

DATE TYPED: January 20, 2010  
DATE PUBLISHED: January 21, 2011

**IN RE: FRANK G. SPISAK, Jr. MANCI #A175-472**

**STATE OF OHIO  
ADULT PAROLE AUTHORITY  
COLUMBUS, OHIO**

Date of Meeting: January 13, 2011

Minutes of the **SPECIAL MEETING** of the  
Adult Parole Authority held at 770 West Broad Street,  
Columbus, Ohio 43222 on the above date.

**IN RE: Frank G. Spisak, Jr. MANCI #A175-472**

**SUBJECT:** Death Sentence Clemency

**CRIME, CONVICTION:** Aggravated Murder with death penalty specifications (3 counts); Attempted Murder; Aggravated Robbery (2 counts) / Attempted Murder.

**DATE, PLACE OF CRIME:** February 1, 1982, June 4, 1982, August 9, 1982, August 27, 1982 and August 30, 1982 in Cleveland, Ohio

**COUNTY:** Cuyahoga

**CASE NUMBER:** CR181411 / CR176651B

**VICTIMS:** Reverend Horace T. Rickerson (deceased)  
Timothy Sheehan (deceased)  
Brian Warford (deceased)  
John Hardaway – surviving victim  
Coletta Dartt – surviving victim

**INDICTMENT:** CR181411: Counts 1,5,6,8: Aggravated Murder with death penalty specifications;  
Count 2: Attempted Murder;  
Count 3, 4, 7: Aggravated Robbery  
CR176651B: Attempted Murder

**TRIAL:** CR181411: July 15, 1983: Found Guilty by Jury of 4 counts Aggravated Murder; 1 count Attempted Murder; 2 counts Aggravated Robbery; Not Guilty of Count 7.

**PLEA:** CR176651B: August 15, 1983: Pled No Contest and Found Guilty of Attempted Murder.

**DATE OF SENTENCE:** CR181411: September 7, 1983  
CR176651B: August 10, 1983

**SENTENCE:** CR181411: Counts 1,5,6,8: DEATH  
Count 2: 7-25 years  
Counts 3, 4: 7-25 years

July 19, 1984: The Court of Appeals modified the judgment of the trial court, vacating the conviction in Count 5.

CR176651B: 7-25 years

Cases consolidated for Appeals purposes.

ADMITTED TO INSTITUTION: September 13, 1983

JAIL TIME CREDIT: 370 days

TIME SERVED: 328 months

AGE AT ADMISSION: 32 years old

CURRENT AGE: 59 years old

DATE OF BIRTH: June 6, 1951

JUDGE: Honorable James J. Sweeney

PROSECUTING ATTORNEY: Donald Nugent

ACCOMPLICE: Ronald Reddish: Found guilty by jury of Attempted Murder in Case CR176651 and of Obstructing Justice in Case CR176717; Sentenced to 7-25 years with a \$10,000 fine and 1 ½ years with a \$2500 fine; Admitted 11/22/1983 - inmate #A176584; Paroled 7/11/1990; Final Release 8/13/1991.

**FOREWORD:**

Clemency in the case of Frank G. Spisak, A175-472 was initiated by the Ohio Parole Board, pursuant to Section 2967.03 and 2967.07 of the Ohio Revised Code and Parole Board Policy #105-PBD-01.

On January 4, 2011, Frank Spisak was interviewed via video-conference by the Parole Board at the Mansfield Correctional Institution. A Clemency Hearing was then held on January 13, 2011 with nine (9) members of the Ohio Parole Board participating. Arguments in support of and in opposition to clemency were then presented.

The Parole Board considered all of the written submissions, arguments, information disseminated by presenters at the hearing, prior investigative findings as well as judicial decisions and deliberated upon the propriety of clemency in this case. With nine (9) members participating, the Board voted nine (9) to zero (0) to provide an unfavorable recommendation for clemency to the Honorable John Kasich, Governor of the State of Ohio.

**DETAILS OF THE INSTANT OFFENSE (96CR525):** The following account of the instant offense was obtained from the Ohio Supreme Court opinion, decided April 13, 1988:

On February 1, 1982, the body of the Reverend Horace T. Rickerson was discovered by a fellow student on the floor of a restroom on the Cleveland State University campus. Rickerson had been shot seven times by an assailant from a distance of more than eighteen inches. Four spent bullet casings were recovered from the scene.

On the evening of June 4, 1982, John Hardaway was shot seven times while waiting for an RTA train at the West 117th Rapid Station in Cleveland. He observed a man walking up the platform steps and had turned away when the man opened fire on him. Hardaway survived the shooting, and was later able to identify his assailant as the subject, Frank G. Spisak. Three pellets and seven shell casings were recovered from the scene.

