

Lakewood Police

Report 03/22/2008 19:29

Report # 01-08-002288


I N C I D E N T	Report #	Report	Occurred From	Occurred To	Report Type
	01-08-002288	03/22/2008 19:29	03/22/2008 19:29	03/22/2008 19:55	Original
	Dept. Classification	Case Status	Date Report Completed	Cleared Scene	
	DANGEROUS DRUGS 3599		03/23/2008	03/22/2008 20:51	
Common Name					
HIRD NORTH LANE LAKEWOOD, OH 44107 (CUYAHOGA County)					
Day of Week : Saturday					
Dispatched : 03/22/2008 19:29			Shift : Patrol Mids 1900 - 0700		
Responded : 03/22/2008 19:30			Zone : BEAT 100		
Arrived : 03/22/2008 19:29			Alcohol/Drug Related : Yes		
Map Reference : RD7			Additional Officers : 28, 43, 74, 45 and Aux.#45		
Zone : BEAT 100			Total Damaged Property Value : \$0.00		
Shift : Patrol Mids 1900 - 0700			Total Stolen Property Value : \$0.00		
			Total Recovered Property Value : \$0.00		

O F F E N S E 1	State/ Dept. Classification		Attempted/ Committed
	TRAFFICKING 3511		COMMITTED
	Statute/Ordinance	Location Type	Disposition Date
	2925.03	STREET	
Evidence Collected : Yes		# of People Arrested : 01	

O F F E N S E 2	State/ Dept. Classification		Attempted/ Committed
	DRUG ABUSE 3509		COMMITTED
	Statute/Ordinance	Location Type	Disposition Date
	2925.11	STREET	
Evidence Collected : Yes		# of People Arrested : 01	

O F F E N S E 3	State/ Dept. Classification		Attempted/ Committed
	FLEEING/ELUDING OFFICER-FELONY 4802		COMMITTED
	Statute/Ordinance	Location Type	Disposition Date
	2921.33B	STREET	
# of People Arrested : 01			

O F F E N S E 4	State/ Dept. Classification		Attempted/ Committed
	POSSESSING CRIMINAL TOOLS 5210		COMMITTED
	Statute/Ordinance	Location Type	Disposition Date
	2923.24	STREET	
Evidence Collected : Yes		# of People Arrested : 01	

Reporting Officer	Department	Report Status:
INV. TODD ALLEN (1066)	LAKEWOOD POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Supervising Officer	Department	Date / Time
SGT LESLIE D WILKINS (1064) 	LAKEWOOD POLICE DEPARTMENT	03/24/2008 05:38

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O F F E N S E 5	State/ Dept. Classification RESISTING OFFICER 4801		Attempted/ Committed COMMITTED
	Statute/Ordinance 525.09	Location Type STREET	Disposition Date
	# of People Arrested : 01		

O F F E N S E 6	State/ Dept. Classification OBSTRUCTING OFFICIAL BUSINESS 4804		Attempted/ Committed COMMITTED
	Statute/Ordinance 525.07	Location Type STREET	Disposition Date
	# of People Arrested : 01		

O F F E N S E 7	State/ Dept. Classification OPEN CONTAINER 4106		Attempted/ Committed COMMITTED
	Statute/Ordinance 529.07 LCO (MM)	Location Type	Disposition Date
	# of People Arrested : 1		

P E R S O N 1	Person Type ARA - Arrested Adult	Business/Person Name DARYL P MCGINNIS		Business Phone	
	Home Phone	Person Address 3414 FULTON RD Apt. 1 Cleveland, OH 44109 , CUYAHOGA County		Map Reference	
	Other Phone	Employer Address		Map Reference	
	Race Black	Sex Male	SSN [REDACTED]	DL Exp. Date	DL Number
	Birth Date	Birth City			
	Age : 35 Occupation : NONE Adult/Juvenile : ADULT		Booking Number : lk-08-002471 Employer : NONE		

P E R S O N 2	Person Type OWN - Owner	Business/Person Name THE WISE CHOICE		Business Phone	
	Home Phone	Person Address 4220 W.130TH ST Cleveland, OH 44135 , CUYAHOGA County		Map Reference	
	Other Phone	Employer Address		Map Reference	
	Race	Sex	SSN	DL Exp. Date	DL Number
	Birth Date	Birth City			

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Supervising Officer SGT LESLIE D WILKINS (1031)	Department LAKEWOOD POLICE DEPARTMENT	Date / Time 03/24/2008 05:38

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P E R S O N 3	Person Type VIC - Victim		Business/Person Name STATE OF OHIO			Business Phone
	Home Phone		Person Address			Map Reference
	Other Phone		Employer Address			Map Reference
	Race	Sex	SSN	DL Exp. Date	DL Number	
	Birth Date		Birth City			

