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NEWS RELEASE

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**RE: OFFICER INVOLVED SHOOTING
OF JASON MARBLE, GIRARD, OHIO**

On October 21, 2017 at 10:01 pm a call was received by the Girard City Police Department of an intoxicated male at the residence of 408 Indiana Avenue, who was shooting a firearm inside the home. The caller was Angela Diana who had fled the home with her children and she told the dispatcher that the shooter was her boyfriend, Jason Marble. Officers Justin Leo and Mathew Jamison were on station when the call came in and had just started their shift. Both officers responded to 408 Indiana in separate marked police vehicles wearing the uniform of the day. Radio logs indicate they arrived at 10:07 pm and both officers parked on the street across from the residence. In a later interview with Officer Jamison, it was learned that the outside of the house was dark and as the officers approached the front of the house, a male figure was seen in the kitchen area to the left of the front door. As the officers approached the front door they were met by a male who was standing in a dark entryway to the house.

Officer Jamison told investigators that Officer Leo engaged the male in a conversation and advised that the reason they were at the residence was a report of shots being fired and a domestic disturbance in the house. The officers asked if they could come inside and were denied entrance by the male. They asked the male, later identified as Jason Marble, for some ID so they could verify who he was. Marble said he would comply. Officer Leo, who was holding a flashlight, placed the light into his belt holder and was reaching for his notepad when Marble produced a hand gun and shot him point blank in the chest through the screen door. Officer Jamison drew his weapon and returned fire, striking Marble. Jamison told investigators that he fired three times and then moved to cover. Jamison called into dispatch that Officer Leo was down and to send for backup. The officer down call came in at 10:13 pm.

Jamison later described Marble's demeanor at the time of the shooting "...that face...you train for something that's evil... but no emotions...he just raised the gun and went like this... I don't think Leo even saw it coming." Jamison told S.A. Bansky later about Marble "His demeanor...his facial impressions...lack of emotion".

Jamison told investigators that he retreated back towards the neighbors' yard, about 60 feet, for cover, he saw Marble go down after he shot him but was not sure if he was still a threat. He saw Officer Leo with his back against the house

and then Jamison said he heard what sounded like the back door of the residence slam shut. He was unsure if anyone else was in the house or if Marble had exited the residence. He requested back up again and three Girard officers showed up. Jamison returned to Leo's position, who was now lying face down, he asked Leo if his vest took the shot and Leo told him he wasn't wearing it. Jamison stayed with him until the ambulance came. Jason Marble was lying inside the front doorway deceased.

Police Chief John Norman called and requested that the Trumbull County Homicide Task Force be called out to handle the shooting. After consulting Prosecutor Dennis Watkins, it was decided that the Ohio Attorney General's BCI Division should be called out to lead the investigation. Interviews of neighbors were started by members of the Homicide Task Force while waiting for BCI agents to arrive on scene.

Jason Marble's girlfriend, Angela Diana, the property owner at 408 Indiana, told investigators that evening that she and Marble had been in a relationship for the last 2-1/2 years. During that time he struggled with alcohol and drug addiction. She said he had been clean for a while but over the last two months showed signs of being back on heroin. They argued about it and recent money issues made her believe he was back using again. She told investigators that about two months ago she threatened to kick Marble out of the house because of his drug use. She said

Jason went to the bedroom and brought guns out to the kitchen table and threatened to kill himself. Then two nights ago she found a spoon and lighter in his pajama pocket.

Agents asked about the firearms in the house and were told that Angela had purchased a pistol from a gun show in Liberty Township but was not sure of the make or caliber. She said she and Jason were going to shoot it but never did. She said Jason had some rifles and an AR-15 with an oil filter attached to the barrel. She said guns were a hobby of Jason's and he was obsessed with cleaning them.

