



STATE ATTORNEY

ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

E. R. GRAHAM BUILDING
1350 N.W. 12TH AVENUE
MIAMI, FLORIDA 33136-2111

KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY

TELEPHONE (305) 547-0100
www.miamiSAO.com

April 2, 2019

Delma K. Noel-Pratt, Chief of Police
Miami Gardens Police Department
18611 NW 27 Avenue
Miami Gardens, FL 33056

Dear Chief Noel-Pratt:

Enclosed is our final report regarding the investigation into the police-involved shooting of Neico Geivannie Crooks on October 19, 2018. The officers involved in this incident were Christopher Adkinson (0350), Salvatore Gebbia (0352) and Nicholas Rivero (0451).

The investigation has determined that these officers were legally justified in the use of deadly force by firing their weapons. Therefore, no criminal charges will be filed.

If you have any questions, please do not hesitate to contact me.

Sincerely,


KATHERINE FERNANDEZ RUNDLE
State Attorney

KFR:iah

cc: Listed Officer(s)
Miami Gardens Professional Compliance Unit
Sgt. Steadman Stahl, PBA
Andrew Axelrad, PBA
Robert Senior (AUSA)
Troy Walker (FDLE)

Enclosure



Please Recycle



INTEROFFICE MEMORANDUM

TO: KATHERINE FERNANDEZ RUNDLE
State Attorney

DATE: MARCH 28, 2019

FROM: STAFFING/REVIEW TEAM

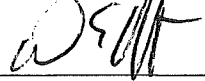
RE: POLICE SHOOTING CLOSEOUT MEMO
CASE # SAO # 62/18/10/19/002
DECEASED: CROOKS, Neico Geivannie


Based on the information obtained and reviewed during the course of the investigation, the conclusion of the staffing/review team is the following: The investigation has determined that while on routine patrol, MGPD Sgt. Lucius observed a male sleeping inside a vehicle parked in the swale area in front of a residence. The back-up officer observed that the subject, who was sleeping in the driver's seat, had a handgun in his waistband, and a records check revealed that the vehicle had been reported stolen. Therefore, additional back-up officers were called.

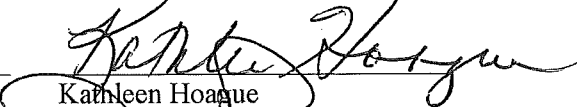
Two marked police units were positioned in front and to the side of the subject's vehicle and uniformed officers banged on the car to wake up subject, Crooks, while identifying themselves as officers and uttering police commands. Crooks did not comply. Instead, he put his vehicle in reverse, struck the car behind him; accelerated forward and struck Officer Adkinson. Subsequently, Officers Adkinson, Gebbia and Rivero discharged their firearms. When the subject's vehicle came to a rest, the officers entered the car and removed the handgun from Crook's waistband. Crooks was transported to the hospital and pronounced deceased.

No statements or proffers were provided by any of the shooting officers. However, based on witness statements, body-worn camera footages, crime scene reports and other evidence compiled, it is reasonable to believe that the shooting officers feared for their lives and considered it necessary to use deadly force to prevent injury to themselves and others. Therefore, we find that Officers Christopher Adkinson, Salvatore Gebbia and Nicholas Rivero were legally justified in the use of deadly force by firing their weapons.

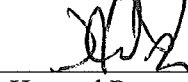
The members of the staffing/review team for this case are:

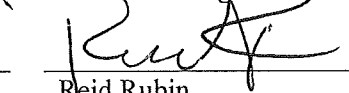

Don L. Horn

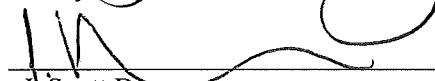

Esther Jacobo


Kathleen Hoague


Deisy Hernandez


Howard Rosen


Reid Rubin


J. Scott Dunn


Christine Zahralban

Approved by State Attorney on this 8 day of April, 2019.


