



**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: Garrity Review-Reports
Involves: Officer Camden Burch (S), Officer Beau Schoenegge (S)
Activity Date: 07/16/2024
Activity Location: BCI-Richfield
Authoring Agent: SA Cory Momchilov #64

Narrative:

Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Jon Lieber (Lieber) requested that SA Cory Momchilov (Momchilov) conduct a Garrity Review on a document titled "2024-04- CPD Incident 24-04010 TAC." That document contained supplemental reports completed by the following officers:

- PTL Andrew Cook
- SGT Robert Smith
- SGT Michael Rastetter
- PTL Anthony Angelo
- PTL Trevor Stern
- PTL Kermin Yepes
- PTL Joseph Bays
- PTL Caleb Bodjanac

SA Momchilov reviewed the supplemental reports and made the appropriate redactions. The reports are attached to this investigative report.

References:

None

Attachments:

1. 2024-04- CPD Incident 24-04010 TAC_Redacted

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CANTON POLICE

221 3rd St SW CANTON 330-649-5800

Incident Number

24-04010

Incident / Offense Report

Offense	Method Received T	Time Received 04/18/2024 20:17:00	Time Dispatched 04/18/2024 20:23:00	Time Arrived 04/18/2024 20:23:00	Time Cleared: 04/18/2024
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Report Date / Time Date	Time	Incident Occurred From Date	Time	Incident Occured To Date	Time
Thursday 04/18/2024	23:41:08			Thursday 04/18/2024	20:17:00

Location of the Incident (Street #, Street, Apt. #, City, State, Zip)

Zone

1700 SHERRICK RD SE CANTON OH 44707

Persons: FRANK E TYSON - SUS
Involved: SOCIETY - VIC

-
-
-
-

Property:

Amount:

Type:

Units:	Officers:	
1st: 85	CAMDEN C BURCH	JOSEPH BAYS
2nd: 83	BEAU SCHOENEGGE	ANTHONY P ANGELO
3rd:	ANDREW COOK	
4th:	MICHAEL RASTETTER	
5th: 17	ROBERT SMITH	

Photos: 16

Codes:	Descriptions:	OFFENSES
4811	OBSTRUCTING OFFICIAL BUSINESS	2921.31
4801	RESISTING ARREST	2921.33
DI	DEATH INVESTIGATION	DEATH INV

Weapons Used:
UNKNOWN

Trade Marks:

Hate Bias

Entry:	Location Type: Field/lot/woods
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Refer to Arrest:	Incident #:	Tow#:	Dispatcher:	Officer in Charge: 20	Entry Id:
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Case Status: TOT OTHER AGENCY

Cleared Date: 04/18/2024

Cleared By:

Narrative: 24-04010 Page: 1

Suspect crashed a vehicle, fled from officers, and resisted being placed into custody.

Reviewing Supervisor:

Bureau Supervisor:

Officer:

CANTON POLICE

Report Number

24-04010

Page # 2

Investigative Persons Involved

Incident #:	Relation:	Arrest #:	CAD #:	Date of Contact:	Phone:		
2404010	SUS			04/18/2024			
First Name:	Middle	Last Name:	Til:	DOB:	SSN:	Pager:	
FRANK	E	TYSON		12/18/1970			
Street #:	Street Name:	Apt:	City:	St:	Zip:	Cell Phone:	Employer Phone:
355	DIETZ AVE NE		E CANTON	OH	44730		
Hgt:	Wgt:	Hair:	Eyes:	Race:	Sex:	Physical Marks:	
600	190	BRO	BRO	B	M		
Offenses:	4811	OBSTRUCTING OFFICIAL BUSINESS					
	4801	RESISTING ARREST					

Resident Class:	Suspected of using:	Victim Type:
	/	

Incident #:	Relation:	Arrest #:	CAD #:	Date of Contact:	Phone:		
2404010	VIC			04/18/2024			
First Name:	Middle	Last Name:	Til:	DOB:	SSN:	Pager:	
		SOCIETY					
Street #:	Street Name:	Apt:	City:	St:	Zip:	Cell Phone:	Employer Phone:
Hgt:	Wgt:	Hair:	Eyes:	Race:	Sex:	Physical Marks:	
Offenses:	4811	OBSTRUCTING OFFICIAL BUSINESS					
	4801	RESISTING ARREST					

