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By JAMES W. WADE III
Staff Reporter

Randy Scott, 27, was shot by Clevelandpolice officers early Saturday morning somewhere around 12:20 a.m., at East 93rd and Parmalee Ave. According to the Cleveland police, the incident started when 5th District officers Alfred Johnson and Mark Worsencroft were patrolling in the area of East 93rd Street and Parmalee Avenue when they observed a man with an open container.

The Cleveland Division of Police Use of Deadly Force Investigation Team is investigating the

incident.

The preliminary investigation reveals that while patrolling the E.93rd and Parmalee area Fifth District officers observed a male in possession of an open container of beer. As the officers approached the male he was found to have a handgun in his waistband.

The male was ordered to raise his hands, and he complied. As the officers continued to investigate, the male lowered his hand towards his waist and the officer discharged his service weapon hitting the male once in the abdomen.

The suspect was taken toMetroHealthMedicalCenter, where he is being treated for his injuries. He is being made a named suspect in a Having Weapons While Intoxicated report. The suspect does have a valid Ohio CCW permit.

Ray Brown, who was with Scott, said they were on the porch having a beer, when police approached them. Brown said Scott immediately informed the officers that he had a handgun in his waistband.

Police confirm it is a weapon Scott is legally allowed to carry. “He absolutely did let them know that he had a gun. That was the first thing that came out of his mouth with his hands up in the air. So, why they draw [their] gun and shoot? That was just … I am mad about it,” Brown added.

Brown also stated “What made the police shoot, I don’t know. He was cooperating with the police and doing everything they asked him to do.” Officer Mark Worsencroft fired his gun and shot Scott in his stomach.

Beverly Simpson said Scott was in a sitting position and she doesn’t understand why the officer shot him. It is unclear as to how long Scott had his hands up before lowering them to cause the officer to shoot.

It’s also not clear why the officer did not remove the gun from Scott once he came down off the porch if he was in a sitting position. “The Cleveland Division of Police Use of Deadly Force Investigation Team is conducting interviews and the facts of this investigation are to be presented to the prosecutor's officers for review,” said Cleveland Police Sergeant Sammy Morris.

Under Ohio law, open container is a minor misdemeanor, although some cities such as Cleveland make it a greater offense. Specifically, Cleveland's ordinances make open container a fourth-degree misdemeanor with the potential of 30 days in jail and $250.00 fine.

The applicable legal definition concerning whether or not you can drink on your porch depends on if it falls under the definition of a public place. A public place is any area someone can enter freely and includes sidewalks, streets, and tree lawns, outdoor areas of apartment complexes and inside parked and moving cars.

As of press time it was not known if Scott’s condition had changed.