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The Blue Wall

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The Blue Wall
A Documentary Film by
Michael Milano

Abstract

November 29, 2012, Cleveland, 10 p.m. A 1977 Chevy Malibu backfires as it speeds past police headquarters downtown. An officer mistakes the loud bang for gunfire and gives chase. Twenty-two minutes later, after an astonishing sixty-two-car pursuit, the Malibu and its two occupants are cornered in a school parking lot, where thirteen Cleveland police officers fire 137 bullets into the car. It ends when patrolman Michael Brelo climbs onto the hood of the Malibu, stands straight up, and unloads fifteen rounds down through the windshield into the victim's heads and chests. They were unarmed. Michael stands trial for manslaughter.

Source List

Eric Jonathon Brewer, Former East Cleveland Mayor
Steve Loomis, Cleveland Police Union President
Timothy McGinty, Cuyahoga County Prosecutor
Michelle Russell, Victim's Sister
Jim Simone, Cleveland Policeman
Mansfield Frazier, Journalist

Script

	Picture	Sound
Act I		
	Cleveland Harbor	Harbor sounds
	Courthouse Exterior	Alright we're here this morning in the case of the state of Ohio vs. Michael Belo. This is case number 580457. We're here for trial, all participants are present. I'll be happy to hear an opening statement Mr. Bell.
	Inside courtroom	Your Honor, they are not here to tell us what happened that night from their perspective. They have not been here to celebrate the last three Christmas's or Easters. And the evidence will show that they died that night after a harrowing chase and in a hell storm of bullets, forty-nine of which were fired by defendant Brelo. They died perhaps with their final vision being one of defendant Brelo standing above

		them, firing point blank into their heads and chests. Your honor, Bonnie and Clyde were hit by fewer bullets in May of 1934 than Timothy and Mallissa were in November of 2012.
	Dash Cam Video	
	Michael Brelo interview	My name is Michael John Brelo. B-R-E-L-O
	Dash Cam Video	So we're on this dusty road, the visibility is really bad with all the zone cars in front of us. I'm pulling up and I hear, shots fired, shots fired.
	Eric Brewer Interview	My name is Eric Jonathon Brewer, yea I was the mayor and safety director for the city of east Cleveland for a period of about 4 years. From beginning to end what I've come up with is this. Timothy Russell and Mallissa Williams were off of St. Clair avenue, an officer claimed that he heard a gun shot directed at him, which was really just timothy's car backfiring, and then decided to give chase to the two black individuals who he thought had fired at him.
	Dash Cam Radio	"Zone car 217 was out in front of my building, and that car went by us and fired off a round."
	Steve Loomis interview	My name is Steve Loomis, I'm a detective in the Cleveland police department and I am currently the president of the Cleveland Police Patrolman's association. And we're saying cap a round off because police officers know the difference between a backfire in a car, which is now coming out, and a gunfire. Irregardless, the police officer thought it was gunfire, the chase was allowed to continue. Twenty-two minute chase it ended up being.
	Eric Brewer IV	And the chase proceeded up into East Cleveland, I think there were somewhere in the neighborhood of 66 police cars in the chase almost 100 police officers, they cornered Timothy Russell and Mallissa Williams behind Heritage Middle School.
	Steve Loomis interview	Well at this point, we're thinking, and we're hoping that there's going to be a foot chase, or they're just going to give up. Well there

