer Missler stated she was responding to a weapons call involving a large gathering outside the location at 03:50 hours. Officer Missler stated she was working a two person unit with Officer Vargas. Officer Missler stated that when they arrived she observed large groups of people gathering in the streets of a residential area, not dispersing when told to. Officer Missler estimated one hundred and fifty to two hundred people were present and ten to fifteen officers responded. Officer Missler stated they approached the crowd as a group telling people that they had to go home and to disperse. Officer Missler stated some people were compliant and some were not. Officer Missler stated that arrests were eventually made for individuals that failed to comply with the orders to disperse. Officer Missler stated she was present for an arrest that took place in the street and did not recall Oshae Jones being present at the time of that arrest. Officer Missler later clarified that the arrest took place in a yard and she had just walked up on the sidewalk

Officer Missler stated she recalled speaking to Ms. Jones prior to her encounter with Officer Pluff in the intersection of Lawrence and Wall. Officer Missler stated her an Officer Vargas were standing on the corner making sure everybody dispersed when Ms. Jones walked up to them and started asking them questions. Officer Missler stated they advised Ms. Jones the best way possible and she was not happy with their answers so she proceeded to other officers to get the answers she wanted. Officer Missler stated Ms. Jones wanted another officers I.D. and her demeanor was agitated. Officer Missler stated she observed Ms. Jones approach Officer Pluff and other officers at the intersection of Lawrence and Wall, while the area was still being cleared at which time Officer Pluff gave Ms. Jones commands to get back. Officer Missler stated Ms. Jones was not compliant with those commands and continued forward at which point Officer Pluff attempted to take Ms. Jones into custody. Officer Missler stated Ms. Jones resisted Officer Pluff by turning and pulling her arms, not putting her hands together. Officer Missler stated that Officer Pluff was giving verbal and physical commands to Ms. Jones and received assistance from other officers and from her by taking control of the right arm of Ms. Jones and attempting to use joint manipulation to get her arm behind her back. Officer Missler stated she witnessed Officer Pluff use hair/head control and a stun technique on Ms. Jones. Officer Missler stated she believed that it took forty five seconds to a minute to get Ms. Jones handcuffed from the time Officer Pluff first made physical contact with her and that handcuffing a compliant individual takes approximately ten seconds.

Sergeant Andrew Pennington #2625

On October 19, 2022 at 22:29 hours, Sergeant Andrew Pennington #2625 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Also present from the Internal Affairs Bureau was Lieutenant Michael Smith #2499. Sergeant Pennington was allowed to read a copy of the DIF and Command Officer's Bill of Rights. Sergeant Pennington stated he understood his rights and had no questions regarding his rights. Sergeant Pennington stated he wished to have his attorney/union representative present at the time of the interview. Present on behalf of Sergeant Pennington was Sergeant Daniel Raab #2204, President of the Toledo Police Command Officer's Association.

(The following is a summary of the interview conducted with Sergeant Pennington and does not include all questions asked of him or all of the statements made by him; nor does the summary necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Sergeant Pennington stated he was familiar with the incident relating to the interview and had reviewed several different officers' body worn cameras from the incident, in relation to his review of response to resistance reports submitted by officers. Sergeant Pennington stated he was responding to weapons call at a large gathering at 03:50 hours and the area was familiar to him for other weapons calls and shots fired calls. Sergeant Pennington stated that when he arrived, several police units were staged at the intersection with their lights activated and beyond the officers were hundreds of people walking through the street and yards and lots of noise coming from the area. Sergeant Pennington stated that less than a dozen officers responded and they approached as group for officer safety. Sergeant Pennington stated that as they approached, orders were being given for the crowd to disperse and they were slow to comply and some individuals did not comply at all. Sergeant Pennington stated that arrests were eventually made for individuals that refused to comply with the repeated orders to leave. Sergeant Pennington stated he was present at a house that appeared to be abandoned where he observed several people run through the street,

onto the porch. Sergeant Pennington stated he asked multiple times to speak with the homeowner, if there was one and no one made themselves known, so after repeated orders to disperse, arrests were made. Sergeant Pennington stated that Oshae Jones was not present at the time the arrests were made and he did not recall seeing her prior to her encounter with Officer Pluff at the intersection of Lawrence and Wall.