At approximately 5:00 p.m. on August 9, 1982, Coletta Dartt, an employee of Cleveland State University, left her office to use the restroom. Upon exiting the stall, she encountered the subject, holding a gun, who ordered her back into the stall. Instead, Dartt shoved subject out of the way and ran down the hallway. Subject shot at her, but missed. A pellet was later removed from a wall in the hallway. Dartt identified the subject as her assailant.

On August 27, 1982, the body of Timothy Sheehan, an employee of Cleveland State University, was discovered in a restroom at the university by a security guard. The guard had been searching for Sheehan after his office reported that he had failed to answer his beeper page. Sheehan had been shot four times, and two pellets were retrieved from the scene.

On the morning of August 30, 1982, the body of a young student, Brian Warford, was discovered in a bus shelter on the campus of Cleveland State University. Warford died from a single gunshot wound to the head, although five spent .22 caliber casings were recovered from the scene.

On September 4, 1982, Cleveland police answered a call that a man was firing shots from a window at 1367 East 53rd Street. The police were directed to subject's apartment and subject, after admitting he had fired one shot, invited the officers inside. A shotgun and a .22 caliber automatic pistol were observed in the room. Subject made a suspicious move toward the couch but was stopped by one of the officers who discovered a loaded .38 caliber handgun and a two-shot derringer under the couch cushions. Subject was arrested for possession of unregistered handguns and discharging firearms within city limits, but was later released on bond. The weapons, however, were confiscated. Early the next day, an anonymous caller told police that the confiscated weapons had been used in the Cleveland State University shootings. Ballistics tests confirmed the tip. A warrant was obtained, and the police returned to Spisak's apartment, confiscating several items including newspaper clippings of the homicides and Nazi-White Power paraphernalia. Subject was later arrested, hiding in the basement of a friend's house. During a brief

search of subject's suitcase at the scene, police discovered the beeper pager belonging to Sheehan.

Subject later admitted to shooting Rickerson for allegedly making a homosexual advance toward him; to killing Sheehan as a possible witness to the Rickerson shooting; to killing Warford while on a "hunting party" looking for a black person to kill; and, finally, to shooting at Dartt and to shooting Hardaway. He also told police he had replaced the barrel of the .22 caliber handgun in order to conceal the murder weapon.

Subject was brought to trial under an eight-count indictment containing twenty specifications, including the aggravated murders of Rickerson, Sheehan and Warford and appurtenant death specifications. Subject pleaded not guilty and not guilty by reason of insanity, claiming to be a follower of Adolf Hitler. He was found to have been competent, however, at the time of the acts, and the jury returned guilty verdicts on all counts and specifications, except the alleged aggravated robbery of Warford.

**PRIOR RECORD**

**Juvenile Offenses:** Frank Spisak has no known juvenile arrest record.

**Adult Offenses:** Frank Spisak has the following known adult arrest record:

<b><u>Date</u></b>	<b><u>Offense</u></b>	<b><u>Location</u></b>	<b><u>Disposition</u></b>
09/04/1982 (Age 31)	Aggravated Murder with specifications (3 counts); Attempted Murder; Aggravated Robbery (2 counts) (CR181411) Attempted Murder (CR176651B)	Cleveland, Ohio	INSTANT OFFENSE

**Other Convictions:**

None known.

**Dismissed, Nolled and/or Unknown Dispositions:**

On 12/18/1977, subject was arrested for Prostitution; disposition unknown.

On 9/4/1982, subject was arrested for Discharging a Firearm within City Limits; disposition unknown.

Cuyahoga County Common Pleas Court Cases CR176517 and CR176716 were nolled due to the disposition in the instant offense.

**Institutional Adjustment:**

Frank G. Spisak, Jr. was admitted to the Department of Rehabilitation and Correction on September 13, 1983. His work assignments during his incarceration include Tutor, Recreation Worker, Laundry attendant, and most recently, Barber. Spisak has not participated in any programming while incarcerated.

Since his admission, Spisak has accumulated the following disciplinary record which resulted in placement in disciplinary control:

- 07/12/1984: Disrespect to an officer, staff member, visitor or other inmate. Spisak used profanity and spit at a prison chaplain when he was told his request for a religious medallion was denied. Spisak received 10 days in disciplinary control for this rules infraction.
- 06/23/1987: Disrespect to an officer, staff member, visitor or other inmate. Spisak used profanity when responding to a Correction Officer who had asked if he wanted a phone call. Spisak received 10 days in disciplinary control for this rules infraction.
- 09/21/2003: Consensual physical contact for the purpose of sexually arousing or gratifying either person. Spisak was observed performing oral sex on another inmate in the recreation area. He received 15 days in disciplinary control for this rules infraction.