		<p>was neither. He decided it would be a good idea to mash down on the gas of that car, and drive at one of the officers. The officer shot at the car to protect himself, and to protect other guys and everybody else shot, thirteen officers shot, including Brelo.</p>
	Eric Brewer IV	<p>And they proceeded to pepper their car with 137 bullets, 47 of which entered their bodies. Michael Brelo stood on the hood of the car and unloaded three clips into them. Other officers got out of the car after they heard the shooting, and assumed that shooting was taking place and that it was coming from the car but it was really the officers involved in a crossfire, shooting at each other.</p>
	Michael Brelo IV	<p>At some point did you jump on the suspects vehicle?</p> <p>I have no recollection if I did sir, absolutely none.</p> <p>So it wouldn't surprise if I said the shoe prints on the trunk of 238 match the shoeprints that were on top of the suspect vehicle.</p> <p>I was so in fear of my life I have no idea how I got there. It's just as feasible as me going the other ways too.</p>
	Russell family's home	<p>And then this is us when we graduated together. I'm standing next to Tim. That was our high school graduation in 1988 from RB Chamberlin high school in Twinsburg. This is us when my mom had us dressed up to go to church, see how chubby he was, my mom used to always buy him husky clothes because he was chubby, remember that. This is just a small family picture of us when we were younger. I'm the youngest and Tim was one year older than me, and then Michael is two years older than Tim and then Michael is one year older than Donald, and then David is one year older than Donald.</p>

	Russell family's home	It was out of anger that they shot, because they led them on a chase, they didn't stop, maybe they should've stopped. But nobody really knows why they didn't stop, they took off. Now you got fifty cars following you and maybe they wanted to stop but they thought their lives were in danger. We don't know because we weren't there.
	Tim McGinty IV	My name is Tim McGinty I'm the Cuyahoga County Prosecutor. We're all worried that there's a change in the relationship between the citizen and a police officer. When the DOJ comes in and gives a highly critical report on your city, on the procedures and the culture of local law enforcement, it's time for pause. It's time for a long look at how things are done.
	McGinty Court room	And are there great dangers out there, there are. This is a nation of weapons now, unlike any other nation in the world. So the police are apprehensive, and it does affect what they're doing. You might wonder why anyone would take this job, because its such low pay, high risk, great stress, and you're guaranteed the opportunity of danger and death.
	Steve Loomis IV	Tim McGinty, very disappointed in Mr. McGinty, for a lot of reasons, but here's the thing. What's going to happen when officer Brelo is acquitted? All he's doing is kicking the can down the road saying, "hey look folks, I got him indicted, and the criminal justice system is the reason that he walked," well the reason that he's going to walk is because he's not guilty of a crime. And I asked prosecutor McGinty, who you tap-dancing for here?
	Warehouse / City shots	
ACT II	Jim Simone IV	My name is Jim Simone. I spent from 1973 – 2011 as a patrolmen with the Cleveland police department.
	Simone Family	
	Simone IV	I was involved in eleven different shootings. I shot eleven men and killed five of them. And you know, I'm and old man

		<p>now, and I can't describe fear to you. I can tell you about it. I can tell you how I felt, but until we're reversed, and you're the one who's scared out of your mind. So afraid that you can't talk. Thinking that the next second you're going to die, and you see someone with you die, the fear can be overwhelming.</p>
	Simone restaurant	<p>Just a little baby rub that's all.</p> <p>It's the size of an avocado.</p>
	Mansfield Frazier IV	<p>My name is Mansfield Frazier, I'm journalist by profession. I'm a vintner, a winemaker, by avocation. There's this whole notion that they felt their lives were in danger, which goes back to the killings of blacks. There logic always is our lives were in danger we had to fire, and my answer is real simple, if you're that fearful maybe you should get another job.</p>
	Simone by river	
	Simone IV	<p>When I first came on the job, my first night on the job, I wore a six shot revolver, I had six extra bullets, I had a pair of handcuffs and a nightstick. I was walking the beat 105 and Superior, at night by myself, and was I afraid? The answer is no. Because I was policeman. If you didn't respect me you feared me.</p>
	Simone IV	<p>It all started when I was twenty years old. When I was in Vietnam I was a paratrooper and I fought with the 101st airborne. When I was oversees I was critically wounded at an ambush site and many of my friends died that night. And I was twenty years old, and I'm lying in the jungle with my friend, who have already gone, and I was thinking, my poor mother, my poor mother. Boy is she going to be upset. And then years later I walk into a church looking for an armed robbery suspect and he shoots me in the head. Puts the gun to my face and shoots me through my head, and I'm lying on the floor, and I'm thinking you're dying Simone, who's going to take care of my kids?</p>