Resident Class:	Suspected of using:	Victim Type:
	/	Society/public

Reviewing Supervisor:

Bureau Supervisor:

Officer:

2404004
Accident
1700 Sherrick RD SE Blk

On 4/18/2024 while working afternoon shift in car #42 with my partner Officer Stern I heard officers on the radio ask if any car has NARCAN. Officer Stern and myself did have NARCAN in car #42. We advised CANCOM that we have NARCAN and responded to accident which was in the 1700 block of Sherrick SE with my lights and sirens. Upon arrival I observed a cruiser parked in the middle of the road and bystanders informed us that the officers were at the VFW which was further East on Sherrick. Officer Stern and myself then got back in our cruiser and drove to the VFW. Officer Stern advised CANCOM that officers were at the VFW and not the 1700 block of Sherrick RD SE. Upon arrival at the VFW I asked a group of people who were outside where the officers were at and they told me that they were inside of the VFW. I then exit my cruiser with the NARCAN and go inside of the VFW. Once inside I observed officers and a deputy providing aide to a male on laying on his back on the floor. I advised them that I have NARCAN and gave 1 dose of NARCAN to Officer Yepes who administered it. I asked the Deputy that was doing chest compressions if he wanted to switch and he said yes. I then started CPR on the male that was laying on the ground. After a period of doing chest compressions Officer Schoenegge asked if I wanted him to start doing CPR to which I told him yes. After switching with Officer Schoenegge I then gave the victim another nasal dose of NARCAN. A short time after medics arrived and took over first aid. Officer Stern and myself then went back to the location of the accident. We then blocked off Sherrick RD SE with our cruiser. I observed a vehicle in the yard of 1732 Sherrick RD SE. The vehicle had the driver side door open, damage to the front end, and the airbag was deployed from the steering wheel. The vehicle's engine was still running and I turned the key in the vehicle's ignition to off to shut off the engine. I also observed a telephone pole that was struck in the 1700 block of Sherrick RD SE, it was on the roadway. I observed tire marks in the roadway from the struck pole up to the vehicle that was parked in the yard of 1732 Sherrick RD SE. I then walked around the roadway, and the parking lot of the VFW to see if I could find any evidence or property and I did find a white Nike sock laying in the parking lot. While I administered a dose of NARCAN earlier I observed the male only wearing 1 shoe and his other foot did not have a sock on. I spoke with a Stark County Sheriffs Deputy who told me that a patron inside of the VFW said the male ran inside, sat down and said "they're trying to kill me.". I went back inside of the VFW and a male informed me that the male who ran inside came and sat down at a table in the back. The male I was speaking to said that they wanted the male to leave and told him he needed to leave and that is when the male got up and went toward the front of the VFW. Sergeant Rastetter then informed my partner Officer Stern that we can clear up from the call. I then completed from the call. Nothing further.

Ptl. A.Cook #246

CANTON POLICE

Incident Number

Investigative Report

Title / Subject: DEATH INVESTIGATION

24-04010

2404010

4/19/24

Sgt. Smith 47

Arrests/Death Investigation

2200 Blk Sherrick Ave SE

Suspect: Frank E. Tyson (deceased)

CPD: Capt. Marino/Lt. Talkington/Lt. Buie/Sgt. Rastetter/Burch/Schoenegge/Staten/Wells/Johnson/Shroyer/Angelo

On 4/18/24 at approx. 2250 as I was going into service in the basement of HQ, I ran into Rastetter who was leaving but advised me of a one MV accident that occurred and the driver passed away after running from the scene. He added that a UOF had taken place also, and to just check into it then have the Blue Team Report sent to him. I advised Lt. Buie and went directly to the scene of the accident. Due to the fact I was only contacting officers to learn of the incident, and not public citizens, I did not activate my BWC. Upon arrival I made contact Staten and Wells who gave me a summary of the accident and the location of Burch & Schoenegge who were currently inside the AMVETS getting witness info. I then walked down to Burch & Schoenegge who were just East of the City limit. Schoenegge showed me three witness statements he obtained from the scene of the UOF, AMVETS at 1822 Sherrick Rd SE. I was under the impression that there were only 3 witnesses left at the bar. [REDACTED]

