



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



2024-1218

Officer Involved Critical Incident - 1822 Sherrick Road SE,
Canton, OH 44707

Investigative Activity: Interview of Michael Gallagher
Involves: Michael Gallagher (W)
Activity Date: 04/19/2024
Activity Location: 1822 Sherrick Road SE, Canton, OH 44707
Authoring Agent: SA Jon Lieber #50

Narrative:

On Friday, April 19, 2024, at 1607 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Jon Lieber (Lieber) and SA Charlie Snyder (Snyder) interviewed Michael Gallagher (Gallagher), relative to the officer-involved critical incident which took place on Thursday, April 18, 2024. The interview took place at Amvets Post 124, 1822 Sherrick Road SE, Canton, OH 44707. The purpose of the interview was to obtain all relevant information of the incident known or observed by this individual.

Gallagher stated that he arrived at the Amvets at around 1845 hours on April 18, 2024. Gallagher stated that at the time the unknown gentleman (Frank Tyson) came into the Amvets, he (Gallagher) was in the back of the Amvets talking to another person. Gallagher said that the male came into the back and sat down in a chair. Gallagher said that the male was "Rambling on, something loudly" [01:48]. Gallagher said that he wasn't paying attention to what the male was saying. Gallagher said he looked around to try to figure out whose guest the male could have been.

Gallagher said the male then got up and went to the front. Things got loud, so Gallagher walked to the front to make sure his sister, Shannon Gallagher, who manages the Amvets, was ok. Gallagher said that "When he was up there yelling and sitting at a bar stool and everybody was trying to tell him, you know, you gotta leave" [02:17]. Gallagher said that a couple of people went outside because the male was "Ranting and raving that something, they're trying to get me or trying to kill me or something, something goofy like that" [02:32]. Gallagher said that the patrons must have talked to someone outside because they said it was a guy coming to pick up an order of food. Gallagher said that one of the patrons went and talked to the Canton Police officers that were down the street taking the accident report.

When the Canton officers came into the Amvets, "This guy was just all kinds of freaking out then. He kept yelling 'not them, not them, not them, call the sheriff, call the sheriff'" [03:14]. Gallagher said that the two officers tried to get a hold of the male to

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get him out of the Amvets. Gallagher said that the male resisted. The altercation then went down the side of the bar, knocking down bar stools and tables. They ended up in the back room where the officers got the male down to the ground. Gallagher said that he wasn't paying attention to what was going on in the back because he was picking up bar stools, so no one tripped. Gallagher said that when he did go to the back, he saw the male lying face down, handcuffed, and with his legs up behind him. Gallagher said they were waiting and wondering why the officers didn't take the male outside. Gallagher said that he thought that they could have been waiting on the sheriff since the Amvets is located in the sheriff's jurisdiction.

Once the sheriff arrived, they rolled the male over, and the male wasn't breathing. The officers and sheriff began CPR. When the paramedics arrived, the male was taken out on a gurney.

SA Lieber asked Gallagher to describe the male. Gallagher said he was a large stature black male, large belly, wearing a white t-shirt, shorts, and blue tennis shoes. SA Lieber asked if Gallagher recalled anything that the Canton officers had said to the male when they first arrived. Gallagher said "No it was, it was yeah just basically stuff, you gotta come with us and all that, and he just kept saying no, no, you know, not them, not them, and call the sheriff, you know" [06:48]. Gallagher confirmed that the Canton officers were wearing uniforms and that they were readily identifiable as law enforcement.

SA Snyder asked Gallagher if he recognized the male or had seen him before. Gallagher said that he had never seen the male before. SA Snyder asked if the Amvets drawing had already taken place before the male came into the Amvets. Gallagher confirmed that the drawing had already been held and that the drawing began at 7:00 PM and ended around 7:45 PM. Gallagher then was able to say that the male likely came to the Amvets between 8:00 PM and 9:00 PM.

SA Snyder asked Gallagher to describe how the male was resisting the officers. Gallagher said "He was just basically trying to get away from the two city cops" [08:23]. SA Snyder asked if the chairs that were knocked over were on purpose by the male or as a result of the altercation. Gallagher stated that it was because the male was trying to get away. Gallagher stated that one patron, Bob Barson, received a cut on his hand as the altercation between the male and police was happening. SA Lieber asked if the paramedics looked at the injury. Gallagher said that Devan Mosteller (Devan) is a nurse and was in the Amvets. Devan looked at the cut and put some tape on it.

SA Snyder asked Gallagher if he witnessed either of the law enforcement officers do anything that appeared to him to be excessive or overly aggressive. Gallagher said "No,

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but like I said, you know, when they were back here with him, I was out front then and so yeah" [11:33] Gallagher said he really only saw the altercation as it went down the side of the bar. SA Snyder asked Gallagher how he would describe the officers' handling of the situation. Gallagher said "Um, seemed normal you know it was, I didn't like, I didn't notice anything that I would consider suspicious or anything" [11:53].

The interview concluded at approximately 1620 hours.

The interview was audio recorded. The recording is attached to this report. Please see the attachment for further details.

Attachments:

2024-04-19 Michael Gallagher interview

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