



500 North Virginia Avenue • Winter Park, Florida 32789

407-644-1313 • cityofwinterpark.org

Police

Officer Involved Shooting Facts

- On February 19, 2022, officers responded to a 9-1-1 call from the Winter Park Events Center where a caller described a male subject inside the venue building as "irate", "violent" and "pushed people to the floor."
- Video footage recorded by the venue cameras show guests removing the subject from the ballroom to the outside through an east side doorway.
- Two Winter Park police officers were directed to that same area where they spoke to a female and male subject in an effort to de-escalate the male subject's behavior.
- Initially both individuals refused to comply with officers' repeated directives.
- Repeated directives:
 - "Step back" said 5 times
 - "Put your hands behind your back" said 4 times
 - "Backup" said 15 times
 - "Move out of the way" said 7 times
 - "Step away or get away from him" said 5 times
 - "Talk to me" said twice
 - "Let her go" said 1 time
 - "Come here for a second" said 5 times
- A crowd quickly formed around the officers during their interaction with the male and female subjects.
- The male subject pulled the female in front of himself.
- Once the female is separated from the male subject, Officer 1 says to the subject "Talk to me." twice.
- The male subject then punched Officer 1 in the head, knocking him to the ground where he lay unconscious and incapacitated; leaving his firearm accessible to the subject and others.

- Officer 2 discharged his taser at the male subject, but it had no effect.
- The subject then punched Officer 2 in the head, knocking him face down to the ground and continued to hit him in the head.
- From the ground, Officer 2 discharged his firearm as he was being attacked by the subject.
- Officer 2 was then repeatedly struck by a female at the scene.
- Winter Park Police rendered medical aid to the wounded subject.
- Emergency medical responders were staged in the area and arrived when the scene had been secured.
- Backup officers from Winter Park and other area law enforcement agencies arrived on scene.
- Officers 1 and 2 were taken to the hospital with non-life-threatening injuries and were later released.
- The male subject was taken to the hospital where he was later pronounced dead.
- FDLE was called to the scene to conduct an independent investigation. The investigation is on-going.

Frequently Asked Questions

What is Marsy's Law? Does it apply to police officers?

In 2018, the citizens of Florida approved an amendment to the State Constitution (Article I, Section 16) giving specific rights to victims of crime. A crime victim now has the right to prevent the disclosure of information or records that could be used to locate or harass the victim or the victim's family. In 2021, the Florida First District Court of Appeals issued an opinion in FPBA v. City of Tallahassee, which stated that police officers who are victims of crimes are protected by Marsy's Law and their names cannot be released by the police agency. The City of Winter Park is legally bound to follow this court's ruling.

Did the officers in this case invoke Marsy's Law?

Two officers in this matter were victims of Battery on a Law Enforcement Officer. Both officers have asserted their rights under Marsy's Law. Therefore, the City of Winter Park is not releasing their names.

What can you tell us about the officers that you refer to as "Officer 1" and "Officer 2"? What is their experience level? Have they been previously investigated by the Winter Park Police Department (WPPD) for excessive use of force complaints?

Both Officer 1 and Officer 2 are very experienced police officers, with a combined total of 47 years of law enforcement experience between the two of them. Neither officer has been investigated by WPPD Internal Affairs Division for any use of force complaint.

When is an officer permitted to use deadly force? Does the person have to be armed for deadly force to be used?

Under State Statute, an officer is justified in the use of force when he/she reasonably believes to be necessary to defend himself/herself or another from bodily harm while making the arrest, or if he/she reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself/herself or another or to prevent the imminent commission of a forcible felony.

There is no requirement that the subject be armed prior to the use deadly force. The officer must consider the totality of the circumstance as he/she believes them at that moment.

In this instance, the video evidence shows that the subject punched Officer 1 rendering him unconscious and incapacitated on the ground in front of Officer 2. A taser deployment is heard with the cords seen in Officer 2's body-worn camera video.

Video evidence supports that Officer 2 was then punched in the head. Initially there is grass and dirt seen suggesting he was on the ground, face down. Video evidence also supports that the subject continued to punch Officer 2. The officer turns over as evidenced by the view of the roof from the ground before discharging his firearm with the suspect over top of him.

Officer 2 saw that Officer 1 was knocked out and is lying on the ground as a crowd formed around them which also offers another concern for the security of Officer 1's firearm.

If Officer 2 also becomes unconscious with his duty weapon in his hand, the suspect would have immediate access to the officer's firearm as well as the crowd that has surrounded the officers. These are the type of factors that an officer may consider before using force against a suspect.

Did the deceased have a prior criminal history?

The deceased has an extensive arrest history between 1998 through 2006. According to the Florida Department of Corrections website, he was sentenced to state prison in 2006 for the charges of: Robbery, Grand Theft Motor Vehicle, Burglary, Trafficking in Stolen Property, Burglary of a Dwelling, Fleeing and Attempting to Elude a Police Officer and Felony Driving While License Suspended. He was released from state prison in 2013. His other arrest history appears to be out of Polk County, Lakeland and Avon Park before these dates.

Why did WPPD decide to wait to release the body-worn camera footage?

While WPPD strives to be as transparent in our investigations as we can, we also take pride in making sure our investigations are as thorough and reliable as possible. In this incident, there were over a hundred guests and workers around the area where this event took place. It took time for the Florida Department of Law Enforcement (FDLE) to interview the witnesses to determine who was a witness to the events and who was not a witness.

WPPD honored the request of FDLE and the State Attorney's Office to delay the release of the body-worn camera footage to give them time to complete their initial investigation. In these types of scenarios, there is a concern that if the body-worn camera footage is available to the public prior to the interviews of potential witnesses, investigators would be unable to determine whether a witness was testifying to their own observations of the event or simply testifying to what they saw on the news. Because it is important that the family of the deceased, the officers involved, and the public get the most accurate account of what happened on that night, we erred on the side of caution and allowed FDLE to do their job without contaminating their investigation.

It is our understanding that those interviews have now been completed, therefore, we are now releasing the body worn videos. FDLE's investigation is on-going.

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