



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: Interview of Involved Officer
Involves: [REDACTED] (S)
Activity Date: 11/27/2024
Activity Location: BCI, 4055 Highlander Parkway, Richfield, OH 44286
Authoring Agent: SA Nicholas Valente

Narrative:

On Wednesday, November 27, 2024, at 1056 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Nick Valente (SA Valente) and SA Matt Armstrong (SA Armstrong) interviewed Canton Police [REDACTED]. [REDACTED] was accompanied by his attorney, Ty Graham. The interview took place at BCI, 4055 Highlander Parkway, Richfield, Ohio. The interview was audio and video recorded.

[REDACTED] read, indicated he understood, and signed the BCI Criminal Investigation Notification form prior to beginning the interview.

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. 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: [REDACTED]	Rank: [REDACTED]
Badge Number: [REDACTED]	Cruiser/Vehicle Number: Responded in a "WYATT" armored SWAT vehicle.
Radio Call Sign: [REDACTED]	Mobile Data Terminal: Not Present
Radio Channel Utilized: Spec Ops (SWAT)	Occupants of Cruiser and Seating Positions: Was in rear personnel carrier section of SWAT armored vehicle.
Cruiser Description: Responded in an armored SWAT personnel carrier "WYATT."	Normal Shift: [REDACTED]
Assignment: [REDACTED]	Spotlight: Unknown if used by driver.
In-Car Camera: Did not believe the SWAT	Siren: Did not know/recall. Was in back of

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vehicle was equipped with a camera.	personnel carrier vehicle.
Emergency Lights: Did not know/recall. Was in back of personnel carrier vehicle.	Duty Status: On-Duty
Shift Day of Incident: [REDACTED]	Prior Overtime or Extra Details within Preceding 48 Hours: None that he could recall.
Days Off: [REDACTED]	Consider Self Well Rested?: Yes
Hours of Sleep Prior to Incident: Approximately 8 hours.	Length at Current Agency: [REDACTED]
Total Length as Officer: [REDACTED]	Corrective Lenses: Contact Lenses
Physical Disabilities (to include hearing aid): No	Equipment and Less-Lethal Options Carried on Person/Belt/Vest, and in SWAT Vehicle: Less lethal shotguns, pepper ball guns, distraction devices, chemical munitions.
Uniform Worn: Standard SWAT Uniform. Green multi-cam color, police markings on front, back, and shoulders. Police helmet, hearing and eye protection.	Body Worn Camera: Present & Used. Worn on the center of his chest.
Ballistic Vest: External Armor	Partner: N/A Multiple SWAT operators arrived together.
Other Recording Devices: None	Equipment Damage: No
Injuries: No	OPOTC Certification: Stark State College
Training or Areas of Specialty: [REDACTED] Collectively trains for 3 full days per month in this capacity when scheduling allows. CIT trained and serves as a [REDACTED].	Use-of-Force Training: Extensive Use of Force training through SWAT team. Departmental training twice a year and miscellaneous online situational training.
Military Experience/Training: [REDACTED]	Prior Discipline or Use-of-Force Complaints: Not that he is aware of.
Prior Shooting Incidents: [REDACTED]	Medications, Prescriptions, or Drugs that might Impair You Now for Interview: [REDACTED]

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**Medications, Prescriptions, or Drugs
that might Impair Your Duties at Time
of Incident:** [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Officer's Firearm(s):

Weapon #1

Make: Daniel Defense	Model: DDM4
Caliber/Gauge: 5.56 mm	Serial: Did not know.
Type: Rifle	Method of Carry: Sling attached, handheld.
Magazine Capacity: 30 – loaded with 28 cartridges.	Total Rounds as Carried (including chamber): 28 in magazine in rifle, 28 in spare magazine on belt, and 28 in magazine picked up from inside the SWAT vehicle (84 total cartridges).
Extra Magazines: Believed he had one on his belt and picked up an additional magazine from the WYATT armored vehicle.	Number of Rounds in Extra Magazines: 28 per extra magazine. Two extra magazine (56 additional cartridges).
Discharged During Incident? Yes	Primary or Backup Weapon: Primary
Rounds Remaining After Incident: Unknown	Number of Rounds Fired: Estimated to be 8 cartridges. All fired from the same magazine.
Right/Left-Handed Carry: Right-Handed	Ownership: Department Owned
Last Qualification Date: October 2024	Type of Holster, if any: No holster but a sling was attached to the rifle.

