



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



2024-1218

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

Investigative Activity: Interview – Audible Recorded
Involves: Witness - Shannon Lee Gallagher
Activity Date: 04/19/2024
Activity Location: 1822 Sherrick Road, Canton, Ohio 44707
Authoring Agent: Special Agent Charlie Snyder #90

Narrative:

On Friday, April 19, 2024, at 1610 hours, Ohio Attorney General's – Bureau of Criminal Investigation (BCI) – Special Agent Jonathon Lieber (Lieber) and Special Agent Charlie Snyder (Snyder) conducted an audible recorded interview with Shannon Lee Gallagher (Gallagher). This interview was conducted inside the Ohio Amvet Post 124, located at 1822 Sherrick Road, Canton (Stark County) Ohio. Gallagher provided the following information relative to incidents involving the in-custody death of Frank Eugene Tyson (Tyson), at that location on Thursday, April 18, 2024.

Gallagher advised that she was employed as the finance officer and canteen manager at the Amvet Post 124 and was working when the incident involving Tyson occurred. Gallagher said that she arrived for work at approximately 1730 hours on Thursday, April 18, 2024. She indicated there had been a regularly held prize drawing that had finished approximately 45 minutes prior to the Tyson incident.

Gallagher indicated that the Amvet Post was not busy, and it had been quiet, with approximately 55 to 60 members present, with the bar being full and other people seated at 4 or 5 tables in the back-room area. Due to the number of patrons, Gallagher indicated her bar staff was able to handle the requests, and she was inside the office, taking care of paperwork following the drawing. Gallagher indicated keeping the office door open, to hear what was occurring on the floor during this time.

Gallagher said that she heard the doorbell ring and then the door open and then heard a voice she was unable to recognize. Gallagher explained that she has been with the Amvet Post for 30 years and knows everyone that comes into the Amvet. 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..." [02:12].

Gallagher indicated she immediately left the office area and proceeded into the bar area, where she indicated observing a large black male (Tyson) in the open area in front of the bar, who then walked around the bar and into the back-room area.

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Gallagher then followed the subject into the back-room area, observing him sitting in a chair near the men's room. Gallagher then walked back towards the front area, stopped and stood near the pool table. Gallagher asked the subject who he was, but the subject did not answer, but kept saying "get it done here – get it done here" [03:01]. Gallagher continued to ask the subject who he was, and he did not respond.

Gallagher instructed the subject to leave the Amvet Post, because he was not a member.

The subject then refused to leave, telling Gallagher, "...no – call 9-1-1 – call 9-1-1..." [03:11].

Gallagher asked the subject if he needed assistance and again instructed him he could not stay there because it was a private club, and he needed to leave the premises.

The subject then responded to Gallagher, "...call 9-1-1 - - some one's trying to kill me..." [03:21].

Gallagher asked two Amvet members nearby to watch the subject. Gallagher indicated that she believed she asked Ralph Mosteller Jr. and Richard Wiseman to watch him. Gallagher also requested other females in the back-room area to go up to the front bar area.

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..." [03:45]

Gallagher then proceeded to the front of the Amvet and asked her bartender, identified as Rob, to call 9-1-1 and learned he had already been on the telephone making that call.

The subject 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..." [04:19]. Gallagher advised it seemed as if the subject was in a medical crisis of some kind.

Gallagher said that she was positioned about a table away from the subject and continued telling him he had to leave the building. She indicated she did not feel threatened by him at that time. She offered to call for medical help if he needed it, but insisted he had to leave the building and he could wait outside.

Gallagher observed on the Amvet security cameras at this time that a neighbor, identified only as "James", was outside, pounding on the glass of the front door. Gallagher indicated that James was a regular food customer who comes in several

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times during the week to pick up food and had already done so on that day. Gallagher asked another patron identified as "Tony" to see what James wanted. At this time, the subject became very agitated, according to Gallagher, and started screaming, "...he's trying to kill me - he's trying to kill me..." [05:30] as he pointed outside the window at "James".

According to Gallagher, "Rick" and "Tony" went outside and other male patrons continued to watch the subject, as Gallagher went into her office and retrieved another telephone, and called 9-1-1 again, because no law enforcement had arrived yet. Gallagher indicated talking with the dispatcher, asking for assistance to remove the subject and having made the previous original request 25 minutes earlier.

Gallagher then positioned herself in the vestibule between the doors and attempted to watch the patrons outside with "James" and those inside with the subject.

Gallagher said that "Tony" then returned inside the Amvet and that "James" reported the subject was involved in an auto accident at the corner of Warner Road and Sherrick Road. He also reported that Canton Police were at the accident scene, but "James" was afraid to tell them about witnessing the accident and that the driver (subject) was now in the Amvets. "James" was reportedly trying to advise the Amvet of this information. According to Gallagher, "Tony" had asked the Canton Police officers instead to come to the Amvets.

Gallagher then indicated that as she held the front door open, "Tony" 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 Amvet.

As soon as the two Canton Police Officers walked in, the subject, "...went berserk..." [07:32]. According to Gallagher, the police officers did not say anything to the subject or ask him if he needed assistance. Gallagher said that the subject immediately began screaming, "...not them - not them - call the sheriff - not them..." [07:56].

