



**Ohio Attorney General's Office
Bureau of Criminal Investigation
Prosecutor Summary**



2024-1218

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

Investigative Activity: Prosecutor Summary

Involves: Frank Tyson (S), Officer Beau Schoenegge (S), Officer Camden Burch (S)

Activity Date: 08/28/2024

Activity Location: 1822 Sherrick Road SE, Canton, OH 44707

Authoring Agent: SA Jon Lieber #50

Investigative Request

On Thursday, April 18, 2024, Inspector William Jones of the Stark County Sheriff's Office (SCSO) requested the assistance of the Ohio Bureau of Criminal Investigation's (BCI) Special Investigations Unit (SIU) and Crime Scene Unit (CSU) in conducting an independent investigation into the facts and circumstances surrounding an officer-involved critical incident. The incident reportedly occurred on April 18, 2024 in the area of 1822 Sherrick Road SE, Canton, OH 44707 and resulted in the death of Frank E. Tyson (Tyson).

Preface:

This report serves as a synopsis of the investigation into the April 18, 2024 officer-involved critical incident in Stark County, Ohio. This report only summarizes the information that the investigative team determined to be the most useful in achieving an overall understanding of what occurred in this incident. Every fact and detail is not presented in this summary report. Therefore, it is recommended that each individual report from which this document is derived be read in order to obtain a complete understanding of this investigation. Further, audio and/or video recordings exist for the majority of the interviews conducted, revealing further details of statements given regarding the incident.

This investigation was conducted with the purpose of determining, to the extent possible, the facts and circumstances surrounding this incident. As unbiased collectors of fact, the investigative team has not and will not render any opinion of the legality of officers' actions. Instead, it is anticipated that this investigation will provide the basis of information for decisions to be rendered by the appropriate authorities.

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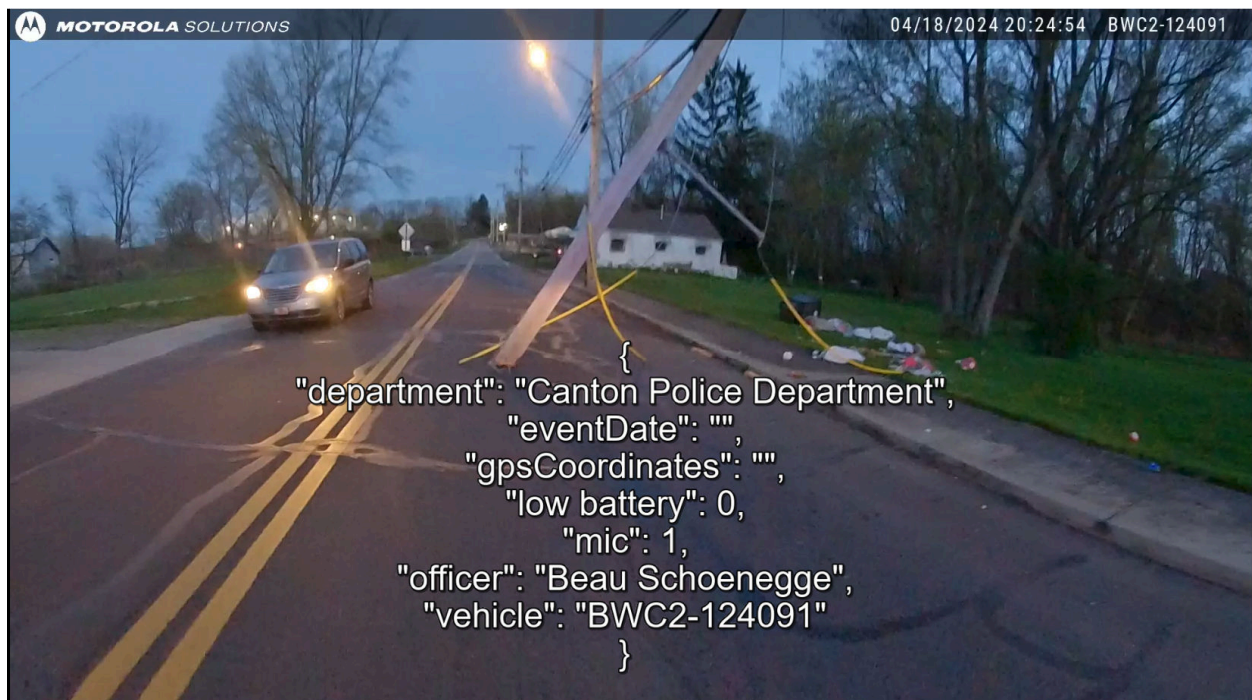


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Incident Summary/Overview

On April 18, 2024, at approximately 2015 hours, Frank Tyson was driving a 2011 Chevy Malibu, bearing Ohio registration KGR6251. As Tyson was traveling on Sherrick Road SE, in Canton, Ohio, he struck a utility pole located in front of 1700 Sherrick Road SE. The impact caused the utility pole to break in half. See screenshot below taken from the body-worn camera (BWC) of Canton Police Officer Beau Schoenegge (Schoenegge).



Tyson proceeded driving down Sherrick Road where his vehicle ultimately came to rest near 1732 Sherrick Road SE. See screenshot below taken from CPD Officer Schoenegge's BWC.

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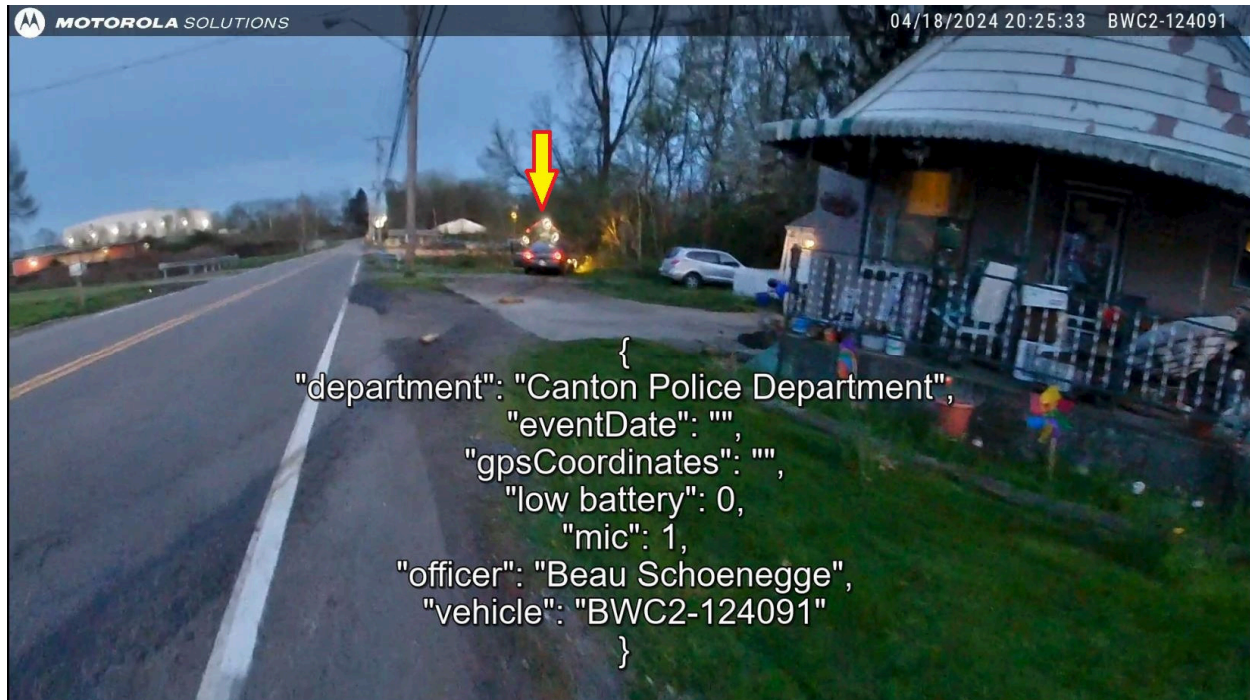


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Tyson then exited the vehicle and walked toward the Amvets Post 124, 1822 Sherrick Road SE. James Kemper (Kemper) heard the crash from his home (1700 Sherrick Road SE). Kemper got into his white color van and drove toward Tyson as Kemper thought that Tyson was trying to flee the scene. Kemper caught up to Tyson when Tyson was near the Amvets parking lot. Kemper stated that he told Tyson that he looked in distress and that he may need medical attention. Kemper said that Tyson acted like Kemper was trying to kill him. Tyson also said that he didn't need help and to leave him alone. Kemper then drove back toward his residence when Canton Police Officers Camden Burch (Burch) and Beau Schoenegge had arrived at the scene of the broken utility pole. Kemper informed the officers that the male that broke the utility pole had run into the Amvets. Burch and Schoenegge then began walking toward the Amvets.

The Amvets is a private establishment where members are buzzed in through a locked door. Tyson was buzzed in by a bartender as the bartender believed that the person at the door (Tyson) was a regular patron that was picking up a to-go food order. Once Tyson entered the Amvets, patrons and staff described Tyson's behavior as detailed below which are excerpts taken from witness interview reports.

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Shannon Gallagher (Manager at the Amvets)

Gallagher said that she heard the doorbell ring and then the door open and then heard a voice she was unable to recognize. The voice, according to Gallagher, was loud and was heard to say, "...just get it done here – get it done – call 9-1-1- he's trying to kill me..."

Gallagher then followed the subject into the back-room area, observing him sitting in a chair near the men's room. Gallagher asked the subject who he was, the subject did not answer, but kept saying "get it done here – get it done here." Gallagher instructed the subject to leave the Amvets Post, because he was not a member. The subject then refused to leave, telling Gallagher, "...no – call 9-1-1 – call 9-1-1..."

Gallagher described the subject, "...at that time he didn't seem like he was violent or anything – he just seemed kind of disoriented and agitated..." Gallagher then proceeded to the front of the Amvets and asked her bartender (Robert Hall), to call 9-1-1 and learned he had already been on the telephone making that call.

Tyson followed Gallagher towards the bar and was headed towards the front door, when he sat down on a bar stool. Gallagher indicated the subject was still not violent and kept on saying "...get it done – get it done..."

Gallagher observed on the Amvets security cameras at this time that a neighbor (James Kemper), was outside, pounding on the glass of the front door. Gallagher indicated that James was a regular food customer who comes in several times during the week to pick up food and had already done so on that day. Gallagher asked Tony Cakanic (Cakanic) to see what James wanted. At this time, Tyson became very agitated, according to Gallagher, and started screaming, "...he's trying to kill me – he's trying to kill me..." as he pointed outside the window at James.

When Cakanic returned to the Amvets he allowed two Canton Police Officers to enter the Amvets through the front door. Gallagher told the police officers they needed to remove the subject from inside the Amvets.

Anthony Cakanic

Cakanic advised that when the incident occurred, the bartender Rob "...hit the button to release the door..." because someone rung the bell. A large black male subject then entered and appeared "... real paranoid and was freaking out – saying someone was after him..."

Cakanic was asked when the subject initially entered, what was he saying. Cakanic stated, "...he come in saying – he's trying to kill me – trying to kill me – he's coming

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after me – don't let him in – don't let him in..." and was pointing towards the front door. Cakanic indicated believing the black male subject may have been referring to the subject in the white van. Cakanic then stated, "...the look on his face was like he wasn't like all there mentally – like he was on something – or drunk - or drugs..."

Cakanic went outside and ultimately saw the Canton officers down the street. Cakanic stated, "...so I met the officers and told the officers that hey – the gentleman from that car is in the bar – and he is making a lot of people in there real paranoid and scared – you guys need to come down here and take care of the situation..."

Cakanic indicated that the police officers walked with him, back to the Amvets club. Cakanic used his key access card to enter the locked door into the club. Shannon Gallagher was standing there and saying, "...he's out of here..." and indicating the subject (Tyson), who was then standing at the bar.

Emily Nikzad (Bartender at the Amvets)

Nikzad indicated that the subject (Tyson) "...he buzzed on the door, and we let him in – he was saying that someone outside was trying to kill him, and he wanted to use the phone – he wanted to call the sheriff..."

Nikzad described the subject as wearing a white shirt, gray or black shorts, and initially acting "calm." She indicated the subject, "...got agitated like when they said he couldn't use the phone..." and afterward kept refusing to go outside. The subject stood there and said he was not going to go back outside, because there was someone out there who was trying to kill him.

The subject then, according to Nikzad, walked around the bar. Someone from Amvets by this time had contacted the police. The subject kept saying he was not going to leave and wanted the Amvets to specifically call the Sheriff.

Nikzad said that the subject at one point walked to the back-room area after he first came in, but then came back out to the front area of the Amvets.

The subject remained in the front area, talking with other patrons. When the police arrived, Nikzad indicated, is when the subject, "...started getting worked up, and he didn't want to go outside with them, and he wanted the Sheriff to be here and not Canton city – so - uhm – and then they just were trying to restrain him – but they were having a hard time cause he was very large – and he wasn't hitting or anything like that – but they were smaller than him – so they were having a hard time...."

Nikzad said that when CPD officers arrived and initially walked in, they told the subject "...let's go..." and were attempting to get him to go outside. The subject kept refusing. 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.



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to go outside with CPD officers. She indicated it was at that time when CPD officers tried to take the subject outside. The subject kept telling the CPD officers, he wanted them to call the Sheriff during the encounter.

Surveillance video and body-worn camera videos show that once Burch and Schoenegge arrived at the Amvets they were let inside by Anthony Cakanic. As they entered, the BWC recording of Schoenegge shows Gallagher telling officers "Please get him outta here now." As officers approach Tyson, Tyson said "I ain't leaving no." Tyson swung his right arm while he continued to say, "Get the sheriff, get the sheriff's department, get the sheriff." Schoenegge said "No, no, we're going outside, we're going outside." Tyson said, "No you ain't killing me, you ain't killing me tonight, you ain't killing me."

Tyson grabbed a barstool with his left hand and pushed it over onto the ground. As officers reached for Tyson he pulled away. Tyson continued to say "no" and "you ain't killing me" as he struggled with the officers. Tyson moved away from the officers and down along the edge of the bar. Several bar stools were knocked over and Schoenegge fell to the ground. Tyson continued to yell that they were trying to kill him. Officers temporarily get Tyson against the bar where Schoenegge reached around the side of Tyson's face/neck area. It was likely that Schoenegge was trying to get Tyson to the ground. Tyson was able to maintain his standing position and appeared to push the officers back and moved away from the bar. Once Tyson and the officers were away from the bar and moved toward the rear area of the Amvets, they were no longer visible on the Amvets surveillance cameras.

At 00:10:19:59 (Times referenced are from the timecode effect on the OOCIC video presentation), Burch's body camera fell to the floor. When it came to rest, it was pointing upward. Officers can be seen struggling with Tyson. Tyson continued to yell throughout the altercation "They're trying to kill me" and "Call the sheriff's department." At 00:10:30:31, Schoenegge grabbed one of Tyson's legs while Burch attempted to control Tyson's upper body. At 00:10:45:11, Schoenegge was holding Tyson's leg. Tyson continued to yell "Call the sheriff" and "Call the sheriff's department."

At 00:10:52:42, an officer said, "Get on the fucking ground." At that time, Burch appeared to be face to face with Tyson and Tyson is against a wall. At 00:11:02:44, Ralph Mosteller (Mosteller) assisted officers by grabbing Tyson's leg and arm. Mosteller continued to assist officers in getting Tyson to the ground and attempted to put Tyson's arms behind his back.

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At approximately 00:11:05:01, Tyson was on the ground on his side. At approximately 00:11:08:20, An officer said "You're gonna get sprayed." At approximately 00:11:10:30, an officer again said "You're gonna get sprayed." Tyson continued to yell "Call the sheriff."

At 00:11:22:29, Schoenegge attempted to place a handcuff on one of Tyson's wrists. Burch's leg appeared to be touching Tyson's back. It is unclear if Tyson was lying flat on his chest or partially on his side. At 00:11:29:36, Burch's leg was no longer touching Tyson's back. At 00:11:29:58, one handcuff was secured to Tyson's wrist. Burch changed position so that Tyson's other arm could be accessed. At this time, Burch was kneeling with his right knee on Tyson's back. Officers were still struggling to get Tyson's other hand cuffed (00:11:32:10). At 00:11:35:00, Tyson's other hand was secured in the handcuff. At approximately 00:11:37:30, Tyson said "Get off me."

The chart below details the communication between Tyson and officers. Note that the times are listed from the video as well as the separate clarified audio files from Schoenegge and Burch's BWC videos. If a time is not listed, SA Lieber did not hear that communication on the particular audio or video file.

Video time (frame not included)	Schoenegge clarified audio elapsed time	Burch clarified audio elapsed time	Communication
11:37:XX	5:32	5:50	Tyson: Get off me
11:39:XX	5:33	5:52	Schoenegge: Calm down, calm down
11:43:XX	5:38		Tyson: I can't breath
11:45:XX	5:40	5:59	Tyson: I can't breath
11:48:XX	5:43	6:02	Schoenegge: Stop fighting
11:50:XX	5:45	6:04	Tyson: I can't breath
11:52:XX	5:46	6:05	Tyson: I can't brea
	5:48		Tyson: I can't
	5:49		Tyson: You're on my neck
12:05:XX	6:00		Tyson: I can't breath
12:07:XX	6:02		Schoenegge: You're fine

At several points it appears as though Burch's knee is possibly lifted or hovering slightly over Tyson's back and therefore not under full body weight. By 00:12:04:13, Burch changed his position as it appeared that they had Tyson under control.

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Tyson could be seen lying on his chest with his hands in handcuffs behind his back (00:12:16:39). At 00:12:48:00, Burch's body camera was located and returned to him. At 00:12:50:09, Schoenegge stood up. At that time Tyson could be seen lying on the ground on his chest with his hands cuffed behind his back.

At 00:13:20:04, Schoenegge crossed Tyson's ankles and stood behind him. Burch exited the Amvets to retrieve his police cruiser, which was parked in the 1700 block of Sherrick Road, near the location of the broken utility pole. At approximately 00:13:35:58, Schoenegge said "Calm down, stop fighting, stop fighting." Tyson's bare foot could be seen shaking. At 00:13:57:26, Schoenegge switched from holding Tyson's feet in the ankles crossed position to using his foot. After a few seconds Schoenegge then placed his shin in between Tyson's crossed ankles.

At 00:17:16:13, after Burch retrieved his cruiser and re-entered the Amvets, Tyson can be seen lying on the ground with Schoenegge standing behind Tyson using his leg to keep Tyson's ankles crossed. At approximately 00:17:29:12, Burch asked "Did he calm down?" Schoenegge responded "Yeah, I don't, he might be out." At approximately 00:17:32:30, Burch asked "Is he breathing?" Burch then knelt down and felt for a pulse on Tyson's neck (00:17:38:06).

At approximately 00:17:42:00, Burch stood and said something, possibly 'He's breathing.' At 00:17:45:44, as Burch was exiting the Amvets through the side door, Stark County Sheriff's Office (SCSO) Deputy (Dep.) Chad Carnahan (Carnahan) could be seen speaking with Richard Wiseman (Wiseman) just outside of the Amvets.

At approximately 00:17:52:50, Schoenegge said to Tyson "Alright, stand up." Schoenegge bent over and appeared to shake Tyson by Tyson's left arm. Schoenegge then rolled Tyson onto his (Tyson's) right side. At approximately 00:18:17:38, Burch radioed to start medics for the male that is in custody at the VA (Amvets). Burch informed dispatch that the male seems to be going in and out of consciousness (04:31 elapsed time on Burch's clarified audio recording). Schoenegge again rolled Tyson onto his right side and tried to wake him by shaking Tyson's chest/ upper body area.

At approximately 00:18:45:17, Schoenegge and SCSO Deputy Carnahan began to roll Tyson onto his side/back and again tried to wake him. At approximately 00:18:52:15, Carnahan asked if Tyson was breathing. Burch responded that Tyson had a heartbeat and that he has medics coming. At approximately 00:19:10:00, Carnahan asked about uncuffing Tyson. Schoenegge responds at approximately 00:19:12:25, "I don't want him to start fighting again." At approximately 00:19:18:30, Carnahan asked if Tyson had a pulse. Schoenegge then began to check for a pulse.

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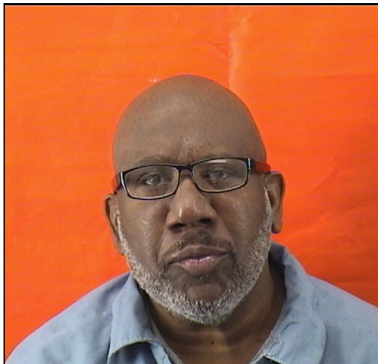
At approximately 00:19:24:25, Burch said "Had one earlier." At 00:19:45:30, Schoenegge began to remove Tyson's handcuffs. At 00:19:52:00, Carnahan radioed for a squad, informing dispatch that they have an unresponsive black male and to have the squad step it up. At 00:20:02:30, Carnahan asked if Tyson had a pulse. Schoenegge responds "I didn't feel one." Schoenegge radioed dispatch to tell medics to step it up. Tyson was rolled onto his back and at approximately 00:20:21:00, Schoenegge began giving Tyson CPR chest compressions.