Sergeant Pennington stated he observed Ms. Jones and an older woman with a baby screaming and yelling at officers near the intersection. Sergeant Pennington stated he took the older woman to the side and advised her that if she wanted to have a conversation they could, but they would not scream at each other. Sergeant Pennington stated he walked across the street with the woman and had a conversation. Sergeant Pennington stated the woman with the baby was upset because Ms. Jones was being arrested. Sergeant Pennington was shown body worn camera footage from the encounter and acknowledged that Officer Pluff gave repeated orders to Ms. Jones to back up, which were not complied with, resulting in Officer Pluff attempting to take Ms. Jones into custody. Sergeant Pennington acknowledges that Officer Pluff is heard telling someone to "back the fuck up" and believes it's directed to the woman with the baby because Officer Pluff is in the middle of arresting Ms. Jones and the woman might be interfering with that. Sergeant Pennington stated that Ms. Jones appeared to be actively resisting, turning back into Officer Pluff and yelling at which point Officer Pluff uses a hair/head control technique to prevent her from continuing to do so. Sergeant Pennington stated that upon reviewing the response to resistance report from Officer Pluff, he found the description of the actions of Ms. Jones and the response by Officer Pluff to be consistent with what he observed on body worn camera footage, approved the report and sent it through for ascending levels of review.

Officer Tyler Gawrych #2754

On October 24, 2022 at 14:46 hours, Officer Tyler Gawrych #2754 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Officer Gawrych was allowed to read a copy of the DIF and Sworn Employee Bill of Rights. Officer Gawrych stated he understood his rights and had no questions regarding his rights. Officer Gawrych stated he did not wish to have his attorney/union representative present at the time of the interview.

(The following is a summary of the interview conducted with Officer Gawrych and does not include all questions asked of him or all of the statements made by him; nor does the summary necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Officer Gawrych stated he was familiar with the incident relating to the interview and had reviewed body worn camera footage when present at a prosecutor's pretrial meeting relating to the incident. Officer Gawrych stated he was a single person unit and was responding to a weapons call at approximately 03:50 hours involving a male waving a gun and a large party. Officer Gawrych stated that when he arrived he observed that other officers had arrived and were waiting for more officers to arrive due to the large crowd. Officer Gawrych estimated that over one hundred people were present, drinking and partying in the street and that about ten officers had responded to the location. Officer May stated that they approached as a group due to prior knowledge of the area and a previous party on the 4th of July where there were multiple shooters present. Officer Gawrych stated that as they approached they told everyone to leave or go inside, giving multiple orders to do so. Officer Gawrych stated that the some of the crowd complied but others

did not and he recognized several people from a call they had just come from, under the high level bridge involving a similar call with people waving guns at a large party. Officer Gawrych stated that arrests were eventually made for individuals that refused to comply with the repeated orders to leave. Officer Gawrych stated he was present when individuals were arrested at a house in the middle of the block, on the east side of the street where several individuals had failed to comply with orders. Officer Gawrych stated he did not recall Oshae Jones being present at the time the arrests were made or prior to her encounter with Officer Pluff at the intersection of Lawrence and Wall.

Officer Gawrych stated his body worn camera had malfunctioned during the incident and documented that fact in his report. Officer Gawrych stated that he assisted other officers with one arrest then he arrested another individual and escorted him back to his police vehicle that was parked near Wall and Detroit, staying at his vehicle with the arrested individual due to him being a one person unit. Officer Gawrych stated because he was near his vehicle, he did not recall seeing Oshae Jones approach Officer Pluff and other officers at the intersection of Lawrence and Wall and did not know what led up to her arrest. He had heard some yelling from afar but did not see exactly what lead up to the arrest, only that one more person was being arrested and he would not be able to speak to the actions of Ms. Jones or Officer Pluff.

Officer Paul Schwirzinski #2564

On October 26, 2022 at 22:41 hours, Officer Paul Schwirzinski #2564 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Officer Schwirzinski was allowed to read a copy of the DIF and Sworn Employee Bill of Rights. Officer Schwirzinski stated he understood his rights and had no questions regarding his rights. Officer Schwirzinski stated he wished to have his attorney/union representative present at the time of the interview. Present on behalf of Officer Schwirzinski was Officer Jacob Wescott #2568, 2nd Vice President of the Toledo Police Patrolman Association.