Agents asked her to go through the day of the 21st. She said Jason was doing yard work at the house all day. His friend Adam Fletcher was going to come over and help and she had to go and pick him up. She brought him to the house around 4:30 pm. She dropped him off and left to take her son to her sister's house. She picked up a weed whacker from her sister and returned home at 6:30. Both Jason and Fletcher were drinking beer and working in the yard when she got home. Jason wanted her to take him to the liquor store for vodka and cigarettes which they did. After dinner she said Jason started getting mean and snapping at everyone, "... his demeanor today was totally not him." Jason couldn't find his cell phone and went to the bedroom to lay down about 8:30. Angela found his phone and started going through it and found the name Bruce Harris whom Jason had called many times in a row. She states she knew all his friends but never heard of

Harris and begun to think that this is who he is getting his drugs from. She went into the bedroom and started confronting him about Harris. She threatened him again about throwing him out and Marble stated he was not leaving. Angela said she will get a hold of some friends and they will throw him out. She said "...he went ballistic...started calling me names...then he comes out of the bedroom with a handgun and the AR -15." Angela said he started waiving the gun around in a threatening manner, fearing for her safety, she takes her two children and leaves the house and goes to her sister's home on the west side of Youngstown. After numerous attempts, she reaches Marble by phone and tells him he has to go. He agreed but wanted an hour; she said he had to be gone by 10:30. Angela said she is contacted by a friend who tells her Adam Fletcher contacted her and said Marble was shooting guns off in the house. Angela heads back to the house and calls Girard Police on the way. As she gets to the house, she hears gunfire and sees police in her front yard.

In a second interview with Angela Diana on January 25, 2018 with BCI agents, Jason's history with drugs and depression were gone into deeper. Angela told investigators that after the shooting, a friend of hers and Jason, Michelle Kuhn came to her house and told her that a while back, Michelle, Jason and another friend went to the south side of Youngstown and purchased some heroin and snorted it and both Jason and her friend OD'd. Kuhn took them to a friend's house

for help. Jason had to get two doses of narcan to revive him. Another friend, Jen Medley told her that she, Jason and Kuhn had gone to Rite Aid on Belmont Avenue recently and Jason met a black male there by the name of Bruce and purchased drugs from him. Angela also told investigators that about a year and half ago Jason was involved in an accident in Girard and was charged with DUI and had a physical confrontation with police over it. She said he suffered from depression but did not take prescribed drugs for it. He use pain killers for a work injury and would buy OxyContin off the street for \$30.00 a pill. She said the pill habit became so bad he switched to heroin because it was cheaper. She then said about a month ago his daughter disowned him saying "...you're not a father...you're a piece of shit..." This put Jason into a deeper depression. BCI agents were contacted by the Liberty Police Department and told that on July 20, 2015, Jason Marble was found unresponsive in a minivan on Colonial Drive in the township. Police removed him from the vehicle and began CPR until the Fire Department arrived and they administered narcan. A hypodermic needle was found in his pants pocket. Marble told police he ingested an unknown amount of Vicodin.

Adam Fletcher was also interviewed by BCI agents on October 22, 2017. He verified the events of the day as were told by Angela Diana, but was more detailed about what took place during the argument with Angela afterwards. He said after

the fight in the bedroom over the cell phone, Jason came out carrying his gun. Angela told him to leave or her brother-in-law would come over and throw him out. Jason went back to the bedroom and brought more guns out and said “tell him to come over”. Jason brought out his AR-15, which was loaded with a clip, and set it on the counter. He left the room again and Fletcher unloaded the AR-15. Jason came back in the room and goes off on Fletcher saying “...don’t fuck with my guns...don’t take my bullets out of my guns...” He said he put the clip back in and racked one into the chamber. Angela then leaves with the two children. Fletcher says Marble starts playing with the guns and says “...she wants to call motherfuckers on me...bring them on...I got guns”. He then fires two or three shots from the AR into the kitchen cabinets. Fletcher said he left the house about 5 minutes after he fired the gun and was not present when the police arrived.

The investigative report from BCI Crime Scene Unit detailed the following information:

- 1) Three .45 caliber bullet casings found in the front yard of 408 Indiana Avenue were fired from Officer Jamison’s duty weapon. Ballistics show the bullet recovered from Marble’s body at the autopsy and two bullets recovered from the bedroom wall of the residence were fired from Jamison’s gun. The bullet fragments recovered from gunshot wound C could not be tested.