Tyson received chest compressions from multiple people until EMS arrived and took over care. In addition, Tyson received a total of 3 doses of Narcan while receiving care from officers on scene. At 00:29:12:38, a Canton Fire Department member entered the Amvets.

Ultimately, Tyson was pronounced dead at Aultman Hospital at 2118 hours on April 18, 2024.

Decedent

Frank Eugene Tyson
DOB 12/18/1970



Medical Records

The autopsy report for the decedent (Frank Tyson) was obtained from the Stark County Coroner's Office. A review of those documents revealed the following information:



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[REDACTED]
[REDACTED]
[REDACTED] Please refer to the autopsy report written by the Cuyahoga County Medical Examiner's Office and the Stark County Coroner's Office report for additional information.

Physical Evidence

The BCI Crime Scene Unit was requested to respond to the scene in order to document and preserve any items of potential evidence. Multiple agents responded and processed the scene, to include photographing and mapping the area, as well as the search for, documentation, and collection of items of possible evidence. Detailed crime scene reports were completed with the below information only summarizing some of the more significant findings.

On Thursday, April 18, 2024, at approximately 2358 hours, CST Rostocil was contacted by Special Agent Supervisor Ed Lulla and was requested to assist the Canton Police Department with documenting the crime scene located at 1822 Sherrick Road SE, Canton, OH 44707 (AMVETS Post #124) regarding an in-custody death. CST Rostocil arrived on scene at approximately 0130 hours on April 19, 2024, and met with Special Agent Supervisor Charles Moran and learned the following: at approximately 2023 hours, on Thursday, April 18, 2024, officers with the Canton Police Department responded to a single motor-vehicle collision located at 1700 Sherrick Road SE, Canton, OH 44707, with no driver or passengers in the vehicle. Officers responded to the AMVETS Post #124 and discovered the driver of the vehicle, identified as Frank Tyson (DOB: 12/18/1970) inside the location. The officers attempted to detain the subject, but a physical struggle ensued. Officers eventually detained the subject and placed him in handcuffs. They later observed the subject was non-responsive and requested EMS. The subject was transported to a local hospital where he was pronounced deceased and then transported to the Cuyahoga County Medical Examiner's Office.

Due to this incident taking place earlier in the evening on Thursday, April 18, 2024, CST Rostocil only documented the scene location with overall photographs. No items of evidence were located/collected.

The location was a single-story building surrounded by a parking lot and trees. It sat on the South side of the roadway (Figure #1). Inside the North door (main entrance) was a small entryway with another door which opened into a bar (Figure #2). The bar was more-or-less in the middle of the room with stools around it. To the East of the bar

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were gaming stations, an office, and men's and women's restrooms. To the West of the bar were tables and area which led to the South side of the building. Through an entryway on the South wall along the West side of the bar was another large, open-space room containing tables and chairs, gaming stations along the West wall, another bar along the East wall, and two (2) doorways leading outside: one along the West wall and one along the South wall (Figures #3-5). The location contained various surveillance cameras mounted to the ceiling. The location inside the building of where the incident took place was not known at that time.

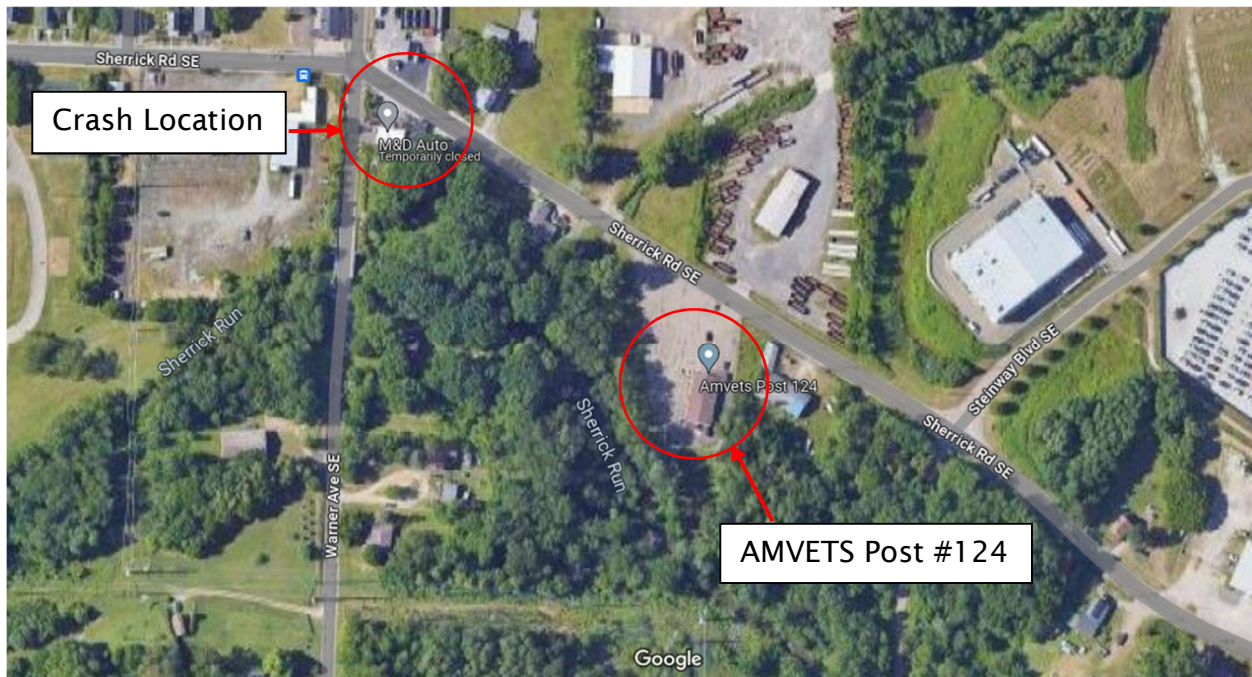


Figure #1 – Overall locations

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Figure #2 - North room bar (looking West)



Figure #3 - West side of North room bar (looking South)

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Figure #4 - Overall photo of South room (looking South)



Figure #5 - Overall photo of South room

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Search of vehicle driven by Frank Tyson

An involved vehicle was towed to 2436 30th Street NE, Canton, OH 44705 (City of Canton Impound) until a search warrant could be obtained.

On Monday, April 22, 2024, CST Rostocil was contacted by BCI Special Agent Jon Lieber regarding the documentation of subject Frank Tyson's vehicle, gray 4-door Chevy Malibu (OH-KGR 6251). Officers with the Canton Police Department were obtaining a search warrant for the vehicle and searching the vehicle on Tuesday, April 23, 2024. CST Rostocil made arrangements to meet officers with the Canton Police Department to document the vehicle.

On Tuesday, April 23, 2024, at approximately 1000 hours, CST Rostocil and Special Agent Chad Doran arrived at 2436 30th Street NE, Canton, OH 44705 and met with Canton Police Crime Scene Officer Perry Thomas and located the vehicle outside in the impound yard. Canton Police Department Officers Staten, Wells, and Bays were also there to document and search the vehicle. The vehicle was processed under the authority of a search warrant.

Vehicle Data

MAKE	CHEVROLET
MODEL	MALIBU
YEAR	2011
COLOR	GRAY
VIN	1G1ZB5E16BF122340
LICENSE STATE/NUMBER	OH/KGR 6251
OWNER	CHRISTOPHER T. JONES

CST Rostocil photographed the vehicle as it was found (Figures #1-5). The front end and driver side windshield had damage to it and the steering wheel airbag was deployed. The interior of the vehicle contained numerous items on the front passenger and rear passenger seats. Canton Police Officers Staten, Wells, and Bays searched the vehicle for evidence. CST Rostocil photographed the following items as they were found:

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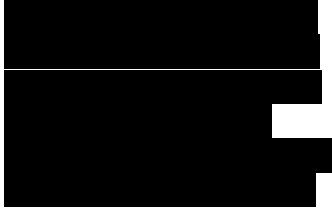
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- Black wallet with Ohio ID for Jordan Louise McCauley (DOB: 4-8-2005) located on the front driver seat.
- A clear plastic bag with six (6) prescription pill bottles prescribed to Frank Tyson, located on the front passenger side:



- One (1) additional prescription pill bottle prescribed to Frank Tyson, for [REDACTED] low dose also located on the front passenger side.
- Ten (10) prescription pill packages prescribed to Frank Tyson, located in the rear passenger compartment:



- Six (6) prescription pill packages prescribed to Frank Tyson, located inside the trunk:



- A glass pipe with unknown white substance in it, located in the center console (Figure #6).
- An electronic scale located in the rear passenger compartment.
- A tank of nitrogen located in the rear passenger compartment.

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Figure #1 - Overall vehicle

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Figure #2 - Overall rear end of vehicle



Figure #3 - Overall front end of vehicle

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Figure #4 - Damaged windshield



Figure #5 - Overall front driver compartment

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Figure #6 – Glass pipe in center console

All evidence, including the medications and the glass pipe was collected by Canton Police Crime Scene Officer Perry Thomas. Officer Staten downloaded the electronic data from the vehicle and retained a copy of that.

BCI Laboratory

An item of potential evidence was submitted to the BCI Laboratory for analysis. The actual report should be consulted as the following synopsis does not include many of the details from the full report.

On Friday, April 26, 2024, SA Lieber received an Ohio BCI Laboratory report for an item of evidence submitted on April 22, 2024 for scientific analysis (laboratory case number 24-32927). The report originated from the Chemistry section of the laboratory and was authored by Forensic Scientist Lydia T. Lee. The item relevant to this report which had previously been submitted was as follows:

1. One (1) knotted plastic bag containing unknown off-white substance (Matrix item #001, Lab item #1)

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The laboratory report noted that the unknown off-white substance was found to contain cocaine. This determination was made using chemical testing and instrumental analysis.

(Note: This item was located in the bag with Frank Tyson's black beanie cap by CST Rostocil on April 19, 2024. See the BCI report titled, "2024-04-19: Clothing Documentation" for details.)

Witnesses

James Kemper

On May 14, 2024, at 1727 hours, agents interviewed James Kemper (Kemper) at 1700 Sherrick Road SE, Canton, OH.

SA Lieber said that he saw on body camera video that Kemper was driving a white color vehicle and possibly talked to Frank Tyson. Kemper said that Tyson was trying to flee. Kemper said that he told Tyson that he looked in distress and needed medical attention. He told Tyson to wait for an ambulance. Kemper said that Tyson acted like he (Kemper) was trying to kill him (Tyson).

Kemper said that he was sitting on the couch when the accident happened. Kemper said that Tyson drove into his garbage cans and then took out the utility pole. When he came outside, he saw the car down the road in his neighbor's driveway and he saw Tyson leaving and running up the road. Kemper said that he thought Tyson may need medical attention. He said that when people get in car wrecks they can go into shock.

SA Lieber asked about his contact with Tyson in the Amvets parking lot. Kemper said he told Tyson that he might need medical attention. Kemper said that he read about what it takes to break a telephone pole and he learned that it is 50 to 60 miles per hour. Kemper said that Tyson said to him that he didn't need any help and to leave him alone. Kemper then drove back toward his house. Kemper said that the Amvets would have had to buzz Tyson into the building, and they normally don't let you in unless they know you. Kemper said that later he saw on the news that Tyson was saying that there was someone in the parking lot trying to kill him. Kemper said that there was no confrontation between him and Tyson that would have led Tyson to think that Kemper was going to hurt him. Kemper said Tyson was much bigger than him.

Kemper said that about a half hour before the accident he picked up a to-go order from the Amvets.

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Kemper said that Tyson was holding his side. Specifically, Tyson was holding his left side near his waist. Kemper said that Tyson was past the Amvets sign by the time Kemper caught up to him. Kemper said that if he wouldn't have stopped Tyson, Tyson would have probably kept heading up the road. After he spoke to Tyson, Tyson turned around and went into the Amvets. When Kemper returned to the area where the utility pole was broken, Canton Police had arrived.

SA Lieber asked if there was anything else about his interaction with Tyson such as Tyson being injured, sweating, or erratic behavior. Kemper said "Just yeah just like he was like scared, it looked like he was under the influence of more than alcohol" [11:32]. Kemper said that Tyson was confused, but that could have been from the wreck. Kemper said Tyson's eyes were big, round, and Tyson was probably scared.

Kemper said when Tyson cut through the parking lot and entered the Amvets he (Kemper) buzzed the door and told them that Tyson was just in an accident. Kemper said that the conversation between him and Tyson lasted less than a minute.

Sheri Hidey and Cynthia Dexter

On May 14, 2024, at 1743 hours, agents interviewed Sheri Hidey (Hidey) and Cynthia Dexter (Dexter) at 1732 Sherrick Road SE, Canton, OH.

Hidey stated that she was sitting on the couch watching TV when she heard a boom. Hidey came outside and saw part of the telephone pole with the wires dangling in the road. Hidey looked in the direction of the Amvets (east) and saw a vehicle in the yard. The person that was driving the vehicle walked over by the Amvets sign. Hidey said that Heather (Heather Kolm, 1721 Sherrick Road SE) had called police and Kemp (James Kemper, 1700 Sherrick Road SE) had gotten into his white color vehicle and drove over to the male (Frank Tyson). Hidey said that Kemper told Tyson that the police had been called. Hidey said the next thing she knew the police had Tyson in the bar.

SA Lieber asked Hidey if Tyson appeared injured. Hidey said no. Hidey said "I swear he said 'you gotta get out of the car' like he was talking to somebody else in the vehicle and we didn't see anybody, I mean, I didn't see anybody else get out of the vehicle, didn't see anybody so" [02:21].

Agents then spoke with Cynthia Dexter. Dexter said that she was lying in her bedroom when she heard a boom sound. Dexter came outside and saw the middle section of a utility pole missing. Dexter said that two pieces of wood landed near her front porch. Dexter pointed out a tire mark in the street and stated that it was from the car that hit

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the pole. Dexter said that the vehicle missed hitting her car which was parked in the driveway. Dexter said that the subject vehicle stopped about a foot before going into the creek. Dexter said the driver (Frank Tyson) turned his flashers on, got out of the car, and began walking down the road. Dexter said that she saw Tyson by the bridge. Dexter said that Tyson did not look injured or in distress. Dexter did not hear Tyson say anything.

Dexter said that she looked into the vehicle and saw that the airbag had deployed. Dexter said she saw papers on the front seat and all kinds of stuff in the back seat. Dexter said that she did not enter the vehicle. Dexter said that she told Hidey to take a picture of the driver so they could identify him for the police. SA Lieber asked Hidey if she took a picture and Hidey said that she didn't. Dexter said that Tyson appeared confused about whether he wanted to go into the bar (Amvets) or continue walking down the road.

Dexter said that the neighbor James Kemper drove down the street toward Tyson. Dexter confirmed that Kemper was driving a white color car. Dexter said that the camera that is on her house is a dummy camera.

Dexter said that she found out last week that Frank Tyson's brother, Johnny Tyson (Johnny), has a tire shop on 6th Street. Frank Tyson is Johnny's older brother. Dexter said that Frank Tyson was living in Johnny's house. Dexter said that Johnny lives behind the Speedway on Trump and Tusc (Tuscarawas Street). Dexter said that Frank Tyson was probably coming from Highland Park which is where the drugs are. Dexter said that Tyson had to be on something because the car wasn't very damaged, and you wouldn't walk away and leave your car. Dexter said that Johnny deals drugs. She said that he buys pills off the street and sells them for twice the money. Dexter said that she heard this through the grapevine.

Ralph Conrad Mosteller, Jr. and Devan Lynn Mosteller

On Friday, April 19, 2024, at 1409 hours, SA Charles Snyder conducted an in-person interview with Ralph Conrad Mosteller (Ralph), and his spouse Devan Lynn Mosteller (Devan). This interview was conducted inside the Ohio Amvets Post 124 location. The Mostellers provided the following information during that interview.

Ralph said that Devan initially noticed there was an issue while they sat at electronic machines in the rear room at Amvetss. They observed the subject (Frank Tyson), described as a black male, 5'9-10" in height, large stomach, and arms, possibly in his mid-50's, wearing black tennis-style shoes, black-colored shorts and a possible white

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shirt and black ball cap. The subject was loud and seemed to be in some type of distress. Ralph indicated that initially he did not pay much attention, because the subject at that point was not being "real erratic."

Ralph said that Amvets employees were telling the subject he had to leave, and he asked them to call "9-1-1" and said someone was trying to kill him. Devan added the subject repeatedly said, "Call 9-1-1, they're trying to kill me." They indicated the subject was not with anyone else at that time and was not known to be a member of Amvets.

Ralph advised us that the subject then went into the back room, making his way to a chair. Ralph was then alerted by Devan to look at the subject. When Ralph looked, he observed that the subject reached into his pocket, pulled out his wallet and something else. The subject, according to Ralph, then put something into his shoe, got up and started heading towards the front area of the Amvets. The subject continued saying, "Call 9-1-1, someone is trying to kill me."

At this point, Ralph said that he stood up and followed the subject, at a distance, toward the front door of the Amvets. Ralph said that he was concerned about the safety of some of the older customers at the Amvets. Ralph also said he heard "Shannon" (Gallagher) telling the subject, "You don't belong here, we've already called the cops..."

According to Ralph, when the subject then made it to the front bar area, he sat across from the entry door. Ralph said that he was standing at the bar's edge, near the corner. Ralph indicated the subject continued yelling, "...they're going to kill me - they're going to kill me..."

Ralph advised observing a van outside the door near the entrance. He learned from Shannon (Gallagher) that the van belonged to a neighbor (James Kemper), who often comes to Amvets to pick-up take-out food. Ralph spoke to another person in the bar, who then went outside to speak with James.

Note: From other subsequent interviews, the subject who went out to speak to "James" was Anthony "Tony" Cakanic.

Ralph advised that when this person returned to the bar, he told the subject that there was no one out there, and he needed to leave. According to Ralph, they were at this time arguing back and forth.

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According to Ralph, he described the Amvets as, "... a pretty full house..." at that time. Ralph and Devan indicated there may have been thirty or more customers inside the Amvets.

Ralph reported he then noticed two CPD officers coming to the front door of the Amvets. The officers told the subject he needed to come along with them, at which time the subject began fighting with the officers. Ralph indicated bar stools began flying and people were getting knocked down. He observed one officer on each side of the subject, trying to gain control over him. The subject continued to fight against the officers and, in his effort to get away from the officers, knocked over tables and people.

Ralph said that at no time did he observe the officers striking or hitting the subject, and they only appeared to be grabbing him. Devan and Ralph both indicated they did not observe deployment of any weapons or batons during this time either. They indicated that they did not observe any use of force that they felt was excessive or unwarranted in the circumstances and indicated it appeared the officers just wanted to remove the subject from the Amvet. Ralph added the officers were pleading with the subject to cooperate and leave the premises.

Devan said that she did not see the subject drinking anything or having obtained anything from inside the bar. The Mosteller's both indicated that the subject was acting strange as soon as he had entered the Amvets.

Ralph said that the CPD personnel eventually were able to get handcuffs on the subject and prepared to take the subject through the side door and into the parking lot. CPD personnel placed the subject face-down and on his stomach with his lower legs/ankles crossed and hands cuffed behind his back. According to Ralph, the subject continued to struggle with the officers for some time, then suddenly stopped. After a short period of time, the subject appeared to be unconscious and unresponsive. According to Ralph, the CPD officers must have realized there was an issue with the subject. He then turned the subject's head to the side and began doing a "knuckle rub" on the subject's chest but got no response.

Ralph had not observed anything placed over the subject's mouth, face, or nose, prior to this. A short time after this, Ralph believes the Stark County Sheriff's Office personnel arrived at the scene and entered. They started CPR and gave the subject multiple Narcan applications but received no response.

Ralph and Devan were aware that the subject had been involved in an auto accident, just prior to coming inside the Amvets. They indicated they did not observe any

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physical injuries on the subject during this time and did not hear any statement by the subject indicating that he was injured.

SA Snyder asked if the subject had appeared intoxicated or had shown any other signs of being under the influence of something. Ralph said his actions were, "...he was acting erratically...kind of jerky...didn't seem like he was drunk or nothing, wobbling around or anything...but somewhat erratic..." [00:15:10].