	Cleveland tracking	
	Loomis in Car	I have a wife that's upset I'm never home. She understands the job though, you know. We were going to dinner and I get a call that one of our guys had been involved in a shooting, and next thing she knows, she's going 100 mph away from the restaurant we were going to for sweeties day. And when we got there she saw first hand the look on the police officers face when he saw somebody friendly from the union had arrived, and she got it. She got it right there.
	Simone IV.	Well here's what happens, and until you've know somebody or have had a friend in this business, umm, our business is violence. I hate to tell you that. I teach in the academy I say listen gentlemen; some of you will die because of this job. They all look around, which ones? I don't know. Some of you will go to jail too, because of this job, but some of you will die because of this job. And they get on the street and they work with old guys like me who are telling them wear your vest, don't trust anyone, and when you deal with someone who's violent, how much violence do you have to use?
	American Courage freighter shots	
	Brelo Interview	<p>And like I said, even in Iraq I've never been so terrified. I was afraid my partner and I were going to die and I have little kids. In Iraq, when we heard rockets or mortars going off we'd have twenty-thirty seconds to dive for cover, this felt like at least forty seconds sir.</p> <p>This is sort of a hard question here, alright, but this has come up in the course of our investigation I have to ask. Were you at some point yelling, Semper Fi, or anything of that nature?</p> <p>Absolutely not, sir.</p>
	Outside courthouse	
	Prosecutor	Belo's statement gives you the reason this

		<p>happened. It was like being in Iraq he told detective Ketterer. Brelo jumped up on the car to take the high ground, like he said he learned in his military training which will come out before the court. The defendant is not on a tour of duty, we are not at war, and he is not a hero. This is a historic case, your honor, a historic case. This is a pivotal case.</p>
	Defense Attorney	<p>Your Honor, if we go back to the pursuit, the evidence will show and it's unmistakable, it's a human instinct, no one likes to get shot and killed, because that is the reality these officers were facing, and when an officer like Brelo says it was like being in Iraq, not that he was acting like he was in the military, it was because of the danger and the gunfire and how chaotic and crazy the circumstances were.</p>
	Loomis cop car	<p>There's good faith involved in this. We're doing our job. We're within the training guidelines that we have. We're within the law, and the law is very specific, we're responsible for the facts that we have at that moment. This kid was doing his job. That chase went on for the length of time that it did because of the failed policies of the city, and the failed policies of the supervisory staff, and it's the guys in the trenches that are left without a chair at the end of this.</p>
	Street Scene	<p>Let's get out of Cleveland. There ain't nothing here for us. I hate this city, I don't ever want to be here again in my life.</p>
	Mansfield Frazier IV	<p>Here's the problem: we put people on the street with a badge and a gun that shouldn't be there. Brelo should not have been on the street. Simone should have been taken off the street after the second killing, or at least the third. Don't get this twisted, most cops are good honest hardworking guys, it's that small percentage that they protect that are wrong doers and know they're going to be protected by a broken criminal justice</p>

		system.
	Loomis in car	Yea he got beat up and robbed by the guy at the store over here so they're going to go check that out. It's a big city.
	Loomis IV	I've been on this job for 22 years, I've received tens of thousands of radio assignments, and not one time did I ever ask, hey what color is the guy? That's a ridiculous notion, especially here in the city of Cleveland. Now do I believe that racial profiling goes on somewhere? I believe that's a possibility, somewhere else.
	Police Bar Scene	
	Eric Brewer IV	Well when you look at police officers for example they get 579 hours of training. It's around 579-600 across the country. A cosmetologist in Ohio gets 1500 hours of training. A licensed esthetician, someone who does facials, gets 700 hours of training. The consequences are what we are dealing with now. Unlawful arrests, unlawful searches, unlawful stops, unlawful uses of force, litigation against the city and that's every city in Ohio, every city in the nation that has a municipal police dept. that's trained under these standards, it's expensive to have a dumb cop in the United States of America.
	Simone dash cam shooting scene.	Well the law is very specific it says about when you use deadly force you can only talk about at the moment you fired at the suspect, did you believe that your life, or someone you were with was in jeopardy, and if you did, whether that jeopardy was real or imagined, you have the right to use deadly force.
		You know I was involved in a shooting on Stickney. It's January 10 th , it's ten or eleven at night, and the guy actually, baited us into killing him. The last thing I said to him was drop the gun or I'll kill you were you fucking stand, he looked at me, and we were only a few feet apart and he says, go ahead, do it, do it, pointed a gun at me. Well as soon as that happened the eight officers