- 2) The .40 caliber Taurus Millennium pistol on the front porch had 7 cartridges in the magazine and one in the chamber. The magazine has a 10 round capacity. The bullet recovered from Justin Leo at the autopsy was fired from the Taurus pistol. The three .40 caliber casings found in the kitchen were also fired from the Taurus, as were the two bullets that struck the bathroom toilet.
- 3) Officer Leo's weapon was in his duty belt and not fired.
- 4) The Bushmaster AR-15 that was located on the dining room table was 15 feet away from the front door where Jason Marble shot Officer Leo. It was loaded with a full magazine with one in the chamber and another full magazine next to it. A total of 68 rounds of .223 ammunition were recovered.
- 5) The autopsy report of Officer Justin Leo showed that he suffered two penetrating gunshot wounds. Gunshot wound #1 is listed as a penetrating gunshot wound the chest that struck the heart, stomach, aorta, vertebra and spinal cord. The projectile was recovered. Gunshot wound #2 was a perforating gunshot wound of the left middle finger. Cause of death was a penetrating gunshot wound of the chest.
- 6) The autopsy report of Jason Marble showed that he suffered three gunshot wounds. Gunshot wound "A" was a penetrating gunshot wound

of the left arm and a projectile was recovered. Gunshot wound "B" is a perforating gunshot wound of the left chest. The bullet strikes ribs #5 and #6 and then perforates the pericardium and the base of the heart. The bullet then perforates the left lung and exits the body fracturing rib #8. No projectile or fragments are from this gunshot. Gunshot wound "C" is a perforating gunshot wound of the upper left chest and lower left neck. The bullet perforates the chest, clavicle and transects the left carotid artery and jugular vein and then exits the body on the upper left back. Toxicology results are as follows:

- A) Blood alcohol .237% obtained from blood plasma
- B) Fentanyl = 9.6 ng/ml, Diazepam/Nordiazepam present from blood
- C) Fentanyl present, Benzodiazepine metabolites present from urine

Summit County Lab Director Steven Perch was contacted about the high levels of Fentanyl in Marbles system and he indicated that the levels suggest that he apparently was very tolerant of Fentanyl and indicated a likely history of Opioid drug use.

Jason Marble's Criminal History:

- 1) Convicted of Domestic Violence in Lorain Municipal Court in October, 2000.

- 2) Convicted of Complicity to Breaking and Entering in Lorain County Common Pleas Court in 2001 and put on probation and alcohol treatment for 2 years.
- 3) Convicted of Domestic Violence in Lorain Municipal Court in 2004.
- 4) Convicted of Attempted Negligent Assault in Vermillion Municipal Court in 2008.
- 5) On July 20, 2015, Marble was passed out at the wheel of his car in Liberty Township and was revived with narcan. He was charged with possession and the case was no-billed.
- 6) On January 15, 2016, Marble was charged with Endangering Children, Criminal Damaging, and Driving Under the Influence in Girard Municipal Court. He pled to Child Endangering and Criminal Damaging and was put on probation.
- 7) There were also numerous occasions where police responded to complaints which involved Marble though no charges were formally filed.

Follow-up interviews after the February 3, 2018 submissions of BCI report to Prosecutor's Office:

- 1) Michelle Kuhn was interviewed by BCI on February 23, 2018 at Girard Police Department. She told investigators that on October 21, 2017, she had

contact with Jason Marble over the phone at about 3 pm when he wanted to come to her house and she told him she had plans for the day. She said Jason called back at 11:45 p.m. and said he and Angie were fighting and wanted Michelle to come and pick him up. At the same time she is talking to Jason, Angie is calling her. She puts Jason on hold and talks to Angie. She said Angie was hysterical and said she left the house due to her and Jason fighting. She told investigators that Angie told her Jason put a gun to her head, something Angie did NOT tell investigators in her two prior interviews. Kuhn was asked about Jason and his guns to which she said "...they were his pride and joy...always talking about them...cleaning them you know but nothing like crazy." Kuhn told investigators that around Labor Day last year she was driving around Youngstown with Marble and her friend Nicole Brown. She said she drove Marble to the Save a Lot and Jason met a black male there known as "B" and Jason bought some heroin from him. He brought a baggie back to the car with a brown substance in it and put some on his cell phone and snorted it. She said her and Nicole also snorted some. She observes Jason starting to nod off along with Nicole. Kuhn contacts a friend who has narcan and drives to her house. She gives Jason two doses to revive him and starts CPR on Nicole to bring her around.

