

MEMO

TO: Bill Mason, Cuyahoga County Prosecutor

FROM: Pinkey S. Carr, Assistant Prosecuting Attorney
Michael O'Malley, Investigator Supervisor

SUBJECT: Akron Investigation

DATE: July 19, 2007

On Friday March 23, 2007 Assistant Prosecutor Pinkey Carr and Chief Investigator Michael O'Malley received an assignment from Prosecutor Bill Mason at the request of Akron City Mayor Don Plusquellic to conduct a review of the investigation surrounding the death of Demetrius Vinson (hereinafter referred to as "Vinson") on March 17, 2007.

Chief Michael Matulavich, of the Akron Police Department, was contacted to schedule an appointment for Monday, March 26, 2007. Please note that Assistant Prosecutor Carr was involved in a rape trial and was unavailable to attend the meeting. Notwithstanding, the purpose of the meeting was to obtain background information. Additionally, Investigator O'Malley requested and received copies of all police reports, photos, evidence logs, radio logs, and statements associated with this incident. The following Akron Police personnel were in attendance for the meeting: Chief Michael Matulavich; Captain Beth Daugherty, Detective Bureau Unit; Lieutenant Dave Whiddon and Sergeant Terry Hudnall, Crimes Against Persons Unit.

During the meeting, Investigator O'Malley was provided with the following synopsis: During the early morning hours of March 17, 2007, Akron Officers attempted to effectuate a traffic stop of a vehicle driven by Vinson, with juvenile Chance Baker (hereinafter referred to as "Baker") sitting in the front passenger seat of the vehicle. However, Vinson proceeded to drive and parked in a driveway, which was later discovered to be the home of Vinson's grandmother. As the officers approached the vehicle, the driver, Vinson, was non-compliant with the directions of the officers to exit the vehicle. The officer on the driver's side observed that there was an open container of alcohol in the vehicle. As the officers were continually giving orders for Vinson to exit the vehicle, Vinson responded by rolling up the window. As the officer on the driver's side was preparing to break the car driver's side window with his ASP Baton, the officer on the passenger side of the vehicle observed the driver produce a handgun and point it in the direction of his partner. In response to the observation of the firearm, the officer on the passenger side fired three (3) rounds into the vehicle.

After the shots were fired, both officers took a position behind their cruiser. Less than a minute later, the officers heard a gunshot, which appeared to have been fired from inside the vehicle. Pursuant to Akron police procedure and protocol, the officers radioed for assistance and then used the loudspeaker on the police vehicle for about ten minutes, ordering the males out of the car. After additional units arrived on the scene, the passenger, Baker, finally exited the vehicle at the directions of the police. After securing the passenger and upon approaching the vehicle, officers observed that Vinson had expired from what appeared to be a gunshot wound to his head. The scene was processed and the vehicle and the deceased driver were then towed to the Medical Examiner's Office.

DRIVER: DEMETRIUS VINSON aka Ray-Ray

PASSENGER: CHANCE BAKER (JUVENILE)

VEHICLE: 1992 Oldsmobile/Delta 88/4 door sedan/Gray/Gray
Ohio Lic DTM 3383/VIN 1G3HN5318NH372718
Listed to Sylvia Grimes, 692 Lesig Ave., Akron, OH

OFFICERS: MICHAEL J. ORRAND
MICHAEL P. KOUBEK

LOCATION: 665 Victoria Ave., Akron, OH

DATE OF INCIDENT: March 17, 2007

After the meeting with Akron Police personnel, Investigator O'Malley proceeded to confer with Doctor Lisa Kohler at the Summit County Medical Examiner's Office. The following information was learned: The vehicle, with Vinson still inside, was conveyed to her office on March 17, 2007. An autopsy was performed on the same day. Dr. Kohler noted that Vinson had sustained a total of four (4) gunshot wounds. One of the wounds was located in the upper right shoulder, and two others in the legs. All three of these wounds were non-fatal, provided proper medical attention had been rendered in a timely fashion. The fourth gunshot wound, which appeared to be close contact/self inflicted, was located behind the right ear that exited the left side of the head. According to Dr. Kohler, the close contact/self inflicted wound was the cause of Vinson's death. Dr. Kohler further explained that during the removal of the body, a live .45 caliber cartridge was recovered in the vehicle as well as two (2) pellets. A third pellet was recovered in the chest cavity of Vinson. These items were retained as evidence. A draft copy of the autopsy protocol was received along with a set of autopsy photos.