Spisak has received several additional conduct reports since he was admitted to the Department of Rehabilitation and Correction in 1983. These offenses include Disobedience of a Direct Order (4/10/1985, 1/7/1986, 1/30/1986, 3/4/1986); Possession or Consumption of any Intoxicating Substance (4/12/1985); Possession or Manufacture of a Weapon or Contraband / Seductive or Obscene Acts, including Indecent Exposure or Masturbation (4/11/1987); Possession or Manufacture of a Weapon or Contraband (6/25/1987); Encouraging or Creating a Disturbance (8/17/1987, 8/19/1987, 11/11/1992); Encouraging or Creating a Disturbance / Disrespect to an Officer, Staff Member or Visitor / Excessive Loud Noises, such as from Radio, TV or Shouting (12/23/1993). All of these conduct reports were handled informally at the Hearing Officer level.

**APPLICANT'S STATEMENT:**

Spisak was interviewed by the Parole Board on January 4, 2011. He readily admitted that he had killed three people, shot one other multiple times, and shot at yet another; however, he stated he was mentally ill at the time of the offenses. Spisak stated that it would be inappropriate for the state to kill him by lethal injection, and that according to the Supreme Court, the death penalty should be reserved for the few most deserving murderers. He does not feel that he fits that category, and views his offenses as no different from other murders committed by offenders who were not sentenced to death. Spisak also stated that a lot of people that committed murders are out of prison.

He emphasized that he is mentally ill now and was mentally ill at the time of the shootings. He stated he has a life long mental defect that was only properly diagnosed as bipolar disorder since his incarceration. He stated it was his mental illness that caused him to commit these crimes. He believes his mental illness should have been a mitigating factor. He complained that his lawyer was incompetent and lied to the jury by stating that he was “sick, demented, and can’t be rehabilitated.” He stated he is now on medication which has stabilized his moods and helps him get along with people. Spisak stated his mental illness was never diagnosed while he was out on the street and that he had no treatment prior to coming to prison. He believes that should be taken into consideration when deciding whether or not he should receive clemency.

He stated he is not the same person that was first placed on death row and that the state would not be putting to death the same person that committed the crimes-“similar to like sending people on trains to the death camps-that’s wrong-with God’s help death can be avoided.”

Spisak was then asked several questions by the Board Members. In responding to being asked what he had learned, he stated that he learned there is humanity in everyone, no matter how they may seem at first. He stated that he even sees humanity in people that committed vicious crimes and that he sees humanity regardless of race. He’s learned to be more tolerant of people and that he used to be closed minded. He offered that he was raised by parents who had certain views about people, and who used non-politically correct words frequently. Since his incarceration, he has been confined with men of all races, and they are not like his parents reported. Spisak says his personal philosophy changed, and he is not sure that everything he stated in the past, for example at his trial, was what he really believed then. He states his testimony was delusional in nature and he was mentally ill at the time of his trial.

Spisak started collecting guns and carried a gun because he was afraid. He met Ronald Reddish (co-defendant in the Hardaway shooting), a member of a neo-Nazi group. Spisak, also a member of a neo-Nazi group, wanted acceptance and didn’t want to feel hated all the time. He feels Mr. Reddish manipulated him because he knew Spisak “was not all there upstairs.” He further stated that at the time they thought they would create a better world by eliminating the people that were not like them. He stated they thought it would be a safer world if it were all white.

He offered some responses to specific questions about his offenses. He also stated that he didn’t just shoot black people as one of the shooting victims, Mr. Sheehan, was white. He denied that Mr. Sheehan was stalked or tracked by him prior to shooting him, and he doesn’t remember seeing Mr. Sheehan before the day he shot him. He stated that he doesn’t know if he shot Reverend Rickerson because he was black, but he “lost it” and shot the reverend after he perceived that the reverend made sexual advances toward him. Spisak stated he was under the influence of alcohol or other drugs at the time of all his offenses. He was asked if he had delusions that people were trying to harm him prior to carrying a gun. He responded that most of his life had been all right but at the end things

started falling apart, and he acted out with a gun because he felt people were trying to hurt him. He thought people didn't like him because they thought he was gay or because he was transgender. He stated Mr. Reddish accepted him. He stated that he and Mr. Reddish would go on "hunting parties" for black people. The plan was to shoot to kill as many as possible.