She further stated that she knew Jason was “eating” pain pills and drank a lot.

- 2) Bruce Harris was interviewed on February 23, 2018 at his residence but refused to have the interview recorded. At first he denied even knowing Jason Marble, then changed his mind after being shown Facebook and phone records indicating they communicated prior to the shooting. Harris then remembered that Jason once worked for him and he admired his tattoos which were similar to his from the same institution. Nothing further was learned from Harris.
- 3) An ATF trace was done on the Taurus .40 caliber pistol that was used to shoot Officer Leo. It showed that it was purchased at a gun show in Niles, Ohio by Angela Diana on November 8, 2015.
- 4) An additional interview was done regarding the AR-15 rifle. On Friday, March 23, 2018 Special Agent Al Bansky from Ohio BCI contacted Maynard Moore at his residence in Austintown, Ohio. He inquired about the Bushmaster AR-15 that was in possession of Jason Marble on the night of October 21, 2017. After doing an ATF trace on the weapon, it showed that Maynard Moore had purchased the weapon on February 24, 2017. There was no paperwork through ATF showing that it had changed ownership. Moore told agent Bansky that he had owned a gun shop in Girard from 2016 to

2017. He said that Angela Diana come into his shop before Christmas of 2016 and purchased the AR-15 for Jason Marble. She wanted to make payments and Moore agreed. He ended up closing his shop in Girard around February, 2017. The Bushmaster was not paid in full so he transferred it into his name. When Angela paid the purchase off he gave her the weapon and never did any paperwork on it (this information regarding the lawfulness of the transaction involving the AR-15 will be referred to ATF for further investigation).

SUMMARY

On October 21, 2017 Girard city Police Officer Justin Leo made what turned out to be his last call to duty when responding by police dispatch at 10:01 pm to investigate a possible shooting by an intoxicated male inside a home on Indiana Avenue. Within minutes, he and Officer Mathew Jamison drove in separate marked police vehicles in the darkness of the night to the Indiana residence to fulfil their sworn duty to protect the public. Officers daily in this country go to the unknown and omnipresent dangers knowing the risk they face in our all too violent society. Most people avoid danger (or go the other way) , Leo and Jamison didn't. They went right to it.

These officers didn't know, nor could they have known, that Jason Marble was an angry, unhinged, drug/alcohol infested criminal bound on his own self-

destruction and harming others who got in his way. Marble for a long period of time had made repeatedly poor choices and ignored others who supported him in many different ways. His chronicity of bad decisions can be no better expressed than what his family and friends said about his behavior. His long term drug abuse problem and associated criminal activity brought about repeated efforts by others to treat and abate his destructive path. In fact, Jason Marble was brought back to life repeatedly with the intervention of others using narcan to revive him after overdosing.

In spite of these efforts to help him, Marble chose to continue down the same road. However on this night he became more threatening and violent. As Marble's girlfriend, Angela Diana, described that day and early evening she found Marble to be highly intoxicated and suspected drug use. Though she said Marble and his friend Adam Fletcher had been doing yard work at her house most of the day, by evening a full blown argument between the two developed where she threatened to throw him out. Marble told her he was not leaving. She again threatened him telling him she would get some friends and her brother-in-law to throw him out. Angela then said "...He went ballistic...started calling me names...then he comes out of the bedroom with the handguns (Taurus .40 caliber and AR-15)" and started waving the guns around in a threatening manner. Angela said guns were a hobby of Jason's and he was obsessed with cleaning them,

Angela feared for her safety and left the house with her two children and went to her sister's place on the west side of Youngstown. There was a telephone call made to Marble and Marble agreed to leaving her home in an hour. However, before returning home, Angela is contacted by a friend who stated that Adam Fletcher had called her stating that Marble was shooting guns off in the house. Angela headed back to her house and called the Girard Police on the way. As she arrived home she stated she heard gunfire and saw police officers in her front yard.

