



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



2024-3649
Officer Involved Critical Incident - 6880 Sunset Strip Ave
NW, Room #220, North Canton, Ohio, 44720

Investigative Activity: Witness Officer Interview
Involves: Sergeant Eric Lee (W)
Activity Date: 12/06/2024
Activity Location: FOP Labor Council
2721 Manchester Rd., Akron, OH 44319
Authoring Agent: SA Allison Fletcher

Narrative:

On Friday, December 06, 2024, at 1313 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Matthew Armstrong (Armstrong) and SA Nick Valente (Valente) interviewed Canton Police Department (CPD) Sergeant Eric Lee (Lee), who was accompanied by his attorney, Paul Siegferth Jr., from the Fraternal Order of Police. The interview took place at the FOP labor Council offices located at 2721 Manchester Road, Akron, Ohio 44319. The interview was audio and video recorded.

Sergeant Lee read, understood, and signed the BCI Criminal Investigation Notification form.

Any time references made correspond with the time elapsed of the video recorded interview.

Sergeant Lee was identified as being a police officer who witnessed and/or had some level of involvement in the November 18, 2024 officer-involved shooting which occurred in the area of 6880 Sunset Strip Avenue NW, Room #220, North Canton, Ohio 44720. Reportedly, Sergeant Lee did not discharge a firearm during the course of the incident. The purpose of the interview was to obtain all relevant information of the incident known or observed by this officer.

Sergeant Lee stated that his radio call sign on November 18, 2024, was 32. He has been employed by the CPD for about 11 years, and he has been a police officer for a total of 13 years. During the incident, Sergeant Lee wore his standard SWAT uniform with a police badge affixed to it. He also wore an external ballistic vest and duty belt. He drove CPD unit Canton 11, which was an armored vehicle marked with CPD emblems and emergency lights. He considered himself to be well-represented as a police officer during the incident. He stated he was not under the influence of any

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substance that would impair his memory or judgment during the incident or during the interview with BCI.

On November 18, 2024, Sergeant Lee was at the Canton Regional SWAT headquarters with multiple other officers and supervisors for training. During training, the SWAT team was requested by SWAT Commander Captain Marino to respond to 6880 Sunset Strip Avenue NW in North Canton, Ohio. The request was made via a telephone call to [REDACTED] who was also present at SWAT headquarters.

A summary of the initial incident was provided for the SWAT officers who were present at the training. They were told that the U.S. Marshals attempted to serve a search warrant on a James Vanest (Vanest) at the Rodeway Inn located in Jackson Township, Ohio. When the U.S. Marshal used a key card to open the door to make contact, he observed Vanest pointing a firearm at him.

Sergeant Lee responded to the location at approximately 1200 hours in the Canton SWAT armored vehicle with seven other officers. When he arrived on scene, he received instructions to park the armored vehicle at the corner of the room where Vanest was barricaded.

Sergeant Lee explained that during an "armed barricaded situation" the typical protocol was to begin using the PA system to have the subject (Vanest) surrender peacefully. They also began preparing chemical munitions that would be inserted into the room. Sergeant Lee was an instructor for chemical munitions operations and took on the role of planning and operating that portion of the scene response.

After parking the vehicle, he began preparing the chemical munitions and locating a position where he could fire them from. The rounds he had available to him were 40mm OC and CS barricade rounds. Another officer was also issued a less-lethal shotgun with shotgun barricade rounds.

Chemical munitions were not deployed immediately. Multiple commands were given over the PA by Captain Marino without a response from Vanest. Captain Marino then provided the command to deploy the chemical munitions. This was consistent with a typical protocol for an armed barricaded subject who was unresponsive in a small room.

The initial three chemical rounds fired by Sergeant Lee were CS barricade rounds. Sergeant Lee fired from the outside of the room to the left of the large bay window. He explained the round was capable of penetrating a wall, causing the chemicals inside the round to mix, and the second barrier striking the round would cause the round to

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deploy the chemical. Once released, the chemical causes irritation to skin and breathing to gain compliance from Vanest.

After Sergeant Lee deployed his chemical rounds through the bay window, a second officer deployed multiple rounds from the less-lethal shotgun into the room through the window. He explained the rounds fired by the second officer contained OC gas and the gas would deploy once it struck any barrier.