Spisak was asked if he was still sympathetic to the Nazi movement. He stated he still reads about that time in history because that time in history is of interest to him. He has studied about Hitler and Nazism for a long time and is a student of it, but no longer sympathetic to the philosophy. Spisak stated he is currently reading a book about the life of Eva Braun and a biography of Hitler. He stated we need to study it to avoid it from happening again. He stated that he thought Mr. Sheehan was a Jewish professor that was perverting youth. He added that he was mentally ill and told superficial stories to make himself a Nazi-hero at trial. He further stated that he was torn between the love he had for a black woman and the hatred of her people spread by the Nazi group. His family didn't like black people and he couldn't rationalize it.

Spisak described the type of offender he believes is the "worst of the worst" as someone who went to prison for murder, got out, and murdered again. He indicated that the death penalty is too harsh for someone with no criminal record who is mentally ill. He believes everyone deserves a second chance and that everyone can be rehabilitated. He believes that he has been rehabilitated and has been sufficiently punished.

He stated a lot of people were affected by what he did and if he could take it back he would. He stated he wrote to one of the victims' family members and explained that he was mentally ill and hoped he would be forgiven someday.

Spisak was asked about any accomplishments he wanted to be considered. He stated he had won first place in the stamp club two years in a row. He further stated that there are not a lot of opportunities to participate in activities while on death row.

Spisak stated that he is requesting a commutation of his sentence. He stated he does not want to die but he does not want to live in general population and would like to stay on death row and never be put to death.

#### **ARGUMENTS ADVANCED IN SUPPORT OF CLEMENCY:**

In addition to the written application and exhibits submitted, the following arguments in support of clemency were provided by Alan Rossman from the Federal Public Defender's office at the clemency hearing:

Spisak was mentally ill at the time of his offenses. He is severely mentally ill with an Axis I Bipolar Disorder I. His bipolar condition was not diagnosed or treated until years after being in prison. Clemency is requested in this case solely for the sake of mercy for a



man that was severely mentally ill at the time of his offenses and is severely mentally ill today.

Mr. Rossman disagreed with the state's contention that Spisak is not mentally ill and is a cold-blooded psychopath. He reported that several mental health professionals from ODRC have documented Spisak's mental illness and he has been on the mental health caseload for many years. He restated that his bipolar condition is severe and that Spisak was mentally ill when he committed these crimes. He also stated that after many years of trying to figure out what was wrong with Spisak, the doctors eventually were able to treat him with the proper medication and he has been stabilized. He remains housed in the mental health ward of death row. Spisak remains on a daily regimen of 900 mgs of Lithium.

Mr. Rossman stated that there is no state court, judge or jury that has ever considered the severity of Spisak's mental illness. By the time Spisak was properly diagnosed and medicated by the state prison system, there was no legal forum to further argue his case. He believes the severity of Spisak's mental illness would have been mitigating.

Mr. Rossman also stated that Spisak's behavior during his trial shows that he was manic. He is a different person now. His medication has helped him. Mr. Rossman then introduced Dr. Chester Schmidt as a psychiatrist and expert in bi-polar disorder, who is of the opinion that if the state kills Spisak, they will be killing an extremely mentally ill person.

Dr. Schmidt, who is on the faculty of the medical school of Johns Hopkins, provided the Board with information regarding bipolar disorder. He stated he had reviewed all mental health evaluations regarding Spisak, including those evaluations conducted prior to Spisak's conviction and he had also spoken to Spisak and conducted a mental health assessment. Dr. Schmidt confirmed that Spisak does suffer from Bipolar Disorder I. He stated Spisak was probably in a manic state when he committed these crimes. The combination of his mental illness and the use of alcohol and or other drugs is a combination that can lead to violence. He reported that 25% of the people that are bipolar and abuse substances commit acts of violence. He also reported that 10% of people with bipolar disorder alone commit acts of violence. He pointed out that Spisak was bipolar and abused drugs and or alcohol and that was a factor in his committing these violent acts. He believes he was in a manic or hypo-manic state at the time and that people with bipolar disorder are born with the disorder. Therefore, Spisak has had the disorder all of his life and was finally diagnosed and treated after serving many years in prison.

Dr. Schmidt stated although the mental health evaluations were thorough at the time, there were a few reasons why they missed the bipolar diagnosis. First, the mental health professionals were not as aware or sensitive to the bipolar diagnosis at the time of trial, as they were 14 years later when the doctor in the prison system diagnosed Spisak. In fact, the evaluations at the time of trial lacked any evaluation of his mood. The diagnosis that they did determine at that time, schizotypal personality disorder, has similar symptoms as bipolar disorder. Second, a diagnosis of Bi-Polar disorder often requires a longitudinal

evaluation of a patient, as opposed to the cross-sectional evaluations completed on Spisak at the time of trial. He stated that in considering the mood, it may take months or years to diagnose. Dr Schmidt stated those that evaluated Spisak prior to his trial conducted an evaluation that only considered that particular period in time, which would not have enabled them to diagnose bi-polar disorder.

