



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



2022-0001

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

Investigative Activity: Evidence Collected – Officer Huber's Firearm
Activity Date: January 1, 2022
Activity Location: 2307 10th Street SW, Canton, Ohio
Authoring Agent: SA Matthew Armstrong #146

On January 1, 2022, at 0101 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Matthew Armstrong (Armstrong) was notified by BCI Special Agent Supervisor Dave Posten of an officer-involved shooting which occurred at 2307 10th Street SW, Canton, Ohio, 44706. The shooting occurred in the city of Canton and involved a subject who had been transported to Aultman Hospital and a City of Canton police officer. SA Armstrong responded to the Canton Police Department (CPD) and arrived at 0206 hours.

While at the CPD, SA Armstrong met with Lieutenant Mark Kandel and learned the involved officer was Robert Huber (Huber). Officer Huber was not believed to have any physical injuries but was transported by his sergeant to Aultman Hospital as a standard protocol.

At approximately 0315 hours, SA Armstrong met with CPD Sergeant (Sgt.) James Daniel (Daniel). Sgt. Daniel indicated Officer Huber had been relieved from duty and sent home. Prior to his departure, Sgt. Daniel collected and photographed Officer Huber's duty firearm, magazines and ammunition. Sgt. Daniel turned over the packaged items and a CPD evidence receipt, which indicated the following items were being turned over:

- Glock, Model 17, 9mm handgun, serial number: [REDACTED]
- 3 magazines
- 42 rounds of ammunition

SA Armstrong collected the items as evidence and provided CPD with a BCI evidence receipt. Upon clearing the scene, SA Armstrong transported the items of evidence to the BCI – Richfield office and secured them in Temporary Evidence Locker #30.

Sgt. Daniel indicated the firearm was loaded with one magazine, which contained ammunition. Two additional magazines also containing ammunition were collected from Officer Huber's person.

Sgt. Daniel explained Canton police officers are issued 52 rounds of ammunition. The magazine capacity for the issued Glock handgun is 17 rounds. Each magazine (three total) would typically be loaded to the full capacity with one additional round in the firearm chamber.

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On January 3, 2022, at approximately 1310 hours, SA Charles Moran opened and photographed the items. Upon doing so, the following items were noted:

- Glock, Model 17, 9mm handgun, serial number: [REDACTED]
- 3 magazines
- 44 rounds of Speer 9mm Luger +P ammunition.

The ammunition count indicated Officer Huber had 44 unfired cartridges remaining after the incident. If Officer Huber had his duty-issued firearm and each magazine loaded to capacity when this incident occurred, a total of eight cartridges were unaccounted for, thus indicating he fired up to eight times.

Due to the discrepancy between the ammunition count and the amount of ammunition listed on the receipt, SA Armstrong reviewed the CPD photographs taken when Officer Huber's firearm was collected. The ammunition depicted in the photographs was 44 cartridges. Based on that review, it was determined the ammunition count listed on the CPD evidence receipt as 42 rounds of ammunition was likely a typographical error, which was then duplicated on the BCI evidence receipt.

Attachments:

2022-01-01 Evidence Receipt - Canton Police Department

Photographs of firearm, magazines and ammunition - IMG_2745 through IMG_2754



CASE# 2022-0001

Inventory/Receipt Attachment

I received the below listed property from (person/location): Canton Police Sgt. James Daniel

Item	Description	Location Found	Found by Whom
1	One Gaucha Glock 17 Gen 5 SW: [redacted] with Tac Light and red dot sight	Canton PD	MDA
2	3 Magazines and 42 rounds of ammunition	Canton PD	MDA
MDA			

Signed SA Matthew Armstrong #146
Inventory Agent

Date 01-01-22

Items	Released By	Received By	Date/Time
1-2	Sgt. Daniel	SA Matthew Armstrong	01-01-22 0315
1-2	SA Matthew Armstrong	Temp Evidence	01-01-22 @ 0820

FORM #32
CANTON POLICE DEPARTMENT
PROPERTY RECEIPT

DATE: 1/1/22

REPORT#: 2200001

The below listed property was received from:

Name: Sgt. J. Daniel Address: CPD

Description of property:

1 9mm glock pistol w/ tac light and red dot sight

ser# [REDACTED]

3 magazines

42 rounds

Personal property held by the Canton Police Department, whether held for safe keeping or as a result of arrest, will be disposed of after 90 days.

Received by: SA Matthew Armstrong
(Printed Name)

SA M. Armstrong #146
(Signature)

Address: BCI





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RMW08
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LOCK

17 Gen 5

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PATENT

MADE IN USA

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