KATHERINE FERNANDEZ RUNDLE
State Attorney





INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM

DATE: MARCH 28, 2019

FROM: SCOTT L. WARFMAN
DIVISION CHIEF
ASSISTANT STATE ATTORNEY

RE: POLICE SHOOTING CLOSEOUT MEMO
MGPD Case Number 2018019252
FDLE Case Number MI-27-0093

OFFICER(S) INVOLVED:	OFFICER CHRISTOPHER ADKINSON (100-0350) OFFICER SALVATORE GEBBIA (100-0352) OFFICER NICHOLAS RIVERO (100-0451)
DECEASED	NEICO GEIVANNIE CROOKS
INJURIES:	MULTIPLE GUNSHOT WOUNDS
DATE & TIME:	OCTOBER 19, 2018
LOCATION:	131 NW 189 TH STREET, (ROADWAY) MIAMI GARDENS, FL
WEAPONS:	SIG SAUER P320, 9MM, Serial No. 58b205454 – ADKINSON GLOCK 34, 9MM, Serial No. BCUT606- GEBBIA GLOCK 34, 9MM, Serial No. BGXN905- RIVERO TAURUS PT 24/7, .40 CALIBER, Serial No. SAR09214- CROOKS
LEAD:	FDLE SPECIAL AGENT DEAN WELLINGHOFF
CASE #:	FDLE CASE NUMBER MI-27-0093 MGPD CASE NUMBER 2018019252
SAO CASE #:	62/18/10/19/002



SUMMARY

On October 19, 2018, while performing duties on his shift at about 4:46 a.m., Miami Gardens Police Department ("MGPD") Sgt. Lucius observed a vehicle parked in the swale in front of the home located at 131 NW 189th Street, with a male [Neico Geivannie Crooks ("Crooks")] in the driver's seat. Sgt. Lucius advised dispatch of a suspicious vehicle and requested back-up. The back-up officer arrived and observed Crooks sleeping in the driver's seat with a handgun in his waistband. Records check revealed the vehicle was reported stolen on September 15, 2018, from a location in Pompano Beach. Based on the circumstances, additional back-up officers were requested. Among the responding officers were Officers Adkinson, Gebbia, and Rivero.

As a first priority, the officers determined to disarm Crooks. A marked police car was parked directly in front [west] of Crooks' vehicle, and another marked car was parked at an angle in the roadway to the left [south] of Crooks' vehicle. All of the officers were dressed in police uniforms as clearly reflected in the body worn camera video of Officer Benitez. Officers Gebbia and Rivero were positioned on the driver's side of the vehicle, and Officer Adkinson was positioned on the driver's side by the front windshield. The officers then banged on the car to wake up Crooks and gave several commands while clearly identifying themselves as officers, i.e., "hands up"; "open the door"; "don't move". Crooks awakened and did not comply. Instead, as the officers are banging on the window, Crooks looked directly at the officers and appeared calm. He then placed the vehicle in reverse, accelerated and struck the car behind him. When the decedent accelerated, the officers were yelling at him to stop. He then accelerated forward and struck Officer Adkinson. Officers Adkinson, Gebbia and Rivero discharged their firearms striking Crooks which caused him to drive into the yard across 189th Street, in front of the home located at 140 NW 189th Street, where it came to rest. Officers entered the vehicle, removed the handgun from Crooks' waistband, and pulled Crooks out.

Crooks' handgun, the Taurus semi-automatic pistol, had nine live rounds and was in satisfactory operating condition according to the Miami-Dade Police Department ballistics report. Crooks' DNA was found on the magazine inside the pistol.

Crooks was administered first aid on scene by officers and responding Miami Dade Fire Rescue personnel. He was transported to the hospital for further treatment. He was pronounced deceased at the hospital. Officer Adkinson was treated for minor injuries at the hospital and released.