Ralph advised during the tussle between CPD personnel and the subject, he observed a white baggy fall out of the subject's shoe. Ralph indicated that one of the CPD officers had then picked the white baggy up, when he recovered his body-camera that had also fallen off during the struggle with the subject.

Richard C. Wiseman

On Friday, April 19, 2024, at approximately 1542 hours, SA Snyder and SA Lieber conducted an in-person interview with witness Richard C. "Doc" Wiseman (Wiseman). Wiseman confirmed being present when this incident occurred as well as a member of the Amvets for approximately twelve years. Wiseman said he arrived at Amvets at approximately 1800 hours on Thursday, April 18, 2024.

Wiseman said he was watching television and speaking with another member, "Harry" [00:01:26], when he heard the door buzzer sound. He indicated this normally gets his attention. He said he looked and observed the subject (Frank Tyson) enter Amvets, "...like a bull in a china shop..." [00:01:45].

Wiseman advised that the subject eventually went into the back-room area, where he, "...fell into a table in the corner..." Wiseman said that he also went into the back-room area and began watching the subject. Wiseman knew the subject did not belong to this private club and had never seen him.

The subject had said there was another person outside in front, that had been chasing him.

Wiseman recalled that someone else had said the person outside was "James" [00:02:29], who lives up the street from the Amvets. James reportedly comes in the Amvets every couple of days each week for take-out food. Wiseman indicated he did not know who James was.

Wiseman said he went outside and spoke to James. He learned from James that the subject had wrecked his car up the street. Wiseman indicated he could see the

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headlights of a vehicle sitting in the yard, up the street. Wiseman asked James if he had gotten the license plate registration from the wrecked vehicle, and he did not get a clear response.

Wiseman then reentered the Amvets and made contact again with the subject (Tyson), trying to get him to leave. The subject, according to Wiseman, refused and appeared, "...high as a kite...and was extremely argumentative..." [00:03:16].

Wiseman said the Amvets was reasonably full, as normal for Thursday nights, because drawings are held then. He estimated there may have been a total of forty people inside the Amvets during this incident.

Wiseman indicated two CPD officers then entered Amvets and attempted to take the subject into custody. The CPD officers and subject then moved around the described bar, followed closely by Wiseman. As they neared the side doorway, going into the parking lot area, the CPD officers began to handcuff the subject and a bag fell from the subject's clothing.

Wiseman then said the next thing he was aware of, the CPD officers were, "...pumping on his chest..." [00:04:22]. Wiseman also believed the bartender "Rob" [00:04:33], who had originally let the subject into the Amvets, was the person he believed he saw performing cardiopulmonary resuscitation on him. Wiseman indicated this occurred very quickly.

At this point, Wiseman advised that the two CPD officers did nothing wrong in this incident. He added they tried to take the subject to the ground and handcuff him and, "...it turned into a fiasco..." [00:05:10].

When asked to further describe the subject's actions, Wiseman said he was, "...screaming and hollering, arms going one-hundred miles an hour, he fell up into the bar, then he fell back here, fell in a chair, he was just, I knew he was lit up..." [00:05:50]. Wiseman added that the subject kept saying the guy outside was trying to kill him. Wiseman added the subject was extremely disruptive and had knocked over multiple bar stools and people during this event. Wiseman estimated there were probably ten to twelve bar stools that were overturned.

Wiseman advised having approximately thirty-seven years of prior law enforcement experience. He also indicated being aware of what occurs when taking someone into custody. Wiseman said there was "absolutely - positively - not" [00:10:51] anything the CPD officers did that was unusual, excessive or beyond what they should have done in this situation.

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Wiseman was aware of communications efforts between the CPD personnel and the subject but was unable to recall the specific content of those communications. He did recall the subject kept saying that someone was trying to kill him and to call 9-1-1.

Wiseman was then asked how the CPD officers were dressed, confirming they were in standard CPD uniforms and were easily recognized as police officers.

Emily Sohayla Nikzad

On Friday, April 19, 2024, at 1621 hours, SA Lieber and SA Snyder, conducted an in-person interview with Emily Sohayla Nikzad (Nikzad). This interview was conducted at the Amvets Post 124, where Nikzad was employed as a bartender at the time of this incident. During this interview, Nikzad provided the following information pertaining to events on Thursday, April 18, 2024.

Nikzad said she arrived for work at 1645 hours on Thursday, April 18, 2024. Nikzad has worked for nearly two months as a bartender and holds another job in home health care.

Nikzad indicated that at some time before 2100 hours, the subject (Frank Tyson) "...he buzzed on the door, and we let him in - he was saying that someone outside was trying to kill him, and he wanted to use the phone - he wanted to call the sheriff..."

Nikzad described the subject as wearing a white shirt, gray or black shorts, and initially acting "calm." She indicated the subject, "...got agitated like when they said he couldn't use the phone..." and afterward kept refusing to go outside. The subject stood there and said he was not going to go back outside, because there was someone out there who was trying to kill him.

Nikzad said that "James" was outside at that time. James, according to Nikzad, often picks up to-go food orders from Amvets. Nikzad indicated James was then trying to tell the people inside Amvets, something through the closed door. Nikzad was instructed at that time not to allow anyone else inside.

The subject then, according to Nikzad, walked around the bar. Someone from Amvets by this time had contacted the police. The subject kept saying he was not going to leave and wanted the Amvets to specifically call the Sheriff.

Nikzad said that the subject at one point walked to the back-room area after he first came in, but then came back out to the front area of the Amvets.

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The subject remained in the front area, talking with other patrons. When the police arrived, Nikzad indicated, is when the subject, "...started getting worked up, and he didn't want to go outside with them, and he wanted the Sheriff to be here and not Canton city - so - uhm - and then they just were trying to restrain him - but they were having a hard time cause he was very large - and he wasn't hitting or anything like that - but they were smaller than him - so they were having a hard time...."

The CPD officers were able to get the subject onto the ground, but because of their location, Nikzad was unable to see them. She indicated that the only thing she could see was their feet, near the side doorway. Nikzad said that she learned that very shortly after the subject was placed on the ground, there was a medical emergency, and they were doing chest compressions on him.

When asked to clarify what Nikzad meant by "trying to restrain him," she indicated the subject, "...was trying to run away..." She went on to indicate that the subject was not under arrest yet and others in the location didn't know what was happening at that point.

Nikzad said that when CPD officers arrived and initially walked in, they told the subject "...let's go..." and were attempting to get him to go outside. The subject kept refusing to go outside with CPD officers. She indicated it was at that time when CPD officers tried to take the subject outside. The subject kept telling the CPD officers he wanted them to call the Sheriff during the encounter.

Nikzad said that "Rich," an Amvets member, had previously approached the subject and was speaking with him, prior to law enforcement arriving. He asked the subject what was going on. Nikzad did not know the last name of "Rich" at the time of this interview.

Nikzad estimated this incident lasted less than ten minutes; from the time the subject got inside the Amvets, police officers arrived and contacted the subject, and the subject was on the ground.

Nikzad indicated she did not witness any actions that occurred either by law enforcement or others in the Amvets that caused her alarm or concern about the way the subject was handled.

She advised there possibly could have been a softer initial approach to the subject by law enforcement. She also indicated everyone inside Amvets was already on the defensive when the subject was contacted.

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Nikzad confirmed the responding CPD officers were in uniform and were easily identified as law enforcement.

Michael Gallagher

On Friday, April 19, 2024, at 1607 hours, SA Lieber and SA Snyder interviewed Michael Gallagher (Gallagher). The interview took place at Amvets Post 124. 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 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.

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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 deputies arrived, they rolled the male over, and the male wasn't breathing. The officers and deputies 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 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, 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].

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Officer Interviews

Officer Camden Burch

Officer Camden Burch declined to be interviewed by BCI agents.

Officer Beau Schoenegge

Officer Beau Schoenegge declined to be interviewed by BCI agents.

Dispatch-Related Information

Audio recorded 911 Calls

The recorded 911 calls were provided in the following two folders:

- 1700_Sherrick_CFDPhone_Calls
- Fw_ [External E-mail] Sherrick DR Se 911 call (mike.talkington@cantonohio.gov)

The folder titled *1700_Sherrick__CFDPhone_Calls* contained 37 calls made or received by CPD dispatchers. Each recorded phone call was stored in a separate WAV file and was titled with a number followed by the date and time. They appeared to be in sequential order descending from the most current beginning with "00" and the oldest beginning with "36". The folder also contained a file titled *1700_Sherrick___Phone_Calls-CDR* which contained identifying data that corresponded to each of the recorded calls.

Each recorded call was reviewed. There were a variety of calls related to the crash and standard protocols. The following recordings were identified as being most relevant to this investigation:

- 34_911_IP_Position_3_2024_04_18_20_16_45_by_Start_Time_desc
 - A female caller who identified herself as Heather Kolm called 911 and reported a crash in front of 1721 Sherrick RD. She said someone hit a pole in front of where she lived, and it was lying in the road. She said she was going to watch them and take a picture of their license plate in case they left. She yelled to another person she referred to as "James" and asked if that was the person who hit the pole. She then said her neighbor

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was going after "them" to make sure they didn't take off because "it" was a dope house across the street.

- 33_911_IP_Position_5_2024_04_18_20_22_26_by_Start_Time_desc
 - Heather Kolm called a second time and provided an update. She said the guy ditched the car and was running back behind the Amvets. She described him as a black guy wearing a white shirt and blue jeans. She said her neighbor went to stop him and he ditched behind the Amvets. She said the car was still there, but the guy was running for his life.
- 28_911_IP_Position_5_2024_04_18_21_38_40_by_Start_Time_desc
 - The dispatcher called an unknown location that appeared to be the hospital. She indicated she could not get ahold of the medics on the radio and asked for an update on Frank Tyson. The male indicated Tyson was dead and that he died at 2118 hours. The dispatcher indicated they were not aware of his death.
- 22_911_IP_Position_5_2024_04_18_21_59_23_by_Start_Time_desc
 - Sergeant Rastetter called dispatch and asked them to have "Burch" or "Schoenegge" call in and then transfer them immediately.
- 21_911_IP_Position_1_2024_04_18_22_00_18_by_Start_Time_desc
 - A male called and said he was "Burch." The dispatcher said Sergeant Rastetter needed to talk to him and told him to hold on a second.
- 20_911_IP_Position_1_2024_04_18_22_00_41_by_Start_Time_desc
 - The dispatcher called Sergeant Rastetter and said she was going to put him on with Burch.
- 19_911_IP_Position_1_2024_04_18_22_00_54_by_Start_Time_desc
 - ***This recording was reviewed by SA Andrew Harasimchuk who determined the recording contained Garrity Protected information. This recording has not been reviewed by the investigative team.***
- 18_911_IP_Position_5_2024_04_18_22_16_19_by_Start_Time_desc
 - Sergeant Rastetter called dispatch and asked them to have Smitty (Sergeant Smith) call him ASAP. He then said he was getting suited back up and going back out there because "these guys" didn't tell him it was a use of force.
- 14_911_IP_Position_3_2024_04_18_22_43_26_by_Start_Time_desc
 - Sergeant Smith called dispatch regarding having the detective division respond to the scene. A male voice believed to be Sergeant Rastetter can be heard in the background saying "I'm so fucking mad right now. I'm not mad because I'm here, I'm just mad because [unintelligible]".

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The folder titled *Fw_ [External E-mail] Sherrick DR Se 911 call (mike.talkington@cantonohio.gov)* contained the following two 911 calls:

-  1822 Sherrick Dr. SE 4-18-24 1st 911 call 2020hrs
-  1822 Sherrick Dr. SE 4-18-24 2nd 911 call 2025hrs

Each recorded call was reviewed and appeared to be a 911 call from individuals at the Amvets.

- *1822 Sherrick Dr. SE 4-18-24 1st 911 call 2020hrs*
 - A male who identified himself as Rob Hall called 911 and said they needed police at the Amvets Post 124 at 1822 Sherrick Rd. He said a disgruntled guy came in and started yelling and they needed police there right away. He described the subject as a black male wearing a white shirt and black shorts. He initially said the subject was outside in the parking lot. Then he explained there was a white guy wearing black shorts and a white t-shirt outside and a black male wearing the white shirt and black shorts inside. He said there was something going on, but they were not sure what.
- *1822 Sherrick Dr. SE 4-18-24 2nd 911 call 2025hrs*
 - When the call began, a male voice can be heard in the background yelling "What's your name Damn it? What's your name? What's your name? That's what that shits about man." An unidentified female caller then said, "We need the police here now!" She said it was the Amvets, they were a private club, they had asked him to leave but he wouldn't leave. She said he was screaming at their members, and he wouldn't leave. She asked if they (dispatch) could hear him screaming in the background and reiterated they had asked him to leave but he wouldn't leave. He was saying someone was trying to kill him in the parking lot but there was no one in the parking lot. The dispatcher told her they would get someone over there and the call ended.

Audio Recorded Police Radio Traffic

The recorded radio traffic was provided in the following two folders:

-  1700_Sherrick_CFD
-  1700_Sherrick_CPD

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The folder titled *1700_Sherrick_CFD* contained one audio WAV file titled *1700_Sherrick_CFD*. It contained 89 radio transmissions which were recorded in reversed chronology. The recording was 5 minutes and 7 seconds in length and contained radio communications between the dispatchers and the Canton fire department. The folder also contained a file titled *1700_Sherrick_CFD-CDR* which contained identifying data for the recorded radio transmissions.

The folder titled *1700_Sherrick_CPD* contained 334 individual radio transmissions. Each transmission was stored in a separate audio WAV file and was titled with a transmission number and the date and time of the transmission. They appeared to be in sequential order descending from the most current beginning with "00" and the oldest beginning with "333". The folder also contained a text document titled *1700_Sherrick_CPD-CDR* which contained identifying data for the recorded radio transmissions. SA Armstrong reviewed each of the recorded radio transmissions and the data. The table below contains the radio data and content of the radio traffic for the transmissions believed to be most relevant to this investigation.

Transmissions not included in the table contained radio traffic from dispatchers, numerous responding officers, and supervisors. The content of those radio transmissions included information related to responding back up officers, management of the incident and identifying the agency with jurisdiction.

Transmission #	Date & Time	Duration	Radio ID	Officer Name
333	Start: 4/18/2024, 20:18:34	Dur: 00:07	Canton OP3 (7600002)	Dispatch
Car eighty-three, eight, three. Seventeen hundred block of Sherrick Road Southeast. Seventeen Hundred block Sherrick Road Southeast for an accident.				
331	Start: 4/18/2024, 20:18:46	Dur: 00:10	Canton OP3 (7600002)	Dispatch
Twenty, eighteen. Vehicle struck a pole. The pole is now laying across the roadway. Caller lives at seventeen twenty-one. They're trying to make sure that the driver doesn't leave the scene.				
329	Start: 4/18/2024, 20:23:19	Dur: 00:03	CPD7603193 (760319)	Unit 85
Eighty-Five. Can you put me on the Sherrick Accident?				

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325	Start: 4/18/2024, 20:25:21	Dur: 00:10	CPD7601946 (76019469)	Unit 83
Apparently, this male ditched the vehicle at 1732 Sherrick, and ran inside. We'll be checking the building.				
321	Start: 4/18/2024, 20:28:57	Dur: 00:02	CPD7603193 (7603193)	Unit 85
Unintelligible yelling				
320	Start: 4/18/2024, 20:29:02	Dur: 00:02	CPD7603193 (7603193)	Unit 85
Unintelligible				
319	Start: 4/18/2024, 20:29:04	Dur: 00:05	Canton OP3 (7600002)	Dispatch
One in custody. Twenty, Twenty-nine.				
316	Start: 4/18/2024, 20:32:57	Dur: 00:06	CPD7603193 (7603193)	Unit 85
Can you start uhh, AEP out here. This pole is just standing up in the middle of the road.				
307	Start: 4/18/2024, 20:35:36	Dur: 00:09	CPD7603193 (7603193)	Unit 85
Can you start uhh, medics out for the one we have in custody at the VA at uhh eighteen twenty. He's uhh seeming to go in and out of consciousness.				
305	Start: 4/18/2024, 20:37:169	Dur: 00:02	CPD7601946 (76019469)	Unit 83
Eighty-three. Pull him over.				

Transmission #	Date & Time	Duration	Radio ID	Officer Name
303	Start: 4/18/2024, 20:37:23	Dur: 00:07	CPD7601946 (76019469)	Unit 83
Can you tell medics to step it up. He's not responding. I don't know.				

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301	Start: 4/18/2024, 20:39:30	Dur: 00:03	CPD7601946 (76019469)	Unit 83
Eighty-three. We've started CPR.				
299	Start: 4/18/2024, 20:39:38	Dur: 00:02	CPD7601946 (76019469)	Unit 83
We started CPR on the male.				
298	Start: 4/18/2024, 20:39:41	Dur: 00:01	Canton OP3 (7600002)	Dispatch
Copy. Twenty thirty-nine.				
295	Start: 4/18/2024, 20:39:56	Dur: 00:03	Canton OP6 (7600005)	Dispatch
Eighty-three. Do either of you have Narcan?				
294	Start: 4/18/2024, 20:40:12	Dur: 00:05	Canton OP6 (7600005)	Dispatch
Any unit out in the seventeen hundred block of Sherrick, advise if you have Narcan.				
293	Start: 4/18/2024, 20:40:19	Dur: 00:02	CPD7600891 (7600891)	Unit 42
Forty-two. We're close. We'll go.				
289	Start: 4/18/2024, 20:40:42	Dur: 00:02	CPD7601946 (76019469)	Unit 83
Do you have a sergeant coming out?				
288	Start: 4/18/2024, 20:40:50	Dur: 00:03	Canton OP6 (7600005)	Dispatch
Standby he's on another call.				
265	Start: 4/18/2024, 20:43:46	Dur: 00:06	CPD7600891 (7600891)	Unit 42
Can you relay to the medics where we're at. They're still not out here. They're parked down the road.				

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242	Start: 4/18/2024, 20:47:01	Dur: 00:04	CPD7600891 (7600891)	Unit 42
Copy. Still not responsive. They're still doing CPR on him.				

Transmission #	Date & Time	Duration	Radio ID	Officer Name
180	Start: 4/18/2024, 21:32:12	Dur: 00:04	CPD7600950 (7600950)	Unit 85
Is there an update on that uhh that male that went to the hospital?				
179	Start: 4/18/2024, 21:32:19	Dur: 00:02	Canton OP6 (7600005)	Dispatch
Negative. We can call them and see if there's an update.				
172	Start: 4/18/2024, 21:40:25	Dur: 00:04	Canton OP6 (7600005)	Dispatch
Yea so that male was pronounced at twenty-one eighteen hours.				

Video Recordings

Video from the Amvets surveillance system as well as the body-worn cameras (BWC) of Canton Police Department officers Camden Burch and Beau Schoenegge. For additional information refer to the reports reviewing the OOCIC video presentation as well as the reports reviewing Burch and Schoenegge's BWCs.

Note that the timestamp on the Amvets surveillance system is approximately 1 hour and 7 minutes behind actual time. The times referenced in this report will be from the timecode effect.

At 00:00:03:10, Tyson first appeared in the exterior Amvets surveillance video.

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At 00:01:14:56, Tyson could be seen walking through the Amvets parking lot, toward the Amvets facility.



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At 00:01:47:10, James Kemper (Kemper) entered the parking lot driving a white color van. Tyson approached the van.