Adam Fletcher, in his statement, described what happened before the shooting. When Angela left the house with her two children, he stated that he had unloaded the AR-15 Marble had brought out when Marble had momentarily left the room. Marble came back in the room and angrily said to Fletcher "...don't fuck with my guns. Don't take my bullets out of my guns." Marble then reloaded the AR-15 and racked a live round into the chamber. According to Fletcher, Marble stated "...she (Angela) want to call motherfuckers on me (i.e. Angela's relatives or friends)...bring them on...I got guns." Fletcher then saw Marble fire two or three rounds from the AR-15 into the kitchen cabinets (Fletcher claimed he left the house about 5 minutes after Marble fired the gun and was not present when the police arrived).

At approximately 10:07 pm both Officer Leo and Officer Jamison had parked their police vehicles on the street across from the Diana residence. Both

Officers in uniform approached the house without their guns drawn which was dark on the outside. According to Officer Jamison, a male figure could be seen in the kitchen area to the left of the front door. Approaching the front door Officer Leo engaged the male in a conversation and advised that the reason they were at the residence was a report of shots being fired and a domestic disturbance in the house. The officers asked they could come inside and were denied entrance by the male. They asked the male, later identified as Jason Marble, for some ID so they could verify who he was. Marble said he would comply. Officer Leo, who was holding a flashlight, placed the light into his belt holder and was reaching for his notepad when Marble produced a hand gun and shot him twice at point blank range with one bullet striking him in the chest. Both shots were fired through the screen door. Officer Jamison drew his weapon and returned fire striking Marble. Jamison told investigators that he fired three times and then moved to cover. Jamison called into dispatch that Officer Leo was down and to send for backup. The officer down call came in at 10:13 pm.

Jamison later described Marble's demeanor at the time of the shooting "...that face...you train for something that's evil... but no emotions...he just raised the gun and went like this... I don't think Leo even saw it coming." Jamison told S.A. Bansky later about Marble "His demeanor...his facial impressions...lack of emotion".

From the account given by Jamison and the overwhelming corroborating statements and evidence gathered in the Ohio Attorney General's BCI investigation of these two deaths it is crystal clear that Jason Marble, in cold blood, shot Officer Justin Leo twice at close range with one of the shots penetrating his chest and striking his heart and other organs causing his death. These shots were at point blank range, were unprovoked, and all made in ambush fashion when at the time Officer Leo was engaging in conversation with a flashlight in his hand. Furthermore, it is beyond question that Jason Marble at the time of his death was engaged in a continuing course of criminal conduct which included the commission of the following crimes: (1) Domestic Violence; (2) Aggravated Menacing; (3) Using Weapons While Intoxicated; (4) Felonious Assault; and (5) Aggravated Murder. This assailant's intentional malicious conduct in using a handgun to take a life brought about his own death. Officer Jamison had no other choice but to protect himself and his fellow officer, Justin Leo, under the circumstances by shooting Marble in self-defense and in the defense of others. Without any doubt, Officer Mathew Jamison's heroic quick action saved lives. Assailant Marble, when fatally shot, was only 15 feet away from a fully loaded AR-15 with 39 bullets in the magazine (and a second magazine with 29 bullets nearby).

In conclusion, this investigation by the Ohio Attorney General's Office shows that the assailant/deceased Jason Marble murdered Girard Police Officer Justin Leo and that said Jason Marble immediately was killed by fellow Girard Police Officer Mathew Jamison in self-defense. Marble's death is justifiable homicide. The Trumbull County Prosecutor's Office especially appreciates the fine work effort in the investigation by the Ohio Attorney General's Office of Bureau of Criminal Investigation which took this matter to ensure an independent investigation. Special thanks go to Special Agent Charlie Snyder and Special Agent Al Bansky for their thorough report and follow up efforts.

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