P E R S O N 4	Person Type VIC - Victim		Business/Person Name CITY OF LAKEWOOD			Business Phone
	Home Phone		Person Address			Map Reference
	Other Phone		Employer Address			Map Reference
	Race	Sex	SSN	DL Exp. Date	DL Number	
	Birth Date		Birth City			

P E R S O N 5	Person Type OIV - Others Involved		Business/Person Name DAVID J RANDER			Business Phone
	Home Phone		Person Address 11803 NORTH LANE Apt. 3 Lakewood, OH 44107, CUYAHOGA County			Map Reference
	Other Phone		Employer Address			Map Reference
	Race Black	Sex Male	SSN [REDACTED]	DL Exp. Date	DL Number	
	Birth Date		Birth City			
Age : 48			Adult/Juvenile : ADULT			
Occupation : UNKNOWN			Employer : UNKNOWN			
DL State : OH						

V E H I C L E 1	Plate # N960678	Plate Expirati 04/01/2008	Year 2004	Make NISSAN	Model MAXIMA	Vehicle Style 4 Door
	Empty Field		Plate State OH	Vehicle Type Automobiles	VIN 3N1CB51D54L839109	Category SEIZED
	Top Color : MAROON			Rec. Officer : ALLEN, TODD L.		
Vehicle Disposition : TOWED:KUFNER S TOWING			Association : Owner is THE WISE CHOICE			
Stolen Value : \$000,000						

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P R O P E R T Y 1	Category EVIDENCE	Property Type NARCOTICS	Make CRACK COCAINE	Model
	Serial #	Color WHITE	Description IN PLASTIC BAGGIE	Condition
	Associations : Owner is DARYL MCGINNIS Quantity/Weight : 2.3G		Value : \$0,000,000.00 Rec. Officer : ALLEN, TODD L.	
P R O P E R T Y 2	Category EVIDENCE	Property Type Cell phone	Make MOTOROLA	Model V323I
	Serial # 8JUG2127NG	Color GRAY	Description 216-322-	Condition
	Quantity/Weight : 1 EACH Value : \$0,000,005.00		Rec. Officer : ALLEN, TODD L.	
P R O P E R T Y 3	Category EVIDENCE	Property Type Cell phone	Make LG	Model
	Serial # 1FA30370	Color SILVER	Description BROKEN	Condition
	Associations : Owner is DARYL MCGINNIS Quantity/Weight : 1 EACH		Value : \$0,000,005.00 Rec. Officer : ALLEN, TODD L.	
P R O P E R T Y 4	Category EVIDENCE	Property Type U.S. CURRENCY	Make U.S.	Model
	Serial #	Color	Description VARIOUS BILLS	Condition
	Associations : Owner is DARYL MCGINNIS		Value : \$0,003,645.00	

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Topic Original Report

MO/ By being in possession of a controlled substance prepared for resale, To Wit; 2.3 grams of crack cocaine in a plastic baggie (7 individual rocks).

MO/ By being in possession of a controlled substance, To Wit; 2.3 grams of crack cocaine in a plastic baggie.

MO/ Did willfully operate a vehicle to elude or flee police officers after receiving visible and audible signals as well as causing substantial risk of serious physical harm to persons or property.

MO/ Did possess an instrument or device with purpose to use it criminally, To Wit; the two listed cell phones and \$3,645.00 in U.S. Currency.

MO/ Did, without privilege to do so and with purpose to prevent or obstruct or delay a public official in his duties, flee on foot from a motor vehicle failing to stop when ordered by police officers.

MO/ Did, with force, resist his lawful arrest, To Wit; by refusing to stay on the ground and place arms behind his back while being handcuffed.

MO/ Did knowingly have in his possession an open container of alcohol in a motor vehicle, To Wit; 1- bottle of Corona beer.

While on routine patrol on 03/22/08, I observed the listed vehicle westbound on Detroit Avenue at W.117th. I immediately recognized the driver of the vehicle as (ARA) McGINNIS, DARYL. McGINNIS was arrested by P.O. CANTLIN and this officer on 03-03-08 for felony drug charges. It was also known that McGINNIS' driving privileges are suspended.

