



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



2024-1218

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

Investigative Activity: Information Provided/Obtained, Interview with Witness, Meeting
Involves: Amvets #124 (O), Emily Sohayla Nikzad (W)
Date of Activity: 04/19/2024
Activity Location: Amvets #124 – 1822 Sherrick Road SE, Canton, OH 44707
Author: SA Charles H. Snyder, #90

Background:

On Friday, April 19, 2024, the Ohio Attorney General's Bureau of Criminal Investigation (BCI) was requested by Stark County Sheriff's Office (SCSO) to investigate an in-custody death of Frank Eugene Tyson, involving officers of the Canton Police Department (CPD). This incident occurred on Thursday, April 18, 2024, at Ohio Amvet Post 124 (Amvet), located at 1822 Sherrick Road, SE, Canton (Stark County), Ohio 44707. Special Agent Charlie Snyder (Snyder) was assigned to assist in this investigation.

Action Taken:

On Friday, April 19, 2024, at 1621 hours, BCI Special Agents Jonathon Lieber (Lieber) and Snyder, met with and conducted an audible-recorded, in-person interview with Emily Sohayla Nikzad (Nikzad). This interview was conducted at the Amvet Post 124 location, 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, that she witnessed.

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 Eugene 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

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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 Amvet. Nikzad indicated “James” was then trying to tell the people inside Amvet, 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 Amvet by this time had contacted the police. The subject kept saying he was not going to leave and wanted the Amvet 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 Amvet.

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 Amvet 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 Amvet that caused her alarm or concern about the way the subject was handled.

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

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

With no further questions or information provided, the Nikzad interview was concluded at approximately 1633 hours.

Note: This report summarizes information deemed by the author of the most relevance to the investigation and does not contain all questions and answers from the interview. This report was placed in a chronology to aid the reader's overall understanding of information elicited during the interview and may not be reflective of the actual sequencing of questions. It is suggested the full audio recording be reviewed to clarify any content or contextual questions regarding the information from the interview.

Attachments:

Attachment # 01: 2024-04-19 – Emily S. Nikzad – Interview 240419_0008