



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



2022-3223

Officer-Involved Critical Incident- 807 Alan Page Dr. SE, Canton, Ohio
 44707

Investigative Activity: Interview
 Involves: Officer Garrett Marino
 Activity Date: December 12, 2023
 Activity Location: Law Office: Attorney Ty Graham
 Authoring Agent: Special Agent Al Bansky #0115

Narrative:

On December 12, 2023, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Al Bansky (Bansky) interviewed Canton Police Department (CPD) Officer (Ofc.) Garrett Marino (Marino), who was accompanied by his attorney, Ty Graham, of the Canton Police Patrolman's Association. The interview took place at 4450 Belden Village Street, Suite 703, Canton, Ohio 44718. The interview was audio recorded.

Ofc. Marino read, understood, and signed the BCI Criminal Investigation Notification form.

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

Preliminary and Demographic Information:

Name: Garrett Marino	Rank: Officer
Badge Number: 274	Cruiser/Vehicle Number: 73
Radio Call Sign: 73 & 274	Immediate Supervisor: Sgt. Michael Rastetter
Radio Channel Utilized: Channel One	Mobile Data Terminal: Yes
Cruiser Description: Marked Ford Explorer	Occupants of Cruiser and Seating Positions: None
Assignment: Side Job/Security	Normal Shift: 10:00 PM – 1:00 AM
In-Car Camera: Yes. Not Used	Spotlight: Yes
Emergency Lights: Choose an item.	Siren: Present; Not Used
Shift Day of Incident: N/A	Duty Status: Off-Duty

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Days Off: Tuesday & Wednesday	Prior Overtime or Extra Details within Preceding 48 Hours: That Day: Walmart from 6:00 PM To 10:00 PM
Hours of Sleep Prior to Incident: Unknown	Consider Self Well Rested?: Yes
Total Length as Officer: May 2015 to Present	Length at Current Agency: 8 Years
Physical Disabilities (to include hearing aid): None	Corrective Lenses: Contact Lenses
Uniform Worn: Navy blue pants and shirt with police patches and badge	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: Weapon, Two Mags
Ballistic Vest: Yes	Body Worn Camera: Yes
Other Recording Devices: None	Partner: None
Injuries: Ringing In Ears	Equipment Damage: Police Cruiser
Training or Areas of Specialty: SWAT, Pistol Alert Training	OPOTC Certification: Stark College
Military Experience/Training: Yes, Army Combat	Use-of-Force Training: Yes, Once a Year
Prior Shooting Incidents: No	Prior Discipline or Use-of-Force Complaints: None
Medications, Prescriptions, or Drugs that might Impair Your Duties at Time of Incident: None	Medications, Prescriptions, or Drugs that might Impair You Now for Interview: None
Alcohol in Past 24 Hours? No	Last Consumed Alcohol Prior to Incident: Unknown. Doesn't consume much alcohol

Officer's Firearm(s):

Weapon #1

Make: Glock	Model: 17
Caliber/Gauge: 9 mm	Serial: [REDACTED]
Type: Semi-Auto Handgun	Method of Carry: Duty Belt
Magazine Capacity: 19	Total Rounds as Carried (including chamber): 44
Extra Magazines: 2 Extra Magazines	Number of Rounds in Extra Magazines: 17

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Discharged During Incident? Yes	Primary or Backup Weapon: None
Rounds Remaining After Incident: 15	Number of Rounds Fired: 4
Right/Left-Handed Carry: Right-Handed	Ownership: Department Owned
Last Qualification Date: 2023 Not Sure What Month	Type of Holster, if any: Level 3/ Safari Land

Narrative:

Marino was identified as the police officer who discharged his duty weapon during an incident which occurred on December 5, 2023, in the area of 807 Alan Page Drive SE, Canton, Ohio.

Marino reported the following information to SA Bansky.

He stated on December 5, 2023, he was working a part-time security job at the Skyline Terrance Apartments. At around 2200 hours, Marino advised his dispatch that he was working at the apartment and will be in cruiser #73.

