

NEWS

Maplewood / Cop gets job back despite conviction

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Jason Patrick Marino, a police officer in Maplewood accused a year ago of kidnapping a man in his squad car and convicted two months ago of fifth-degree assault and misconduct by a public official, returns to work Friday.

A six-year veteran on the Maplewood force, Marino was accused of kidnapping Andrew Burke, of Mahtomedi, in July, driving him around Washington County, threatening to beat him up and then dumping him on a road in Grant. Burke was 21 at the time. Marino was later arrested and placed by his department on administrative leave, most of it paid.

In April, a jury acquitted the 32-year-old officer of kidnapping, false imprisonment and making terroristic threats, but convicted him of the lesser charges of assault and misconduct. Three weeks ago, a Washington County court sentenced Marino to two years of probation, more than 150 hours of community service and an anger-management assessment. At the sentencing, Marino told the court the incident would “most likely” end his career in law enforcement.



Maplewood Police Chief Dave Thomalla wouldn't discuss the reinstatement Wednesday, referring questions to Maplewood City Administrator Greg Copeland.

In a written statement, Copeland cited results of an independent investigation, Marino's prior service record and "the totality of the circumstances" as reasons for allowing Marino to return to work.

Neither Marino nor Burke could be reached for comment.

"I've met officer Marino personally, and I don't believe him to be a hothead, and we wouldn't be making this decision if we believed he was," said Chuck Bethel, labor relations attorney with the city of Maplewood. "You're never going to please all the people all the time and, had we terminated him, you'd have other people come forward and say we're overreacting and not being fair and that he deserves another chance."

State law enforcement licensing officials, investigating the matter on their own, could still take action that could affect Marino's ability to serve as a peace officer in Minnesota.

Maplewood officials have said Marino has a clean disciplinary record with the department. Marino once received a letter of recognition for his involvement in a credit card fraud and drug arrest, as well as a letter of commendation for involvement in an auto theft investigation.

Throughout the ordeal, Marino has maintained his innocence on all counts and is appealing his convictions.

According to the charges, Marino told investigators Burke approached him and said he wanted a ride home – and became belligerent when the officer refused. The two drove around Washington County, during which time Burke used his cell phone to quietly call emergency dispatchers and tell them Marino was threatening to beat him up. Marino dropped Burke off along a county road after realizing dispatchers had been notified.

Marino told investigators he considered taking the man to jail for disorderly conduct. But he changed his mind, he said, and instead took Burke – at his request – to County Road 12 and Manning Avenue, according to the complaint.



Erik Hjelle, a City Council member who also serves as an on-call firefighter with the city, said he doesn't know specific details of the case but sympathized with Marino.

"I have to work with these guys on a daily basis, and I don't want to know the dirty details," he said. "You hear so much stuff that you don't know what's true or not. But I'll give a cop the benefit of the doubt nine times out of 10."

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