(The following is a summary of the interview conducted with Officer Schwirzinski and does not include all questions asked of him or all of the statements made by him; nor does the summary necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Officer Schwirzinski stated he was familiar with the incident relating to the interview and had not reviewed any body worn or in-car camera footage from the incident. Officer Schwirzinski stated he was a one person unit and was responding a dispatched call of what he thought was a block party, noise complaint at approximately 03:50 hours. Officer Schwirzinski stated that when he arrived he observed the whole street packed full of a couple hundred people drinking, playing music and smoking. Officer Schwirzinski that there were approximately ten to twelve officers that responded to the location and they approached the crowd as a group for officer safety concerns. Officer Schwirzinski stated that as they approached orders were being given for people to disperse and a few people complied but for the most part, people just wandered a little bit away. Officer Schwirzinski stated that arrests were eventually made for individuals that refused to comply with the repeated orders to leave. Officer Schwirzinski stated he was not present for the arrests but walked up as people were already in custody in the front yard of a residence. Officer Schwirzinski stated he was not familiar with Oshae Jones and because of the number of people in the area, he could not recall if he had seen her at the time of the arrests or prior to her encounter with Officer Pluff at the intersection of Lawrence and Wall.

Officer Swhwirzinski stated he did not recall Ms. Jones approach Officer Pluff and other officers at the intersection of Lawrence and Wall while the area was still being cleared as he stayed near the police vehicles but did recall some arguing and scuffling nearby as he was making sure no one passed by the police vehicles and let prisoners out. Officer Schwirzinski stated he recalled looking over and seeing officers taking someone into custody but he did not know who it was and could not offer any specific details relating to the arrest.

Officer William Gregus #2582

On October 26, 2022 at 22:56 hours, Officer William Gregus #2582 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Officer Gregus was allowed to read a copy of the DIF and Sworn Employee Bill of Rights. Officer Gregus stated he understood his rights and had no questions regarding his rights. Officer Gregus stated he wished to have his attorney/union representative present at the time of the interview. Present on behalf of Officer Gregus was Officer Jacob Wescott #2568, 2nd Vice President of the Toledo Police Patrolman Association.

(The following is a summary of the interview conducted with Officer Gregus and does not include all questions asked of him or all of the statements made by him; nor does the summary necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Officer Gregus stated he was familiar with the incident relating to the interview and had only seen video of the incident that had been broadcast on local news media. Officer Gregus stated he was a two person unit with Officer Smith and they were responding to a dispatched call of a disorder at approximately 03:50 hours. Officer Gregus stated that they were one of the last units on scene and a sergeant requested that they respond to the intersection of Lawrence and Collins. Officer Gregus stated that as they arrived, people were going to their cars and were advised to continue leaving the area, which they did. Office Gregus stated there were no other officers around them and estimated that there were fifteen to twenty people heading to their cars around them. Office Gregus stated they could not see down the street because they were about two blocks away and could not tell how many officers had arrived. Officer Gregus stated he did not participate or view any arrests that were made during the incident. Officer Gregus stated they were on scene for approximately three minutes and did not feel the need to remain, so they came in service and left the area. Officer Gregus stated he never observed Oshae Jones on scene or her interactions with any other officers.

Officer Mark Smith #2503

On October 26, 2022 at 23:05 hours, Officer Mark Smith #2503 was interviewed in the Office of Internal Affairs by Sergeant Michael Comes #2158. Officer Smith was allowed to read a copy of the DIF and Sworn Employee Bill of Rights. Officer Smith stated he understood his rights and had no questions regarding his rights. Officer Smith stated he wished to have his attorney/union representative present at the time of the interview. Present on behalf of Officer Smith was Officer Jacob Wescott #2568, 2nd Vice President of the Toledo Police Patrolman Association.