ANALYSIS AND CONCLUSION

The role of the State Attorney in this investigation and in conducting this review is limited to determining whether a criminal violation of Florida law has occurred, whether any person may be held criminally responsible, and whether such criminal responsibility can be proven beyond a reasonable doubt in a court of law. The State Attorney does not establish agency policy, procedures, and training requirements. Nor does the State Attorney have any responsibility for determining disciplinary action or pursuing civil litigation in these matters. In other words, given the applicable law, the State Attorney's role is to determine whether the actions of Officers Adkinson, Gebbia, and Rivero constitute a criminal act that can be proven beyond and to the exclusion of every reasonable doubt.

We have reviewed the Florida Department of Law Enforcement Investigative Summary/Use of Force Investigation regarding these events. We have also reviewed the crime scene reports, autopsy report, lab reports, BWC, and other evidence compiled by FDLE under FDLE Case Number MI-27-0093. We find the summary to be complete, thorough and consistent with the witness statements we participated in on the day of the incident as well as consistent with our observations at the scene. We adopt and attach that Investigative Summary hereto and also offer our conclusion based on the results of our investigation and review.

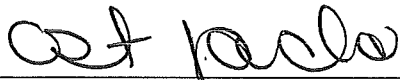
Officers Adkinson, Gebbia and Rivero, along with other officers, approached Crooks as he slept in the driver's seat of a stolen vehicle at about 4:57 a.m. on October 19, 2018. As the officers tried to wake up Crooks, they gave him many commands to defuse the situation and disarm him. They were wearing police uniforms and repeatedly advised that they were police. Crooks ignored all the commands and attempted to flee in a violent fashion, crashing while in reverse into the car parked behind his [Crooks'] vehicle and then driving forward and striking Officer Adkinson. The officers opened fire after Crooks crashed into the car behind him and drove forward. Crooks was shot several times and he died from his gunshot wounds.

There were two projectiles recovered from the decedent. According to the MDPD ballistics report, one of them "could" have been fired from Officer Adkinson's Sig Sauer pistol. The other projectile "could" have been fired from either of the Glock pistols belonging to Officers Gebbia and Rivero.

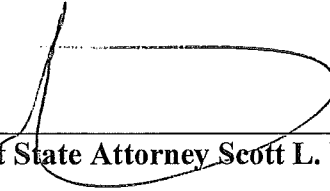
Based on these circumstances, there was probable cause to find that decedent Crooks had committed several felony crimes, including, but not limited to, (1) grand theft of a motor vehicle s. (s. 812.014); (2) resisting an officer with violence (s. 843.01); (3) aggravated battery with a deadly weapon (s. 784.045); and (4) assault or battery on a law enforcement officer (s. 784.07).

Section 776.012, Florida Statutes, permits the use of deadly force when a person believes such force is necessary to prevent imminent death or great bodily harm to himself or another or to prevent the commission of a forcible felony. Further, Section 776.05, Florida Statutes, permits a law enforcement officer to use any force that he believes is necessary to defend himself or another from bodily harm while making an arrest. Based on these statutory provisions we find the shooting by Officers Adkinson, Gebbia and Rivero to be legally justified.

Prepared by:

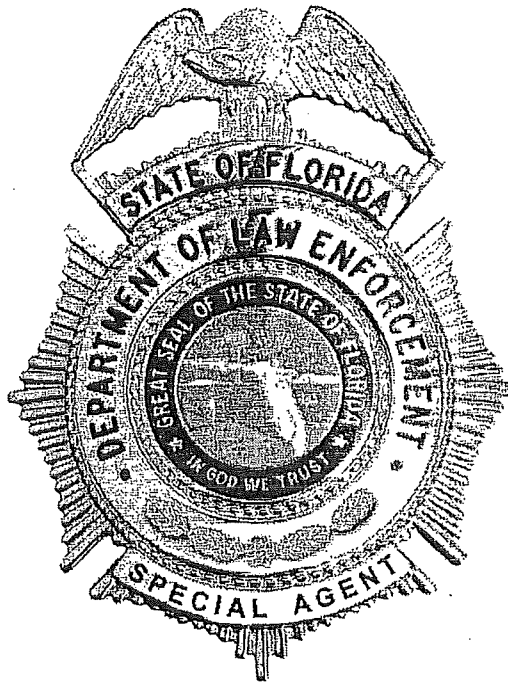


Chief Assistant Esther Jacobo



Assistant State Attorney Scott L. Warfman

Florida Department of Law Enforcement Eleventh Judicial Circuit



Police Use of Force Investigation

Case #: MI-27-0093

Case Agent: Dean Wellingshoff

Florida Department of Law Enforcement
Miami Regional Operations Center
1030 NW 111th Avenue
Miami, Florida 33172