[REDACTED] I asked them minimal questions as Rastetter appeared on scene at that point and advised he would handle the scene. He had both officer remove their BWC's and I took possession of them. I stayed on to assist him with making contact with Buie, Capt. Marino, and BCI. I originally called Cancom for DB, Johnson & Shroyer, to respond to the scene. I spoke to Buie then had Cancom contact BCI. I asked Wells and Staten about the borderline with the county and they pointed out the limits. Realizing that AMVETS was in the county I also asked Cancom to contact the County so a determination could be made by them to handle the death investigation themselves or have BCI do it. In the meantime Talkington called me, I briefed him, and he decided that DB wouldn't do anything at this point. I advised both detectives who arrived, and they departed. Angelo was at Aultman with Tyson and I advised him to stay there until otherwise advised.

BCI contacted my cellphone, and I had Rastetter brief them. I then took Wells phone and contacted Buie to update him. Rastetter advised that BCI would need contacted by the county in order for BCI to respond. I had Cancom contact the county for me. I spoke to a Sgt. Manse with the county and he advised a "higher up" would need to call Sheriff Maier in order for the county to act. I called Marino and advised. Several minutes later a county deputy with the CRASH Team advised Rastetter and I they weren't going to do anything as the city didn't ask for any assistance. After some confusion on my part I contacted Marino and advised. He said he would take care of it. I had Wells take the BWC's to HQ so they could be downloaded ASAP. Angelo called me and advised the Coroner arrived and was taking the body. I told Angelo to then take any evidence the Coroner didn't take and bring it to HQ, place it in the OIC Office until BCI arrived. After some more time I contacted BCI and was told they were responding, and AEP could start their repairs, but to have the MV towed to our lot as they would need a search warrant to enter it.

In the meantime Rastetter went back to AMVETS and obtained further witness information e.g. seven total witnesses with contact information. I called for an Impound with Canton Towing. Harry Campbell with the Coroner's office arrived and I spoke to him very briefly. He provided the info for the deceased. Rastetter conversed with Harry. Canton Auto arrived and I had them take the MV, without powering up the car. AEP was working on repairing the damaged pole and Rastetter waited on BCI to arrive as I departed the scene to handle an Officer Needs Help call.
The End.

By: SGT ROBERT SMITH

Badge# 47

Date: 04/19/2024 Time: 02:29:47 No. 002 Page #: 1

Reviewing Supervisor: _____

Date: _____

On 04/18/24 at approx 2008 hours I was dispatched to 1423 26th St NW to assist units in forcing entry on a check the welfare of a elderly female the neighbors have not seen in a couple of weeks. I arrived on scene at approx 2011 hours and gave Ptl. Dryden the halogen that he requested. At approx 2014 hours I cleared channel A, because we were about to force entry to the residence. After clearing the residence and finding the elderly had been on the floor for a few days we contacted CANCOM for Medics. Shortly after Medics arrived I contacted CANCOM and had channel A opened back up.

At approx 2041 hours I was requested to respond to the 1700 block of Sherrick Rd SE. I asked what I was needed for? [REDACTED] At this point I believed it was from injuries for the accident.

I arrived on scene at approx 2051 hours and asked CANCOM if 1712 Sherrick Rd SE was in the city limits? I was advised that it was, I noticed a lady from 1712 was cleaning up the trash can that was knocked over. I asked her to stop because we needed everything left for the crash investigation. I then gave the actions of the vehicle to CANCOM. I stated that the vehicle struck a pole at 1712 Sherrick Rd SE. Then came back into the roadway then left the roadway again at 1732 Sherrick Rd SE and came to final rest in the side yard. This was while I was walking up to the location of the Amvets were our Officers were. When I approached the parking lot I saw the Medic Unit had a black male on the stretcher and CPR was being performed while they were loading him to transport him to the hospital.