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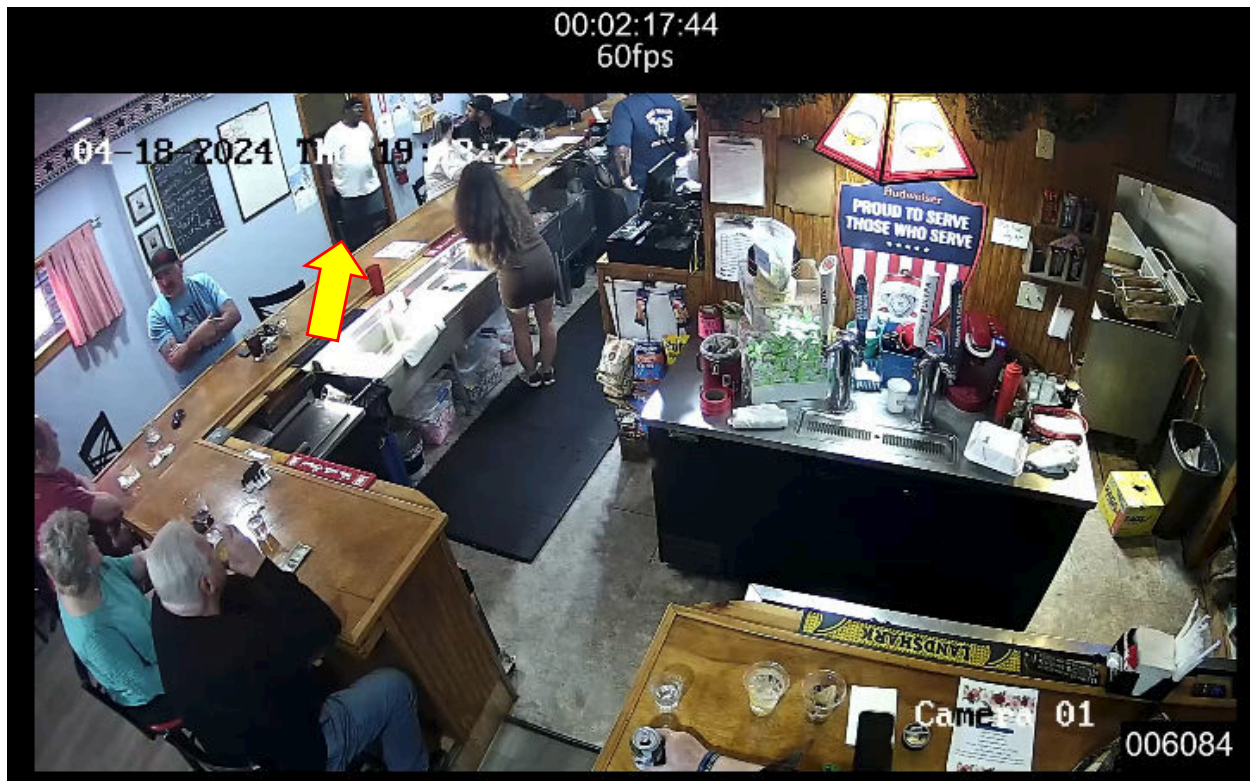
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At 00:01:54:25, Tyson began to walk away from the vehicle. Approximately 1 minute and 10 seconds later, Tyson entered the Amvets.



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Tyson walked to the end of the bar and appeared to speak briefly to bartender Robert Hall (Hall).



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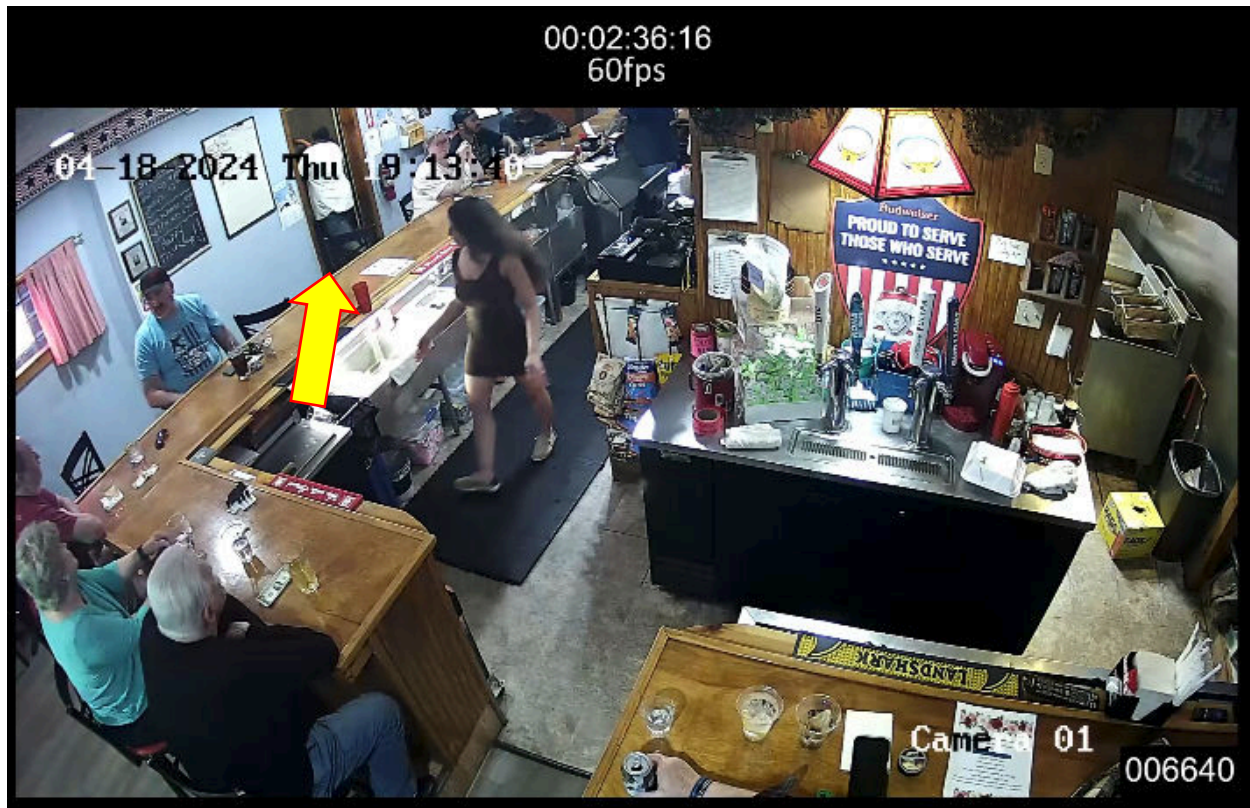
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At 00:02:36:16, Tyson exited the inner door continuing into the vestibule.



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At 00:02:42:49, Tyson again entered the Amvets bar area. Tyson looked back toward the outer door.



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Tyson then walked to the rear area of the Amvets and outside of the camera view.



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At 00:04:42:19, Tyson walked to the front bar area.



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Tyson walked to an area near the door and pointed to something.



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Tyson and several bar patrons appeared to be looking at a TV screen that is hanging on the wall.



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The TV screen shows the surveillance camera views both inside and outside of the Amvets. See photograph below of the TV screen. Note that SA Lieber took this photograph on April 19, 2024, at 1716 hours.



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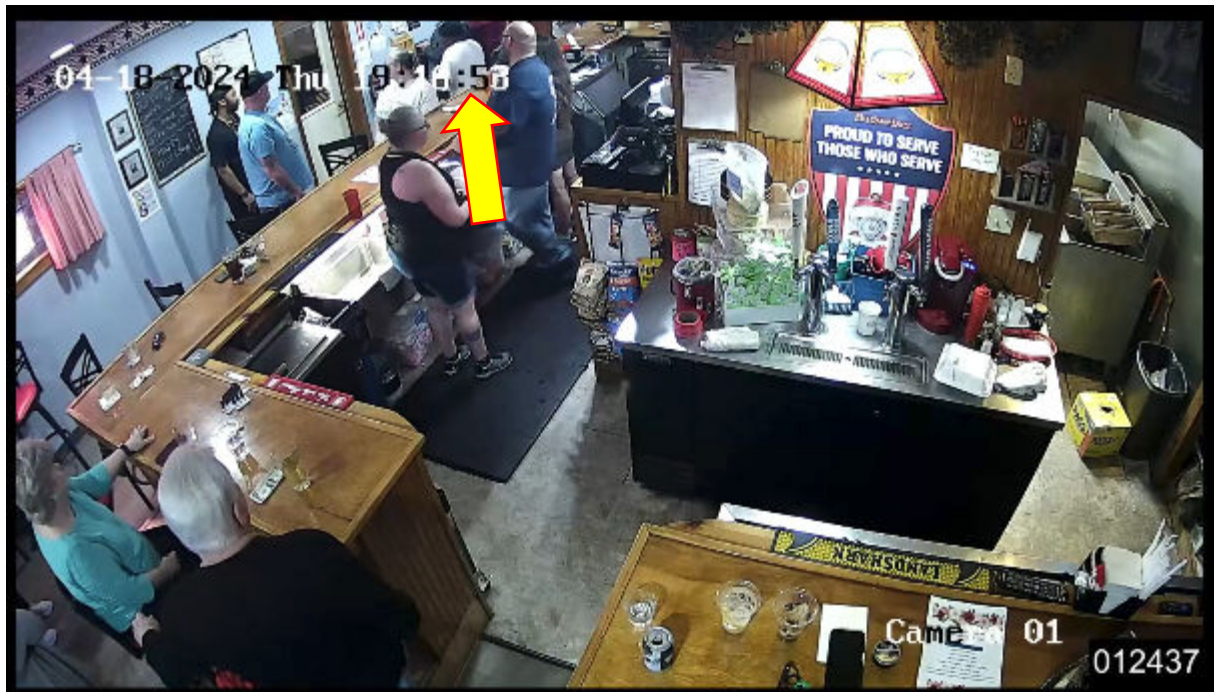
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At 00:05:49:31, Tyson sat in a chair at the bar. Tyson was facing away from the bar and toward the entry/exit door.



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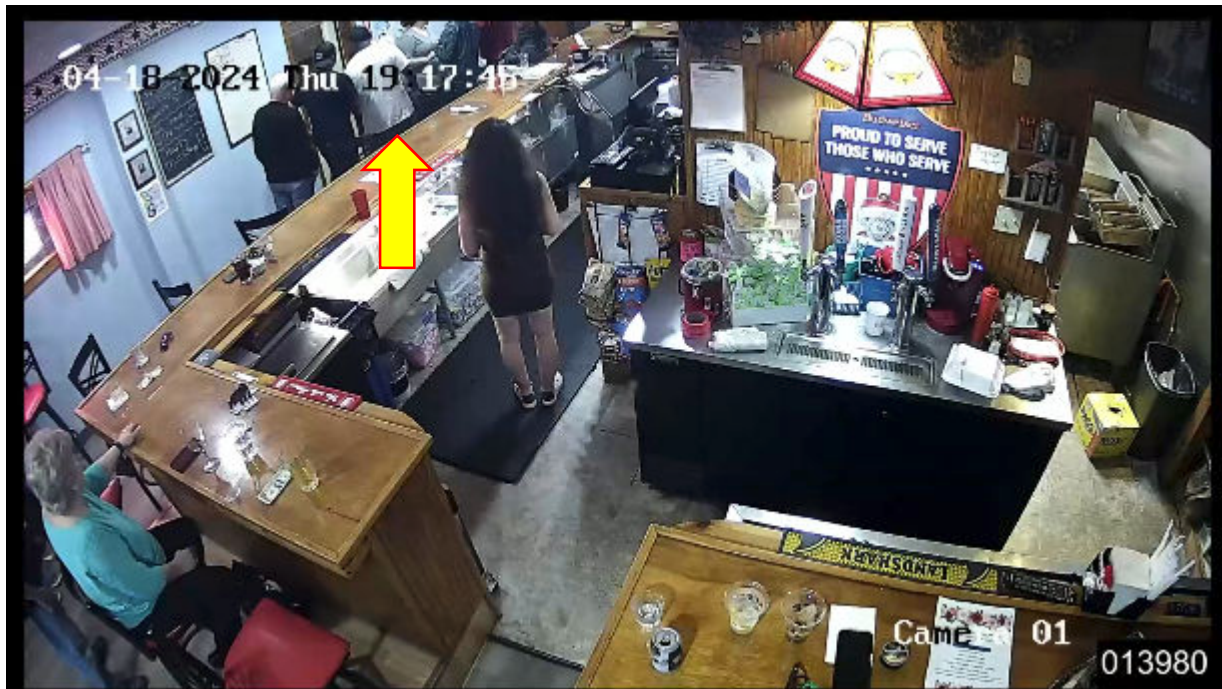
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At 00:06:37:28, Tyson stood up and appeared to be looking through the glass window on the door.



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At 00:07:27:16, James Kemper, driving a white color van, approached Canton Police Department (CPD) Officers (Officer) Camden Burch (Burch) and Beau Schoenegge (Schoenegge) and informed them that the man that crashed his vehicle was inside of the Amvets. At this same time Tyson glanced out of the front window of the Amvets.



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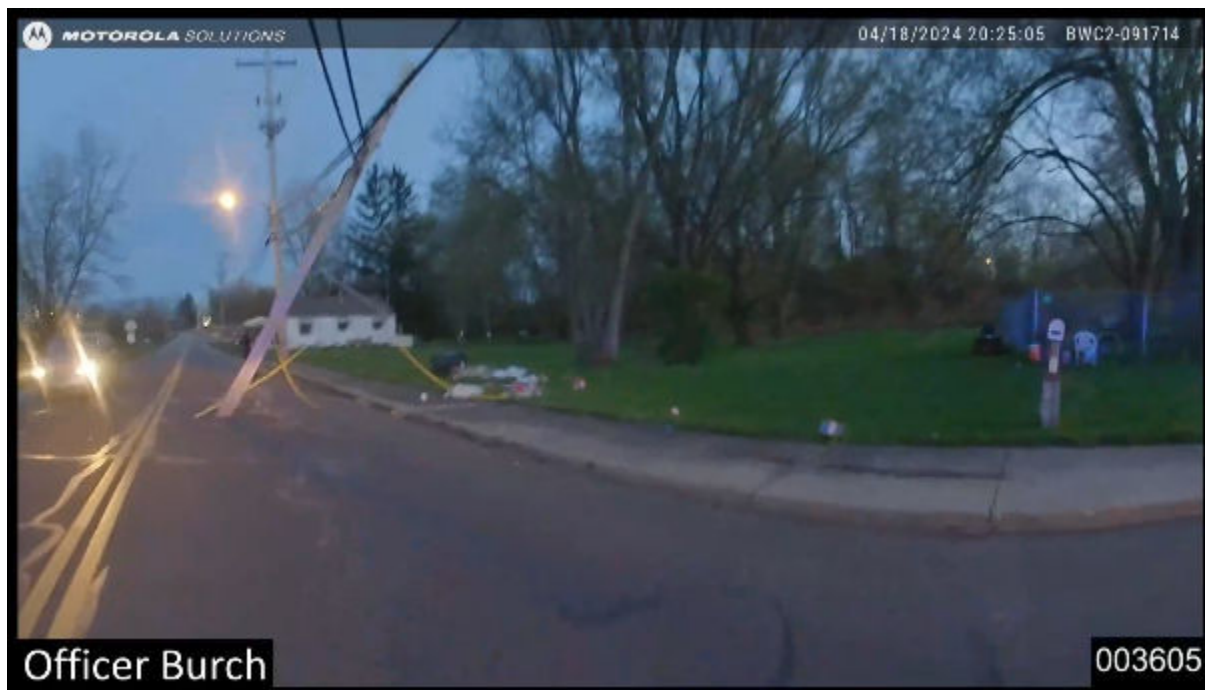
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At 00:07:46:41, Officers Burch and Schoenegge began walking from the 1700 block of Sherrick Road, where the utility pole is broken in half, toward the Amvets. The screenshot below, taken from Burch's body-worn camera, shows the broken utility pole.



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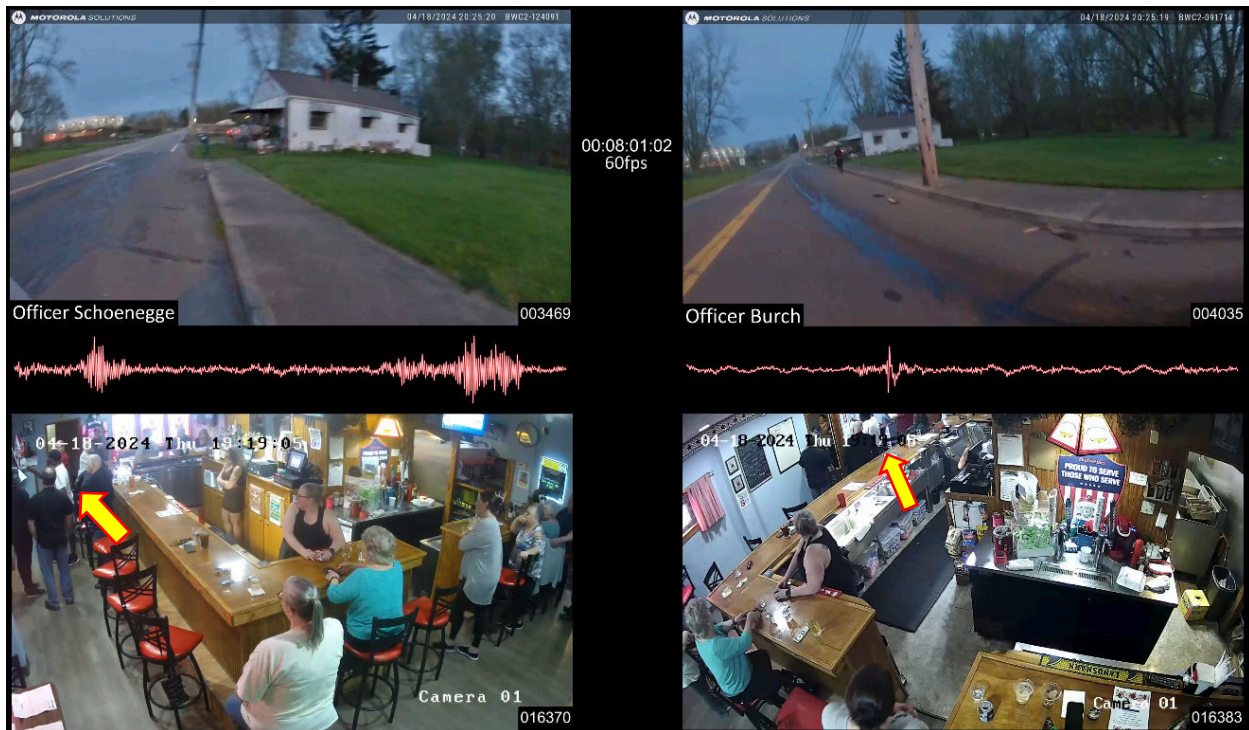
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At 00:07:59:10, As patrons re-entered the bar area from the vestibule, Tyson swung his arms and then sat at the bar facing the entry/exit door. Screenshot below taken at 00:08:01:02. Officers Burch and Schoenegge were walking down Sherrick toward the location of Tyson's vehicle and the Amvets.



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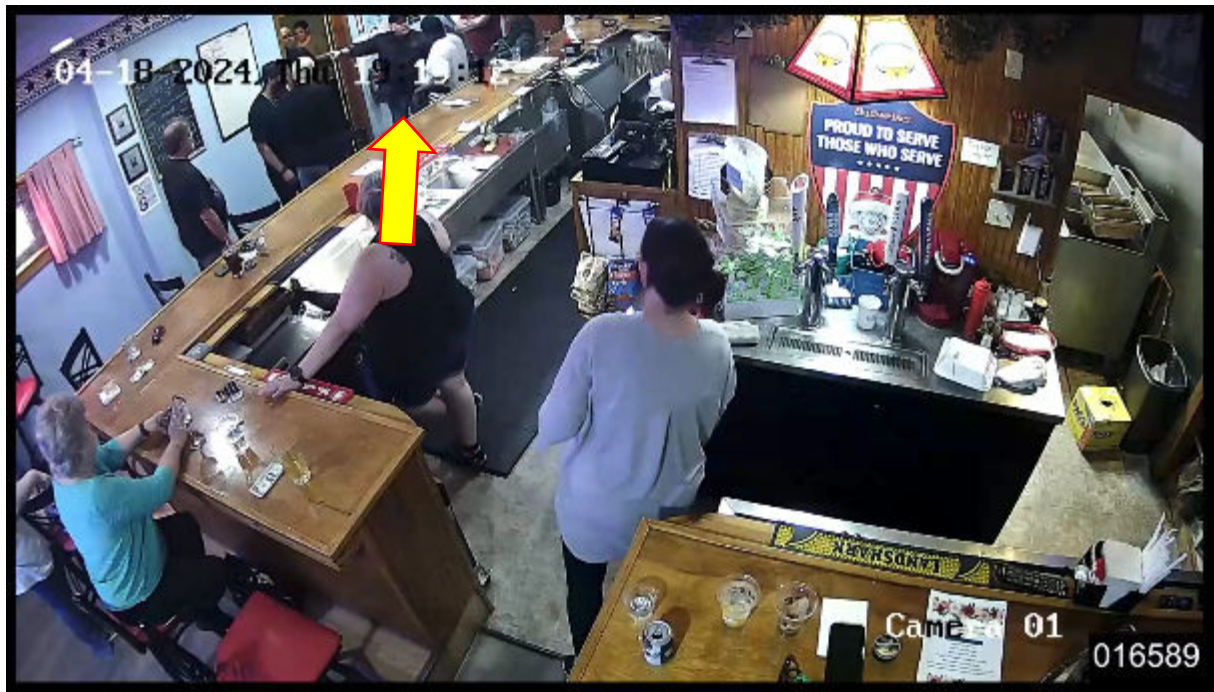
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At 00:08:07:55, patron Richard Wiseman (Wiseman) could be seen standing in front of Tyson and pointing toward the entry/exit door.



