



**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: Involved Officer Interview
Involves: [REDACTED] (S)
Activity Date: 12/06/2024
Activity Location: FOP Ohio Labor Council
2721 Manchester Rd., Akron, OH 44319
Authoring Agent: SA Allison Fletcher

Narrative:

On Friday, December 06, 2024, at 1203 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Nick Valente (Valente) and SA Matthew Armstrong (Armstrong) interviewed Canton Police Department (CPD) [REDACTED], who was accompanied by his attorney, Paul Siegferth Jr., from the Fraternal Order of Police. The interview took place at the FOP Labor Council office located at 2721 Manchester Road, Akron, Ohio 44319. The interview was audio and video recorded.

[REDACTED] 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.

Any time references made correspond with the time elapsed of the video recorded interview.

Preliminary and Demographic Information:

Name: [REDACTED]	Rank: [REDACTED]
Badge Number: [REDACTED]	Cruiser/Vehicle Number: [REDACTED]
Radio Call Sign: [REDACTED]	Immediate Supervisor: Captain Les Marino

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Radio Channel Utilized: SPEC OPS	Mobile Data Terminal: Not Present
Cruiser Description: Unmarked black SUV	Occupants of Cruiser and Seating Positions: Only occupant
Assignment: [REDACTED]	Normal Shift: [REDACTED]
In-Car Camera: Not Present	Spotlight: Not Present
Emergency Lights: Present; Not Utilized	Siren: Present; Not Used
Shift Day of Incident: [REDACTED]	Duty Status: Special Duty Detail
Days Off: [REDACTED]	Prior Overtime or Extra Details within Preceding 48 Hours: None
Hours of Sleep Prior to Incident: 7 hours	Consider Self Well Rested?: Yes
Total Length as Officer: [REDACTED]	Length at Current Agency: [REDACTED]
Physical Disabilities (to include hearing aid): None	Corrective Lenses: No Corrective Lenses
Uniform Worn: Green trousers, green sweatshirt, green vest, green helmet, gas mask	Equipment and Less-Lethal Options Carried on Person/Belt/Vest: tourniquet, radio, 2 rifle mags, pistol mag, body camera, ear pro, tac light, duty belt – holster, handcuffs, 3 pistol mags and 1 rifle mag, dump pouch, handcuffs, medical pouch
Ballistic Vest: Tactical Armor	Body Worn Camera: Present & Used
Other Recording Devices: None	Partner: N/A
Injuries: None	Equipment Damage: SWAT truck was shot
Training or Areas of Specialty: SWAT, CIT, FTO, vice narcotics, detective bureau, US Marshal Task Force officer	OPOTC Certification: Akron University Police Academy [REDACTED]
Military Experience/Training: [REDACTED]	Use-of-Force Training: Annually, additional training as part of SWAT training 4 days a month
Prior Shooting Incidents: [REDACTED]	Prior Discipline or Use-of-Force Complaints: excessive force during an OIS incident while subduing a subject (attempted to strike the subject in handcuffs)
Medications, Prescriptions, or Drugs that might Impair Your Duties at Time	Medications, Prescriptions, or Drugs that might Impair You Now for

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of Incident: No

Interview: No

Officer's Firearm(s):

Weapon #1

Make: Rock River Arms	Model: LAR15
Caliber/Gauge: 5.56 mm	Serial: [REDACTED]
Type: Rifle	Method of Carry: Sling
Magazine Capacity: 30 round	Total Rounds as Carried (including chamber): 29
Extra Magazines: 3	Number of Rounds in Extra Magazines: 87
Discharged During Incident? Yes	Primary or Backup Weapon: Backup
Rounds Remaining After Incident: Unknown	Number of Rounds Fired: Possibly 12 (between 2 magazines)
Right/Left-Handed Carry: Right-Handed	Ownership: unknown/not asked
Last Qualification Date: October 2024	Type of Holster, if any: None

Narrative:

[REDACTED] reviewed Captain Les Marino's (Marino) and his body-worn camera video one time. What he observed on his body camera was primarily what he recalled happening during the incident, except that he was able to hear more on the body camera than what he heard on the day of the incident. He also felt that because his body camera was positioned lower on his out-carrier vest, the perspective of the body camera was not the same as his visual perspective during the incident. Captain Marino's body camera offered a different perspective of how the incident unfolded. Although the timeline of events was the same, Captain Marino was participating in various other activities throughout the shooting incident that [REDACTED] wasn't directly involved with.