(The following is a summary of the interview conducted with Officer Smith and does not include all

questions asked of him or all of the statements made by him; nor does the summary necessarily follow the chronological order of the interview. For complete details of the interview, please refer to the audio file of the interview on the attached digital case file disc.)

Officer Smith stated he was not familiar with the incident relating to the interview and was barely familiar with having responded to the location on that date and had not reviewed any body worn camera or in-car footage from the incident. Officer Smith stated he was a two person unit with Officer Gregus and vaguely recalls that they were responding to assist other units on a weapons call or disorder at approximately 03:50 hours but wasn't sure. Officer Smith stated that they were not first on scene and when they arrived they pulled up two blocks away and observed what appeared to be a large party. Officer Smith stated he could not say how many people were at the location but they observed about twenty people near them. Officer Smith stated he did not know how many officers were on scene but where they were, it was just him and Officer Gregus and they did not interact with any other officers on scene. Officer Smith stated he was not familiar with the area and they were positioned at the intersection of Lawrence and an unknown street, at least a block away and they maintained that position until they left after approximately ten minutes. Officer Smith stated he did not participate or view any arrests that were made during the incident. Officer Smith stated he never observed Oshae Jones on scene or her interactions with any other officers.

Evaluation:

On July 31, 2022, at 03:50 hours, officers responded to N. Detroit and Lawrence on a code 3 weapons call involving a large party outside and a male reported with a gun in his hand. The caller stated there were about fifty people, including teenagers, where a party had been on the 4th of July. Previously, on July 5th, 2021, officers responded to the same location on a code 3 weapons call involving a large party and individuals with guns, reference RB# 025688-21 and CAD# TOP21119567. On that occasion, when officers arrived on scene, they were immediately confronted with gunfire from multiple individuals. The incident resulted in a total of thirteen people being shot, including one juvenile and one fatality.

As officers arrived on this occasion, they observed hundreds of people on foot, in the street and yards on Lawrence and in the immediate area. The scene was described by officers as a large party with people drinking, smoking and loud music playing. A total of fifteen officers responded, with all but two staging in the area of N. Detroit and Lawrence as they waited for additional units to arrive. Two officers, Gregus and Smith were directed by a sergeant to respond to the opposite end of Lawrence and took up a position at Lawrence and Collins. While staged, emergency lights were activated on police vehicles, an air horn and siren were used as well as orders being given over the P.A. system for the crowd to disperse. Upon the arrival of Sergeant Pennington, the main group of officers approached the crowd from N. Detroit and Lawrence, giving repeated orders for the crowd to disperse. Officers described various degrees of compliance from the group ranging from immediate to delayed, to non-compliant. Sergeant Pennington utilized a pepperball gun in the vicinity of individuals that were not compliant in an attempt to gain compliance and continue dispersing the crowd.

While attempting to disperse the crowd, several individuals made their way to and congregated in the yard and on the front porch of 2730 Lawrence. There were approximately fifteen individuals on and immediately near the porch. Officers continued to give repeated orders for these individuals to disperse. Sergeant Pennington indicated that he would use his pepperball gun to disperse the crowd resulting in all

but four individuals leaving the porch. Sergeant Pennington engages in a verbal exchange with an individual identified as Kenneth White who states he lives there and does not have to leave. Sergeant Pennington advises Mr. White that he was addressing the others on the porch who did not live there. Sergeant Pennington and other officers continue to move about giving orders for those in the street and area to disperse. Sergeant Pennington returns to 2730 Lawrence where seven individuals were now present on the porch and asked who lived there and if there was a home owner he could speak to. One individual responded that the situation had nothing to do with them and questioned why the officers were coming so close. This was the individual that officers referred to in interviews as having a drum style magazine in the waistband of his pants. Mr. White responded that he had nothing to do with the situation and advised Sergeant Pennington that he owned the house. Sergeant Pennington advised officers to arrest other individuals on the porch at which point some individuals fled inside the residence as others were taken into custody including Mr. White, who stepped between advancing officers and the individuals they were attempting to arrest. As Mr. White and others were being taken into custody, a woman with a baby arrived on scene and was advised by officers to stay back. The woman stated that the individuals were her kids, asked what was going on and stated that Mr. White's arm was messed up, telling officers to get off of his back because his back had bullets in it and he could not sit on his back.

