



2022-0001

Officer Involved Critical Incident - 2307 10th Street SW, Canton, Ohio

Investigative Activity:	Other Officer Interview
Involves:	Lieutenant Lester Marino (O)
Activity Date:	2/8/2022
Activity Location:	Canton Police Department –
	221 3 rd Street SW, Canton, Ohio 44701
Authoring Agent:	SA Charles Moran #67

Narrative:

On February 8, 2022, at 1015 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Chuck Moran (Moran) interviewed Canton Police Department (CPD) Lieutenant (Lt.) Lester Marino (Marino). CPD Lt. Mark Kandel was present and represented the Ohio Labor Council (OLC).

The interview with Lt. Marino was conducted in reference to the incident and officer-involved shooting that occurred on January 1, 2022, in Canton, Ohio. The incident involved CPD Officer Robert Huber (Huber). The goal of the interview was to learn about training that CPD officers received.

Lt. Marino has worked for the CPD for 26 years. During that time, he has served as a patrol officer, K-9 handler, patrol sergeant, SWAT team member, SWAT team leader, dispatch sergeant, lieutenant, shift commander, communications center director, SWAT team commander and training bureau commander.

Lt. Marino became the SWAT team commander in 2018. The Canton Regional (CR) SWAT team is comprised of officers from 10 different agencies in Stark County and Carroll County. Perspective members have to be approved to attend tryouts. They must complete the tryout consisting of a physical fitness test and a firearms qualification test. They also participate in an interview process. If a CPD officer advances past the initial tests and interview, Lt. Marino checks their work attendance. Lt. Marino explained that new SWAT members attend a 40-hour SWAT class conducted by the CR SWAT team.

Lt. Marino said the CR SWAT team trains two days (16 hours) each month. The CR SWAT team is split in two for training due to its size. Lt. Marino said firearms training is conducted monthly for SWAT team members. A physical fitness standard is also conducted monthly. Lt. Marino said the SWAT team trains for a variety of scenarios, including: room entries, CQB



2022-0001 Officer Involved Critical Incident - 2307 10th Street SW, Canton, Ohio



(close quarter battle) tactics, breaching tactics and techniques, hostage rescue, barricaded subject response, less-lethal weapons, chemical munitions and distraction devices.

SA Moran asked Lt. Marino about the use of force policy for the CR SWAT team. Lt. Marino said the participating agencies utilize Lexipol for the policies and procedures, so the policies "mirror" each other.

SA Moran asked about active shooter training. Lt. Marino said active shooter training is mainly provided to patrol officers, since they are usually the first to respond to that type of scenario. The CR SWAT team has approximately a 20-30 minute response time. Lt. Marino said CR SWAT team members train CQB tactics and encountering a person who is armed in a variety of ways, including: walk-throughs, engaging paper targets and engaging live targets with simunitions. Lt. Marino explained that targets are set up with "shoot/don't shoot" scenarios. He said emphasis is placed on accuracy and threat neutralization.

SA Moran asked Lt. Marino about CPD Officer Huber. Lt. Marino confirmed that Officer Huber is a "well respected" member of the CR SWAT team and attends training regularly. Officer Huber is an assistant squad leader. There are "operator" levels within the CR SWAT team: operator, senior operator and master operator. Officer Huber is designated as a master operator.

Lt. Marino provided SA Moran with a copy of Officer Huber's CPD "Range Proficiency Record: Semi-Auto Pistol/Patrol Rifle/Shotgun/SMG," dated January 29, 2021. Officer Huber qualified on each of the weapons platforms.

SA Moran asked Lt. Marino about the raised, red-dot sight that was on Officer Huber's pistol. Lt. Marino said all of the CR SWAT team members have the micro red-dot sight on their pistols. Lt. Marino said the sights are installed per the manufacturer's specifications. Once installed, the sights are "zeroed" with the pistol and duty ammunition to ensure that the rounds fired are impacting where the sight was aimed. Lt. Marino said additional training is conducted on drawing the pistol with the red-dot sight from the holster and acquiring a sight picture with the red-dot sight. After the training is completed, the officer must qualify with the pistol(s) equipped with the red-dot sight.