McGINNIS continued west and pulled into the southbound turn lane on Detroit at Coutant. I turned around in a parking lot and at which time, McGINNIS turned north from the southbound turn lane onto Hird. As I was attempting to catch up to McGINNIS, he turned east on Clifton. McGINNIS was then observed sitting in the Shell gas station lot at W.117th and Clifton. I requested P.O. CANTLIN to respond to the area and assist on the stop. McGINNIS then left the lot south on W.117th. I pulled behind McGINNIS and activated my lights. McGINNIS then pulled into the Municipal lot on W.117th at Detroit. McGINNIS kept driving at a slow rate of speed which was approx. 20 mph. P.O. CANTLIN was still with this officer assisting with the stop.

McGINNIS then pulled out onto WB Detroit and continued at the same rate of speed. The light was red for westbound traffic at Detroit and Hird. McGINNIS started into the southbound turn lane on Detroit at Coutant. McGINNIS then rolled through the light and then proceeded NB on Hird. McGINNIS almost caused an accident when proceeding through the red light.

McGINNIS then stopped completely on Hird at South Lane in the middle of the street. When stopped, this officer observed McGINNIS talking on his cell phone. McGINNIS then pulled onto South Lane and stopped again. McGINNIS then accelerated through the lot coming to a quick stop and fleeing on foot from the vehicle. I ordered McGINNIS several times to stop but he continued running north towards North Lane. While running, McGINNIS continued talking on his cell phone.

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McGINNIS then stopped and turned towards this officer placing his right hand inside his right jacket pocket. At gun point, McGINNIS was ordered to the ground. McGINNIS then quickly pulled his hand out of his pocket. I observed a plastic baggie in his right hand. McGINNIS then started running again.

McGINNIS was immediately confronted and restrained by AUX. LAVELLE and I in the parking lot of North Lane. McGINNIS was attempting to dump the contents of the baggie onto the ground. Once on the ground, I was able to pull the baggie from McGINNIS' hand. McGINNIS continued with his attempts to stand-up and was actively fighting with the Officers. P.O. CANTLIN, AUX. LAVELLE, P.O. GREER, INV. PICKENS, INV. FIORITTO and I were all involved in attempting to safely handcuff McGINNIS.

McGINNIS was eventually handcuffed. In checking the baggie taken from McGINNIS, it was found to contain 7 individual rocks of crack cocaine. In a search incident to arrest, McGINNIS was also found to be in possession of two cell phones and \$3,645.00 in US currency. It should be noted that \$3,500.00 was bundled separately from the other currency. The area was checked for additional crack cocaine and other contraband but with negative results due to the slush and snow that was covering the ground.

The last number dialed on McGINNIS' cell phone was (216) 227- . The phone number lists to (OIV) RANDER, DAVID J., who resides at 11803 North Lane #3. RANDER was identified as being associated with McGINNIS' drug activity during his last arrest.

A tow was then ordered for the vehicle that listed to (OWN) THE WISE CHOICE. KUFNER's responded for the vehicle. During the inventory search of the vehicle prior to towing, P.O. CANTLIN found and open bottle of CORONA beer in the center console. The bottle was still partially full and cold to the touch. P.O. GREER transported McGINNIS to the station for booking. McGINNIS was booked for Trafficking, Poss. Crack Cocaine, Fleeing & Eluding, PCT, Obstructing Official Business, Resisting Arrest, Open Container, DUS and Seatbelt.

McGINNIS was issued traffic citation #D160960 for DWUS and Seatbelt. McGINNIS was not driving due to any type of emergency at the time of the stop. No other citations were issued for the Misdemeanor charges per policy. A strip search was conducted by C.O. McCARTHY and PO PERHACS. No other contraband was located on McGINNIS' person.

I transported the evidence to the station. At the station the items were tagged, weighed and placed in the drug chute located in LPD's property room. The crack cocaine had a gross weight of 2.3g and field-tested positive. The bottle of Corona beer was photographed and disposed of accordingly.

 A video request form was completed and forwarded to Ken DUNN.

As a result of McGINNIS' resistance to his arrest, AUX. LAVELLE tore the right knee of his duty pants as well as his gloves. AUX. LAVELLE received an abrasion to his right knee. When attempting to restrain McGINNIS, I struck my right hand on the pavement. I received a small abrasion between my ring and pinky finger that had a slight bruise and some swelling. Neither myself nor Aux LAVELLE desired medical treatment at the time of the incident and did not go to the Lakewood ER for evaluation. I also strained my lower back when I slipped exiting 218. The necessary paperwork was completed and forwarded to Sgt. L. WILKINS who was immediately advised of the incident. Photos of the damaged

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clothing and injuries were taken by INV. FIORITTO.

RECORD ROOM NOTE:

STATE OF OHIO (VIC) Trafficking, Poss. Crack Cocaine, Fleeing and Eluding and PCT
CITY OF LAKEWOOD (VIC) Obstructing Official Business, Resisting Arrest and Open Container

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