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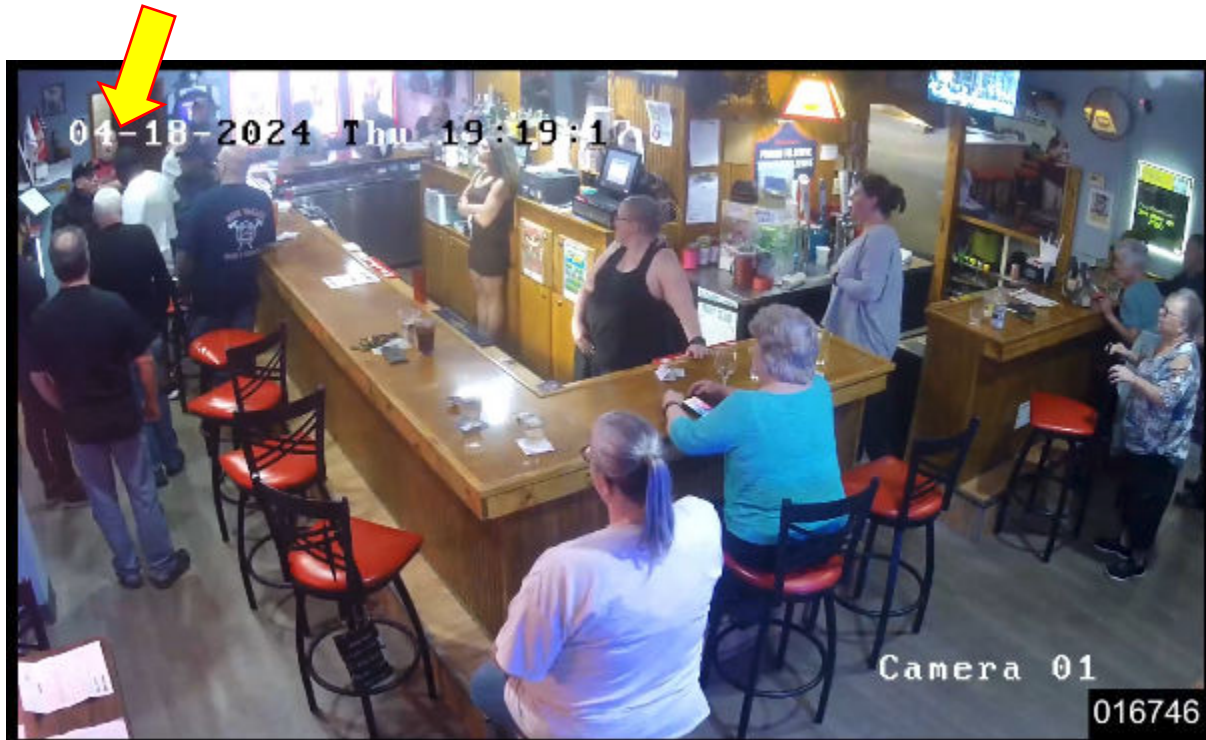
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At 00:08:13:34, Tyson stood up directly in front of Wiseman.



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At 00:08:22:30, Tyson leaned back against the bar.



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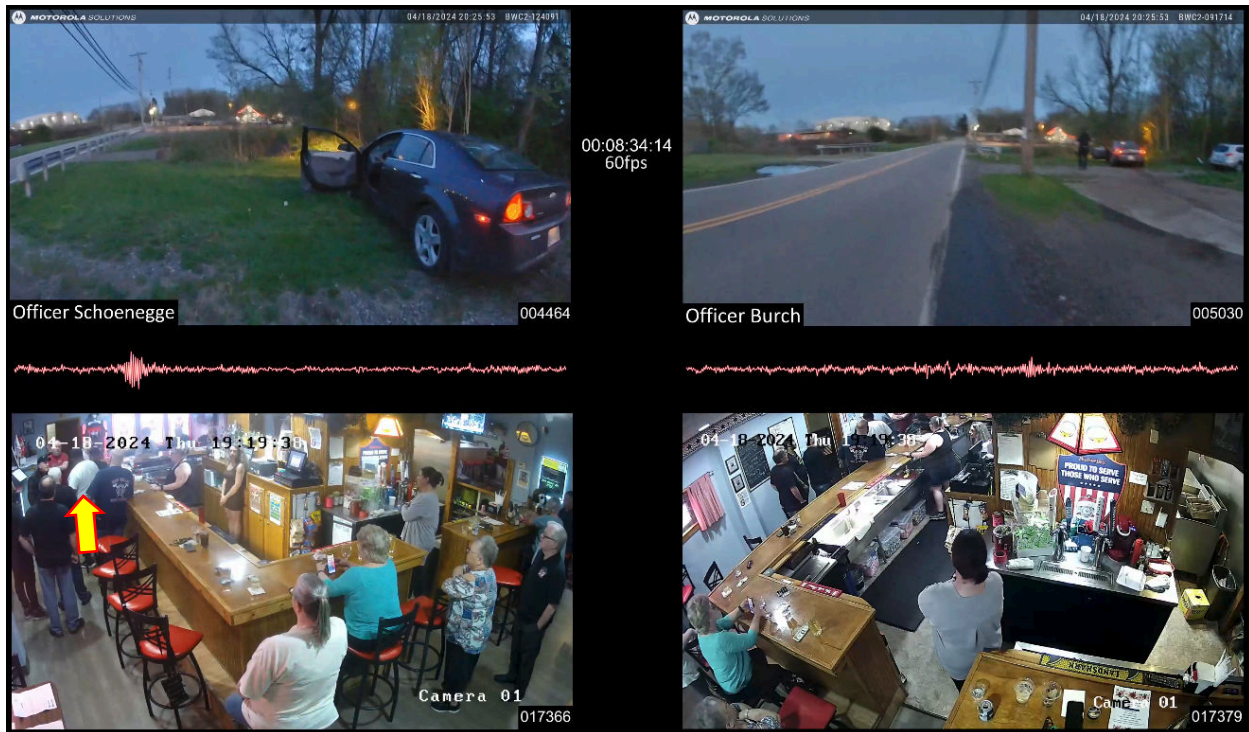
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At 00:08:34:14, Tyson stood again facing Wiseman. At this same time Schoenegge approached Tyson's vehicle.



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At 00:08:37:41, Tyson appeared to lunge or throw his shoulders forward toward Wisemen. Tyson did this several times. Screenshot below taken at 00:08:40:31.



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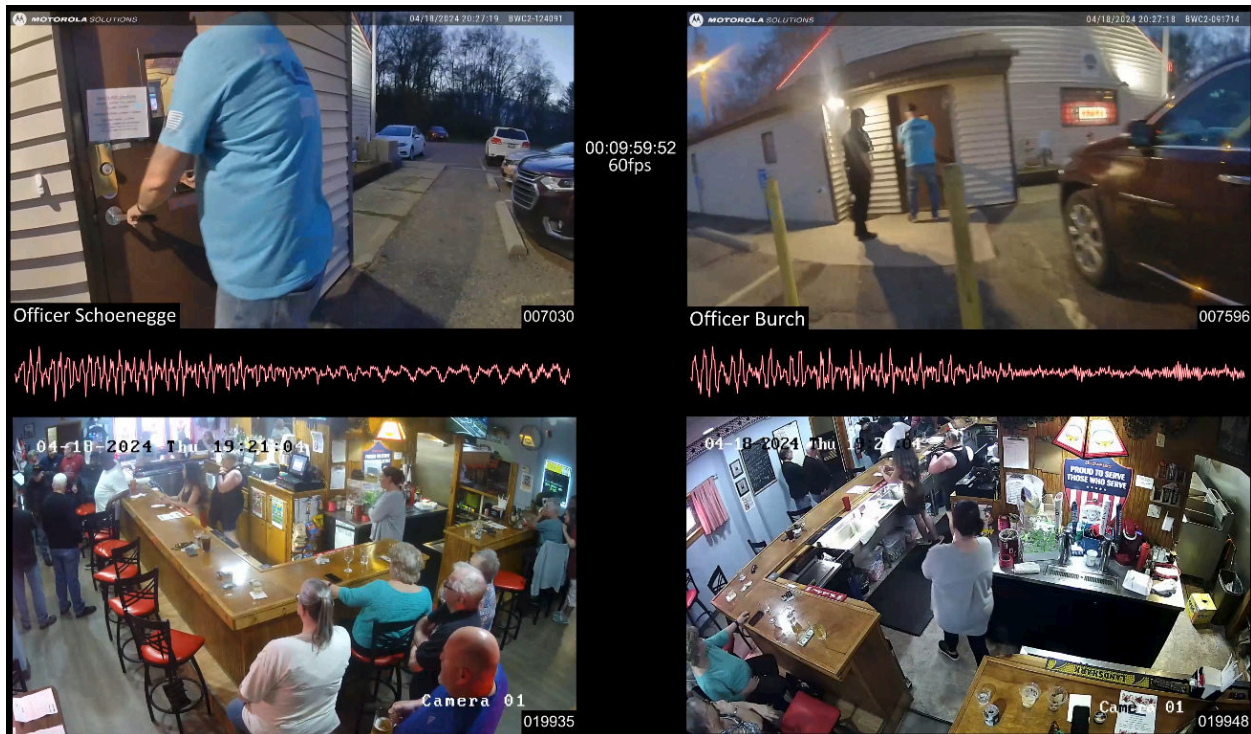
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Tyson then leaned against the bar at 00:08:44:47. At approximately 00:08:50:35, Anthony Cakanic (Cakanic) told officers that there is a male in the bar and he is not a member. Cakanic described the male as a black male, heavy set, with a white shirt. Cakanic told officers that the male came into the bar and said that the guy in the van was coming after him. Cakanic told officers that the male has everyone in the bar worried (00:09:50:09) and that they called 911. As Cakanic inserted his card to open the door, he says "That's that gentleman standing at the bar right there."



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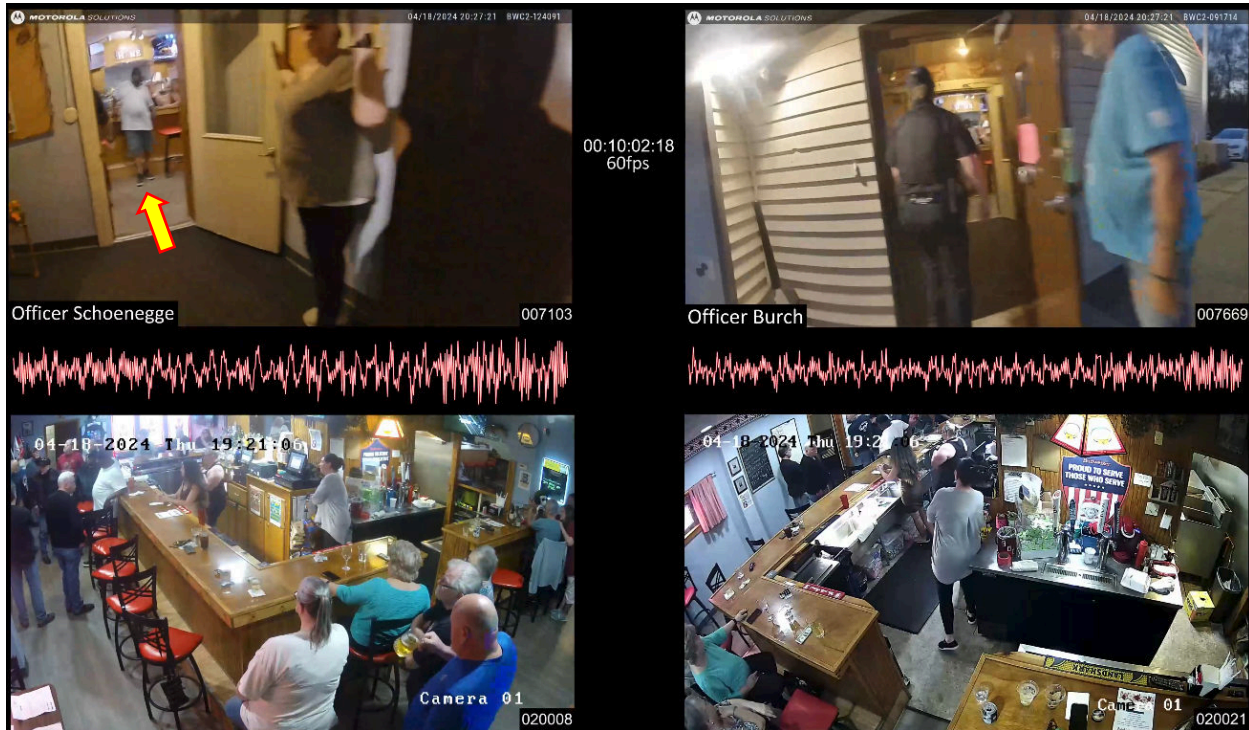
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Officer Involved Critical Incident - 1822 Sherrick Road SE,
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As Cakanic opened the door, manager Shannon Gallagher said, "Please get him outta here now." As officers entered the Amvets, Tyson can be seen leaning against the bar.



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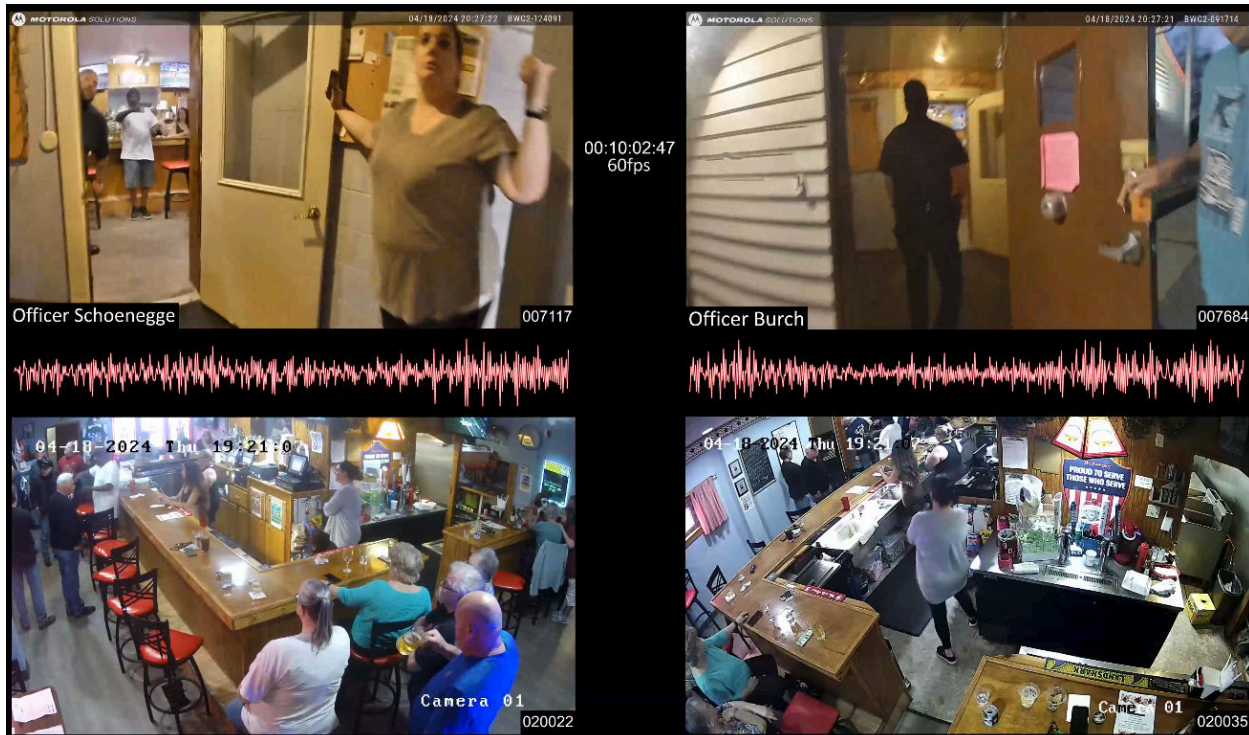


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Tyson said "I ain't leaving no" (00:10:02:47). Tyson swung his right arm while continued to say, "Get the sheriff, get the sheriff's department, get the sheriff." Schoenegge said "No, no, we're going outside, we're going outside." Tyson said, "No you ain't killing me, you ain't killing me tonight, you ain't killing me."

It should be noted that the audio in this timeline as well as the clarified audio files from Schoenegge's and Burch's body cameras were reviewed in order to determine, to the greatest extent possible, what was being said.



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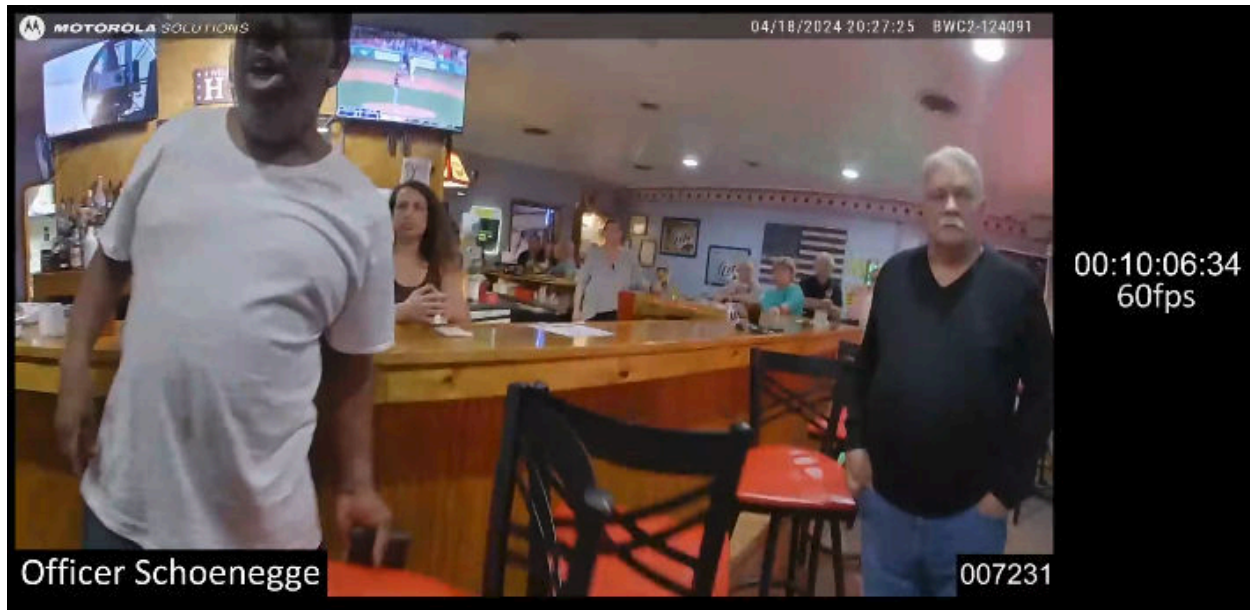
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At 00:10:06:34, Tyson grabbed a barstool with his left hand and pushed it over onto the ground.



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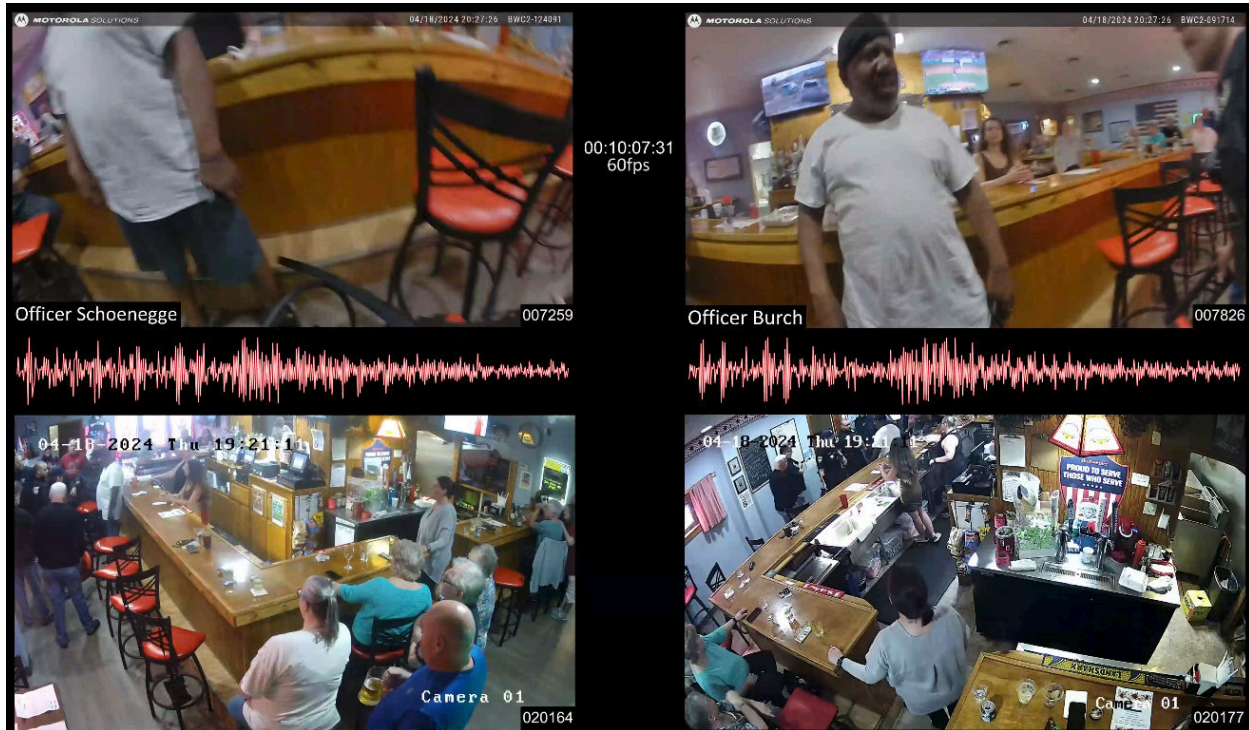
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At 00:10:07:31, the barstool could be seen on the ground. Officers were now inside of the Amvets and stood in front of Tyson.