Dr. Schmidt also stated that Spisak was confused regarding his gender identity which contributed to his affiliation with Nazi supporters as he needed to feel accepted. He further stated that Spisak's bipolar condition made him more vulnerable to accepting Nazi propaganda. The combination of drugs, mental illness, and psycho-social stresses all converged at the time the crimes were committed.

The Board asked Dr. Schmidt how Spisak was able to plan and conceal multiple crimes, and elude the police while in a manic state. He responded that the ability to plan depended on the intensity of the symptoms. Spisak may have been in a lesser manic (hypo-manic) state. Dr. Schmidt stated that the grandiose way Spisak conducted himself at trial confirms his opinion that Spisak suffered from bipolar disorder then and now.

Dr. Schmidt was asked if he thought Spisak knew right from wrong at the time of the offenses. He indicated that he could not make that determination, and pointed out that a diagnosis of bipolar I disorder, or any mental illness does not automatically mean that a person is legally insane. He indicated that he was asked for his opinion regarding Spisak's diagnosis of bi-polar disorder, and in his opinion, that is a correct diagnosis and Spisak is mentally ill.

Dr. Schmidt recommended that Spisak be placed in a prison mental health unit should his life be spared, and did not believe that he would function well in general population. He stated that if Spisak was not on his medication and was out in the community, he would be dangerous.

A video statement of Father Borgia of St. Peter's Church in Mansfield, Ohio was presented. He is Spisak's spiritual advisor. He indicated that Spisak is a changed man and his life should be spared. He greatly supports his efforts to obtain clemency.

Additional materials were received from Mr. Rossman following the hearing, including a recent order written by a prison doctor prescribing an anti-anxiety medication for Spisak.

### **ARGUMENTS ADVANCED IN OPPOSITION TO CLEMENCY:**

In addition to the written materials submitted in response to Spisak's written application, Assistant Cuyahoga County Prosecutor Matthew Meyer and Assistant Attorney General Tom Madden presented the following arguments in opposition to clemency:

Spisak is truly the "worst of the worst" whose crimes fully deserve a death sentence. He is a serial killer who chose innocent, unsuspecting victims and who admitted to taking

great pleasure in killing. Spisak admitted he would have continued to kill had he not been caught.

Spisak used his trial to spout his Nazi beliefs, blamed African Americans, Jews, and homosexuals for his own shortcomings in life. After 30 years of reflection, Spisak is still obsessed with Nazism. Spisak remains fascinated by Nazis, admitting to the Board that he continues to read books about Hitler. He also admitted to Dr. Schmidt that he'd like to work at the Holocaust Museum to uncover material in his quest to understand Hitler.

Spisak's expressions of remorse for his victims are insincere and manipulative. In 2004, he wrote a threatening letter ordering Brendan Sheehan, the son of Tom Sheehan, to forgive him. Spisak then filed a grievance with the Supreme Court Disciplinary Counsel against Brendan Sheehan for choosing to become a prosecutor. Spisak gave a television interview explaining that he had a "problem" with Brendan Sheehan for making it "so personal."

Spisak attempts to evade responsibility by blaming his "bipolar" disorder for his premeditated and calculated crimes. Spisak was in complete control of his actions and able to conform his conduct to the expectations of society when he so chose. For example, there were multiple situations where Spisak could have murdered, but chose not to. He limited his shooting sprees to times and locations where there were no witnesses and which would create the most fear. He chose isolated areas and destroyed or concealed evidence to avoid capture. Spisak committed the murders in the dead of night in downtown Cleveland and Cleveland State University. Spisak planned to start a race war in Cleveland. He planned to cause mass hysteria and panic and the only way he could do that was to not get caught.

Spisak was examined by multiple doctors before trial and not a single one diagnosed him with bipolar disorder. He was seen by several mental health professionals between 1983 and 1997, and was never diagnosed with bipolar disorder. Spisak adjusted to life in prison and followed rules prior to his 1997 diagnosis of bipolar disorder. There is not a shred of evidence that Spisak was unable to control himself or understand the wrongfulness of his conduct. Spisak took pleasure in killing, he is the "worst of the worst" and there is no diagnosis for evil. Spisak is not deserving of clemency. His death sentence should be carried out.