AUTOPSY: #1) Gunshot wound to the head; entrance located behind the right ear with exit on the left side of the head.

#2) Gunshot wound right posterior shoulder, with a bullet recovered in pleural cavity.

#3) Gunshot wound left posterior thigh with exit wound.

#4) Gunshot wound left anterior thigh with exit wound.

TOXICOLOGY: Testing revealed that Vinson had MDMA/MDA (Ecstasy), Ethanol, Benzoylcegonine, and Carboxy -THC present in his blood at the time of his death.

On March 29, 2007, a meeting was conducted at the Bureau of Criminal Investigation (“BCI”) office, located in Richfield, Ohio, to discuss the evidence which was submitted to them by the Akron Police Department in connection with this case. Present at the meeting were BCI Supervisor Michael Velten, Assistant Prosecutor Pinkey Carr, and Chief Investigator Michael O’Malley. In addition, Assistant Prosecutor Brian LoPrenzi (Summit County Prosecutor’s Office) and Lieutenant David Whiddon (Akron Police Department) were also present. Copies of preliminary reports generated by BCI and the results from testing were received.

EVIDENCE SUBMITTED: .45 caliber Beretta pistol, w/magazine and four (4) rounds w/ suspected blood MINI Cougar/Ser No 057112MC recovered by driver’s door.

One coin envelope with swab from trigger.

One coin envelope with swabs from right grip of gun.

One coin envelope with swabs from magazine of gun.

One coin envelope with swabs from cartridges.

One coin envelope containing test shots from Item #1.

One clear bag containing Officer Koubek's Glock 9mm Model 17 semi-auto pistol Serial number FBX993US with magazine and 18 cartridges.

One clear bag containing three (3) spent 9mm Speer casings.

One manila envelope containing two (2) projectiles from Vinson autopsy.

One manila envelope containing metal fragments from autopsy.

Clear bag containing one projectile (suspected human tissue) and fibers from victim's car seat.

One clear bag containing one (1) .45 caliber Remington Peters casing from auto.

One .45 caliber Remington Peters cartridge from auto.

One coin envelope containing swab from .45 caliber cartridge.

One manila envelope containing GSR kit from Vinson.

One manila envelope containing GSR kit from Baker.

One manila envelope containing standard from Vinson.

One manila envelope containing fingerprint card of Vinson.

One paper bag containing hat from Vinson.

One paper bag containing shirt from Vinson.

One paper bag containing belt and pants from Vinson.

One paper bag containing driver's seat cushion from vehicle w/suspected blood.

One Kapk evidence envelope containing a clear bag with vegetable matter and an off white substance.

One gunshot residue ("GSR") kit from Baker.

FINDINGS: Particles highly indicative of gunshot primer residue were identified on the samples of Vinson and on Baker.
BCI Lab #07-32078
(See Exhibit A)

.45 caliber was found to be operable without malfunctions.

9 mm firearm was found to be operable without malfunctions.

9mm casings were found to be fired from the Glock 9mm.

.45 caliber spent casing was found to be matched to the recovered .45 caliber semi-automatic pistol.

The live .45 caliber cartridge was examined but lacked sufficient detail for comparison purposes. The presence of extractor marks indicates that the cartridge was cycled through a firearm. Microscopic examination of the .45 caliber cartridge revealed that there were matching magazine lip marks and that the cartridge was in the magazine of the .45 caliber semi-automatic pistol.

The spent pellets recovered could have been fired from the Glock pistol, but the lack of sufficient reproducible individual characteristics precluded identifications from being made.

The partial DNA profiles from the swab from the trigger and the swab from the cartridge of the .45 caliber semi-automatic pistol are consistent with Vinson.

During the BCI meeting, Investigator O'Malley advised Akron personnel that he needed access to Vinson's vehicle. Reports of the incident reflected that Vinson's vehicle had tinted windows. O'Malley wanted access to the vehicle to make his own determination as to the extent utilization of a flashlight would illuminate the inside of the vehicle, due to the tinted windows.