Gallagher indicated that when the officers entered, the situation became, "... balls to the walls..." [08:05], with the subject beginning to run and the officers pursuing him, knocking over bar furniture in the process.

Gallagher expressed concern for the safety of her patrons and began telling them to get behind the bar for fear of weapons being used at that time.

The police officers reportedly gained control of the subject, handcuffing him and placing him on his abdomen on the floor, pulling his legs up and crossing at his ankles, according to Gallagher. The subject appeared to her to become somewhat

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subdued at that point. She indicated this took place near the doorway on the west side of the building, and near the ATM in the back-room area. Gallagher indicated the subject seemed to calm down. The subject's breathing was not noticed by Gallagher to be labored at this time.

Gallagher advised she then turned her attention to her customers, trying to calm them down and get them to return to their seats, as the two police officers remained near the door with the subject.

Gallagher indicated approximately 5 minutes later that her brother alerted her, telling her she had to go back to the back-room area. Gallagher said that she left the kitchen area and returned to the area where the police were. She indicated the Sheriff's Deputies were now there and the police officers were being instructed to start Cardiopulmonary resuscitation (CPR) on the subject. Gallagher indicated the Sheriff's Deputies arrived approximately 10 to 15 minutes after the Canton Police officers had arrived there. Gallagher indicated that the police officers performed CPR on the subject for approximately the next 25 minutes, plus administering 3 rounds of Narcan. Gallagher was not able to estimate when CPR efforts started, after the subject had been placed on the floor. Gallagher did not believe the subject continued to resist the officers after he was placed on the floor. Gallagher also recalled that the police officers had rolled the subject's face off the carpet and did a sternum rub at one point. Gallagher indicated observing the sternum rub taking place at least 5 minutes after the subject was placed on the floor.

Gallagher indicated 35 minutes later, EMS still had not arrived, and the club was filled with law enforcement officers and fire department personnel.

Gallagher expressed concerns about the initial contact and approach to the subject by the police officers, indicating she felt they should have questioned him to determine if he was injured from the car accident or needed medical attention.

Gallagher described the subject as, "...you could obviously tell that he was - I mean you could tell - I been around enough people that have been on drugs to see that he was impaired - his eyes you know - and all that - but - there obviously was some other issue with he and the Canton cop walked through the door..." [12:00].

Gallagher indicated during the altercation that one Amvet patron had been injured on the hand by a bar stool that struck him.

Gallagher was asked to describe the subject's condition during the incident. She indicated his eyes were wide, he paced a lot and was sweaty and loud, very agitated and paranoid, even before the Canton Police had arrived there.

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Discussions turned to security video recovery at this point in the interview and the limitations of the Amvet system's ability to download it.

Gallagher expressed feelings that if the Sheriff's Deputies had arrived first, the situation may have had a different outcome and described herself as being very empathetic and that the situation was not handled right, due to the way the officers approached the subject.

Gallagher also indicated not being aware of what the Canton Police officers had been told prior to entering the Amvets by those persons outside. She was aware "Tony" Cakanic had informed her. He told the officers they had to come to the Amvets because the accident driver was in there and was making the member patrons feel uncomfortable.

Gallagher reiterated that at no time did she feel threatened by the subject in this incident.

Gallagher continued that "Rick" (Richard "Doc" Wiseman) was considered by her as "extreme" [23:14] and was not aware of what he had said to the subject. She continued that when "Rick" confronted the subject, he became agitated with "Rick" and the subject said, "...well pull your pistol - pull your pistol..." [23:24]. Gallagher indicated that this was when the subject became very agitated. She also confirmed "Rick" had identified himself as law enforcement to the subject, during their confrontation. Gallagher also confirmed "Rick" often carries a firearm when he is at the Amvets.

Gallagher confirmed that the Canton Police Officers and the Sheriff's Deputies who arrived on scene were in regular full police and deputy uniforms and were readily recognizable.

As the interview concluded, Gallagher questioned investigators if the Amvet would have any culpability in this incident. Also, the investigative process of BCI in this type of matter was described to Gallagher.

At approximately 1711 hours, the Gallagher interview concluded.

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.

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Note: Gallagher had also filed written statements with both Stark County Sheriff's Office and Canton Police Department relative to this incident. Those statements are attachments also to this report.