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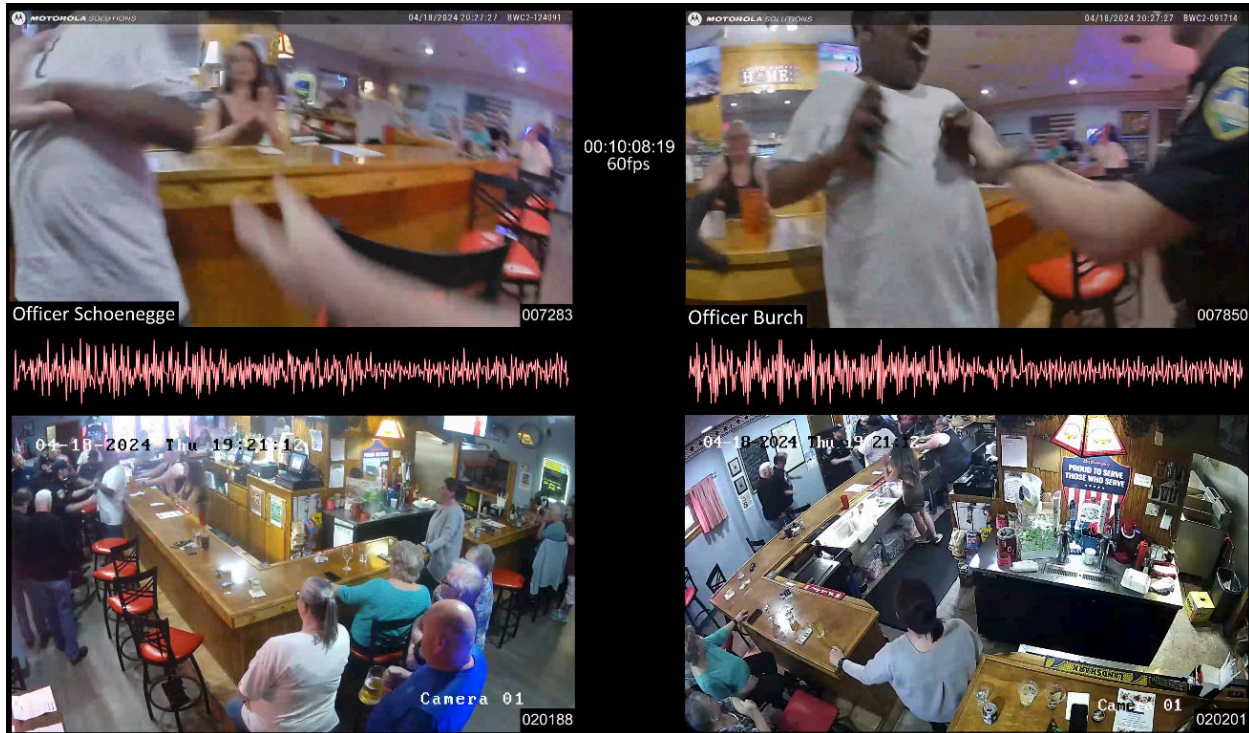
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At 00:10:08:19, Schoenegge grabbed Tyson's left arm. Burch can be seen reaching for Tyson's right arm.



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Tyson continued to say "no" and "you ain't killing me" as he struggled with the officers.



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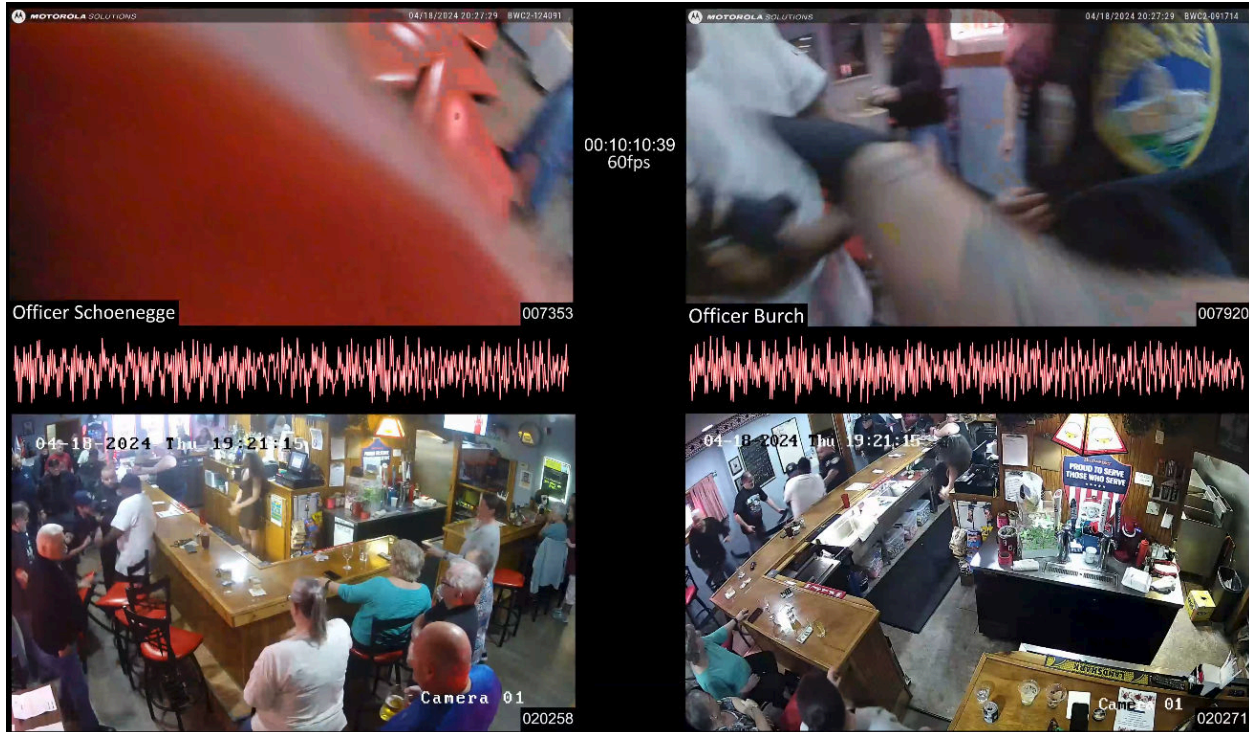
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At 00:10:10:39, it is believed that Tyson said (unintelligible) "trying to kill me."



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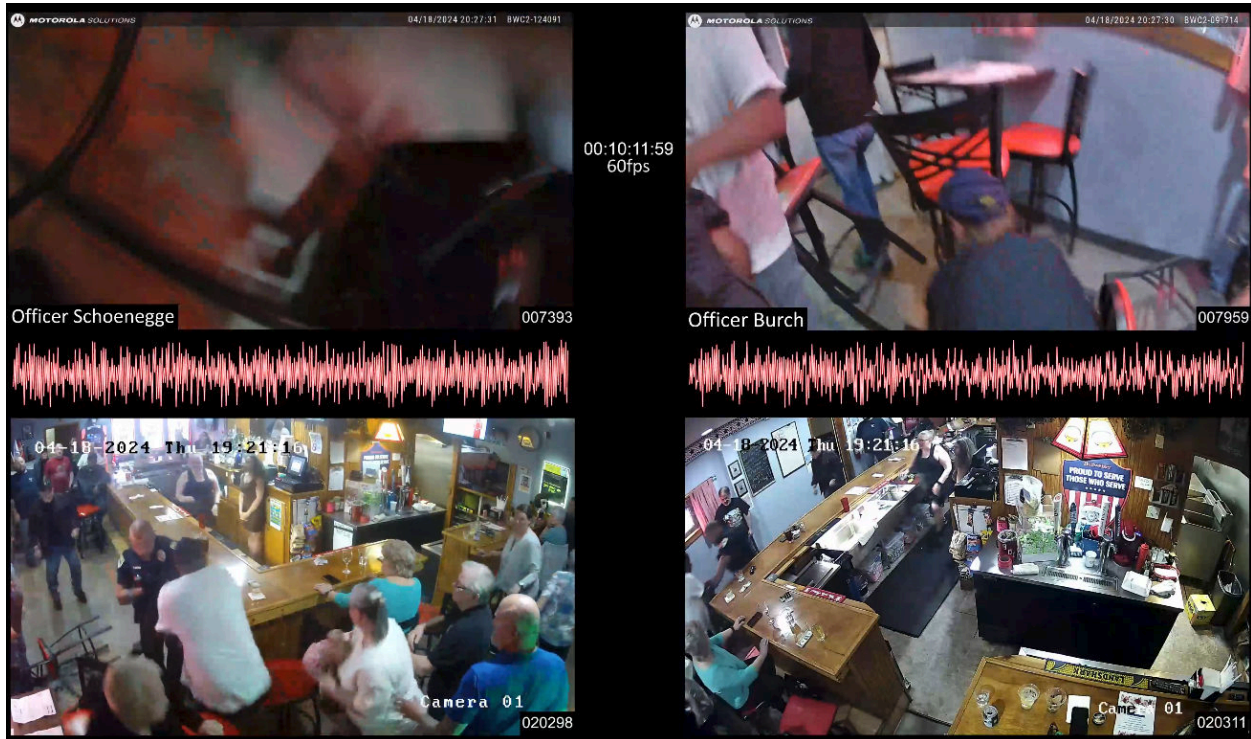
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Tyson moved away from the officers and down along the edge of the bar. Several bar stools were knocked over and Schoenegge fell to the ground.



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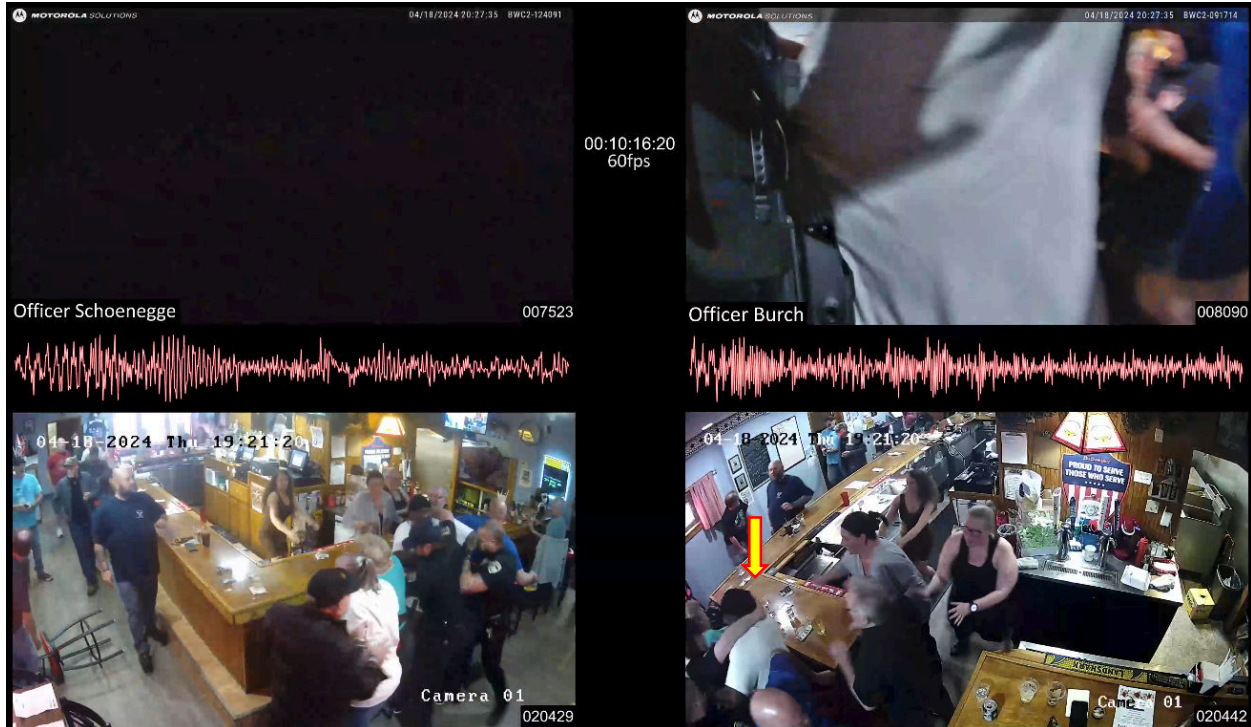
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Tyson continued to yell that they were trying to kill him. Officers temporarily get Tyson against the bar where Schoenegge reached around the side of Tyson's face/neck area. It is likely that Schoenegge was trying to get Tyson to the ground.



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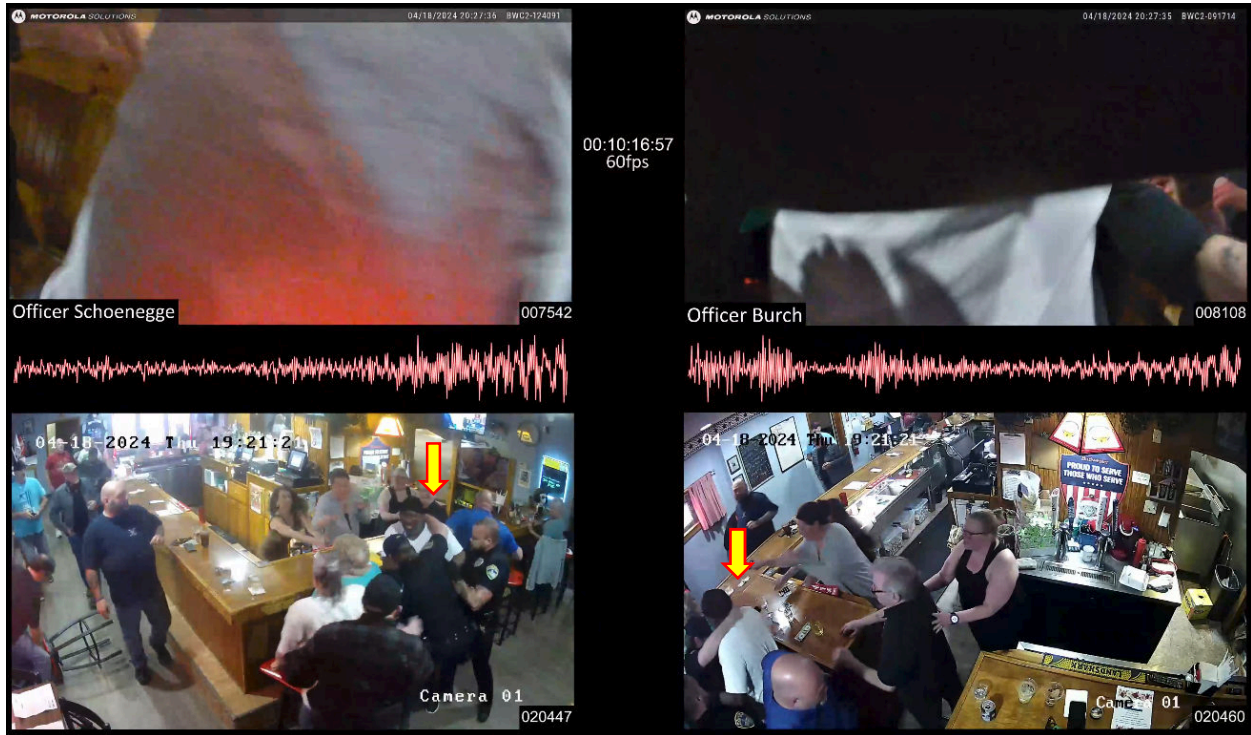
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Another screenshot below taken at 00:10:16:57, showing Schoenegge's arm now across Tyson's shoulder and back of his neck.



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Tyson was able to maintain his standing position and appeared to push the officers back and moved away from the bar.



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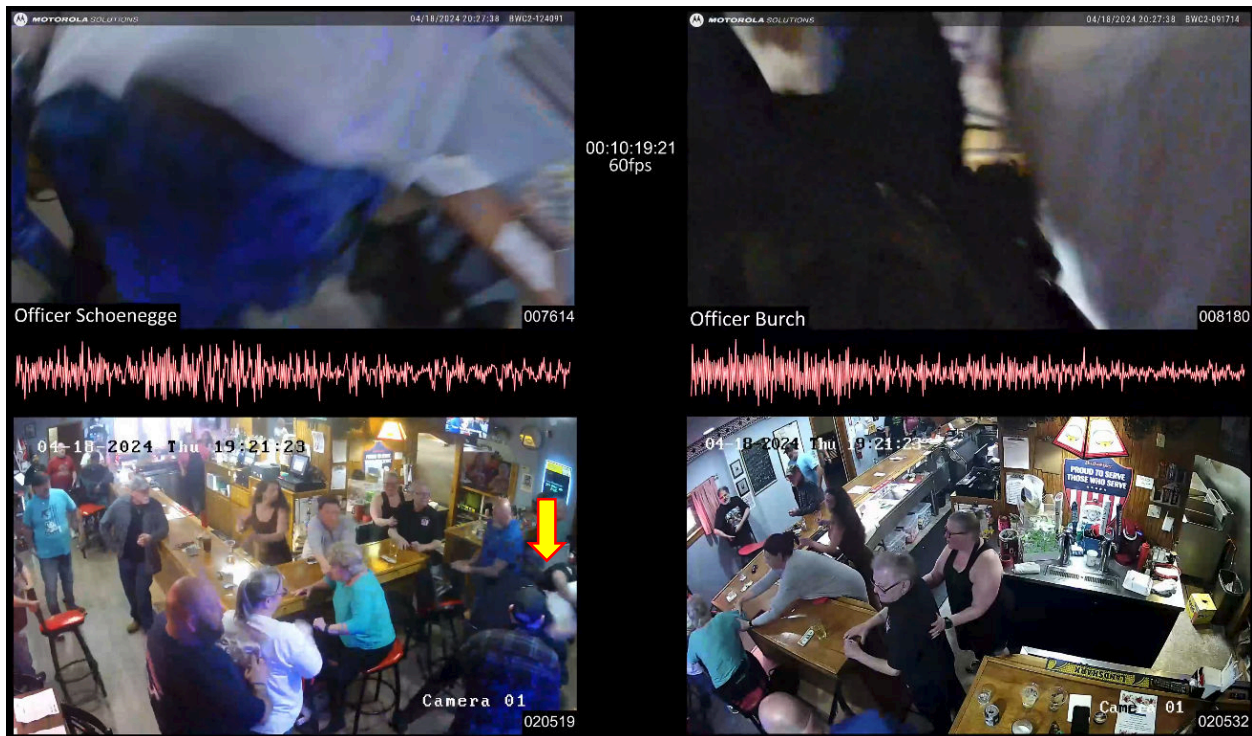
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Once Tyson and the officers were away from the bar and moved toward the rear area of the Amvets, they were no longer visible on the Amvets surveillance cameras. The lower left image below showed Tyson just before going outside of the surveillance video viewable area.