SYNOPSIS OF POLICE REPORTS AND STATEMENTS

On Saturday morning, March 17, 2007, Akron Officers Orrand and Koubek were observing a suspected drug house on Pine Knolls Drive, Akron, Ohio. (The reason this particular house was of interest to them was due to Officer Orrand's March 14, 2007 arrest of Denise Bridenthal for drug possession, from this same location.) At or near 2:50 a.m., the officers observed a vehicle pull up to the house. The driver exited the

vehicle and proceeded to the back door of the home. After about ten minutes, the driver returned to the vehicle and drove away from the area.

Once the vehicle left the scene, the officers, in a marked police vehicle, drove down another street running parallel to the vehicle which had just left the home. The officers were able to observe, through an open field, the vehicle as it traveled down the street parallel to their location. Eventually, the officers traveled behind the vehicle and activated the overhead lights on their police cruiser. The driver responded by accelerating his speed and then proceeded to drive into the driveway of 665 Victoria. Due to other cars in the drive, the driver was unable to fully park in the driveway. Instead, once the vehicle parked, part of the car was over the sidewalk and the apron of the driveway.

Officers Orrand and Koubek positioned the police vehicle at an angle to the vehicle in the driveway. Prior to approaching the vehicle, the officers utilized the spotlight mounted on the outside of the police cruiser's driver's door to illuminate the suspect's vehicle, due to its tinted windows.

Officer Orrand approached the driver's side and Officer Koubek approached the passenger's side of the vehicle. When Officer Orrand approached the driver's side, the window was partially down approximately six inches. Officer Orrand, while holding his flashlight, observed a bottle of liquor in the vehicle. The driver was ordered out of the vehicle. Instead of complying with this request, the driver, Vinson, ignored the officer's request and rolled up the window and locked the doors.

Due to the actions of the driver, Officer Orrand placed his police issued ASP Baton in his right hand and his flashlight in his left hand. He again shined his flashlight on the window and observed the driver looking over his left shoulder with a gun in his right hand and the barrel pointed at him. Upon observing the actions of the driver and not having his firearm in his hand, he retreated running towards the back of the car. Instantaneously, he heard gunshots but was unable to determine if it was Officer Koubek firing or the male inside the vehicle who he had observed with the gun. Within seconds, both officers took position behind the police cruiser. Less than a minute later, they both heard a gunshot, which sounded as if it had been fired from inside the vehicle.

As reported by Officer Koubek, he approached the passenger side of the vehicle and was shining his flashlight on the driver. He observed the driver reach under the seat and gave repeated verbal commands for him to show his hands. Not knowing what, if anything, the driver had under his seat, Officer Koubek drew his 9 mm police issued firearm. As this occurred, Officer Koubek observed the driver with a pistol in his hand and pulling the slide to chamber a round. The driver then pointed the gun in the direction where his partner was positioned, which was the driver's side window.

After observing the driver with the gun in his hand, Officer Koubek yelled “gun” to his partner while simultaneously firing three (3) rounds into the car. After firing the three rounds he took position behind the cruiser. Once behind the cruiser, the officer used his radio to request assistance from additional officers. Within a minute, he heard another shot, which was fired from inside the vehicle. Within minutes, additional officers were on scene to assist. Upon their arrival, commands over the loud speaker were again given for the vehicle’s occupants to exit showing their hands. The passenger, later identified as Baker, did not immediately exit the vehicle even after repeated commands were given. The scene was secured and at the direction of supervisors, occupants of the nearby homes, including Vinson’s family members, were asked to vacate the premises for their own safety due to the fact that some of the houses were in the direct line of fire.

Approximately 10 minutes later and after several repeated demands, the passenger exited the vehicle with his hands in the air. The passenger, Baker, was given an order to walk backwards toward the police vehicles. As Baker exited the vehicle with his hands displaced, he yelled out, “you can test me because I never touched the gun. I didn't shoot.” He was asked and provided the name of the driver as being Demetrius Vinson. Baker then stated that he (Vinson) was dead and he “thought Demetrus shot himself.” Officer Prough yelled Demetrius’ name but received no reply. The officers waited for approximately ten more minutes and observed no movement by the driver. The officers then approached the vehicle from the open passenger door and observed Demetrius slumped down with a bullet hole in the head by the right side of his neck.