A video statement from former Cleveland Police Detective Oliver who was involved in the investigation of Spisak's offenses was presented. Detective Oliver stated that Spisak never expressed any remorse and committed some of the most heinous crimes he ever investigated. Detective Oliver stated that he believes clemency should not be granted.

Richard Bell of the Cuyahoga County Prosecutor's office also shared information regarding a phone conversation he had with Spisak's sister before she passed away. Spisak's own sister expressed concern over his potential release and supported the jury's verdict and recommendation.

**VICTIM'S REPRESENTATIVES:**

The families of Brian Warford and Timothy Sheehan made statements to the Board, which are attached. Both families gave heartfelt statements about the death of their loved one, the impact on the remaining family members and their objection to clemency for Spisak.

**PAROLE BOARD'S POSITION AND CONCLUSION:**

The Parole Board conducted an exhaustive review of all materials, exhibits and arguments presented by both parties, including information provided at the clemency hearing. After thoughtful deliberation, the Board concluded the following:

The fact that Spisak's mental health diagnosis may not have been accurate at the time of trial does not outweigh the significant aggravating factors present in this case. Spisak planned his crime, focusing on a particular racial group, and executed that plan. He concealed and/or destroyed evidence, and attempted to avoid detection and apprehension. He was able to reason and determine when to abandon his efforts to kill, when he felt he may be detected or apprehended. Spisak, over approximately a six month period, killed three people, wounded one and shot at another. But for the police apprehending Spisak, by his own admission at the time, he would have continued "hunting parties" of African Americans.

During the trial, the jury had an opportunity to observe Spisak's extremely bizarre behavior, and hear from experts who testified that Spisak had significant mental health issues. These mental health professionals testified that Spisak had been diagnosed with schizotypal borderline personality disorder, which according to Dr. Schmidt has similar symptoms to bipolar disorder. The jury also heard that Spisak was confused about his sexual identity. The jury determined that these mitigating factors did not outweigh the aggravating circumstances. It is unlikely that the jury's recommendation would have been different had they heard that Spisak's diagnosis was bi-polar disorder as opposed to a personality disorder.

Spisak actively continues to antagonize a victim's survivor. Furthermore, it is questionable whether he has abandoned the beliefs that he held at the time of these offenses and which he testified to at trial.

Spisak's contention that he is not the "worst of the worst" is not well taken. Spisak killed three people, tried to kill at least one other, and shot at a fifth in his admitted plan to kill as many African Americans as possible and start a race war in Cleveland. His victims were innocent, unsuspecting strangers. These facts are far from what can be considered "typical" for those serving sentences for Murder. It further demonstrates Spisak's failure to fully accept responsibility for the crimes he committed and his tendency to blame others for his actions and the consequences of those actions. A recommendation of mercy is not warranted in this case.

**RECOMMENDATION:**

The Ohio Parole Board with nine (9) members participating, by a vote of nine (9) to zero (0) recommends to the Honorable John Kasich, Governor of the State of Ohio, that executive clemency be DENIED in the case of Frank G. Spisak, Jr. A175-472.

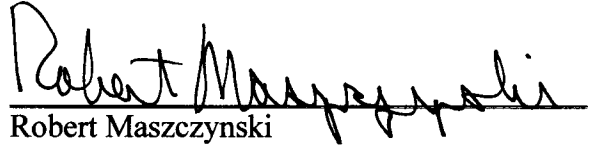
Frank G. Spisak, A175-472  
Death Penalty Clemency Report

Adult Parole Authority  
Ohio Parole Board Members  
Voting **Favorable**

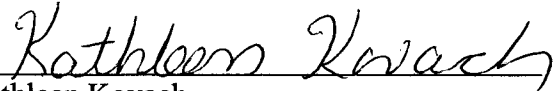
Ohio Parole Board Members  
Voting **Unfavorable**