(305) 470-5500 Fax: (305) 470-5515

DeanWellingshoff@fdle.state.fl.us



FLORIDA DEPARTMENT OF LAW ENFORCEMENT

Eleventh Judicial Circuit of Florida

TABLE OF CONTENTS

I. Investigative Summary

II. Witness List

III. Investigative Reports / Related Items

Florida Department of Law Enforcement

Case Number: MI-27-0093

Eleventh Judicial Circuit of Florida



Investigative Summary

Use of Force Investigation

Miami Gardens Police Department

Incident Date: October 19, 2018

Case Agent: Dean Wellinghoff

Victim:

Neico Geivannie Crooks
Black Male
Date of Birth: May 03, 1997

Involved Officers:

Officer Christopher Adkinson
Officer Salvatore Gebbia
Officer Nicholas Rivero

Miami Gardens Police Department
18611 NW 27 Avenue
Miami Gardens, FL 33056

Incident Location:

131 NW 189 Street (Roadway)

Next of Kin:

Ventura Arlene Kinlocke (Mother)
Mertam Bennett (Step-father)

On Friday, October 19, 2018, the City of Miami Gardens Police Department (MGPD), requested the Florida Department of Law Enforcement (FDLE) respond to 131 NW 189 Street, in the City of Miami Gardens, within Miami-Dade County, Florida in order to investigate the use of deadly force by MGPD Officers Christopher Adkinson, Salvatore Gebbia, and Nicholas Rivero, which resulted in the death of Neico Geivannie Crooks. (Cross reference MGPD Case 2018019252).

FDLE Special Agent (SA) Dean Wellingshoff arrived on scene at approximately 0640 hours and a briefing was held on scene. Prior to SA Wellingshoff's arrival, SA Michael Stein arrived and obtained limited information regarding the incident from MGPD Sergeant Devin Lucius. SA Stein provided a briefing to FDLE Special Agents and MGPD personnel on the scene.

The initial investigation revealed that, while performing patrol duties during his shift, Sergeant Lucius observed a black Lexus RX 350 SUV, with Florida tag HGLD15, parked in the swale in front of the home located at 131 NW 189 Street. Sergeant Lucius observed that the vehicle was occupied by a black male, later identified as Neico Crooks, who was seated in the driver's seat. Sergeant Lucius advised the MGPD police dispatcher that he was investigating a suspicious vehicle and requested that a backup officer be dispatched to his location.

Officer Juan Benitez responded to the call for assistance and approached the driver's side of the vehicle and observed a black male sleeping in the driver's seat and he also observed that the male had a handgun in his waistband.

While Sergeant Lucius and Officer Benitez were inspecting the vehicle, a records check of the tag revealed that the vehicle had been reported stolen on September 15, 2018 from a location in Pompano Beach (Broward Sheriff's Office case number 11-1809-004090). Based on the circumstances, additional backup officers were dispatched to the location.

Officers Salvatore Gebbia, Nicholas Rivero, Kendrick Mays, and K9 Officer Christopher Adkinson responded as backup officers to assist Sergeant Lucius and Officer Benitez. Officer Adkinson positioned his marked police vehicle directly in front of the Lexus while Officer Benitez positioned his marked police vehicle at an angle in the roadway to the left of the Lexus. The officers, all of whom were dressed in police uniforms, then positioned themselves in various locations on the left side of the vehicle. A decision was made to attempt to awaken Crooks and to order him from the vehicle after he awoke.