References:

None

Attachments:

2024-04-19 - Shannon Le Gallagher - Interview 240419_0009

2024-04-18 Shannon Gallagher written statement for SCSO

2024-04-19 Shannon Gallager written statement

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CASE #

24-14672

STARK COUNTY SHERIFF'S OFFICE

GEORGE T. MAIER, SHERIFF

Incident ASSIST OTHERPage 1 of 2

VOLUNTARY STATEMENT FORM

I Shannon Gallagher, hereby give this voluntary statement to
NAME OF PERSON GIVING STATEMENT
DEPUTY MELLHORN on 4-18-2024
NAME OF DEPUTY
4-18-24 at 9:12 pm at 1822 STATELICK DR SE
DATE OF STATEMENT TIME DAY OF STATEMENT
CANTON OH 44707
LOCATION STATEMENT GIVEN

On 4-18-2024 A Black male enter the AMVETS POST 124. He was highly Agitated - Speaking very loudly - Saying - Let's do it here - let's do it here - At this point I came out of the office and followed him to the back room - the male sat in a chair in the far room by the male room - I told him he had to leave the building that this was a private Club and members only - he said no - yelled at me to call 911 - they were trying to kill me - I instructed the bartender to call 911 and have cops come to remove. I also ASK Rich Wiseman to watch him in the back room. At this point he moved to the front bar - We once again said he needed to leave - He said no and to call 911 - I called 911 again and Requested they send someone - Several minutes later the Canton Police arrived through the front door - I pointed out the gentleman - the police moved in to

Signature of Person Giving Statement <u>Shannon Gallagher</u>		Address <u>3110 Leonard Ave SW</u>		Phone <u>[REDACTED]</u>	
Signature of Witness #1 <u>[Signature]</u>		Signature of Witness #2 <u>Canton OH 44706</u>			
Investigating Officer <u>DEPUTY MELLHORN</u>		Unit# <u>175</u>	Approving Supervisor <u>[Signature]</u>		Assigned Officer <u>FILED</u>
					Unit# <u>26</u>

APR 19 2024

SHERIFF
STARK COUNTY OHIO

CASE #
24-14672

STARK COUNTY SHERIFF'S OFFICE
GEORGE T. MAIER, SHERIFF



Incident ASSIST OTHER

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VOLUNTARY STATEMENT FORM

I Shannon Gallagher, hereby give this voluntary statement to
NAME OF PERSON GIVING STATEMENT

DEPUTY MILLER

on

4-18-24

NAME OF DEPUTY

4-18-24

at

9:12 pm

at

1822 SHERICK DR SE
CANTON, OH 44707

DATE OF STATEMENT

TIME

LOCATION STATEMENT GIVEN

Remove the man. At this point he yelled
not them - not them - Call the Sheriff -
the Canton police Restained the man
no weapons were pulled - the man
Resisted - a few of the members help
the officers to restrain - the man
was very verbal and agitated -
once he was subdued they cuffed
him.

At this point I returned to
the front bar to calm the members

FILED

APR 19 2024

SHERIFF
STARK COUNTY OHIO

Signature of Person Giving Statement <u>Shannon Gallagher</u>	Address <u>3110 Leonard Ave SW</u>	Phone <u>[REDACTED]</u>
Signature of Witness #1 <u>[Signature]</u>	Signature of Witness #2 <u>Canton OH 44706</u>	
Investigating Officer <u>DEPUTY MILLER</u>	Unit# <u>175</u>	Approving Supervisor <u>[Signature]</u>
	Assigned Officer	Unit# <u>12</u>

LOCAL REPORT NUMBER 2404004	REPORTING AGENCY Canton PD	DATE OF CRASH M 4 D 18 Y 24
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FOR LOCAL USE ONLY - DO NOT SUBMIT TO THE STATE EXCEPT FOR FATAL CRASHES

I, <u>Shannon Gallagher</u> [REDACTED] HEREBY MAKE THIS VOLUNTARY STATEMENT TO	
PRINTED	
<u>Bean Schenck</u>	AT <u>AmVETS POST 124</u>
OFFICER'S NAME	LOCATION 1832 Sherrick Rd SE
On 4/18/24 a Black male came into the AmVETS through the front door-he was very loud and agitated-yelling let it happen here-let it happen here-call 911-I-as the manager followed him to the back room and instructed him that he needed to leave-he was sitting at the far table in the back room by the men's room-he yelled no let it happen here-call 911-they are trying to kill me I instructed the bartender to call 911 and asked Rich Wiseman, a member who is a sheriff to watch him-While I moved everyone out of the back room-The male then came from the back room to the front-and became very agitated and began yelling-he was asked to leave again-I called 911 again-at this time I was standing at the front door when the Canton police arrived at the front door-I showed the police who the male was and ask them to remove him-the man began to yell and scream-not them not them-the police began to restrain the man-the man resisted and fought	
ADDRESS OF WITNESS 3110 Leonard Ave SW Canton OH 44706	
SIGNATURE OF WITNESS X <u>Shannon Gallagher</u>	OFFICER'S SIGNATURE X <u>Bean Schenck</u>

LOCAL REPORT NUMBER 2404004	REPORTING AGENCY Canton PD	DATE OF CRASH M 4 P 18 Y 24
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FOR LOCAL USE ONLY – DO NOT SUBMIT TO THE STATE EXCEPT FOR FATAL CRASHES

I, Shannon Gallagher HEREBY MAKE THIS VOLUNTARY STATEMENT TO
PRINTED
Bean Schoeneger AT _____
OFFICER'S NAME LOCATION

He was restrained and cuffed
The Stark County Sheriff arrived
With paramedics

ADDRESS OF WITNESS
3110 Leonard Ave SW Canton OH 44706
SIGNATURE OF WITNESS X Shannon Gallagher
OFFICER'S SIGNATURE X Bean Schoeneger