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Narrative:

██████████ reported he watched his body-worn camera (BWC) recording prior to his interview with BCI agents one time in its entirety and approximately five to six additional times in limited viewing of the time when he fired his rifle. ██████████ stated his recollection of the incident was similar to what he observed on his BWC recording. ██████████ reported his BWC recording appeared to be faulty in that it seemed to have missed periods of time and also had been saved as duplicate creations during part of the incident.

On the day of the officer-involved shooting, ██████████ attended SWAT training as ██████████. During the training, ██████████ advised the SWAT team of a "Real World" call for service. ██████████ addressed the SWAT team and told the team the U.S. Marshals were attempting to arrest an individual who was wanted for federal firearm violation. The subject was a suspect in a homicide investigation. When the U.S. Marshals located and attempted to arrest the subject, he brandished a firearm.

██████████, other SWAT team members and five new SWAT team cadets were then transported to the scene in the back of the "WYATT" SWAT armored personnel carrier. While en route to the scene, ██████████ was assigned to act in the role of "Shield Cover." The group of SWAT officers arrived in the WYATT, drove past the subject's motel room, turned around, and pulled up to the subject's motel room with the WYATT facing the front door and front window of the motel room at a slight angle. As the WYATT arrived on scene, ██████████ could hear other law enforcement calling out for the subject to surrender.

Once parked in front of the subject's motel room, ██████████ used the scope on his rifle to determine if the locking mechanism on the subject's motel room door was engaged. Other officers next utilized glass breaking balls to try and shoot the glass out of the subject's front motel room window so that officers could more clearly see into the room. The glass breaking balls were not effective at breaking the glass in a meaningful way. Members of the SWAT team then used a bean bag shotgun to fire bean bags at the front door to the motel room to open the door. This was successful in partially opening the door to the room.

A drone operator then sent a drone into the motel room. ██████████ then heard the sound of gunfire and believed the subject was shooting. ██████████ believed the subject was shooting at the drone and through the north wall of the motel room as he observed holes being formed, emanating from the north wall of the motel room wall. ██████████ noted the bullet holes along the wall got closer to him, and he then

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heard the crack of a bullet as it traveled past him. [REDACTED] took cover behind the WYATT.

Throughout the next approximately ten minutes, other law enforcement deployed chemical munitions into the subject's motel room. [REDACTED] himself deployed an unknown amount of pepper balls into the subject's motel room from the WYATT.

The next event [REDACTED] recalled was [REDACTED] being shot. [REDACTED] recalled hearing a loud shot followed by a distinct scream. [REDACTED] observed blood coming from the arm of [REDACTED] and being relieved that [REDACTED] did not appear to have been shot in the face or head. [REDACTED] then advised other SWAT team members to fire more pepper balls into the subject's motel room.

[REDACTED] and the other SWAT team members realized they could not safely evacuate the injured officer away from the scene, without further putting the injured officer in the line of danger and potential gunfire from the subject. [REDACTED] advised the SWAT team that on his command some of the officers would attempt to escort the injured officer through the open danger zone and to an ambulance waiting nearby. [REDACTED] further advised the officers that upon his command they would use "suppressive fire" to fire into the subject's motel room at the moment the injured officer was being removed from the scene. Officers then fired into the motel room as the injured officer was removed from the scene.

[REDACTED] stated (28:18 mark of the recording), "I oriented on the, excuse me, sorry, I'm getting kinda wrapped up in this. Um, I oriented on the front end of the WYATT. [REDACTED] was kinda high over the, the hood. I went a little low around him and as soon as he initiated the fire to, to get [REDACTED] (the shot and injured officer) ya know moved I began discharging my rifle, um, into the north side wall there of the motel. Um, in the direction in which, I assumed um, Van Ness (the subject) was positioned in to allow us to get [REDACTED] to safety into that ambulance."