Once the scene was secured, witnesses, including Baker, were conveyed to the Akron Police Department Headquarters for interviews and statements.

FORENSIC EVIDENCE

On April 10, 2007, Investigator O’Malley met with, G. Michelle Yezzo (BCI Forensic Scientist London, Ohio), Special Agent John Saraya (BCI), Jon Gardner (Firearms Specialists BCI), Trooper Randy Alexander, Trooper Rayetta Calhoun (Ohio State Highway Patrol), and Sergeant Hudnall (Akron Police Department) at the impound lot where the vehicle Vinson was operating was being held. At the request of Assistant Prosecutor Carr and Investigator O’Malley, additional tests were conducted on the vehicle. The interior of the vehicle was analyzed for blood spattering. Gravity blood was visible on the door post and the driver's door. GSR swabs were retrieved from the interior of the car and fiber fragments were taken from the driver's interior window.

During this meeting, Investigator O’Malley raised questions relative to the presence of GSR on a stocking cap Vinson was wearing, which is visible in the photos

taken at the scene. The hat was submitted to BCI for GSR and blood analysis. Tests were also conducted on the type of tinting of the window by utilizing a Pocket Dete.2.1, Photometric Window Tester, Serial No 55429. This instrument was properly calibrated and tests conducted. Flashlights were utilized to look inside the vehicle. Although the windows are tinted, when the flashlight was shined into the inside of the vehicle, one could clearly see into the vehicle.

On April 13, 2007, Investigator O'Malley conferred with Dr. Joseph Felo, Chief Deputy Coroner of the Cuyahoga County Coroner's Office. Dr. Felo reviewed the autopsy report/protocol and autopsy and scene photos. Dr. Felo described Vinson as being alive when he sustained the bullet wound to his shoulder, due to the purpling color and the blood around the wound. He also noted the fragments around the wound as possibly being from the glass shards.

Dr. Felo also discussed the appearance and location of the head wound and described it as a close contact wound due to the location, since the wound was easily accessible behind the ear. He eliminated the other three (3) gunshot wounds as being close contact, but instead described them as being sustained from shots fired from a distance. Dr. Felo opined that the head wound was a close contact wound sustained within an inch of where the weapon was fired, based upon the gunshot powder/primer around the wound.

Dr. Felo also noted that based upon the configuration of the wounds, he was unable to make a determination of the caliber of weapon used to inflict the wounds. But, he did opine, regarding the distant wounds, that Vinson would have had a greater than 50% chance of survival if he had gotten to a hospital, because they were not life threatening.

Dr. Felo reviewed the results of Vinson's Toxicology report and opined that with the amount of alcohol and Ecstasy in his system, Vinson's thought processes would have been impaired. According to Dr. Felo, ecstasy is a mind altering drug and can cause paranoia and hallucinations. Vinson's impairment was further intensified due to the limited amount of contents in his stomach, combined with the amount of alcohol in his system. He also indicated that based upon the toxicology results, Vinson consumed the equivalent of three to four drinks.

BCI LAB RESULTS (ADDITIONAL)

On the hat worn by Vinson, the larger of the two holes is consistent with a bullet entrance hole of contact or near contact. (It should be noted that the larger hole is on the left side; and in viewing the Crime Scene Photos, they clearly show that the hat was on backwards with the brim towards the back.) There was a positive reaction to the presence of nitrates and lead on the hat at the larger bullet hole. No presence of residue on the smaller hole,

which is consistent with an exit wound.

One clear bag containing two bags of vegetable matter found inside Vinson's vehicle tested positive for Marijuana.

One clear bag found inside Vinson's vehicle with a white substance tested positive for cocaine base (crack cocaine).

A single hole on the driver's side was consistent with bullet passing from inside the vehicle to the outside.

Three bullet holes on the passenger window were consistent with the bullets coming from the outside of the vehicle to the inside.

A DNA examination was conducted of the officers to the unknown DNA on the magazine of the .45 caliber semi-automatic pistol and there was no match. The contributor of the DNA is still unknown.

All items are in the custody of BCI Richfield Campus.