I then called into Lt. Vanover over the phone and advised him that the male was possibly going to pass away and we needed to make contacts and see if they wanted to activate the Crash Team. I then hung up with Lt. Vanover. And had officers to come over to secure the crash scene while we contacted Capt. Marino to see if the Crash Team was getting activated to investigate the crash. At this point I was not aware [REDACTED] I was under the impression this was all due to the accident and the male coded in the parking lot after Officers contacted him and that's why I was called to the scene. Also this is what was advised to Lt. Vanover to relay to the Capt. Marino.

Lt. Vanover called me back a short time later and advised me the Crash Team was activated and would be arriving soon.

I then spoke with Ptl. Stern, Cook, Shoengge, Burch and Yepes. I informed Yepes he could clear the scene and go back to his extra job. I had Stern and his partner Cook clear up so they could handle calls that were starting to pile up. I then spoke with Burch and advised him to block the roadway on the eastside of the crash scene and not let anyone through or mess with the scene. I advised him when the crash team arrives just assist them in whatever they need. I asked him if he understood and if he was good or needed anything else. Burch stated [REDACTED] I then walked down to the westside of the crash location and advised Schoengge the same thing. I then asked him if he was good or needed anything else. Schoengge said [REDACTED]

At approx 2109 hours I advised CANCOM of what Officers were staying on scene and who cleared up. I also advised them I was clear from the scene and en-route to HQ.

While back at HQ I was speaking with Lt. Biue the incoming OIC, advising him of the crash and the Crash Team was coming in to handle the crash investigation. At approx 2141 hours I received a call from Ptl. Wells. Wells asked me if I was coming out to the scene to handle the use of force from the incident. I advised him I was not aware of any force used. I asked him what he was talking about? Wells stated, Burch told him that he and Schoengge had to wrestle with the male and took him to the ground. I asked if there were any strikes or any other force used? Wells asked Burch [REDACTED] I then relayed that information to Lt. Biue and he stated that I was good to go home and he would send Sgt. Smith to the scene to handle the use of force interview. I then started to leave and decided to call back to Wells and had him ask Burch [REDACTED]

[REDACTED] immediately relayed this information to Lt. Biue who called Capt. Marino back and I told him all the new information I just learned. Capt. Marino advised me to go back out to the scene and get the BWC's of Burch and Schoengge and we would be contacting BCI.

I got back dressed into my uniform and went back to the scene. When I arrived on scene Sgt. Smith was standing with Burch and Schoengge. I advised them I needed their BWC's. They handed me the BWC's and I gave them to Sgt. Smith to secure. [REDACTED]

Sgt. Smith was then put in touch with BCI and had me speak with them and give them a quick run down. BCI then informed me since the incident ended up taking place in Stark County just on of the city limits Stark County SO would have to request them to come out and handle it. Sgt. Smith then contacted Capt. Marino and advised him of this. Capt. Marino called back a short time later and advised BCI was en-route to the location. I then asked the Stark County Deputy that was on scene with the Crash Team if he could go to the

Amvets and hold the witnesses there until BCI arrived. He walked over and then came back and stated that he asked them not to leave but couldn't make them stay because it was BCI's case. I then walked over and asked everyone that was a witness to the incident to please give me their information so I could pass it on to the BCI Investigators when they arrived. Six people inside the bar gave me their contact information listed below. I then stayed on scene until BCI arrived and passed on all information that I had at the time. I also contacted CANCOM and had them reach out to the Bar owner to respond out to unlock the Bar so BCI could take photos of the inside of the Bar where all this took place. After the owner arrived I left the location and when back to HQ to advise Lt. Biue of everything that was happening on scene.

Witness #1 Anthony Cakanic
DOB 10/30/76
SSN [REDACTED]
1108 Ardmore Ave SW
Canton Oh. 44710
[REDACTED]

Witness #2 Ralph Mosteller
DOB 04/18/73
SSN [REDACTED]
112 49th St SE
Canton Oh 44707
[REDACTED]

Witness #3 Devan Mosteller
DOB 09/17/79
SSN [REDACTED]
Same as above address
[REDACTED]

Witness #4 Michael Gallagher
DOB 06/19/69
SSN [REDACTED]
2800 Navarre Rd SW
Canton Oh 44706
[REDACTED]

Witness #5 Emily Nikzad
DOB 01/16/85
SSN [REDACTED]
4651 7th St NW
Canton Oh 44708
[REDACTED]

Witness #6 Richard Wiseman
4500 Atlantic Blvd
Canton Oh 44705
[REDACTED]

Sgt. Mike Rastetter #46

On April 18th, 2024 I was dispatched to Aultman Hospital to assist on this call. I arrived at Aultman and made contact with Corner Investigator Harry Campbell. Hrry stated he was having the decesed transported to Cleveland for an autopsy. I did collect photographs of the deceased and collected his personal belongings at the direction of Sgt. Smith. I returned the personal items to head quarters and handed them over to Lt. Buie. I uploaded the photos to this report.