Cynthia Mausser, Chair



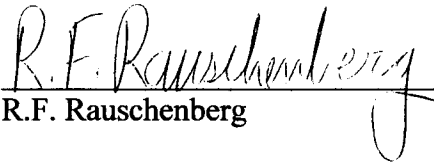
Robert Maszczyński



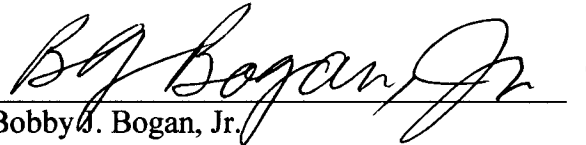
Kathleen Kovach



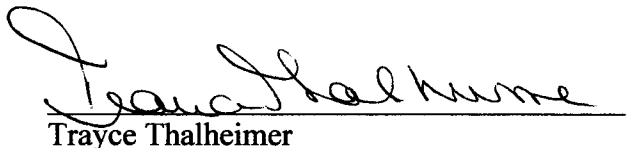
Ellen Venters



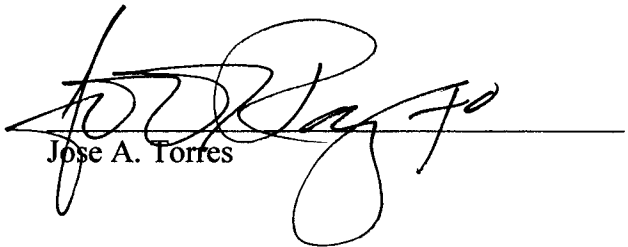
R.F. Rauschenberg



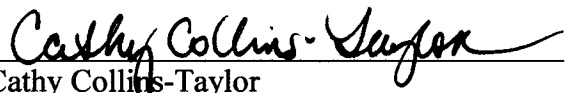
Bobby J. Bogan, Jr.



Trayce Thalheimer



Jose A. Torres



Cathy Collins-Taylor

Good Morning Ladies and Gentlemen. My name is Darleen Sheehan Neitzel. I am the youngest child of Timothy and Kathleen Sheehan. On August 27<sup>th</sup>, 1982 the day Frank Spisak killed our father I was 9 years old.

Today I come to you just a few days shy of 38 years old. I have completed grade school, high school, went to college. I graduated with an education degree and became a teacher. I married a wonderful husband and now have 4 beautiful daughters. All this without my dad being at my side.

Let me take you back to the night before my father was killed. It was August 26<sup>th</sup> A hot summer night. My Dad was out watering the lawn as I was riding my bike up and down the driveway. As the sun went down I remember lying up in bed with my Dad and closing my eyes. My only worry was if I was going to play with my friend Joan and how we were going to spend our day??

The morning of August 27<sup>th</sup> 1982 it was my Brother Brendan's 15<sup>th</sup> birthday. I was the only one in my family not up early enough to say good bye to our Dad as he left for work. As the work day ended I can recall waiting eagerly for my Dad to return home so we could begin the birthday celebration.

As if it was yesterday... I can remember spaghetti cooking on the stove, driving up several times to the bus stop waiting for my dad to get off. When our Dad was not on the bus I remember hearing the phone ring and it was Cleveland State University telling us that our Dad's briefcase and umbrella was still in his office and that a search team was sent out to look for him. They thought he may be locked in the bathroom.

Not long after the phone call I can still see the two Cleveland Police officers drive up. They Got out of the car. Took their hats off and placed them over their chests. The officers asked to speak to our mother alone and if the kids could wait outside. When the officers left I remember going back into the house with my brother and sisters. I will never forget the look on my mother's face and pray to God every night that I will never see it again. Frank Spisak had murdered her husband and our father. On that day August 27<sup>th</sup>, 1982. Mr. Spisak changed our lives forever!!

I am a strong practicing Catholic. I do however truly believe that when Frank Spisak killed our father, the Rev. Rickerson and Brian Warford. He gave up his right to live.

After a long trial the decision was made that Frank Spisak's sentence was the Death Penalty.

It has been a long 28 years of seeing Frank Spisak's face in the media and hearing his voice.

I stand here today and ask that you do not grant Clemency to Frank Spisak.

Yes our lives went on without our father. We have all grown into adults and believe that our Dad has watched over us and helped us get through this horrible nightmare. Frank Spisak took our Dad before his time. He never got a chance to see any of us get married or hold any of his 10 beautiful grandchildren.

Our mother lost the love of her life and was left to raise 4 children on her own. Frank Spisak killed a wonderful husband and father.

We ask that you do not grant clemency. We all have seen and heard enough about Frank Spisak over these long 28 years.

Our Father Timothy Sheehan has 10 grandchildren and one on the way. They do not need to see or hear about this horrible man Frank Spisak any longer.

I ask that you please put an end to this chapter of our lives.

Thank you.



I would like to introduce myself to you, I am Catherine Sheehan Daly. I am the oldest of the Sheehan children. I would like to start by telling you a little about my dad. My Dad was Timothy Patrick Sheehan who came to United States in 1962 from County Cork Ireland to marry my mom, Kathleen. I was 17 years old and beginning to know my dad as a young adult when Frank Spisak shot and killed him.

I was blessed to know my dad for as long as I did as we had spent a lot of time together. He had taught me how to drive a car, was present at my high school graduation and we were planning my education at Cleveland State. I was given these opportunities that none of my sisters or brother had.