FINDINGS AND CONCLUSION

At the onset of the investigation, we were provided with and reviewed the following:

- All field and incident reports generated in connection with this incident.
- The written and recorded interviews of all officers involved in this incident.
- The recorded and transcribed interview/statement of the passenger, Baker, from March 17, 2007.
- The Summit County Medical Examiner's preliminary report. More than 100 scene photos. The 911 dispatch and radio traffic recordings.
- Akron Police Department's Use of Deadly Force Policy/Procedures Manual.
- Recorded and transcribed statements of Demetrius Vinson's relatives.

We reviewed this incident from a forensic standpoint. We:

- Reviewed the findings from scientific examinations conducted by the Bureau of Criminal Investigation (BCI).
- Consulted with Cuyahoga County Chief Deputy Coroner, Dr. Felo.
- Conducted visual examination of Vinson's vehicle in consultation with forensic scientist from BCI.

From solely a forensic perspective, the following facts are undisputed:

- Per the medical examiner's report, Vinson died as a result of a self-inflicted close contact gunshot wound to the head.
- Vinson sustained a total of four (4) gunshot wounds. Two (2) non-life threatening wounds to the thigh and one (1) to the shoulder fired from a distance from a 9 mm firearm. The fourth gunshot wound was fired at close range from a .45 caliber semi-automatic pistol.
- A scientific examination of the .45 caliber semi-automatic pistol, which was recovered inside the vehicle in close proximity to his body, revealed Vinson's DNA, specifically his blood, on the firearm. Vinson and passenger Baker's hands were tested for gunshot residue. Both of their hands tested positive for gun powder residue.
- The blood splattering pattern in Vinson's vehicle was consistent with a gunshot wound inflicted at close range.
- A .45 caliber shell casing was recovered inside the vehicle in close proximity to Vinson's body and was fired from the same .45 caliber semi-automatic pistol having his DNA.

In addition to investigating this matter from a forensic perspective, we also reviewed the witness(s) account. Even though the passenger, Baker, provided the Akron Police Department with a recorded statement/interview, which was transcribed, we elected to interview the passenger as a part of our investigation.

During the early morning hours of March 17, 2007, less than an hour after the shooting, Baker voluntarily gave an oral statement/account of what he witnessed to two Akron Detectives. Baker's oral statement was recorded and transcribed. A copy of the transcribed statement, Exhibit B, is attached and a synopsis of the same is as follows:

SYNOPSIS OF CHANCE BAKER'S MARCH 17TH STATEMENT

- Baker called Vinson on his cell phone, 696-7467 – Baker remembered and stated the number as 696-PIMP – to inquire if

Vinson could give him a ride to a recording studio located on Noah. Vinson arrived at his home at approximately 12:30 a.m. to transport him to a recording studio. Once he was in the car, Vinson went the wrong way. A short time later, the police activated their lights to pull them over. Per Baker, "I guess he ain't pull over on time so you they...they did what they had to do I believe. When the officers approached, they only thing they said was 'hey.'"

- In response to Detective King's question, "okay so did he pull into a driveway," Baker responded, "yeah, he pulled into a driveway idiot, he going to pull into driveway, um, I guess the police seen the gun or something cause they wouldn't have just let off those rounds at him."
- Baker specifically stated he saw the gun in Vinson's hand, stating, "why wouldn't it be his gun in, um, in...in his car with him?" "When he pulled over that's when I...I looked to the left I glance at the gun, but I'm also about to be glancing at the officer he coming out...he coming up to the door..." "...yeah I see it...I'm glancing at that by the time I'm glancing at that the officer glance at him and the officer makes his move."
- Baker stated he had a sip of Vinson's Coca Cola, and it tasted as if it had liquor in it. Baker denied smoking weed and specifically stated, "no I don't smoke." Baker also stated when he entered the car it smelled of weed but Vinson did not smoke while he was in the car.
- "So then, um, so no I looked to the right I see one flashing the light so I look to the left that's when I glance at and see his gun dude's gun, Little Rayshawn's gun." "...but I look over at Ray-Ray I see him trying to do something with his weapon. So I look at him like and then I saw...I see another police officer and so I guess he seen what Ray-Ray doing and that's what made them...gave them permission to...permission to let off shots."
- The detective specifically asked Baker if Ray-Ray could have shot himself, Baker responded, "he could have." He further stated how Vinson was talking crazy. According to Baker, Vinson said, "before they do some[thing] he gonna take himself out." Baker replied, "I'm like, man, what is you talking about." Baker stated Vinson said "...he was just talking about this yesterday I was...or the day before yesterday." "He was saying like, 'before I go to do some time I'm gonna...I'm gonna go, um, I'm gonna take myself out.'"
- In further addressing the issue as to whether Vinson shot himself,

