

## Schismenos Videos

### Defendant/Suspect:

Garrick Feaster; [REDACTED];  
[REDACTED]; Numerous other unknowns

### Notes from Video:

Hours worth of footage of 12 + traffic stops; Most start after the car has already been stopped, a few include the actual stop. Most have no audio of the conversation but for what occurs in the cruiser; camera is open and obvious, moved and commented on by suspect, and strapped to the dash. All routine stops. Pat downs and searches of vehicles. No violence in any of the clips. Officers cut a few breaks and don't make some arrests when they had grounds to; no clear felony stops. All stops appear to be traffic, or misdemeanor including underage drinking (Feaster/Hammonds), open container, DUS, equipment violations etc. Most are detained, given a citation and then released. Many videos are only partial videos.

### Compare to Police file/reports:

Unclear, most are traffic citations, no felony reports to compare. The only obvious arrests are unable to be positively ID'd. Most instances on the video appear to be citation only offenses or the suspect's identity is partially or completely in question. The first stop involves juveniles and the rest are not clear if there were actually charges filed. Redactions may be necessary on names.

### Description from video helpful to prosecutor/defendant:

Grumbings about the search in a few videos; however, the searches do not end in arrests. Several breaks are cut allowing citations on arrestable offenses. Miranda warnings are given. One stop is for very minor equipment violations, but again, no arrest is made and not all citable offenses are written up. The few actual arrests on the video show suspects who cannot be positively identified (partial names, no names – just video) and there is no indication of a charge.

### Brady issues:

It is not clear that any of these stops ever end up in criminal charges. If so, it isn't clear if videos were turned over. The recordings were not covert. Suspects can be heard remarking about the camera. It is unclear if there are any attorneys on any of these cases which can be identified to turn over anything. Nothing about the stops aside from the equipment violation stop feels questionable, improper or exculpatory.

Redact Name:      Yes      No

Provide video / audio to defense attorney      Yes      No

Defense Attorney:     Unknown – unable to be determined

Person reviewing video:     Ryan Stickel     Date: 5/13/14

## Schismenos Videos

**Defendant/Suspect:**

[REDACTED]

**Notes from Video:**

Photos of gang member, but it is unclear who it is. Photos of money, tattoos, t-shirt, jacket and graffiti. Recording of press conference on gangs. Video of news report by Cristy Steeves with soundbite by Don Schismenos.

**Compare to Police file/reports:**

Cannot connect this material to a [REDACTED] or any case.

**Description from video helpful to prosecutor/defendant:**

Disk labeled "[REDACTED]" [REDACTED]. Photo on disk is NOT [REDACTED]. Unable to determine who is in the photos, but they are gang related photos.

**Brady issues:**

None. Even if we knew who was in the photos, this would only help the State prosecute a gang charge.

**Redact Name:**             Yes             No

**Provide video / audio to defense attorney:**             Yes             No  
Counsel of Record: Jana DeLoach

**Person reviewing video:** Greg Peacock            **Date:** 5-12-14

## Schismenos Videos

### Defendant/Suspect:

[REDACTED]

### Notes from Video:

No video was provided by APD or BCI. I contacted Detective Angeia Falcone who confirmed that APD does not have this video. It was logged into evidence back in 2010; however, per APD policy it was destroyed. APD destroys all recordings 30 days after the case is disposed unless there is an appeal.

### Compare to Police file/reports:

I reviewed our file on [REDACTED]. Our file does not contain any video recording. The APD police reports in our file list the offense date as 12/27/09. The first line of the ROI statement reads: "Most statements recorded on digital camera and in DUI room video." The Evidence & Found Property Report in the file list Package No. 6 "video taken in-car and at station". Page 4 of the ROI lists "videotaped statements" under evidence collected/location of evidence. I contacted the Chief's office and spoke with Detective Falcone. I layed out the situation for her and indicated that it is possible the CD was actually logged into evidence and provided; however, there is no documentation confirming this so I would like to view the CD. She advised she would contact the APD evidence room and call me back. Det Falcone returned my call and advised she had spoken with Russ in the property room who indicated that the CD was destroyed as per APD policy. Evidence is destroyed 30 days after the case is resolved unless there is an appeal. Because this case plead, there would have been no appeal. Due to the fact that it is very clearly documented in the police report that there was a recording, defense counsel (Bill Corgan) would have been aware of its existence. Further, on 9-13-10 Attorney Corgan filed a Motion for Discovery and Inspection requesting any recorded statements. On 11-23-10 [REDACTED] plead guilty. This all presupposes that the recording referenced in the BCI documentation is the same recording referenced in the APD paperwork.