[REDACTED] stated that he reviewed his BWC approximately five times to get an accurate count on the number of shots he fired. [REDACTED] could not conclusively determine the number of times he fired because his rifle was suppressed, and [REDACTED] was firing a rifle without a suppressor next to him at the same time.

Officers were effectively able to extricate the injured officer during the time [REDACTED] fired into the motel room. [REDACTED] did not fire his rifle or any other weapons after that point.

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After [REDACTED], the injured officer, was removed from the scene, there were (29:33 mark of recording) "sporadic incidents of exchanging gunfire." [REDACTED] himself was not involved in the following gunfire exchanges and described himself as taking on a role of support and coordination. [REDACTED] described supplying other officers with additional magazines from within the WYATT and calling for additional SWAT vehicles to respond. [REDACTED] provided tactical considerations for [REDACTED] and Captain Marino from that point until the conclusion of the event.

At some point in time, [REDACTED] took a group of SWAT team members to the neighboring Cracker Barrel parking lot to respond from this location in the event the north (exterior side) wall of the subject's motel room was to become compromised or open up.

[REDACTED] stated after the Ohio State Highway Patrol (OSHP) SWAT vehicles arrived, they were able to push the subject's truck, which was parked in the parking space in front of his motel room, away from the motel room. The OSHP SWAT vehicle then maintained a position in front of the front door and window to the subject's motel room. [REDACTED] believed the subject and law enforcement in the OSHP SWAT vehicle also engaged in an exchange of gunfire and less lethal munitions, but did not have details of that exchange, due to his position.

When asked, [REDACTED] stated at the time he fired he had a relative idea of where the subject was but could not actually see him. [REDACTED] also stated he was aware the surrounding motel rooms were unoccupied prior to him firing his weapon.

When asked if he was in fear for his own safety during the incident, [REDACTED] stated (32:48 mark of recording) "Yes, absolutely."

When asked if he perceived any other options available to him other than the use of deadly force at the time he fired, [REDACTED] stated (37:30), "No, I believe all of our other options had been utilized."

[REDACTED] was not aware of any previous interactions he may have had with the subject.

[REDACTED] did not observe any actions by any other law enforcement officers he felt could be criminal in nature.

[REDACTED] stated he did see Stark County Sheriff's [REDACTED] fire through the top hatch of the WYATT at some point during the event. [REDACTED] recalled providing [REDACTED] with a fresh magazine after he fired and later asking him if he wished to be relieved from his position in the hatch, which [REDACTED]

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██████ declined. ██████ believed ██████ was in close proximity to having been shot himself based on his ducking and the apparent defensive movements he made at times while in the hatch and exposed to possible gunfire while shots were being exchanged between the subject and law enforcement.

██████ was not aware of the position of ██████, at the time ██████ was shot.

██████ explained that at the time he fired the pepper ball launcher, he was positioned on the passenger side of the WYATT and was firing over the hood towards the front door of the motel room.

██████ shared that there were many civilians throughout the extended area surrounding the officer-involved shooting scene and this also added to the complexity and potential danger of the suspect's actions throughout the incident.

When asked, ██████ stated he did not stop his BWC from recording at any point during the incident.

The interview concluded at approximately 1144 hours.

The signed BCI Criminal Investigation Notification form and audio recording of the interview were attached to this report. Please see the attachments for further details. The video recording of the interview was saved as part of Reference Item I and was saved on evidence.com.

References:

I - Video Recorded Officer Interviews

Attachments:

1. 2024-11-27 Signed Criminal Investigation Notification Form - ██████
2. 2024-11-27 Audio Recorded Interview - ██████



DAVE YOST
OHIO ATTORNEY GENERAL



Bureau of Criminal Investigation
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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).

[Redacted]
Printed Name of Interviewee

11/27/2024 10:53 AM
Date / Time

[Redacted]
Signature of Interviewee

SA Matthew Armstrong
BCI Agent (Printed)

SA [Signature]
BCI Agent (Signature)