		<p>fired and he was dead. His gun was empty; he didn't have the ability to kill me. I didn't know that. So they ruled that a homicide because we took his life in a violent matter but it's not. It should have been ruled a suicide.</p>
	Shooting Scene	
Act III	Brelo Interview	<p>Excuse me.</p> <p>No problem. Take a deep breath, calm down. You want a break?</p> <p>I'm okay. I keep on hearing rounds go off. I see the suspects moving and I couldn't understand why they were moving still shooting at us. Even through Iraq, I've never fired my weapon and I've never, I've never been so afraid in my life, and I couldn't figure out why the suspects were moving still shooting at us. I was crouching over the light bar of 238 shooting into the suspect's car. I must have had tunnel vision, next thing I remember I'm by the driver's side door; I have my weapon in my holster. I remember going up to the car. I remember putting the car from drive to park and I took the keys out of the vehicle and I put them on the front of the hood, sir.</p>
	Courthouse exteriors.	
	Inside courthouse	<p>Did there come a point in time where you were involved in a pursuit?</p> <p>On advice of my counsel, I am invoking my right to remain silent.</p> <p>Judge, we believe at this point in time, this is exactly what the state has been talking about, The Blue Wall.</p>
	McGinty in courtroom	<p>Your Honor, as the county prosecutor can I make a statement? I haven't said a word in this trial and I'd like to now.</p> <p>It won't end with this. It will end with every police officer. We have put in writing that we are not going to prosecute this</p>

		<p>gentleman. This is a fine policeman; I've known him for a long time. We need his testimony in this trial. We're asking for his testimony, we're asking for the truth. That is his duty as a police officer.</p> <p>I've never seen this in forty years around here, the police come in and take the fifth at the grand jury on a investigation of a fellow police officer, who jumped up on the hood, and everyone of them knows its wrong, what happened? Jumped up on the hood of the car and clipped two people unarmed. They knew from the moment it happened they were in trouble. They knew it from the dispatcher to the police on the scene and they didn't tell people. They didn't tell the East Cleveland detective we sent up there, and they didn't tell investigators. They didn't tell the investigators until it was forced on them. This has been our whole argument.</p> <p>Your honor we object.</p>
	Russell Home	<p>These officers there just got a different code of honor when it comes to how something happened. Ever since that chase it just seems it's been a bad situation with these police officers.</p> <p>And that's really sad because I think if they really shed a lot of light on the chase and what happened here in Cleveland back then, a lot of these other issues may have not occurred. But it just keeps happening. We will probably hear next month about somebody else.</p>
	Mansfield Frazier IV	<p>It goes back to, who runs the country? Part of the reaction when people demand rights is a push back from the majority culture. And this is about power, and the police enforce the power, but what they don't realize is that we are turning into a country that the founding fathers never envisioned,</p>

		where men with guns start making the rules and deciding which rules they want to obey, and they're doing that right now.
	Simone IV	But remember one thing, you, you gave me the gun. You trained me how to use it, you told me what to do, you gave me a badge and made me take an oath, and then you turn around and stick me in the back because it doesn't look good politically? Come on. It's not a perfect world, never will be. Policemen are going to be killing people for as long as you and I live and beyond.
	Tamir Rice	November 22, 2014. 12 years old.
	Credits	