The individuals that were arrested were escorted down the street and placed in the staged police vehicles. Other officers continue clearing the area, including Officers Missler and Vargas who made their way to the sidewalk at Lawrence and Wall. At this time, Oshae Jones and the woman with the baby approach Officers Missler and Vargas. Ms. Jones tells Officer Missler, "I need to get his phone off of him." Referring to Mr. White, Officer Missler advises Ms. Jones that any property on a person when arrested will remain with them. Ms. Jones states that she needs to talk to him and asks, what's going on? Officer Missler advises that she was not involved in the arrests that occurred on the porch of the residence and could not give Ms. Jones any specifics. Ms. Jones stated "He was just standing on the porch, I don't understand how all this happened." Officer Missler again tells Ms. Jones that she was not involved in the arrests and could not give her any details. At this point Officer Guanilo walks by and the woman with the baby sees him and states that Officer Guanilo had stated that "He wasn't listening, that's why he got arrested." Officer Guanilo stops and advises that Mr. White was being charged obstruction, resisting arrest and loitering. The woman with the baby states that they have cameras so it's okay and references suing the police. Officer Guanilo continues to walk towards the staged police vehicles just around the corner. Ms. Jones, repeatedly calls "Sir, sir" to Officer Guanilo attempting to further engage with him. Officer Guanilo continues to walk away, rounding the corner.

At this time, Officers Pluff and Kill are walking past in the opposite direction and observe the confrontation between Ms. Jones, the woman with the baby and the officers. Officer Pluff makes a comment to the woman with the baby, stating, "Or maybe get your baby out of the street, its four o'clock in the morning...be a better parent." The woman with the baby responds that she is on the sidewalk as Ms. Jones responds, "Or maybe shut the fuck up." Officer Missler advises Ms. Jones that Mr. White has been arrested and she cannot talk to him right now. Ms. Jones again questions why he was arrested because he was on the porch. Office Missler tells Ms. Jones that Officer Guanilo just advised her of his charges. Ms. Jones tells Officer Missler, "He's being an asshole and you know that, c'mon bro!" Referring to Officer Guanilo. Ms. Jones and the woman with the baby continue to argue with Officers Missler and Vargas and the woman with the baby asks if they can get Officer Guanilo's badge number. Officers Missler and Vargas advise that the information would be documented on the report and advise them to go home. Ms.

Jones walks towards the corner of Lawrence and Wall then turns and states to Officers Missler and Vargas, "I wanna know that officer badge number. I asked for that. I need that right now. You have to provide that. That's what I want." Officer Missler advises that she does not have to provide somebody else's badge number. Ms. Jones states, "He have to provide it, but you won't let me go over there though." Officers Missler and Vargas continue to explain that the information will be documented on the report and officers are still involved in an active scene. Ms. Jones states, "I don't know his name ma'am, I want it right now, I want to record it right now." Ms. Jones then observes Officer Guanilo from a distance, walking away, through the intersection of Lawrence and Wall and begins to yell, "Sir, I want your badge number! Sir, I want your badge number!" then proceeds to walk through the intersection towards Officer Guanilo and other officers who are still actively clearing the area of individuals from the crowd. The woman with the baby tells Ms. Jones to record officer Guanilo for not giving his badge number. Officer Missler advises them that they need to head home.