Sergeant Lucius and Officer Mays assumed a position of cover behind Officer Benitez' vehicle while Officers Benitez, Rivero, and Gebbia, took positions on the driver's side of the vehicle. Officer Adkinson positioned himself on the driver's side of the vehicle at the front windshield. As officers banged on the window and identified themselves as police officers, Crooks awakened and refused to comply with police commands. While officers were giving commands, Crooks placed the vehicle in reverse and accelerated at which time he struck a vehicle that was parked behind him. He then accelerated forward and to the left at which time he struck Officer Adkinson. Officers Adkinson, Gebbia, and Rivero discharged their firearms striking Crooks which caused Crooks to drive across NW 189 Street and into the front of the home located at 140 NW 189 Street where the Lexus came to rest.

Following the crash, Officer Benitez entered the vehicle and removed the handgun from Crooks' waistband and secured it in his police vehicle. Officers then pulled Crooks from the vehicle and into the roadway where they administered first aid until Miami-Dade Fire Rescue (MDFR) arrived.

Crooks was transported by MDRF to Aventura Hospital where he was pronounced deceased. Officer Adkinson was also transported to Aventura Hospital where he was treated for minor injuries to his left leg, foot, and ankle and then released.

911 calls:

There were no known 911 calls placed to the Miami Gardens Police Department regarding this incident.

Radio Traffic: (Note: Times based on elapsed time stamp from audio recording of dispatch communications)

00:04	Sergeant Lucius requests units to "189 Street and First reference an occupied suspicious vehicle.
00:20	Officers Mays and Benitez were dispatched.
00:36	Sergeant Lucius advised, "It's going to be in reference the possible 26 to a vehicle suspects."
01:34	Sergeant Lucius provided a description of the vehicle as a dark colored SUV that appeared to be running and he advised that he was "sitting back" from the vehicle.
03:41	Sergeant Lucius provided the tag of the vehicle as HGLD15.
04:20	The dispatcher advised that the vehicle was reported as stolen.
04:35	Sergeant Lucius requested that the dispatcher "expedite" more units to his location.
04:37	Sergeant Lucius advised, "He's got a gun in his waistband and he's asleep."
04:41	The dispatcher advised units to respond in emergency mode.
06:18	Sergeant Lucius advised units, "Don't run code. He's asleep".
07:12	Sergeant Lucius advised the dispatcher, "We got two units here" in response to the dispatcher asking if units had arrived with him yet. Sergeant Lucius also advised that the K9 unit (Adkinson) was there.
11:54	Sergeant Lucius advised, "Hold the air".
12:32	Sergeant Lucius advised, "120 shots fired".
13:24	Sergeant Lucius advised, "120 have Fire Rescue stage".
13:51	Officer Mays advised, "346 send Fire on a three".
14:17	A unit (unintelligible) transmitted a statement regarding "crossfire".
15:16	Sergeant Lucius advised, "120 advise Fire Rescue we have an entrapment".

CAD Report:

The "Event Report" from the Miami Gardens Police Department was reviewed and revealed the following:

04:46:10 hours	Unit G120 (Sergeant Lucius) arrived.
04:46:30 hours	Unit G326 (Officers Mays and Benitez) were dispatched.
04:49:34 hours	The vehicle check revealed that the vehicle was reported stolen.
04:51:34 hours	Unit G120 (Sergeant Lucius)—"SBJ has 55 (gun) in waist band but asleep".
04:58:17 hours	Unit G120—"Shots fired".

Hospital Response

(IR #3)

Following the shooting and the subsequent crash, Crooks was removed from the vehicle by officers and placed in the roadway where officers administered first aid to him. MDRF #38, with its crew consisting of Lieutenant Tammy Ellus, Emergency Medical Technician (EMT) Charles Rizo, and EMT Ady Marvin responded to the scene and assumed control for the medical treatment of Crooks. After being treated on scene, Crooks was transported to Aventura Hospital where he was pronounced deceased at 0537 hours by Trauma Surgeon Doctor John Whitehouse.