Upon turning into the apartment complex on Alan Page Drive, Marino noticed a group of people near a vehicle parked in a parking lot. Marino said that he thought this was unusual due to it being approximately 10PM, cold outside (low 30's), and drizzling. Marino looked over and proceeded down the road. Marino then turned around at the end of Alan Page Drive and drove back the way he had come. Marino was then waved down by a white male subject with a beard. As Marino turned into the parking lot, he observed another male subject who was wearing a blue jacket abruptly turn and begin walking along the south side of one of the apartment buildings. At this time, Marino noticed the male subject had his right hand in his jacket pocket and his left arm was swinging freely as he was walking.

Marino said that the male that originally flagged him down told him "That dude just cocked a gun at my wife." According to Marino, "I wanted to make sure that he was talking about the guy who was walking away." Marino confirmed with the male that the guy walking away was the subject in question. Marino then called out on the radio that "I had a person with a weapon."

Marino then drove to the northwest corner of the building, which he believed was 901, onto the sidewalk and grass. As Marino was driving around the building he observed the subject wearing the blue jacket in a "sprint" running towards building 807. As Marino was in pursuit, he rounded the southeast corner of the building and observed the subject opening the door of the apartment and he advised dispatch that the male subject had just ran into building 807.



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According to Marino, he observed the subject running down some steps, looking back at him as he was exiting his cruiser. Marino got back into his cruiser, drove around the building through the grass to where he believed the subject would be exiting the building.

As Marino was driving, he observed the subject running into a parking lot between buildings 807 and 901, "He still had his hand in his jacket pocket and his left arm was still swinging freely." At this time, both Marino and the subject entered a wet grassy area. Marino watched the subject slip and fall to the ground. While the subject fell Marino noticed that the subject put his left hand out but kept his right hand in his jacket pocket. During this chase, Marino's cruiser hit something. He later learned that it was a boulder in the grass. When this happened, the subject the got up and started running back to the way he came.

Marino exited his vehicle, drew his weapon, and turned on his weapon light. He observed the subject running southwest through the parking lot toward the corner of the building. Marino started yelling out commands to get on the ground "I think I warned him that uh he may be shot." As Marino continued pursuing the subject on foot, he rounded the corner of the building and observed the subject slowing down and walking away from him.

According to Marino, "I gave uh more commands, um something to the effect of, show me your hands or get on the ground." Marino continued to give verbal commands while he oriented his gun on the subject. Marino said that the subject turned around facing him still with his hand in his jacket pocket. Marino said that this caught him off guard. Marino continued to give verbal commands. The subject then turned away from Marino. At this time Marino stated "As he was turning away from me, I uh remember seeing the baseplate of a magazine uh inside his right jacket pocket as he was turning away. And I knew for a fact that he had the gun in his jacket pocket."

Marino continued to follow the subject as he was walking in a southwest direction through the parking lot and a grassy area. Marino continued giving commands. The subject then abruptly turned over his left shoulder. "I believed at that time that he was turning to shoot at me to uh be successful in getting away essentially." As the subject was turning, Marino fired at the subject. Marino stated that "I fired at him until he no longer appeared to be uh turning back to shoot at me. And then I then called out on the radio uh that shots had been fired. Uh I changed my position on him so that I wouldn't have been in the last spot where he had saw me at in case he was still able to uh shoot me with that gun, and then began calling out uh to him to pull his hands out of his jacket, and not bring out the gun with it basically, not to bring out the gun with his hand. Um, I called for medics and then the first officer on scene was Loparo."



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While Loparo was coming to help out, the subject was able to pull his hand out from his jacket. Marino said "and when he did that, I saw there was the gun um like kinda came out with it, but not, he didn't have it in his hand uh when he was pulling his hand out." Loparo then went and retrieved the gun from the jacket pocket. Approximately four or five additional officers arrived and began rendering aid to the subject and securing the area.

Marino stated that he has worked security at the Skyline Terrace apartments approximately 2 days per week for several years.

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.



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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).

CANTON POLICE OFFICER

[Signature]
Printed Name of Interviewee

12-12-23 1425hrs
Date / Time

Signature of Interviewee

Special Agent A. Borsky
BCI Agent (Printed)

BCI Agent (Signature)