Once the initial rounds of chemical munitions were deployed, Sergeant Lee observed FBI agents on scene attempting to deploy a drone. He also began deploying glass breaking rounds using a pepper ball gun. He attempted to further break out the large bay window but was unsuccessful. He estimated he fired approximately ten rounds.

He then observed another officer on scene using a less-lethal firearm to shoot the lock on the door. The officer was able to shoot the lock off the door, allowing the door to swing open and the drone to enter the room. Once the drone entered the room, Vanest began shooting at the drone. Based on this, Sergeant Lee reloaded his chemical munitions and used OC foam rounds and barricade rounds to attempt to "overwhelm" the room and gain compliance from Vanest.

When Sergeant Lee fired the second round of chemical munitions, he could observe inside the room and noticed a bathroom and large bathroom mirror. He used the less-lethal rounds to break the mirror and also struck the wall near the bed multiple times.

Sergeant Lee moved to various positions outside the room while deploying his chemical munitions. He would then take a position near a black SUV next to [REDACTED] and began setting up his firearm to the right of the black SUV. A short time later, Sergeant Lee heard gunfire and heard [REDACTED] yelling in pain. Sergeant Lee also saw [REDACTED] bleeding from his arm.

Sergeant Lee used a shield to provide cover to [REDACTED] and [REDACTED], while aid was provided to [REDACTED]. He also drew his pistol to provide "lethal cover." [REDACTED] was then removed from the scene. During that period, other officers were firing their guns as "suppressive fire" in order to provide cover for [REDACTED] and the other officers aiding him.

Sergeant Lee could see the front door of the room; however, he could not see Vanest or anything else inside the room.

Sergeant Lee feared for his safety and the safety of the other officers on scene. First and foremost, they had an officer already shot by the subject, not to mention it was clear the subject did not care. Sergeant Lee then discussed how the subject shot down

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the drone and stated, "just that right there, you can tell this guy was ready to fight back and do it with, uh, lethal force" [22:15]. The subject was also firing in the direction of the Cracker Barrel restaurant, so he feared for the safety of any bystanders or patrons at the restaurant. Lastly, he mentioned the highway being a short distance away from their location, and he feared for the safety of any drivers on the roadway because the rounds being fired by Vanest were going in multiple directions.

Sergeant Lee fired his chemical munitions based on standard protocol for SWAT operations and his actions were consistent with his training.

Sergeant Lee was part of the team who entered the room after the gunfire had ceased. Prior to officers entering, a ground drone was deployed. The drone stopped near Vanest's head and was unable to determine if he was responsive or not. Sergeant Lee then deployed a flashbang prior to entry. He threw the flashbang into the area behind the bed where Vanest was believed to be. Sergeant Lee explained this was a technique used to gain compliance and elicit a response from a subject.

Once officers entered, Sergeant Lee stated it was very clear Vanest was deceased. He immediately observed a revolver on the bed along with random cases and ammo. He also observed a pistol in one of Vanest's hands. [REDACTED] removed the firearm from Vanest's hand and secured it.

The interview concluded at approximately 1342 hours.

The interview was audio recorded. The audio recording was attached to this report. The signed BCI Criminal Investigation Notification form is also attached to this report. Please see the attachments for further details.

References:

Reference Item I – Officer Interviews – Evidence.com

Attachments:

1. 2024-12-06 Signed Criminal Investigation Notification Form - Sergeant Eric Lee
2. 2024-12-06 Audio Recorded Interview - Sergeant Eric Lee

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Criminal Investigation Notification

1. This investigation is being conducted in order to determine whether any criminal laws have been violated on the part of those involved in this incident. Specifically, to collect facts and information to be provided to the prosecutor and/or grand jury in order for them to determine whether the conduct involved is authorized or prohibited by criminal statutes.
2. Your participation in this interview is voluntary and you may decline to answer or cease the interview at any time. You are entitled to have an attorney present if you wish.
3. The criminal investigation is separate from any internal, administrative investigation which your employer may or may not be independently conducting. You are not being compelled to give any statement or answer any questions. This is not a "Garrity" interview (where you could be required to answer).

ERIC LEE
Printed Name of Interviewee

12/16/24 1:11 PM
Date / Time

[Signature]
Signature of Interviewee

Matthew Armstrong
BCI Agent (Printed)

SA M. [Signature] #146
BCI Agent (Signature)