On Friday, October 19, 2018, at approximately 0800 hours, FDLE SA Peter Chong-Yen arrived at the hospital where Crooks was located in Emergency Room #14. By the time SA Chong-Yen arrived, MGPD Crime Scene Investigator (CSI) Cynthia Alexander had already collected a gunshot residue (GSR) kit from Crooks and had

completed photographing his body. CSI Alexander had also collected Crooks' clothing which included a pair of socks, a pair of pants, a pair of underwear, and a silver colored necklace with a blue stone pendant attached.

At the time Crooks arrived at the hospital, he had not yet been identified because he had no identification on his person. Therefore, MGPD Detective Joel Cicerone responded to the hospital with a "Rapid ID" fingerprint scanning device in order to try and positively identify Crooks. The Rapid ID device; however, did not function properly and a positive identification could not be obtained at that time.

SA Chong-Yen conducted a partial examination of Crooks' body and noted the following:

Crooks was lying on a hospital gurney in a supine position. He was intubated and there were chest tubes protruding from incisions on each side of his chest and there were various medical items present indicative of life saving efforts by medical personnel. Gunshot wounds were apparent to Crooks' left neck, left shoulder, left bicep, and right forearm and wrist. It also appeared that Crooks' upper left arm was fractured.

SA Chong-Yen did not roll the body over in order to minimize additional handling of the body prior to autopsy. The body was transported to the Miami-Dade County Medical Examiner's Office by the Forensic Evidence Removal Team.

Next of Kin Notification

(IR #8)

On Friday, October 19, 2018, SA Dean Wellinghoff responded to the Miami-Dade County Medical Examiner's Office and obtained latent prints for the victim in this case. The latent prints were transported to the Miami-Dade Police Department's (MDPD) Fingerprint Identification Section where confirmation of Mr. Crooks' identity was obtained. Additionally, inside the stolen vehicle that Crooks was driving at the time of this incident, MGPD Crime Scene Investigator (CSI) Shenekee Slaughter located a brown wallet that contained credit / ATM cards and personal identification belonging to "Neico Crooks".

Crooks' step-father and mother were identified as Mertam Bennett and Ventura Arlene Kinlocke. Mr. Bennett was contacted via telephone at 305-763-5768 and agreed to meet with SA Wellinghoff and SA Alberto Borges at the corner of NW 189 Street and Miami Avenue. Upon meeting with Mr. Bennett, SA Wellinghoff advised him of Crooks' death. Mr. Bennett advised that he would notify his wife, Ms. Kinlocke, of the death of her son. Mr. Bennett also advised that Crooks was estranged from the family for the past two years and Mr. Bennett did not know where Crooks had been living since that time.

On Saturday, October 20, 2018, SA Wellinghoff met with Ms. Kinlocke, who provided her Florida Identification Card [REDACTED], at the Miami-Dade County Medical Examiner's Office and spoke to her regarding this case. Ms. Kinlocke confirmed what Mr. Bennett had informed agents of previously. Personal effects belonging to Crooks including his wallet and miscellaneous credit cards were provided to Ms. Kinlocke by SA Wellinghoff at that time.

Crime Scene Activities

(IR #4, 15)

The primary crime scene consisted of a concentrated area in the 100 block of NW 189 Street. The stolen vehicle that Crooks was driving (a 2013 Lexus RX350 with Florida tag HGLD15 and VIN 2T2ZK1BA4DC099605) was found crashed into the front of the home located at 140 NW 189 Street. The home and the vehicle suffered extensive damage. The Lexus had multiple bullet holes along the driver's side and in the left portion of the front windshield. Tire tracks were observed leading from the swale in front of 131 NW 189 Street, across NW 189 Street in a southwesterly direction, through the front yard of the home located at 140 NW 189 Street, and to where the Lexus came to rest.