Baker stated the following: “He could of, but how could he have did that, oh yeah he could have did it's real possible, but I don't really think he would do it with me in the car, but you never know people these days.” “But it ain't gonna...it's not you know what I mean, yeah he probably did do that, but I don't believe yeah it had to be that because...because come to think of it my but...my window was cracked and I don't believe there no gun fired, shot fired through my window.”

- When asked if he saw Vinson point the gun at himself, Baker responded, “He could've killed himself. Only if the police ain't shoot him that's what it had to be, but I don't know it...it...cause them gunshots they sound too close like it ain't sound like it was coming from outside of the car, it sounded like the gunshot was shot inside of the car.”
- Towards the end of his interview, Baker interjects and asks the detective: “Can I get paid for what they did to me.”

On Wednesday, June 6, 2007, passenger Baker, in the company of his mother in the law office of his Attorney Eddie Sipplén, gave the following account to Assistant Prosecutor Carr and Investigator O'Malley, which was recorded and transcribed, see Exhibit C.

SYNOPSIS OF BAKER'S JUNE 6TH STATEMENT

- Baker stated that Vinson picked him up at 2:50 a.m. to drive Baker to Baker's girlfriend's house so that she could come over to Baker's house.
- Baker was very adamant that on the night in question he was under the influence; he stated that he had been drinking and smoking marijuana. According to Baker, they split the cost of the bottle of Hennessey alcohol.
- Vinson made a stop at a house near his grandmother's house. Vinson was inside the house for approximately 5 minutes. As they drove away from the house, Baker noticed the police behind them. According to Baker, Vinson said, "we cool bro, I'm going to use my brother's name."
- He observed Vinson placing the gun near the console as they pulled into the driveway.
- When the police approached, the police said “get out of the car, get out of the car.” The officer on the driver's side, who had both hands on his gun, fired the shots from the driver's side of the

vehicle into the vehicle.

- Baker then stated that he did not see Vinson with a gun at any time
- Baker also stated that he heard three consecutive gunshots, one right after the other. He put his head down after the first shot.
- Baker characterized the officer's actions as "murdering his friend."
- Relative to the statements made by Vinson on the issue of being taken alive, he reports weeks before this incident, Vinson stated he "could not do fifteen to life."

Witness accounts were taken from family members of the deceased, Vinson, who were present at the home when this incident took place. All witnesses were interviewed within an hour or less of this incident and they all reported that they heard gunshots but did not witness what transpired prior to the gunshots, see Exhibits D through H.

- **Beverly Vinson, mother of the deceased (Exhibit D).** "Uh....I was asleep in the front room. I didn't hear anything." "I just happened to wake up and see lights outside." "...I didn't see anything. We all didn't see anything. We could have told y'all that at home." "...asked y'all...I told y'all that at home. We woke up just like every neighbor on that street...I didn't see any car. I didn't see anything!"
- **Beverly Lashawn Vinson, 16-year-old sister of the deceased, interviewed in the presence of her mother (statement above) (Exhibit E).** "I was asleep. I woke up to the flashing lights. She responded "no" to question if she heard any gunshots. During the interview, mother Beverly Vinson continuously interjected how her daughter should respond to questions. Beverly Lashawn admits seeing the car in the driveway once she was outside. However, she stated she did not know who was the owner of the car and that they were not expecting company.
- **Shirley Wallace, 62-year-old grandmother of Demetrius Vinson (Exhibit F).** "I heard some shots...looked out the window and saw flashing lights." She then woke up her husband and ran downstairs to wake up her daughter, Vinson's mother. Wallace says she heard three or four shots. Prior to the shots, everyone in the house was asleep.
- **Sunni Wallace, 26-year-old cousin of Demetrius Vinson (Exhibit G).** "I heard a gunshot or loud banging noise which

sounded like glass shattering.” “...there were more gunshots, but after that I...I mean I didn't...I thought I heard more gunshots but I...I don't know, it could have just been the excitement of the whole event I don't know what happened, I didn't...! didn't see...”