### Description from video helpful to prosecutor/defendant:

It is unable to be determined whether this video would have been helpful to anyone. Assuming this video is the same one referenced in our file, defense counsel would have been aware of its existence.

### Brady issues:

As the video is not available from APD and was not provided by BCI, it is impossible to determine whether or not the video contained any exculpatory evidence or anything helpful to the defendant at trial or sentencing. It is not even clear whether or not the video deals with this case [REDACTED]

Redact Name:  Yes  No

Provide video / audio to defense attorney  Yes  No

Defense Attorney: Bill Corgan

Person reviewing video

Margaret Scott

Date

5-14-14

## Schismenos Videos

### Defendant/Suspect:

DeShawn Singleton-2007-05-1644

██████████-Case unknown (Possibly Akron Muni ██████████.)

### Notes from Video:

Marked: " 'Arrests' Vid. DeShawn Singleton-Crack. ██████████"

-Cruiser in parking lot. Pulls up to D. Singleton getting into car. Conversation inaudible. Singleton arrested. Other officers arrive. Schismenos searches car, takes several polaroid photos. Video shows Singleton in cruiser, Schismenos read Miranda.

-Traffic stop on OH-261E. SUV stops, pulls away, stops. Schismenos cuffs and removes driver, 2 passengers removed @ gunpoint by other officers. Vehicle searched. All 3 males in cruiser. Driver IDs self as "██████████". Alone in cruiser, the 3 talk about the marijuana in the car. ██████████ clearly has knowledge of it. Schismenos Returns and shows them the drugs. Barber accuses Schismenos of planting it in car. Alone again, ██████████ asks the other 2 to lie for him.

### Compare to Police file/reports:

-Singleton video and polaroids are noted in Schismenos' ROI and are in the case file (2007-05-1644)

-██████████ video-case unknown

### Description from video helpful to prosecutor/defendant:

Singleton video was provided in discovery.

██████████ video-██████████ shows knowledge of marijuana and asks others to lie for him.

### Brady issues:

Singleton-none.

██████████-unknown

Redact Name:       Yes       No

Provide video / audio to defense attorney:       Yes       No

Attorney of record: Ron Clum

Person reviewing video Peter Daly      Date 05.13.14

## Schismenos Videos

**Defendant/Suspect:**

Seth Smith 2010-09-2591

**Notes from Video:**

Photos of white male "victim" of assault. Photos of white male "suspect" in assault.  
Video of suspect being pushed/placed in a wagon.

**Compare to Police file/reports:**

Matches reports. Note: there are notes on the file in Schismenos handwriting that the disk was tagged into evidence.

**Description from video helpful to prosecutor/defendant:**

Case was remanded at Grand Jury. Looks like it was a mutual fight. This video is not "new" evidence.

**Brady issues:**

No. Possibly for the City of Akron Municipal Prosecutor. Most serious charge was remanded to municipal as a misdemeanor by the Grand Jury.

**Redact Name of Victim**

**Provide video / audio to defense attorney:**  Not a felony

**Attorney of Record:** Ed Bonetti

**Person reviewing video:** Greg Peacock **Date:** May 12, 2014

# Schismenos Videos

**Defendant/Suspect:**

Rodney J. Williams

**Notes from Video:**

3 videos on CD (Two are irrelevant [labeled "AMHA" & "10 Botnik Plaza-Arrington"])

Relevant Video: 5/30/10 "31 Susan Ct Carr & Williams"

At the time the video begins, Mr. Williams is already in custody. Officer Schismenos confirms Mr. Williams name talks about Mr. Williams' tattoos.

Video continues with Officer Schismenos speaking to others in parking lot, getting names and taking some pictures.

**Compare to Police file/reports:**

There is no mention of Officer Schismenos in the reports associated with the incident. However, this is not surprising as by the time Officer Schismenos is on scene, based upon the video, the incident is over.

**Description from video helpful to prosecutor/defendant:**

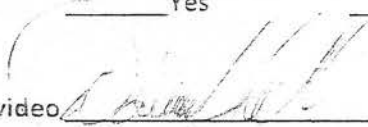
There is nothing inculpatory or exculpatory in the video, only Mr. Williams stating his name.

**Brady issues:**

None

Redact Name:  Yes  No

Person reviewing video



Date



## Schismenos Videos

**Defendant/Suspect:**

Deshawn Singleton 2007-05-1644

Marcus Jones 2007-07-2136

**Notes from Video:**

The submitted video has seven segments. However, only 2 of the 7 relate to the above cases. No connection has been established with the remaining 5 segments. The two segments that relate are 1: Deshawn Singleton stop and arrest, and 2: Interview of Marcus Jones. The unrelated 5 segments contain 1: Patrolling parking lot, pulls behind car, he and other officers search trunk. 2: Videos of someone mopping a floor. 3: Video of interview, unknown suspect. Miranda given, Officer Rea present. 4: Broken windows/incident at a business. 5: copy of above video of interview, unknown suspect. Miranda given, Officer Rea present.