On the morning of November 18, 2024, [REDACTED] was at the Canton Regional SWAT (Canton SWAT) training facility with six other officers. His assigned position at that time was [REDACTED]

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During SWAT training, [REDACTED] received a phone call from Captain Marino instructing [REDACTED] and the six other officers to respond to 6880 Sunset Strip Avenue NW in North Canton, Ohio (Rodeway Inn Motel). Captain Marino explained that the U.S. Marshals attempted to serve an arrest warrant at the Rodeway Inn motel for James Vanest (Vanest) and Vanest pointed a firearm at the officers. Vanest was now barricaded in his room and a perimeter was created surrounding the Rodeway Inn motel Room #220.

[REDACTED] was familiar with the area and stated he had responded to that location before. He was not familiar with Vanest.

[REDACTED] instructed the Canton SWAT officers to respond to the incident location in the Canton SWAT armored vehicle. One of the SWAT officers was a Stark County Sheriff's Office (SCSO) deputy. [REDACTED] requested that the SCSO deputy to respond in his marked SCSO police cruiser and "get a lay of the land" prior to the arrival of additional personnel.

[REDACTED] responded to the motel in an unmarked black CPD SUV. While he was driving, he received a text message from a U.S. Marshal at the incident location who sent a photograph and demographic information for Vanest. Information about the arrest warrant and Vanest's possible connection to a homicide investigation were also provided.

When [REDACTED] arrived at the Rodeway Inn, he parked his vehicle in the Cracker Barrel restaurant parking lot that sat adjacent to the motel. He then approached and briefly spoke with Captain Marino at the Canton SWAT armored vehicle that was parked in front of Room #220. [REDACTED] was notified the motel rooms in the immediate surrounding area had been evacuated.

While standing near the armored vehicle and Room #220, [REDACTED] observed that the door to Room #220 was still ajar but not fully open. He could see the security bar still affixed to the door which prevented the door from opening all the way.

Captain Marino began giving verbal commands to Vanest over the PA system of the armored vehicle. After the first round of gunfire that was fired from inside Room #220, by Vanest, multiple rounds of chemical munitions were deployed into the room by multiple Canton SWAT officers.

Attempts were also made to break out the large bay window at the front of the room using less lethal rounds. The purpose of breaking the window was to allow a drone to enter the room and observe the location of the subject. Unfortunately, the initial

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attempts to break the window failed. That prompted [REDACTED] to use a less-lethal shotgun to shoot beanbag rounds at the lock on the door. [REDACTED] was positioned at the passenger door of the armored vehicle near the "A pillar" at the time of shooting the less-lethal shot gun. After firing approximately five rounds, he was able to successfully shoot the lock off the door, which would allow the door to freely swing open.

The drone was then deployed and pushed the door to Room #220 open and entered the room. The drone was able to observe the subject between the bed and wall in the room. Vanest then began shooting at the drone. [REDACTED] observed gunfire exiting Room #220. He explained the reason he knew it was gunfire exiting the room was because the rounds were striking areas behind him.

After Vanest shot at the drone, it fell to the ground and was no longer operable. However, the live video feed on the drone continued to play.

After this first shooting incident where only Vanest fired, [REDACTED] recalled hearing Captain Marino state over the PA system to Vanest, "nobody got hit, it's not that big of a deal" [30:26]. [REDACTED] vividly remembered this statement and believed it was an effort on Captain Marino's part to prompt Vanest to surrender.

Vanest's firing also prompted [REDACTED] to request a "full team activation" where additional Canton SWAT officers and an armored vehicle were requested. Officers on scene then held their positions until additional personnel and equipment arrived.