My dad was a wonderful man and father. He had qualities and a personality that people only dream of. As a Dad he was a teacher and role model. He presents expressed to others a warm, caring, loving person who had a strong faith in God.

My dad and mother together made me the person I am today. I know I became the person he would want me to be and would be proud of.

I spend two weeks in Ireland and England with my dad just before he was murdered in early August 1982. My dad and I had the opportunity to visit family and friends. My dad saw his mother, brothers and sisters for the last time. My dad was able to share life events and history with me that is so precious to me.

Twenty Eight years is along time. I went from a 17 yrs old girl who watched the trial unfold for six week now to a 46 year old educated, strong, mother and wife.

It's time for Frank Spisak sentence to be carried out and for him to be executed as the juror decided he should be 28 year ago. I was there in that court room, listened to the testimony and hear his sentence. Frank Spisak story needs to come to the end. I am asking each and every one of you, to not grant him clemency. We are done with the years of court hearing and appeals and want him to be executed on February 17.

Thank you,

Catherine Sheehan Daly 1/13/2011

I like to introduce myself to you; I am Kathleen Sheehan the wife of Timothy Patrick Sheehan. I was married to Tim in 1962 in Cleveland, Ohio. We were married for almost 20 years. He was born and raised in County Cork, Ireland. We had a very strong and loving marriage. Tim was the most important person in my life and on August 27, 1982, Frank Spisak killed him and took him away from me and my children. Tim and I had four children and believed that we would raise them together. We had dreams and hopes for our family. I was 45 years old ~~that day that I learned that~~ <sup>when my</sup> ~~my~~ husband was <sup>killed</sup> ~~dead~~. My children and I lived in fear for along time until Frank Spisak was caught. We had no idea of who he was or <sup>that he</sup> ~~who~~ had stolen our house keys. My whole world turned upside down that day and I was not sure how to survive without Tim. I was now alone and had 4 young kids who depended on me.

We are twenty eight year later and Frank Spisak is still alive and continues to affecting my life.

I am here today to ask you, please do not grant Frank Spisak clemency and execute him on February 17, 2011.

Kathleen Sheehan

Good morning ladies and gentlemen,

My name is Deirdre Sheehan Konopka and I am the 2<sup>nd</sup> youngest child of Timothy and Kathleen Sheehan. I remember the evening of August 27, 1982 as if it was yesterday. I will not go into the details of my fathers death as both the AG's office and Prosecutors office have reviewed with you all the details of the murder, however, I would like you for a minute to walk in the shoes of an 11 year old child. I was getting ready to begin my 6<sup>th</sup> grade school year when my father was suddenly murdered. My entire family was very much in shock and dis-belief that my dad was dead. The question that constantly ran thru our minds was "How could this be that he was murdered he had no enemies." Our lives were forever changing and would never be the same.

Unfortunately I was not able to begin school on time with the rest of my class mates because we had the services to bury my father. The church was packed and was standing room only. My father was a much liked man who had great values and never met a stranger. My family and I went thru the motions and have since become a stronger family because of it however as an 11yr old child in my mind there were a lot of unanswered questions. We did not know who did this horrible crime to my father and if they had the keys and information about us. We were all scared. Was this person coming to hurt us... it was a waiting game until Frank Spisak was arrested. As the years passed by my mother was both a father and mother to me and the rest of my siblings. I had no father to teach me how to drive a car, see me start my first job, take me to buy my first car, see me go to Prom, graduate from high school not alone as a young adult to walk me down the wedding isle to marry my husband. My husband and children will never meet my father. All they have is pictures and stories that I share with them of my father. My father will never meet any of his 10 grandchildren and missed seeing his own children grown into adults. I'm not sure if any of you have tragically loss a love one but having your parent taken from you as a child is tragic. I'm proud to say having gone thru this tragic event which changed our lives forever my mom has done a great job raising my three siblings and myself to all be productive accomplished educated people of society.

Frank Spisak should have been executed along time ago. He has made a mockery out of the appeal process and cost this state millions of dollars unnecessarily. He was well aware that he murdered Tim Sheehan on

August 27, 1982. What ever excuse or rational he gives the board is really meaningless. He's a compulsive liar who should be put to death. My father never had a chance to protect himself from Frank Spisak. After 28 years this story needs to end. My family has dealt with the media and has heard all the reasons why Frank Spisak has chosen to appeal and his voice has been heard. This is my family's opportunity to be heard. We want it to be over. It will be closure for my family to never say the words Frank Spisak again. He needs to die.

Do not grant Frank Spisak clemency he does not deserve to live.