**Compare to Police file/reports:**

1: Singleton stop was provided in discovery of case file 2007-05-1644 2: interview of Marcus Jones is contained in the file of case 2007-07-2136. Others are not connected to any case.

**Description from video helpful to prosecutor/defendant:**

Both segments were evidence in cases and provided to defense counsel at time case was pending.

**Brady issues:**

None. Provided in discovery.

**Note:**

Marcus Jones also has case number 2004-10-3672(A). These videos were reviewed in relation to that case also. However there was no connection to the recordings found in the 2007 case.

Redact Name:  Yes  No

Provide video / audio to defense attorney:  Yes  No

Jones Counsel: Matt Fortado, Singleton Counsel: Tyler Whitney

Person reviewing video: Greg Peacock Date: May 12, 2014



## Schismenos Videos

**Defendant/Suspect:**

DeShawn Singleton-2007-05-1644

Video marked: "1035580 DeShawn D. Singleton, 786 Noah Avenue, 07-CRA-05864; Possession of Crack, Criminal Gang"

**Notes from Video:**

-Driving behind dark car, follows into parking lot. Cruiser circles lot, pulls behind light colored car. Contact w/ someone off-camera. Schismenos puts someone (unseen) in cruiser. Schismenos and other officers search trunk.

-Cruiser pulls into same parking lot, circles.

-Cruiser in parking lot. Pulls up to D. Singleton getting into car. Conversation inaudible. Singleton arrested. Other officers arrive. Schismenos searches car, takes several polaroid photos. Video shows Singleton in cruiser, Schismenos reads Miranda.

-Remainder of DVD contains home videos unrelated to Schismenos/Akron Police.

**Compare to Police file/reports:**

-1<sup>st</sup> video: Case/File unknown

-2<sup>nd</sup> video: Case/File unknown

-3<sup>rd</sup> video: Video and polaroids are noted in Schismenos' ROI and are in the case file (2007-05-1644).

-Home video: N/A

**Description from video helpful to prosecutor/defendant:**

Video related to Singleton was provided in discovery.

**Brady issues:**

None.

Redact Name:  Yes  No

Provide video / audio to defense attorney:  Yes  No

Attorney of Record: Ron Clum

Person reviewing video Peter Daly

Date 05.13.14



## Schismenos Videos

**Defendant/Suspect:** [Note: Jackson/Wright case **unrelated** to Jessie Gooden case, but on same disc. Also **other discs** exist re: Jackson/Wright and were reviewed by Asst. Pros. Roth. This form relates to one disc only]  
Joe Jackson/Darin Wright, Case No. 07-11-3694AB

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Jessie Gooden – Case No. 08-10-3381

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### Notes from Video:

Joe Jackson/Darin Wright – disc has photos that are pasted in the ROI

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Jessie Gooden – a brief video 8 second long that is at night and hard to see, and photos of Jessie Gooden laying on a hosp. bed, and a copy of an action taken (a police report). There are also photos of (Redacted) in a cruiser.

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A (Redacted) with the caption “tazer” and a (Redacted) ← no felonies for any of these people relating to this event.

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### Compare to Police file/reports:

Joe Jackson/Darin Wright – see above

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Jessie Gooden – the one page action taken in the file matches the action taken in the prosecutor’s file.

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The action taken notes he took photos of the subject at the time.

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### Description from video helpful to prosecutor/defendant:

Joe Jackson/Darin Wright – prosecutor already had images. The ROI would have been provided in discovery.

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Jessie Gooden - the police report notes the photos taken by Schismenos. Defense counsel would review that in Discovery in preparation for trial. There are photos of the defendant in the hospital bed in the file, possibly taken by other officer.

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### Brady issues:

Joe Jackson/Darin Wright – none, see above.

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Jessie Gooden – None. The photos were of people Mr. Gooden was with. The photos relating to him were of him in a hospital bed.