Once additional officers and equipment arrived, [REDACTED] remained in his position at the passenger side door of the armored vehicle. He then heard the next round of gunfire coming from inside of Room #220. [REDACTED] explained, "and then the next big thing I hear, I hear a round, and I just remember, the rounds were really loud, cause I initially thought, oh he's got, like a short barrel rifle or like an AR pistol... because they were loud" [32:05]. [REDACTED] then heard an officer behind him yell and state he was struck by gunfire. [REDACTED] did not turn around to see who the officer was, but he later learned it was [REDACTED]

[REDACTED] then announced on the radio to other officers on scene that he was going to provide lethal cover by shooting his rifle into Room #220 in the area where he believed the subject was. He stated this decision was made because Vanest was shooting a gun at officers, and he also needed to allow officers to aid the injured officer and transport him to the ambulance staged away from the incident scene. [REDACTED] recalled firing approximately 7-8 times into Room #220. He then conducted a tactical reload, replacing the magazine just used with a new magazine.

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██████████ believed he was successful at preventing Vanest from shooting at an officer while ██████████ was receiving aid.

██████████ explained that he had difficulty seeing into the room from where he was positioned. Not only was the room becoming cloudy because of the chemical munitions previously deployed, but he also was at an angle that did not allow him to see much of the interior of the room, which appeared dark to him.

██████████ believed that after ██████████ was shot, it escalated the situation. He also realized they were down a sniper ██████████.

Special Response Team members from the Ohio State Highway Patrol (OSHP) arrived on scene with their armored vehicle. ██████████ recalled some of the Canton SWAT officers getting into the OSHP armored vehicle.

██████████ formulated a plan to maneuver the three armored vehicles that were on scene to "basically make an armored wall" [37:58]. This was also in an effort to better protect officers on scene and any possible bystanders in the surrounding area.

There were sporadic exchanges of gunfire between Vanest and other officers on scene. ██████████ became aware of ██████████ who had arrived and took the position of sniper somewhere in the rear of the parking lot near a dumpster. ██████████ heard ██████████ announce over the radio "shots fired." Moments later, ██████████ heard ██████████ state over the radio that he was being shot at by Vanest. ██████████ made the determination to use lethal cover/suppressive fire to allow ██████████ to safely exit the area. ██████████ fired his rifle into Room #220 in the area where he believed the subject to be located. He stopped firing once he believed ██████████ had reached a safe location.

██████████ described in detail how he felt during the incident. He stated,

It's fear, it's scary as shit, it's confusing, it's scary, um, guys are getting shot and there is also a fear like professionally in that position of holy shit this guy, I don't know if I am ready for this, and I don't know what price we're gonna have to pay to end this. It's scary, like we don't often run into somebody that's gonna, they have no intention of walking out... they're going to hurt as many people as possible... his (Vanest) actions were clearly evident that this was, we're not talking our way out of this, there's no reasoning out of this. It's a totally unreasonable situation [51:37].

He later mentioned, "I've been on some stuff, I was pretty shocked by that. It was definitely a, uh, a pretty shocking police call" [59:44].

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██████████ feared not only for his safety, but also for the safety of his team members, additional responding officers, and any bystanders in the area.

██████████ expounded on some of his training in relation to incidents such as this. Specifically, he discussed the concept of "exfil." ██████████ explained when there is an active threat such as an armed barricaded subject like Vanest, it is common practice for SWAT officers to be trained in suppressing the threat by firing in the last known location of the subject. This is done even when the subject cannot be visually observed by the officer. It allows for officers to move safely to cover when a threat was previously shooting at them. ██████████ further explained that he had knowledge of the area being evacuated which provided additional confidence in the use of tactics such as this. The term "accurate directive fire" was provided as a term used for a technique such as this.

The interview concluded at approximately 1304 hours.

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.

References:

Reference Item I - Officer Interviews - Evidence.com

Attachments:

1. 2024-12-06 Signed Criminal Investigation Notification Form - ██████████
2. 2024-12-06 Audio Recorded Interview - ██████████

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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]

12/6/2024 1202pm
Date / Time

[Redacted]

Signature of interviewee

Matthews Armstrong
BCI Agent (Printed)

SA M. [Signature]
BCI Agent (Signature)