



Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report



2022-2918

Officer Involved Critical Incident - 500 West Hopacan, Barberton, OH
44203

Investigative Activity: Interview of Witness
Involves: Evan Kuhn (W)
Activity Date: 12/26/2022
Activity Location: Barberton YMCA, 500 West Hopacan, Barberton, Ohio 44203
Authoring Agent: SA Nicholas Valente

Narrative:

On Monday, December 26, 2022, at 1118 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Nick Valente (Valente) interviewed Evan Kuhn (Kuhn). Kuhn was identified as a possible witness to the officer-involved shooting in Barberton, Ohio, on December 26, 2022. The interview with Kuhn was audio recorded and that recording was attached to this report.

During the interview, Kuhn reported the following:

Kuhn is the property manager at the Barberton YMCA. On the morning of December 26, 2022, while outside the main entrance to the YMCA facility, Kuhn was salting the sidewalks, which face 2nd Street NW. While salting the sidewalks, he noticed a young woman outside the building walking near a second female. An older gentleman was following this first female as she walked towards the YMCA. Kuhn heard this man, later identified as Zachary Zoran (Zoran), saying things to and yelling at the first female. Kuhn recalled some of the things the subject stated to the first female, later identified as Margaret Patterson (Patterson), to include comments about her backpack, and "I want to steal your car or something like that, something along those lines." Kuhn noted Patterson was visibly upset as Zoran was following her outside the YMCA facility.

Kuhn observed Patterson cut across the parking lot and entered the YMCA facility with the second female, later identified as Morgan Morrissey. As the two women entered the YMCA, Zoran "continued to yell stuff at her [Patterson]." Zoran did not enter the YMCA. Rather, he continued down the sidewalk in front of the YMCA. Zoran then encountered another YMCA member known to Kuhn as "Chuck" and later positively identified as Charles Nicholas (Nicholas). Zoran then "said some things to him [Nicholas] as well," before continuing down the street.

Kuhn then observed a uniformed Barberton police officer arrive and enter the YMCA. The officer spoke with Patterson in the foyer of the YMCA momentarily before getting back into his police car and "took off down the parking lot at a pretty good speed." Kuhn himself then continued down the sidewalk in the direction of Zoran and the officer. Kuhn then "saw the police officers engage the guy in the parking lot over there, um and they were trying to get control of him. He wasn't obeying what they were saying."

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report



2022-2918

Officer Involved Critical Incident - 500 West Hopacan, Barberton, OH
44203

Kuhn walked towards the exit of the parking lot, looking directly across the street into the lot where Barberton police officers and Zoran were. From this vantage point, Kuhn observed Zoran:

Moving around, um the guy was, that was harassing, he was moving around the parking lot, uh, disobeying their commands and stuff. He was reaching into his bookbag. He was putting it on the ground, um, he kept like kinda turning, just acting very erratic. Um, and I heard them telling him to drop the knife. I could see his hand. He was lunging at the officers. Um, he was uh, you know kinda going in and out, uh getting closer to them and they told him multiple times, um I think I might have heard them four or five times tell him to, ya know, drop what he had, ya know, get down on the ground, um and he just kept getting closer.

As Kuhn observed the actions detailed above, he repositioned himself along the rear of the YMCA building behind an approximately shoulder-high cinderblock alcove used to house trash dumpsters, so that he could continue to observe what was happening from this safer location.

Kuhn then noted:

They were telling him to put it down, he wouldn't. He was getting closer. That's when I heard two shots go off. Um, the tree was kinda obstructing my view, but I saw the guy fall to the ground, and, um, then the officers, you know, got control of the, the weapon he had. Got him on the ground, got control of him and looked like they started, you know, giving him first aid or something. But um, that was pretty much the whole situation that I saw.

Kuhn was given an electronic marker pen and made markings on an overhead image of the area, noting the locations of the involved persons. A copy of the image was attached to this report. Kuhn then walked through the area with SA Valente and noted where he was as he observed the above-described activity.

Attachments:

1. 2022-12-26: Evan Kuhn Interview
2. 2022-12-26: Scene Diagram Marked by Evan Kuhn