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Redact Name:  Yes (possibly witnesses)  No

Provide video / audio to defense attorney:  Yes (Jackson/Wright)  No

Attorney of Record: Joe Jackson (Kirk Migdal) , Darin Wright (Larry Cook)

Provide video / audio to defense attorney:  Yes  No ( no record of these photos being provided regarding Jessie Gooden)

Attorney of Record: Charles Olmnsky (Jessie Gooden)

Person reviewing video Colleen Sims Date 5-15-14

## Schismenos Videos

**Defendant/Suspect:** [Note: (Redacted) and Efram Johnson are **unrelated cases**, but were on the same disc] (Redacted) – victim in ST. v. Dierre Robinson and Lavaile Thomas, 12-12-3506AB, V was shot fatally in the Chest 11/19/12. Def's found G of other felonies but not for the murder.

Efram Johnson: Defendant in Murder Case, 2010-03-0866

### Notes from Video:

(Redacted) – statement – goonies, recording has the date of 10/9/10

Efram Johnson – it's a recording off of WNIR radio discussing the arrest of Efram Johnson on the radio.

### Compare to Police file/reports:

(Redacted) – had been 18 for about 3 and ½ mos. When he was shot and killed. No adult charges in Common Pleas. The interview looks to have taken place 2 years before his death about his gang involvement.

Efram Johnson – this is not a recording from the investigation, but a recording of a public broadcast.

### Description from video helpful to prosecutor/defendant:

(Redacted) – given the 2 year time span, I do not see a connection between this interview about his gang activity, which he mostly denies, and the crime.

Efram Johnson – a recording of a radio talk show discussing the case would not be admissible. E. Johnson pled during his murder trial.

### Brady issues:

(Redacted) - none

Efram Johnson - none

Redact Name:  Yes (victim)  No

Provided video / audio to defense attorney:  Yes  No

(Redacted) – see above, unconnected to crime against him happening years later)

(Efram Johnson - not this radio recording, however there was another recording in the file from Schismenos relating to Efram Johnson on a day other than the murder that was provided to the attorney and may have been used if Johnson testified which he did not.)

Attorney of Record: Tom Dicaudo

Person reviewing video Colleen Sims Date 5-15-14

## Schismenos Videos

CD-DVD Labels Schismenos  
SI - 77-11-14-0807  
CD/DVD #3

Disc received from APD  
Multiple episodes contained on video.

1. Left upper corner "1980-01-07 5-16-10 Dionte D. Alexander 50 Safer Plaza." Appears to be a foot chase, it is very dark near some unknown apartment complex. No arrest viewed nor heard.
2. 5-16-10 noted in left hand corner of video. Conversation between two officers in cruiser. Officer who sounds like Schismenos is complaining about his chief's new reserves faking "reserve cards." Same person then makes a crazy voice noise then reports he has a crazy Iranian. The conversation proceeds back to complaining about paperwork. They talk about "F's" and putting language in quotes. "The stupid N\*\*\*\*\* did this..." Then the conversation turns to taking polygraphs.
3. Taped interview of an unknown woman in her house. Recording does not indicate what if any crime occurred nor why the police were there.

Review by Teri Burnside, 5-13-14

## Schismenos Videos

**Defendant/Suspect:**

Dashawn Whitlow.

Recording is labeled "8-21-10 Tashae Perry and Dashawn Whitlow and Officers"

SCPO case file cross-referenced is CR 2010-10-2975, State v. Dashawn Whitlow. We have no felony case against a Tashae Perry.

**Notes from Video:**

This video shows Schismenos arriving on scene of a traffic stop to back up other officers who made the stop. It appears that a female driver would not initially stop for police. Schismenos offers to do the tow inventory of the female's vehicle. Another officer asks Schismenos if he is recording them. Schismenos says, No, nothing against my fellow officers, just against rogue God damned Highwall." They talk about a recent juvenile homicide and Judge Teodosio in Juvenile Court. You do not see any male individual stopped by police. You also do not hear any mention of the names Dashawn Whitlow or Tashae Perry. Several officers in APD uniform appear in the video.

**Compare to Police file/reports:**

The criminal file we have against Dashawn Whitlow was reviewed and cross-referenced in regard to this Schismenos video. The file we have is a 2010 Copley Police Department case involving a drug sweep at Copley High School where marijuana and a gun were found in a student's vehicle. That student was Dashawn Whitlow. His vehicle was parked in the parking lot of the high school when a K9 officer hit on the vehicle for drugs. Schismenos was not involved in this Copley case. This Copley case bears no relation to the APD traffic stop recorded by Schismenos, described above.

**Description from video helpful to prosecutor/defendant:**

This video is unrelated to the 2010 criminal case against Dashawn Whitlow as investigated by the Copley Police Department.

**Brady issues:**

N/A as this video does not relate to the Copley Police Department case against Dashawn Whitlow.

Redact Name:  Yes  No

Provide video / audio to defense attorney:  Yes  No

Person reviewing video Jennie R. Shuki Date 5/12/14