Nothing further. Ptl. A. Angelo 202

CANTON POLICE

Incident Number

Investigative Report

Title / Subject: ACCIDENT

24-04010

2404004
Accident
1700 Sherrick Rd SE Blk
Officers: Stern#223, Cook#246

On 4/19/24 around 2040 hours, Officer Cook and I heard over the radio if any officers were close to the 1700 block of Sherrick Rd SE that had Narcan. Officer Cook advised he had Narcan and we were at Belden Ave and Tuscarawas St E so I told dispatch we would be enroute.

We arrived around 2042 hours and got out and asked civilians on scene where the officers were. We were instructed that they were at the VFW down the street. We located the building that officers were at which was the AMVETS Post 124, 1822 Sherrick Rd SE, and I let dispatch know where we were at.

Officer Cook asked people outside where the officers were and they said they were inside. Officer Cook grabbed the Narcan and we went inside. When I went inside I observed a Deputy from the Stark County Sheriff's officer doing CPR on a male. Along with the Deputy on scene was Officer Yepes, Schenegge and Burch. Officer Cook stayed inside to help with aid while I went outside to help coordinate the response from medics.

Outside I checked with dispatch that the medics knew our location. Around 2044 hours, another Deputy showed up to the AMVETS. I notified dispatch that due to the original accident, there was a power line hanging low to the road that would need the road closed. I then went back inside to check on officers and they were still doing CPR on the unresponsive male.

Around 2045 hours a Canton Fire Engine arrived on scene and firemen came in to render aid. I then relayed to Sgt Rastetter that from what I originally saw the accident happened all East of Warner Rd SE on Sherrick.

Around 2048 hours, Officer Cook and I went back to the crash scene to block off the road at the accident scene. Cancom was advised that the vehicle left the road at 1712 Sherrick Rd SE and said that the accident occurred in the city. The accident involved one vehicle leaving the road which sheared off a utility pole.

Around 2053 hours, AEP arrived and advised that the pole that was damaged was not theirs and was possibly AT&T's. Then while I was on scene a male resident from 1712 Sherrick advised he chased the male into AMVETS.

I walked back to the vehicle involved around 2102 hours, and looked in to see if I could see anything illegal or suspicious. I didn't observe anything and I gave Cancom the plate of the vehicle (KGR6251), which was on a Chevy Malibu.

Around 2106 hours, Officer Cook and I were advised that the crash team was enroute and were relieved from the scene.

Nothing further at this time.

Stern (U223)