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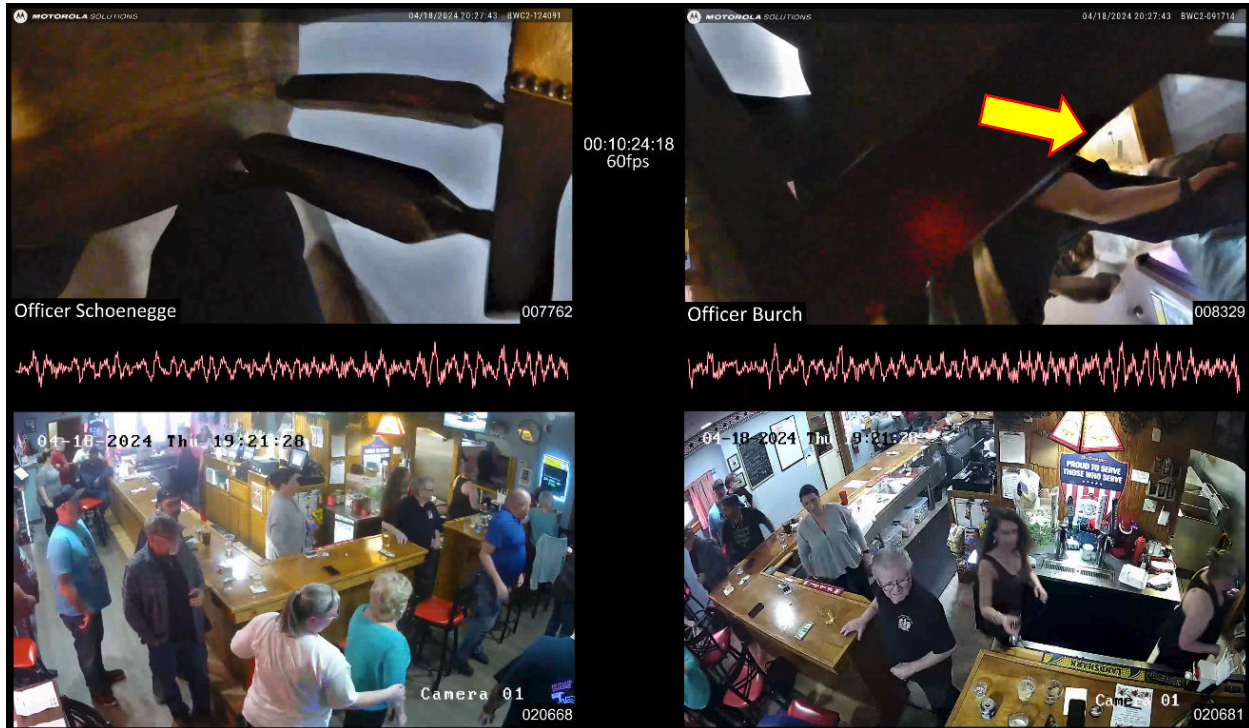
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At 10:19:59, Burch's body camera fell to the floor. When it came to rest, it was pointing upward. Officers can be seen struggling with Tyson.



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Tyson continued to yell throughout the altercation "They're trying to kill me" and "Call the sheriff's department." At 00:10:30:31, Schoenegge grabbed one of Tyson's legs while Burch attempted to control Tyson's upper body.



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At 00:10:45:11, Schoenegge was holding Tyson's leg. Tyson continued to yell "Call the sheriff" and "Call the sheriff's department."



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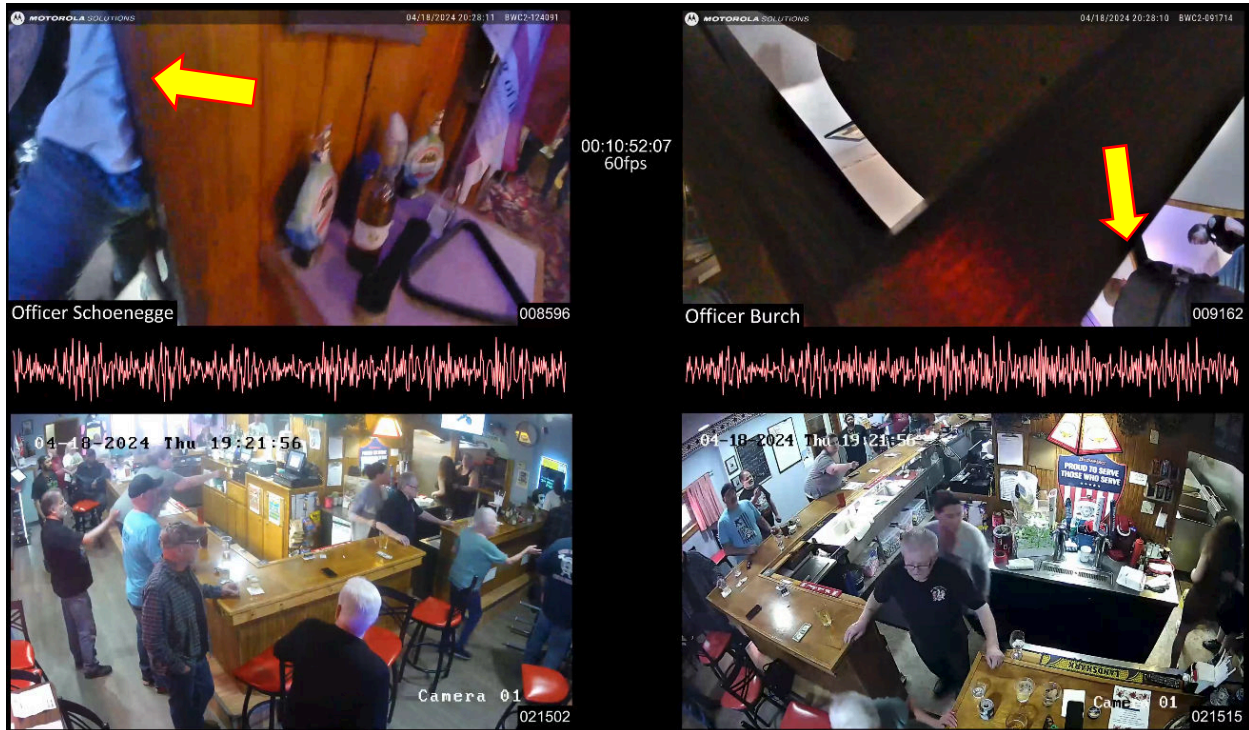
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At 00:10:52:42, an officer said, "Get on the fucking ground." At that time, Burch appeared to be face to face with Tyson and Tyson is against a wall.



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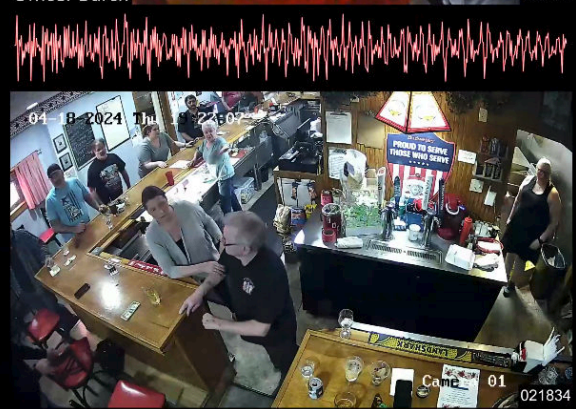
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At 00:11:02:44, Ralph Mosteller assisted officers by grabbing Tyson's leg and arm. Mosteller continued to assist officers in getting Tyson to the ground and attempted to put Tyson's arms behind his back.



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At approximately 00:11:05:01, Tyson was on the ground on his side. At approximately 00:11:08:20, An officer said "You're gonna get sprayed." At approximately 00:11:10:30, an officer again said "You're gonna get sprayed."

Screenshot below was taken at 00:11:13:45, showing Tyson on his side while officers attempted to restrain him. Tyson continued to yell "Call the sheriff."



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At 00:11:22:29, Schoenegge attempted to place a handcuff on one of Tyson's wrists. Burch's leg appeared to be touching Tyson's back. It is unclear if Tyson was lying flat on his chest or partially on his side.



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At 00:11:29:36, Burch's leg was no longer touching Tyson's back.



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At 00:11:29:58, one handcuff was secured to Tyson's wrist.



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Burch changed position so that Tyson's other arm could be accessed. At this time, Burch was kneeling with his right knee on Tyson's back. Officers were still struggling to get Tyson's other hand cuffed. (00:11:32:10)



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At 00:11:35:00, Tyson's other hand was secured in the handcuff. At approximately 00:11:37:30, Tyson said "Get off me." Screenshot below taken at 00:11:37:33.



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The chart below details the communication between Tyson and officers. Note that the times are listed from the video as well as the separate clarified audio files from Schoenegge and Burch's BWC videos. If a time is not listed, SA Lieber did not hear that communication on the particular audio or video file.

Video time (frame not included)	Schoenegge clarified audio elapsed time	Burch clarified audio elapsed time	Communication
11:37:XX	5:32	5:50	Tyson: Get off me
11:39:XX	5:33	5:52	Schoenegge: Calm down, calm down
11:43:XX	5:38		Tyson: I can't breath
11:45:XX	5:40	5:59	Tyson: I can't breath
11:48:XX	5:43	6:02	Schoenegge: Stop fighting
11:50:XX	5:45	6:04	Tyson: I can't breath
11:52:XX	5:46	6:05	Tyson: I can't brea
	5:48		Tyson: I can't
	5:49		Tyson: You're on my neck
12:05:XX	6:00		Tyson: I can't breath
12:07:XX	6:02		Schoenegge: You're fine

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At approximately 00:11:39:10, an officer said, "Calm down." Approximately 1 second later and officer again said, "Calm down."

At several points it appears as though Burch's knee is possibly lifted or hovering slightly over Tyson's back and therefore not under full body weight. See screenshots below. It should be noted that this is easier to see when watching the video at reduced speed.

00:11:40:07



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00:11:41:27



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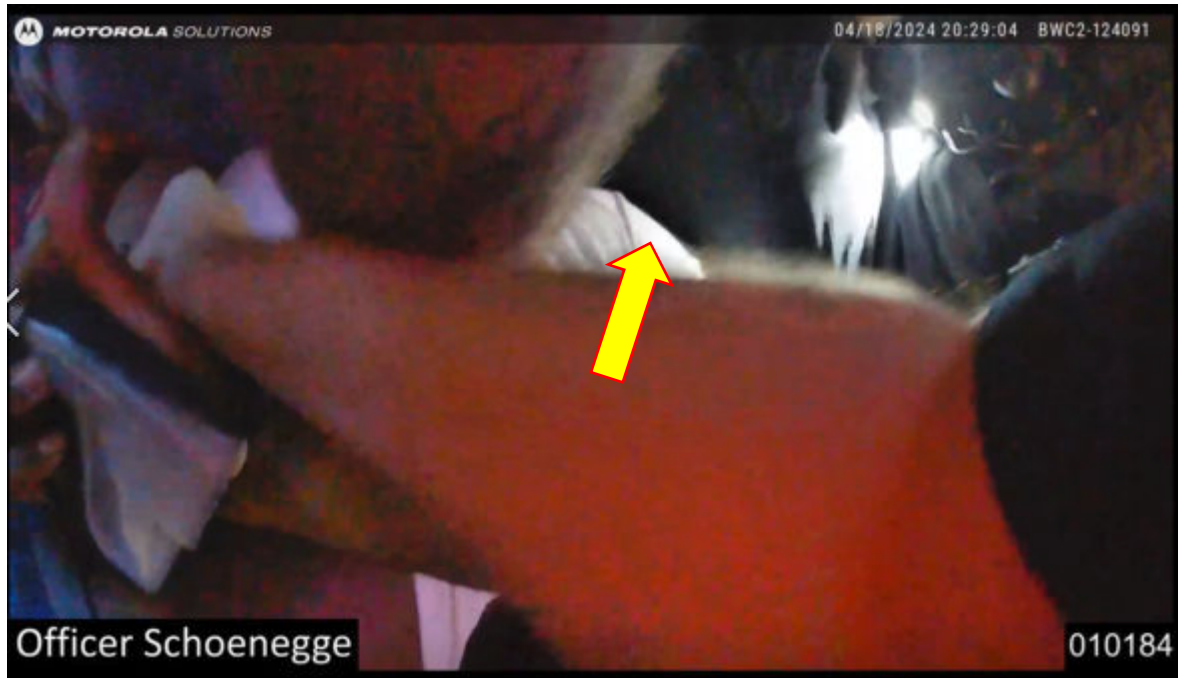
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00:11:45:07



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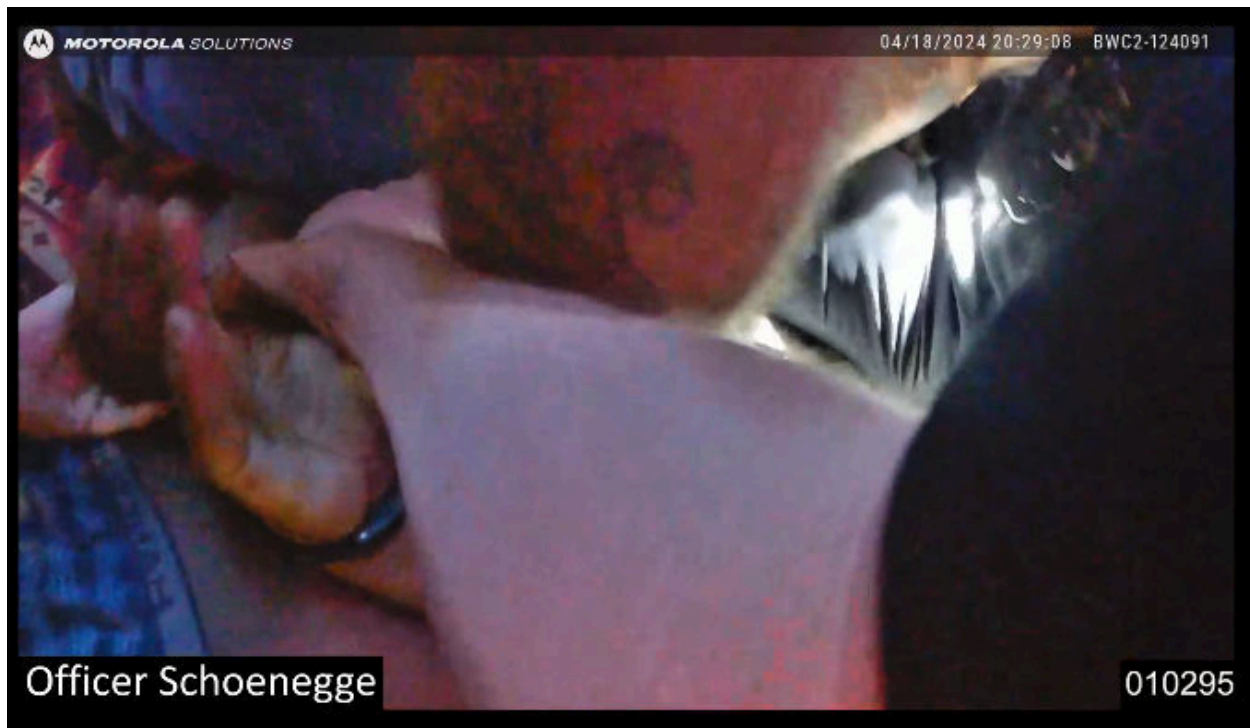
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At approximately 00:11:48:50, an officer said, "Stop fighting." Screenshot below taken at 00:11:48:49.



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At 00:11:59:54, Burch appeared to shift his weight and lift his knee to hover slightly over Tyson's back.



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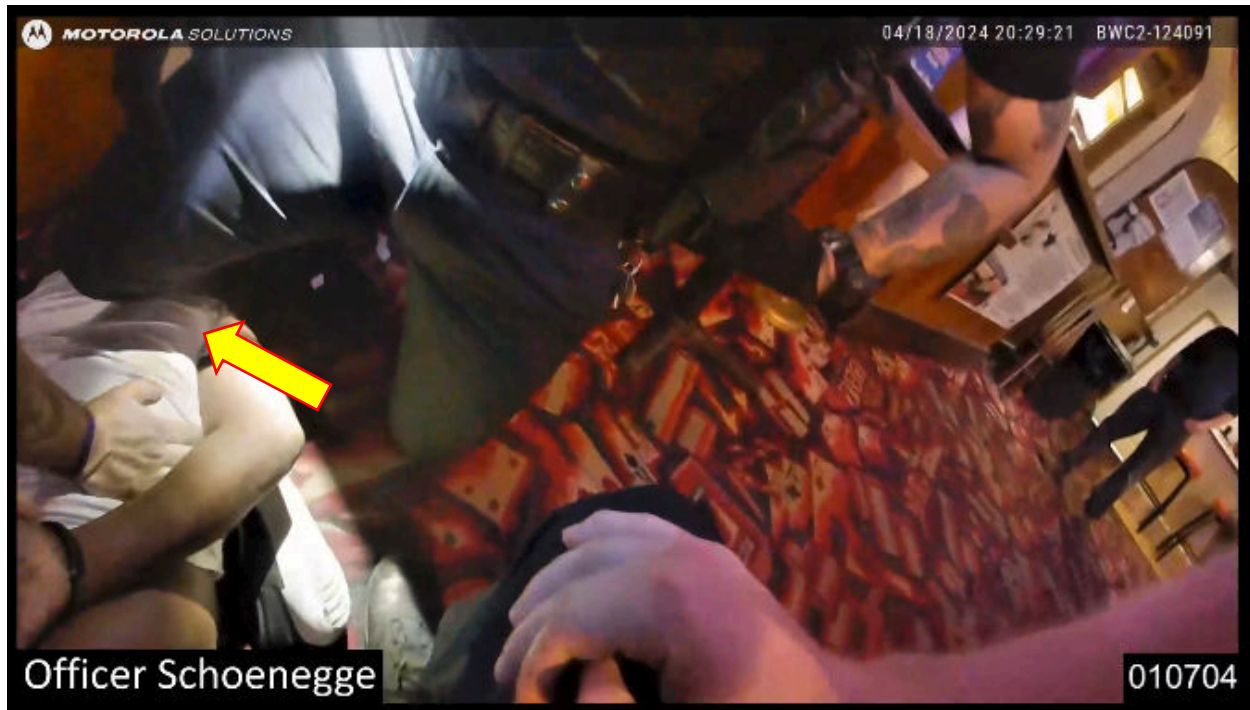
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Also see screenshot at 00:12:02:29, showing a better angle of Burch's knee hovering over Tyson's back.



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By 00:12:04:13, Burch changed his position as it appeared that they had Tyson under control.



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At approximately 00:12:05:50, Tyson said "I can't breathe." See screenshot below taken at 00:12:05:49. Schoenegge responded "You're fine."



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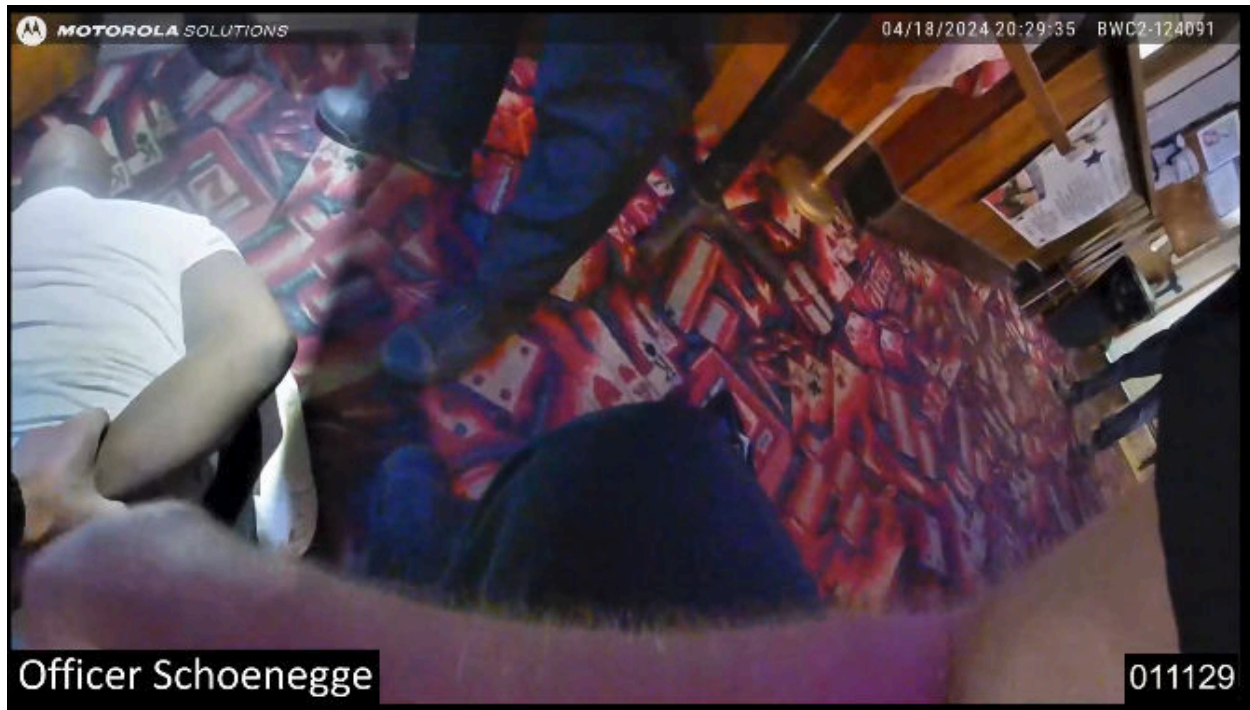
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Tyson could be seen lying on his chest with his hands in handcuffs behind his back (00:12:16:39).