Ms. Jones continues through the intersection with her phone in hand, recording with the phone light on, pointing in the direction of the officers clearing the area. As Ms. Jones reaches the sidewalk on the opposite side of Lawrence, Officer Pluff observes her advancing and orders her to stop stating, "Back up! Go! Go! Now!" Ms. Jones yells, repeating three times, "I'm asking for his badge number!" while continuing to advance towards Officer Pluff. Officer Pluff responds, "I don't care, back up!" Ms. Jones does not comply and remains on the sidewalk at which time, Officer Pluff attempts to take her into custody. Officer Pluff takes control of Ms. Jones right arm and attempts to get control of her left arm which is holding her phone. The woman with the baby approaches and tells Ms. Jones to give her the phone as Officer Pluff is struggling with Ms. Jones. Ms. Jones pulls her left arm from the grasp of Officer Pluff as the woman with the baby, who is at the rear of Officer Pluff, reaches in with her left arm, past Officer Pluff, on her weapon side, attempting to get the phone from Ms. Jones, stating, "You can't do that to her phone." As she reaches in, her arm is inside of Officer Pluff's left arm, between Officer Pluff's left arm and body, directly over Officer Pluff's holstered weapon. Contact is made with Officer Pluff in close proximity to her weapon and in response, Officer Pluff, while still struggling with Ms. Jones turns toward the woman with the baby and orders her to, "Back the fuck up!" Ms. Jones turns to her right, into Officer Pluff while Officer Pluff and now Officer Missler are attempting to get her hands behind her back to handcuff her. Officer Missler takes control of the left arm of Ms. Jones as Officer Pluff orders Ms. Jones to put her hands behind her back. Officer Missler attempts to get the phone out of the left hand of Ms. Jones, but Ms. Jones continues to hold on to it, refusing to let go and stating to the woman with the baby, "Here Ana, get my phone." Officer Pluff states, "No, you're not giving your phone to anyone." and tells her to stop. Ms. Jones replies, "You breaking my wrist." Officer Pluff replies, "Then stop moving!" Officer Missler removes the phone from the left hand of Ms. Jones, handing it to another officer as they continue to struggle with her. Officer Pluff orders Ms. Jones to, "Stop fucking moving." Ms. Jones again turns to her right and into Officer Pluff stating, "Stop cussing at me." Officer Pluff replies, "Then listen." Ms. Jones replies, "You angry, calm down." Officer Hohenberger is present telling Ms. Jones to stop pulling away, attempting to get her attention and telling her to stop twisting. Ms. Jones tells Officer Hohenberger that Officer Pluff is angry and squeezing her wrist for no reason. Officer Pluff orders Ms. Jones to, "Quit fucking moving!" Ms. Jones then turns to her left and into Officer Pluff again stating, "Stop fucking cussing at me!" Officer Pluff administers an open hand stun with her right hand to the left rear area of Ms. Jones' head, behind her left ear. Officer Pluff keeps her right arm extended and positions her right hand on the left side of Ms. Jones' face, utilizing head control to prevent Ms. Jones from turning into her again while holding the left wrist of Ms. Jones. Ms. Jones yells, "She just hit me! Y'all just see

that, Ana, she just hit me!” Officer Guanilo assists, securing the left arm of Ms. Jones as Officer Missler continues to hold the right arm of Ms. Jones and she is eventually handcuffed behind her back. Ms. Jones is escorted to and placed in a police vehicle then subsequently transported to the Lucas County Jail and booked.

This investigation has established that officers responded to the location at approximately 03:50 hours for a code 3 weapons call involving a large party and a suspect with a gun. When officers arrived, they began to disperse the crowd. A group of individuals on the porch and front yard area of 2730 Lawrence refused to comply with repeated orders that had been given by the officers. Sergeant Pennington advised officers to arrest specific individuals on the porch for failing to disperse. As the officers advanced to make the arrests, Kenneth White confronted them and was taken into custody as well. Mr. White and the others arrested were escorted to the area of Lawrence and Wall and placed in police vehicles to be transported to jail.

Ms. Jones was not present during the incident on the porch and did not witness the actions of the individuals arrested or the officers. In a statement by her Attorney John Bey, Ms. Jones was asleep in her bed at the time. Therefore, Ms. Jones had no firsthand knowledge or context of what transpired. Despite this fact, approximately six minutes later, Ms. Jones and a woman with a baby approach Officers Missler and Vargas near the intersection of Lawrence and Wall wanting to get property from Mr. White, wanting to speak with him and questioning the arrest of Mr. White. The officers attempted to explain that they could not get property from Mr. White, could not speak to him and did not have the information they wanted at that time, but it would be available to them. Ms. Jones and the female with the baby became agitated and confrontational with the officers. Officer Pluff observed the interaction between them and having no context for the presence of the female with the baby, made a derogatory statement to her, telling her to get the baby off the street as it was 4 o'clock in the morning and to be a better parent. The female with the baby responded that she was on the sidewalk and Ms. Jones responded with profanity. They then continued their interaction with Officers Missler and Vargas, becoming increasingly agitated, continuing to question the arrest of Mr. White. The female with the baby asked for Officer Guanilo's badge number and was advised that it would be on the report. Ms. Jones then demanded Officer Guanilo's badge number, stating that she had asked for it and needed it right now, telling Officers Missler and Vargas that they had to provide it. Ms. Jones had not previously asked for Officer Guanilo's badge number, only the female with the baby had, moments earlier.