By: PTL TREVOR STERN

Badge# 223

Date: 04/19/2024 Time: 14:48:07 No. 005 Page #: 1

Reviewing Supervisor: _____

Date: _____

Traffic Accident
1700 BLK Sherrick RD SE

Officer: Yepes #211

On April 18, 2024 while working the side job Skyline Terrace/ Alan PG DR SE, in cruiser 43, I heard a Hit-skip accident come in over the radio. I was able to hear Cancom advise Officer Burch and Shoenegge that the suspect driver was trying to flee the scene after taking out a telephone pole. Cancom advised that the neighbors in the area were trying to stop the male from leaving. Shortly after I heard both officers call out that they were fighting with the male. Before I could take off to back them up the officers came back on the radio and stated the male was in custody and that they were secured. I continued patrolling the neighborhood I was assigned to before I heard one of the officers state that they needed EMS dispatched to them as the male had passed out. Shortly after I heard the officers state for EMS to step it up and that they needed NARCAN. As I was to the location I decided to go back the officers up as I could not hear EMS coming. I went lights and sirens from 633 Alan PG DR SE, I took a left onto Cherry Ave SE and then a right onto Sherrick RD SE until I arrived to the crash scene. I was able to see a dark colored sedan in the middle of a yard and a light post hanging from the cables in the middle of the road. As I was trying to find Officer Burch and Shoenegge I saw two neighbors by the scene. I asked the bystanders where the officers were and they stated they were in the VFW down the road. I then proceeded to get in my cruiser and parked in front of the light post so that it would be blocked for when EMS and other units arrived. I then ran to VFW on foot, on my way to the location I advised cancom that the officers where in the VFW and to let other arriving units of the traffic hazard as they pulled up. As I approached the VFW I saw two deputy cruisers outside the establishment and Officer Shoenegge standing by the door holding it open. Officer Shoenegge pointed to inside the VFW and the floor. When I made entry I saw a black male laying on his back as Officer Burch was kneeling to his left doing chest compressions. I saw one deputy kneeling on the males right and the other deputy walked past me and told me they had administered 2 doses of NARCAN already. I advised cancom of the NARCAN administration and then relieved Officer Burch when he stated he was needed a break. I then gave chest compressions to the male and did not stop until relieved by one of the deputies. Once the deputy took over I saw Officer Cook arrive on scene with more NARCAN. Officer Cook got a dose of NARCAN ready and I administered a third dose as the Deputy continued do chest compressions. I advised Cancom of the third administration of NARCAN. The deputy doing chest compressions then stated he needed to be relieved so Officer Cook took over the Chest compressions. I advised Officer Shoenegge to get ready to replace Officer Cook whenever he needed to be changed. Once Officer Shoenegge replaced Cook I advised Officer Shoenegge to let me know whenever he needed to be replaced. Once Officer Shoenegge told me he needed to be replaced I took over chest compressions again. Shortly after two Firemen came into the VFW one of the firemen stayed on the radio advising CANCOM of the incident and trying to direct the EMS unit to our location. The other Firefighter came over to the male and me and began placing AED patches on the male while I continued chest compressions. I continued doing chest compressions until I was advised by the Fireman to stop. Another firefighter showed up and took over the scene. I left to make more room for the EMT team. I returned to the crash site as I heard CANCOM advise people were moving evidence around. Once back at the scene I asked the Sgt. Rastetter, if he needed me to block off the road or do anything else. He advised he did not and I could return to my assigned location for the night and would advise me if anything was to change. I took my cruiser after the road was properly closed off and returned to my designated patrol area. I clocked out at 2300 after tagging my BWC and left to go home. Later that night I received a call from the OIC advising me to return to HQ today and write a supplement of my actions for this call.

Yepes #211

2404004

Crash

1700 Sherrick RD SE Blk

April 18, 2024, the crash team was activated reference a serious injury crash that occurred in the 1700 block Sherrick Rd. SE. I arrived on scene and members of the team were already present. I assisted with the marking the scene and measurements. Sgt. Smith and Rastetter were on scene and the crash team completed and turned the scene over to them.

J. Bays 206

Death Investigation

4/18/24

1700 Blk Sherrick Rd SE

Officer: Bodjanac #284

Assignment: Afternoon Shift City Car #59

On April 18th 2024 while working afternoon shift city in car #59, I was dispatched to Aultman Hospital in reference to a death investigation. Upon arrival, the deceased male, Frank Tyson was located in the emergency department laying face up and covered on a bed with his property in a brown paper bag on the bed with him. I stood with the male for a short time until the coroner arrived. Ptl. Angelo arrived a short time later to relieve me.

Bodjanac #284

Stark County – Canton Police Department

NASAL NARCAN USE REPORT

Date and time administered: 4/18/2024 2100

Officer administering Narcan: Cook

Badge Number: 246 Dosage (Ex; 1 vial) 2

Person receiving Narcan: Frank Tyson

DOB: 12/18/1970

Brief overview of events: (To include results of administration)

**Officers adminstered narcan to Frank who was
going in and out of consciousness.**

Signature (Include Badge Number): *[Signature]* #246

Canton Police Dept. Report / Incident number: 2404004

Copies:

Chief

Training Bureau Sergeant (Project Dawn – Fax number (330) 455-4242)

Original – Record Room