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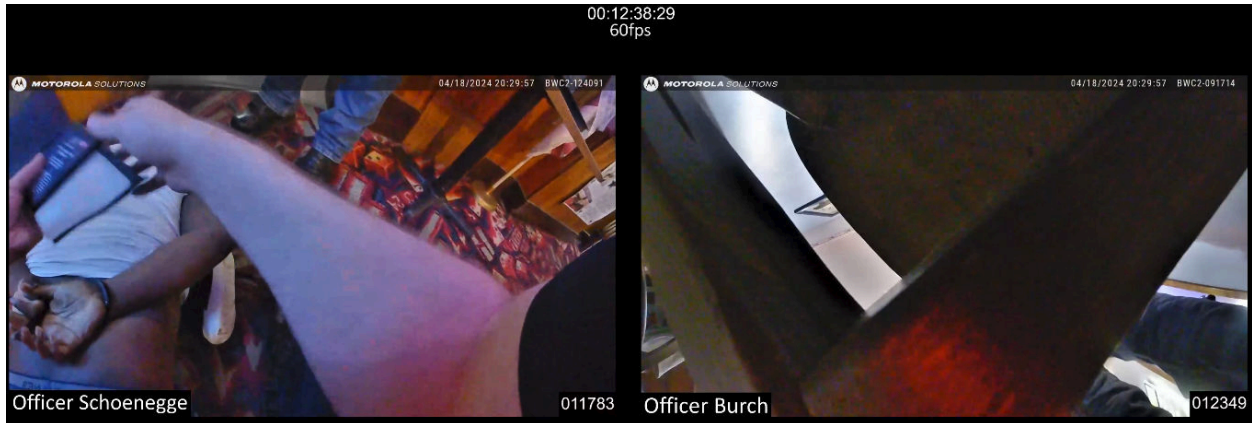
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At 00:12:36:38, Schoenegge picked up Tyson's wallet from the floor. Burch's body camera was still lying on the floor. See screenshot below showing Schoenegge's body camera on the left and Burch's body camera on the right.



At 00:12:48:00, Burch's body camera was located and returned to him. At 00:12:50:09, Schoenegge stood up. At that time Tyson could be seen lying on the ground on his chest with his hands cuffed behind his back.



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At 00:13:20:04, Schoenegge crossed Tyson's ankles and stood behind him. Burch exited the Amvets to retrieve his police cruiser, which was parked in the 1700 block of Sherrick Road, near the location of the broken utility pole.



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At approximately 00:13:35:58, Schoenegge said "Calm down, stop fighting, stop fighting." Tyson's bare foot could be seen shaking.



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At 00:13:57:26, Schoenegge switched from holding Tyson's feet in the ankles crossed position to using his foot. After a few seconds Schoenegge then placed his shin in between Tyson's crossed ankles.



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The screenshot below taken at 00:14:03:41, shows Schoenegge's right shin placed in between Tyson's ankles.



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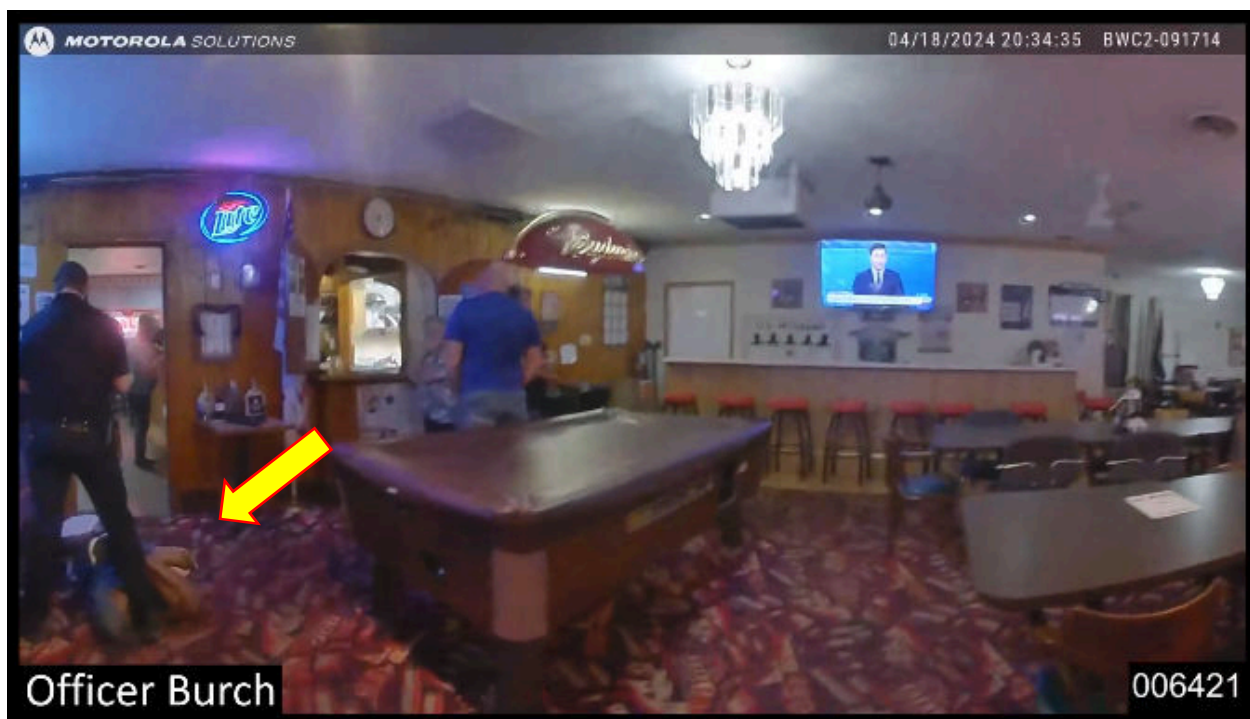


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At 00:15:06:48, bartender Robert Hall said that he thought he (Tyson) was there to pick up a to-go order. At approximately 00:15:25:40, Schoenegge said "I've always wanted to be in a bar fight. I don't know if this counts."

At 00:17:16:13, after Burch retrieved his cruiser and re-entered the Amvets, Tyson can be seen lying on the ground with Schoenegge standing behind Tyson using his leg to keep Tyson's ankles crossed.



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At approximately 00:17:29:12, Burch asked "Did he calm down?" Schoenegge responded "Yeah, I don't, he might be out." At approximately 00:17:32:30, Burch asked "Is he breathing?" Burch then knelt down and felt for a pulse on Tyson's neck. See screenshot taken at 00:17:38:06.



At approximately 00:17:42:00, Burch stood and said something, possibly 'He's breathing.' At 00:17:45:44, as Burch was exiting the Amvets through the side door, Stark County Sheriff's Office (SCSO) Deputy Chad Carnahan could be seen speaking with Richard Wiseman just outside of the Amvets.

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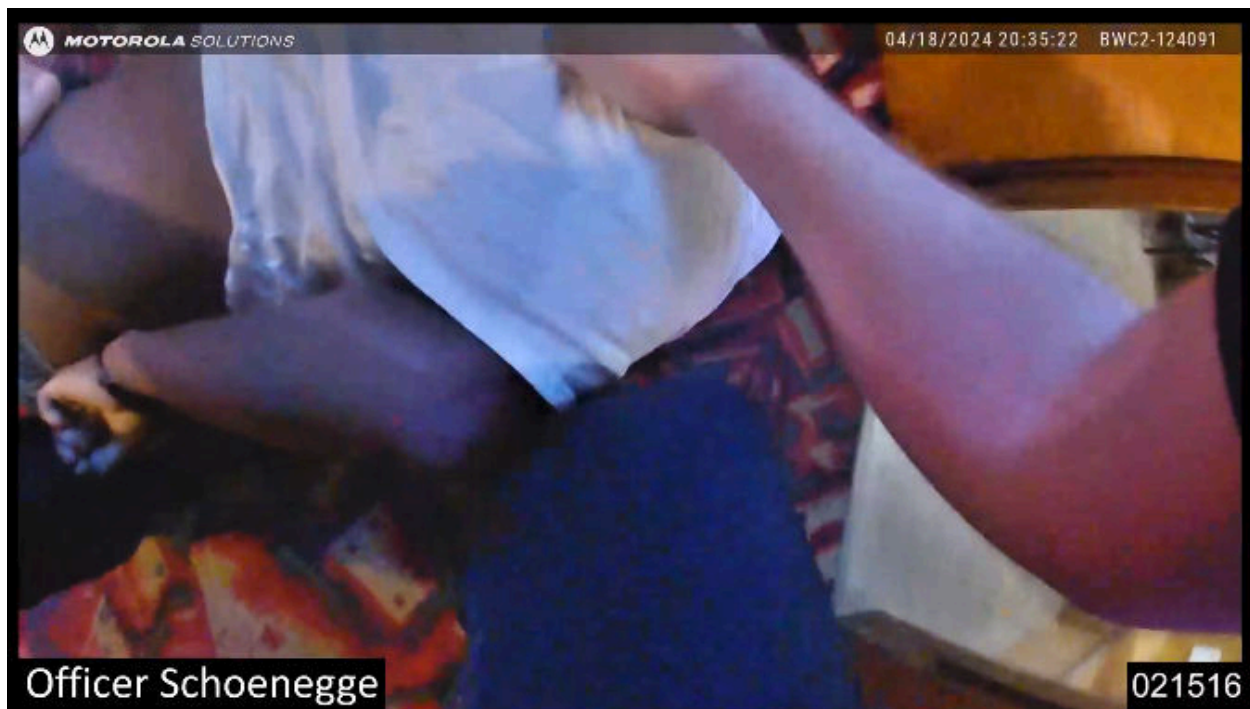
**Ohio Attorney General's Office
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2024-1218

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At approximately 00:17:52:50, Schoenegge said to Tyson "Alright, stand up." Schoenegge bent over and appeared to shake Tyson by Tyson's left arm. Schoenegge then rolled Tyson onto his (Tyson's) right side. See screenshot below taken at 00:18:03:16.



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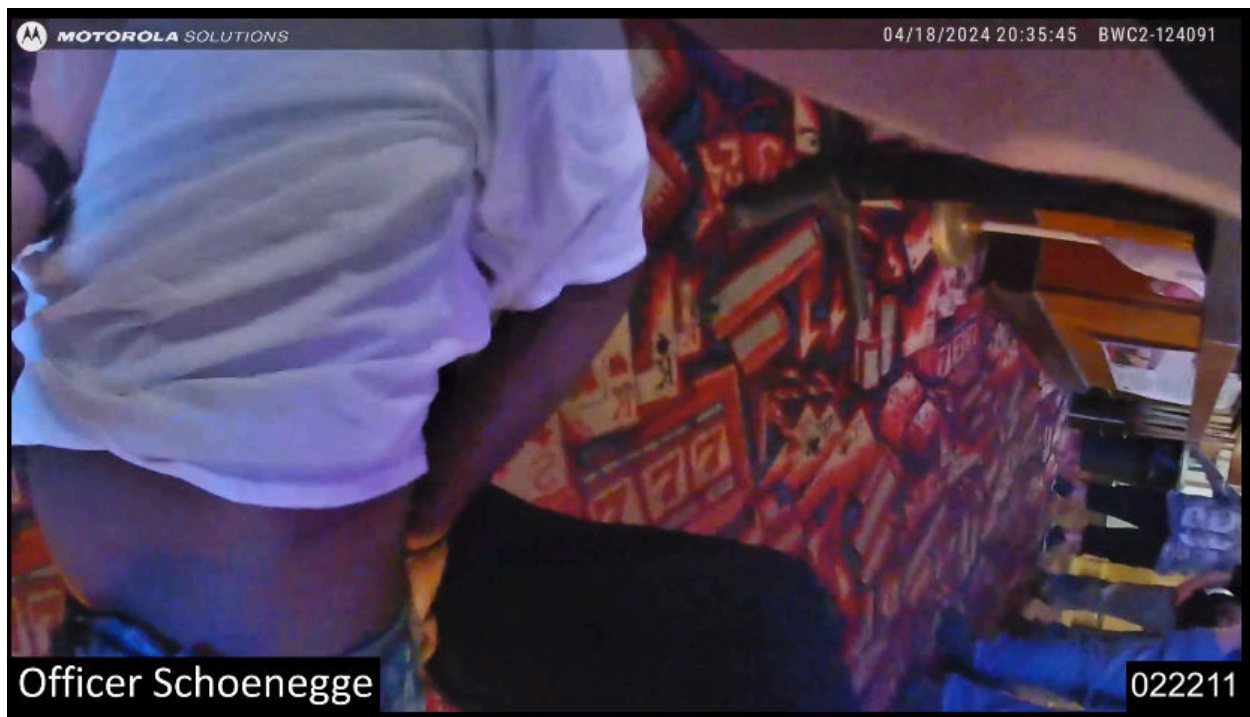
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At approximately 00:18:17:38, Burch radioed to start medics for the male that is in custody at the VA (Amvets). Burch informed dispatch that the male seems to be going in and out of consciousness (04:31 elapsed time on Burch's clarified audio recording). Schoenegge again rolled Tyson onto his right side and tried to wake him. See screenshot below taken at 00:18:26:28, showing Schoenegge appearing to shake Tyson's chest/ upper body area.



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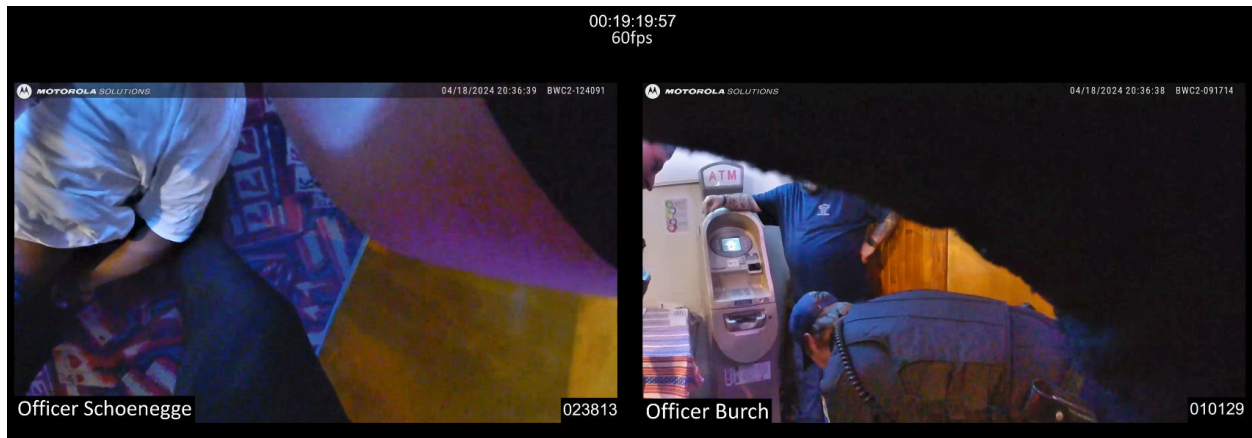
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At approximately 00:18:45:17, Schoenegge and SCSO Deputy Carnahan began to roll Tyson onto his side/back and again tried to wake him. At approximately 00:18:52:15, Carnahan asked if Tyson was breathing. Burch responded that Tyson had a heartbeat and that he has medics coming. At approximately 00:19:10:00, Carnahan asked about uncuffing Tyson. Schoenegge responds at approximately 00:19:12:25, "I don't want him to start fighting again." At approximately 00:19:18:30, Carnahan asked if Tyson had a pulse. Schoenegge then began to check for a pulse. See screenshot below taken at 00:19:19:57.



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At approximately 00:19:24:25, Burch said "Had one earlier." At 00:19:45:30, Schoenegge began to remove Tyson's handcuffs. At 00:19:52:00, Carnahan radioed for a squad, informing dispatch that they have an unresponsive black male and to have the squad step it up. At 00:20:02:30, Carnahan asked if Tyson had a pulse. Schoenegge responds "I didn't feel one." Schoenegge radioed dispatch to tell medics to step it up. Tyson was rolled onto his back and at approximately 00:20:21:00, Schoenegge began giving Tyson CPR chest compressions.



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At 00:21:08:30, Robert Hall took over giving chest compressions. See screenshot below taken when Burch re-entered the Amvets (00:21:13:19) showed Robert Hall performing chest compressions.



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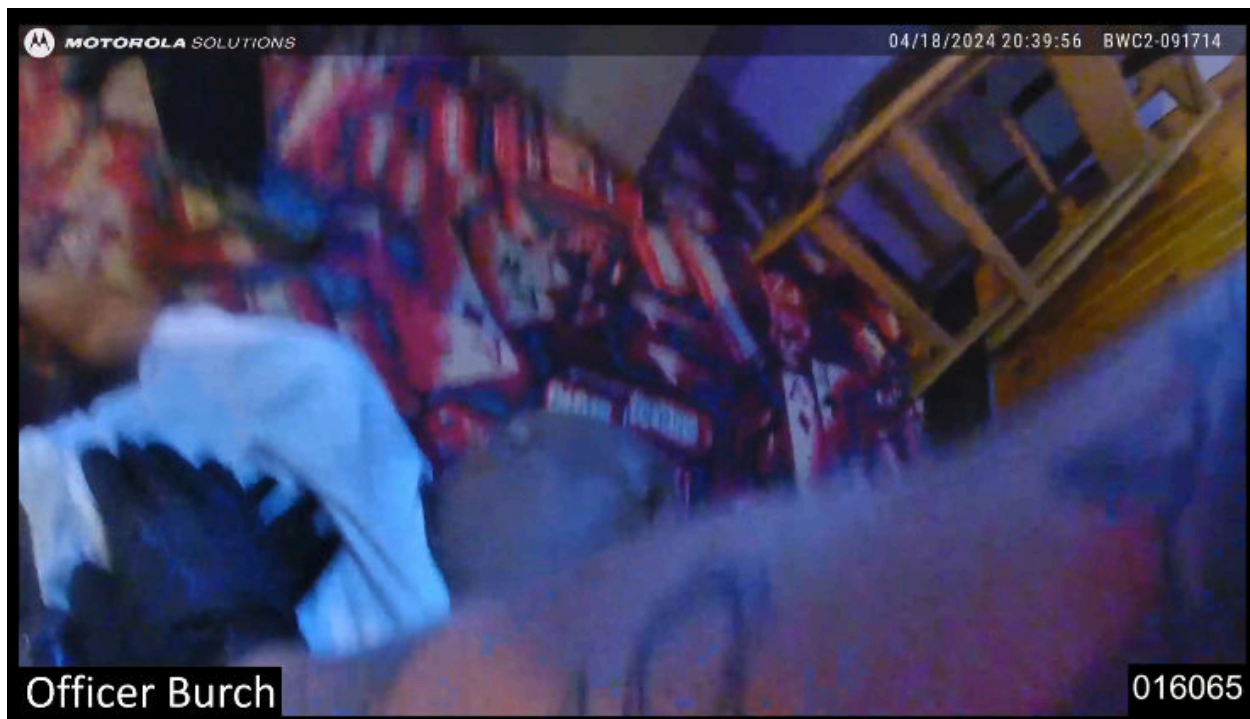
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At 00:21:26:00, Schoenegge said "Just keep doing CPR on him." At 00:21:32:20, Burch took over giving chest compressions. At 00:22:20:18, Schoenegge radioed that they had started CPR on Tyson. Screenshot below taken at 00:22:38:03, showed Burch giving chest compressions to Tyson.



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At 00:22:44:25, Schoenegge took over chest compressions. At approximately 00:23:18:51, Schoenegge stopped giving chest compressions. At approximately 00:23:33:42, Schoenegge resumed chest compressions. At that time, Deputy Carnahan administered a dose of Narcan in Tyson's nostril. At 00:24:01:03, Burch took over chest compressions. At approximately 00:24:20:37, Deputy Carnahan administered a second dose of Narcan. At approximately 00:25:10:24, another Canton Police officer took over chest compressions. At approximately 00:25:54:30, Deputy Carnahan took over chest compressions. At 00:26:33:40, a CPD officer (Officer Kermin Yepes) administered a third dose of Narcan. At 00:26:50:39, another CPD officer took over chest compressions. At 00:28:11:49, Schoenegge took over chest compressions.

At 00:29:12:38, a Canton Fire Department member entered the Amvets.

Contact Information

The preceding information comprises only a portion of facts and circumstances collected during the investigation of the officer-involved shooting incident. For further review of specific information or documentation collected during the investigation, please refer to the individual reports and documents from which this summary was derived. Any questions regarding the content or context of the information contained in this document can be directed to the attention of Special Agent Jon Lieber. SA Lieber can be reached via email at Jonathan.Lieber@OhioAGO.gov.

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