- **Dia Wali, grandfather of Demetrius Vinson (Exhibit H).** “...I was asleep...me and my wife...and I just heard three shots and we looked outside...there was a street full of cops...that’s all we know.” He also stated his daughter Beverly Vinson was very upset because she thought her son, Rayshawn Vinson, was involved since he drives that car sometime. Wali further stated, “That my grandson, I know he kind of wild you know, I...I...I...been...watched him grew up from babies you know, but...I heard three shots, that’s all I heard.”

FINAL ANALYSIS

Prior to our investigation, it had been reported in the media that Vinson’s death occurred after a confrontation with police officers and shots were fired. When officers and medical personnel approached Vinson’s vehicle, he had a visually apparent gunshot wound to the head. The initial responding officers, who initiated the stop, reported they fired three (3) gunshots into the vehicle after seeing Vinson produce a firearm. Within a minute after they retreated for coverage behind their cruiser, they heard a fourth gunshot, which appeared to have been fired from inside the vehicle.

Additionally, at the time of the initial report, the medical examiner had not formally conducted her autopsy to make a determination as to the official cause of death. The medical examiner’s initial visual observation was that Vinson sustained a total of four (4) gunshot wounds. Brain tissue was observed on Vinson’s right shoulder and a possible gunshot wound to the right side of his head. Further examination revealed the gunshot wound to the head was sustained from a weapon fired at close/near contact due to the perforating apparent soot on skin adjacent to the wound. The three other wounds, one to the right shoulder and the other two to Vinson’s thigh, were fired from a distance and were non-life threatening, provided proper medical attention was administered.

At the onset of our investigation, BCI was in receipt of evidence submitted by the Akron Police Department and Summit County Medical Examiner’s Office, but had not completed testing. Two weeks into our investigation, BCI completed the majority of its testing. Tests were conducted on the Glock brand 9 mm firearm, which was fired by Officer Koubek. In addition, tests were conducted on a .45 caliber semi-automatic pistol,

which was recovered from inside Vinson's vehicle in close proximity to his body. When this incident first occurred, it was unclear what, if any, relevance the .45 caliber semi-automatic pistol related to this incident. However, tests revealed that both weapons were operable. Further testing revealed that a fired .45 auto caliber cartridge case found inside Vinson's vehicle was fired from the .45 caliber semi-automatic pistol. In addition three (3) fired bullets, two recovered from Vinson's autopsy and one recovered from his car seat, were all Speer Gold Dot brand 9 mm Luger caliber jacketed hollow point bullets. Two small metal fragments which contained no rifling marks, which are required to make a weapon discharge comparison, were also recovered during Vinson's autopsy.

Furthermore, consistent with any gunshot wound autopsy, a gunshot residue (GSR) kit was performed on Vinson. The kit was submitted to BCI and the examination revealed that particles highly indicative of gunshot primer residue were identified on the samples of both Vinson and Baker. The presence of gunshot primer residue on Vinson's and Baker's hands is consistent with them having discharged a firearm, having been in the vicinity of a firearm when it was discharged, or having handled an item with gunshot primer residue on it.

The finding by the coroner of a live .45 caliber cartridge in Vinson's vehicle substantiates Officer Koubek's statement that he observed Vinson chambering a round and pointing a gun at Officer Orrand immediately prior to Koubek firing his weapon in self defense. BCI tests revealed this live cartridge contained extractor marks that indicate the cartridge was cycled through a firearm. Moreover, microscopic examination of the .45 caliber cartridge revealed that there were matching magazine lip marks and that the cartridge was in the magazine of Vinson's .45 caliber semi automatic pistol. Finally, Baker's statement on March 17, 2007, of "look[ing] over at Ray-Ray I see him trying to do something with his weapon" indicates that Vinson was, prior to shots being fired, manipulating the .45 caliber semi- automatic pistol in some manner.

Based upon our review of the evidence regarding the circumstances surrounding the death of Vinson, we conclude there is overwhelming evidence that Vinson's manner of death was a suicide, resulting from a close contact self-inflicted gunshot wound to the head.