

Timothy Russell, Malissa Williams Shooting: Cleveland Community Wonders Why 137 Rounds Fired

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Russell (L), Williams (R). Photo: AP

CLEVELAND -- A chase that ended with 13 officers firing 137 rounds, killing two people, began with a pop – perhaps a gunshot or backfire from a car speeding past police headquarters.

For the next 25 minutes late in the night of Nov. 29, the car crisscrossed Cleveland tailed by officers, headed along Interstate 90 and wound up near the back entrance of a school in East Cleveland, where police opened fire.

Police don't know why the driver, Timothy Russell, 43, refused to stop. Russell had a criminal record including convictions for receiving stolen property and robbery. His passenger, Malissa Williams, 30, had convictions for drug-related charges and attempted abduction.

The fallout from their deaths has cast the Cleveland police department in an uneasy light amid community complaints about what's been called a racially motivated execution of two people with no evidence they were armed.

The state took over the case and families for both victims and civil-rights groups have demanded a federal investigation. They accuse officers of alleged civil rights violations in the pursuit and gunfire barrage.

"You just can't help but wonder how so many officers were able to shoot so many bullets at these two people in this vehicle," said Paul Cristallo, an attorney representing Russell's family.

Protesters yelled "execution" at a community meeting called by Mayor Frank Jackson to quell rising tensions. The city tried to defuse the outrage by reaching out to federal officials for help. There was no immediate federal decision to intervene.

The officers involved in the shooting have been assigned to desk duties, which is standard procedure after a shooting. They want to avoid talking to the media while subject to the state and internal investigations, their union president said.

The scene of the deaths has turned into a memorial, with small vigil candles arranged in the shape of a heart and the number 137 and stuffed animals piled together with a frost-encrusted poinsettia.

The chase began about 10:30 p.m. when an officer thought he heard a gunshot from a car speeding by the police and courts complex in downtown Cleveland and jumped into his patrol car, made a U-turn and radioed for help.

The chase went through crowded residential neighborhoods, then reversed course, headed east onto busy I-90 and through parts of Cleveland and eventually East Cleveland, ending with the car blocked in the rear of a school.

By police accounts, at least 30 patrol cars were involved in the chase, including Cleveland and East Cleveland police, sheriff's deputies and state troopers.

As the chase ended along hillside driveways heading to the school in John D. Rockefeller's old neighborhood, Russell allegedly rammed a patrol car and drove toward an officer on foot. Then the gunfire erupted: 137 rounds, Russell shot 23 times and Williams 24 times and their car pockmarked.

Jeff Follmer, president of the police union, defended the officers' actions and said officers used force to confront a driver using his vehicle as a potentially deadly weapon.

That was an acceptable police response, said David Klinger, a former Los Angeles and Redmond, Wash., patrolman who teaches criminal justice at the University of Missouri-St. Louis.

"Police officers are authorized to use deadly force to protect themselves and others from great bodily injury or death," he said. "I don't know about you, but I'm not going to stand there and let somebody run me over."

While the driver may have endangered officers, Klinger questioned why the passenger was shot two dozen times, though he wondered whether officers missed while aiming at the driver.

Follmer said some officers in the chase believed both the driver and passenger were armed, and police radio chatter had numerous references warning about a weapon or gunfire from the fleeing car. "I guess he's waving a gun out the window pointing at the officers," one radio dispatch said.

But no weapon or shell casings were found in the fleeing car and the chase route was searched for any trace.

In a well-integrated police force, the makeup of the officers who fired raised the issue of race: 12 are white and one Hispanic. Both victims were black.

The police union president said race wasn't an issue and said the racial makeup of the pursuing officers was random.

But the NAACP called the shootings unacceptable and avoidable and called on the U.S. Justice Department to investigate.

The American Civil Liberties Union of Ohio went further, calling for a special prosecutor without ties to the northeast Ohio law enforcement community. The ACLU also asked the attorney general to remove East Cleveland police and the sheriff's department from the state probe because they were involved in the chase.

Cristallo said people who are part of Cleveland's black community are angry. "The people who live in the inner city in Cleveland, the black people in this community, feel that this was an assault on the whole community," he said.

Complaints about the relationship between police and Cleveland's black residents date back to the discovery of the bodies of several black women in a home in an impoverished neighborhood east of downtown in 2009. The man who lived in the home was sentenced to death last year in the killings of 11 women.

That case shed light on residents' complaints that reports of missing black women involved in drugs and prostitution were ignored, tarnishing the image of police.

"This most recent shooting is only the latest in a long line of incidents in Cuyahoga County that have tested people's faith in their public servants," said James Hardiman, a veteran civil-rights attorney and legal director of the ACLU of Ohio.

The shooting deaths have also strained the relationship between officers and city leaders.

The mayor offered an even-handed approach and said police would be backed if they obeyed procedures during the chase but would face unspecified consequences if that wasn't the case.

But the quick response by a glum-looking police Chief Michael McGrath that the shooting was a tragedy upset rank-and-file officers who felt he spoke too fast without knowing the facts.

"Morale is down. There is no confidence that there's backing with the chief right now," union president Follmer said.

The internal investigation on whether officers followed departmental procedures could take six weeks or more, the chief said. The mayor said the state investigation could take months.

http://www.huffingtonpost.com/2012/12/17/timothy-russell-malissa-williams-cleveland-shooting_n_2315330.html