SA Moran asked Lt. Marino if he has used a pistol with the red-dot sight, and he confirmed that he has used a pistol with a red-dot sight. SA Moran asked Lt. Marino to explain the benefits of using a red-dot sight on a pistol. Lt. Marino said the red-dot sight allows an officer to try to stay focused on the threat. He said an officer does not have to change their "focal plane" as they have



2022-0001 Officer Involved Critical Incident - 2307 10th Street SW, Canton, Ohio



to with iron sights. This allows for more accurate shot placement without adjusting the focal plane. Lt. Marino believed that it also provides "better" and "faster" decision making when making the decision to pull the trigger. Lt. Marino explained, when the focused is changed from the target to the iron sights, the target generally is out of focus while the iron sights become in focus. With the red-dot sight, the target generally is more in focus because the red-dot sight is imposed over the target in an effort to remain focused on the target. SA Moran asked Lt. Marino if the threat would be in focus the entire time. Lt. Marino said each scenario and environment is different, and the level of stress is different for each officer in each scenario. Lt. Marino said one of the goals of the red-dot sights are try to assist the officer's focal plane to stay on the threat or target as much as possible.

Lt. Marino provided SA Moran with a list titled, "Canton Police In-Service 2019," documenting training received by officers in first aid, active shooter, firearms, patrol rifle, defensive tactics/taser and defensive tactics workshop. Officer Huber was listed on the document. Lt. Marino said Officer Huber attended firearms and patrol rifle training with the CR SWAT team.

SA Moran asked Lt. Marino about the active shooter training that Officer Huber attended on May 23, 2019. Lt. Marino confirmed that the training was provided to the patrol officers by multiple instructors including, Sergeant Don Miller, Sergeant Craig Riley and Officer Chris Heslop. The training was instructed by two or three instructors during each session and was based on the ALERRT (Advanced Law Enforcement Rapid Response Training) training manual.

Lt. Marino provided SA Moran with a copy of the "Performance Objectives" listed in the ALERRT manual. The training consisted of eight hours of training and it could be conducted in 16 hours. Lt. Marino said instructors explained the difference between an active shooter and a barricaded subject. An active shooter has a "driving force" present; usually consisting of gunfire, screaming, reports of violence, etc...and it could be in a school, mall or other location.

The ALERRT principles were instructed and each officer's skill set is different and may not be as high as a CR SWAT team member. There were two main principles instructed. They were; "stop the killing" and "stop the dying." The officers were instructed to respond to the "driving force" and not to wait for SWAT during an active shooter scenario. The officers were trained to "neutralize" the threat to "stop the killing." The officers were instructed that this could consist of one officer, two officers, three officers or more officers; depending on the scenario, response and response times. Once the killing has been stopped and/or the threat has been neutralized, the officers were instructed to "stop the dying" by rendering aid to those in need.



2022-0001 Officer Involved Critical Incident - 2307 10th Street SW, Canton, Ohio



The training was instructed with diagrams to show the tactics, and then the officers were put through scenarios at an old school. The tactics and movements were instructed to the officers in small groups and teams. Room clearing procedures were also instructed. After the tactics were instructed, live scenarios were conducted with role players and simunitions.

SA Moran asked Lt. Marino if the training and two principles ("stop the killing" and "stop the dying") could be applied to other locations and public places. Lt. Marino said the training could be applied to almost any location, including a private residence; especially if the subject's intent is to hurt or kill as many people as possible. The officers are trained to neutralize the threat.

SA Moran asked Lt. Marino if there were any other "critical points" of the active shooter training. Lt. Marino explained the officers are trained to "move to the driving force," which is usually gunfire. The officers were instructed to "stop the gunfire," "stop the killing" and "stop the dying."

SA Moran asked Lt. Marino if there was anything else relevant about the training that officers receive. Lt. Marino said the departmental and SWAT training regarding CQB, tactics and emphasis on marksmanship is meant for officers to use their training in scenarios. Lt. Marino stated, "When bad things happen, training kicks in." Lt. Marino explained that the CR SWAT team receives 40 hours of training annually, in addition to the 16 hours of training received each month. There are many CQB repetitions in a variety of scenarios.

SA Moran asked Lt. Marino about the call-outs and responses to live situations by the CR SWAT team. Lt. Marino said the CR SWAT team performed many search warrants in the past and recently have responded to numerous barricaded subjects and hostage situations. He estimated that the CR SWAT team was activated about 20 times for barricaded subjects and about five times for search warrants.