Officers Missler and Vargas did not refuse to provide the information requested, rather they advised that they did not have the information at that time as they were not directly involved and other officers were occupied, continuing to handle the active scene. Ms. Jones was and is entitled to the information she sought, however her taking issue with the fact that Mr. White was arrested, having not been present at the time of the arrest, does not dictate or necessitate that officers immediately respond to her demands while engaged in an active scene. In her adamancy, Ms. Jones escalated the situation by ignoring Officer Missler when advised on two occasions to return home and again approaching officers engaged in clearing the area and again demanding the badge number of Officer Guanilo. Upon observing this, Officer Pluff gave repeated verbal orders for Ms. Jones to desist. Ms. Jones ignored the orders and continued to advance at which time Officer Pluff attempted to place her in custody. Ms. Jones actively resisted the efforts of Officer Pluff and other officers both verbally and physically. Ms. Jones was not responsive to verbal commands, non-compliant, engaging in non-threatening verbal and physical actions and pulling away from

officers. This was exacerbated by the presence and interference of the female with the baby while officers were attempting to take Ms. Jones into custody. Officer Pluff's response consisted of officer presence, verbal and physical commands, assistance from other officers, joint manipulation, hair/head control, and a stun technique. The responses utilized by Officer Pluff were justified per the guidelines provided in section 103.2/1.1 of the department manual. While attempting to place Ms. Jones in custody, Officer Pluff did on two occasions use profanity directed at Ms. Jones when issuing commands. While the use of profanity is sometimes used and can be effective in emphasizing a point or gaining compliance, as when Officer Pluff used it when telling the woman with the baby to back up, its use is prohibited by department policy per section 103.3/5.14.2 of the department manual and Officer Pluff's use of it with commands directed at Ms. Jones is found to be in violation of that policy, as is the derogatory comment previously made to the female with the baby relating to her having the baby on the street and her quality of parenting.

An attempt was made to interview Oshae Jones as a part of this investigation. Her attorney John Bey advised that he would not permit Ms. Jones to be interviewed without legal counsel present at the time of the interview. Mr. Bey was advised that as this investigation was administrative in nature in relation to a complaint filed against an officer and not criminal in nature against Ms. Jones, she would be interviewed alone to eliminate any influence on her statements from outside sources. Mr. Bey again advised that he would not permit Ms. Jones to be interviewed without legal counsel present, articulating concern as to the fact that while this investigation may be administrative, Ms. Jones has the pending criminal case resulting from her arrest at the incident and wished to protect her rights relating to that matter. It was agreed upon by this Sergeant and Mr. Bey that Ms. Jones would provide a preliminary written statement in lieu of being interviewed and that statement would be forwarded through him to this Sergeant, to be included with the investigation. In response, Mr. Bey provided a statement written by him, not by Ms. Jones. Mr. Bey was advised via email that his statement had been received and included with the investigation but this Sergeant was still awaiting the statement from Ms. Jones if he wished to provide it. As of the completion of this report, no statement from Ms. Jones has been received.

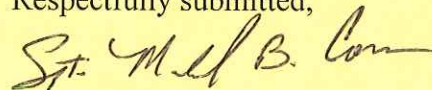
Recommendation:

For the charges against Officer Ashlyn Pluff #2653, in Internal Affairs Case #8731, I recommend the following:

The charge of "Unnecessary Use of Physical Control Techniques" 103.3/5.16.21, be closed with a finding of **"Exonerated."**

The charge of "Demeanor" 103.3/5.14.2, be closed with a finding of **"Sustained,"** and that Officer Pluff be issued a **"Verbal Reprimand."**

Respectfully submitted,



Sergeant Michael B. Comes #2158
Internal Affairs Bureau