Lt. Marino explained that barricaded subjects and pre-planned search warrants usually allow time to be "on our side"; whereas, in active shooter scenarios, "time is not on our side." Lt. Marino said officers have to "act and act now" and are making "split-second decisions in those actions." SA Moran asked Lt. Marino about information available for barricaded subjects and pre-planned search warrants compared to active shooter scenarios. Lt. Marino confirmed that there is generally much more information and intelligence gathered and available during barricaded subject situations and pre-planned search warrants. There is generally limited information available to make split-second decisions during active shooter scenarios.





2022-0001 Officer Involved Critical Incident - 2307 10th Street SW, Canton, Ohio

The interview ended at about 1058 hours. The interview with Lt. Marino was audio recorded.

Attachments:

The audio recording of Lt. Marino's interview was attached to this report. The range qualification record for Officer Huber was attached to this report. The CPD in-service training record for 2019 was attached to this report. The ALERRT performance objectives manual outline was attached to this report.

CANTON POLICE DEPARTMENT

RANGE PROFICIENCY RECORD: SEMI-AUTO PISTOL/PATROL RIFLE/SHOTGUN/SMG

LAST NAME:

(PRINT)

Huber

I, (<u>Print Name</u>) Roter+ Hubble 196 do affirm that at this time I am not taking any medication or other substance that would impair my safety or that of others while firing a firearm at the Canton Police Department indoor or outdoor firing range. This would, for example, include alcoholic beverages and / or medications labeled "may cause drowsiness" or "do not operate a motor vehicle or heavy equipment." I further affirm that I shall handle all firearms in a safe manner, and shall comply with all directions and instructions of the range instructors.

Signed:	Polint Hulun	Badge: _/96	
Date:	1-29-21		

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LT. MARINO, REQ08104, Exp. 01/28/2022: SGT. MILLER, REQ07540, Exp. 06/27/2020: PTL. HESLOP, REQ08167, Exp. 05/13/2022:

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Performance Objectives

- 2.1. Demonstrate the difference in response between an active shooter and hostage/barricade situation
- 2.3. Demonstrate the six ALERRT Concepts and Principles used for working in ad hoc teams
- 4.1. Demonstrate the four universal firearms safety rules
- 4.2. Demonstrate the high-friction grip on a handgun
- 4.3. Demonstrate the modified low-ready/combat ready position
- 4.4. Demonstrate the "sul"/"safety circle" position
- 4.5. Demonstrate proper body positioning when moving and shooting
- 4.6. Demonstrate the contact/cover principal
- 4.7. Demonstrate priority of fire concept
- 4.8. Demonstrate follow-through, scanning, and breathing
- 5.3. Demonstrate the threshold evaluation/slicing the pie technique moving at a slow, deliberate speed
- 5.4. Demonstrate communication methods with their partner while conducting the threshold evaluation/slicing the pie technique
- 5.5. Demonstrate the threshold evaluation/slicing the pie technique moving in a direct to threat speed
- 6.3. Demonstrate team movement techniques working in three to five officer teams
- 6.4. Recognize and demonstrate the appropriate speed of movement based on the "actionable intelligence"
- 6.5. Demonstrate different team movement techniques based on the crisis environment
- 7.2 Demonstrate methods for setting up for a room entry as a solo responder and in a team of up to five responders
- 7.3. Demonstrate non-verbal communication skills prior to room entry
- 7.4. Demonstrate room entry techniques while working with an ad hoc team
- 7.5. Demonstrate team maintenance and the planning process prior to leaving a secure room
- 7.6. Demonstrate the need for additional responders (support) within a room
- 7.7. Demonstrate the room entry principles of speed, surprise, and violence of action
- 7.8. Demonstrate points of domination and fields of fire within a room
- 7.9. Demonstrate communication within a room
- 7.10. Demonstrate the tactical room entry philosophies of going to the "known" first and going to the "unknown" first
- 8.4. Demonstrate the extraction of injured persons from an immediate threat area
- 10.3. Identify and demonstrate the areas within the crisis point where innocent civilians and first responders may be vulnerable to counter assault
- 10.4. Demonstrate and communicate a clear and concise "immediate action plan" that is understood by all first responders working inside the crisis site

- 10.5. Demonstrate actions to be taken when closing down a room and securing suspects
- 10.6. Demonstrate link up procedures between initial responders and follow on responders
- 10.7. Identify basic life saving techniques that can be used to treat wounded civilians, first responders, and suspects