The Lexus had been reported stolen on September 15, 2018 by its registered owner, Ms. Joyce Stanley who resides at 561 NW 21 Court in Pompano Beach, FL. Ms. Stanley reported the vehicle stolen to the Broward

County Sheriff's Office (BSO) and a report documenting this theft was written under BSO case 11-1809-004090.

FDLE SA Michael Stein contacted Ms. Stanley and advised her of the recovery of her stolen vehicle. SA Stein also asked for consent to search the vehicle on scene at which time Ms. Stanley provided verbal consent to search the vehicle. Following a search of the vehicle on the scene, MGPD CSI Slaughter recovered fragments and projectiles from within the passenger compartment of the vehicle. The vehicle was towed from the scene to Magic Towing located at 7851 West 22 Avenue in Hialeah, Florida where it was placed in a secured garage on site.

On October 23, 2018, SA Stein, MGPD CSI Slaughter, and MGPD Homicide Detective Terry Goldston responded to Magic Towing and processed the Lexus further at which time SA Stein noted the following:

The Lexus had significant front end damage consistent with striking the residence located at 140 NW 189 Street. There was a small spare tire located on the front left side of the Lexus. There were three (3) holes visible in the front windshield (driver's side) consistent with bullet holes. There were multiple holes located on the driver's side window, left side and left rear quarter panel of the Lexus, consistent with bullet holes. The driver's side window was also broken consistent with a blunt object striking it.

The glass in the driver's side rear window was missing. The glass in the passenger side rear window was also missing. The front passenger window to the Lexus was broken, consistent with a blunt object striking it. There was an apparent exit projectile hole in the front passenger door of the Lexus. There were two (2) holes located on the interior portion of the front passenger door consistent with bullet holes.

There were two (2) strike marks located on the interior portion of the front windshield. These strike marks created a circular spider type pattern on the windshield glass. The position of these marks was to the center portion and passenger side of the windshield.

The driver's seat of the Lexus was in the reclined position. The driver's side air bag was deployed including an air bag at the lower leg level. There was a substance consistent with blood on the deployed steering wheel air bag. There was a substance consistent with blood and broken glass inside the passenger compartment of the Lexus. The steering wheel cover of the Lexus was ripped consistent with a projectile striking it.

There was a black hoodie sweat shirt with a red bandana in the front pocket, a pair of red New Balance sneakers and a Calvin Klein flip flop located on the rear floorboard of the Lexus. There was a prepaid Visa card located in the rear console area along with other miscellaneous paperwork. A pair of black cloth gloves was located next to the driver's seat and a prescription bottle containing empty plastic baggies was located in the driver's door pocket. A hammer was located on the driver's side floorboard. There was also an empty Gucci wallet located in the front glove compartment. The rear cargo area of the Lexus contained four (4) tires on rims, a black power charger and clothing.

The Lexus was processed for latent prints and DNA by MGPD Crime Scene Technician Slaughter.

It should be noted that CSI Slaughter indicated on her crime scene report that eight (8) projectiles and five (5) copper jacket fragments were recovered from inside the Lexus. However, per MDPD Criminalist John Mancini, who conducted firearms and tool mark analysis on the pistols, cartridge casings, and projectiles impounded in this case, there were four (4) lead fragments and ten (10) projectiles submitted for analysis. (See Firearms Analysis section below for further information)

Items collected and documented by MGPD Crime Scene Investigators on scene apart from the items collected from the Lexus included the following: (See sketch below for item locations)

- Thirty one (31) 9mm cartridge casings (Evidence markers (EM) 1-28 and 43-45)
- Visa Credit Card (EM 29)
- Children's Place Credit Card (EM 30)
- Office of Economic Self Sufficiency Card (EM 31)
- Visa Credit Card (EM 32)
- Plastic item with clip attached (EM 33)
- Plastic item (EM 34)
- Rubber molded item (EM 35)
- Plastic item with "GENIE" on it (EM 36)
- Nail file with red handle (EM 37)
- Rubber molded item (EM 38)
- Clothing belonging to Crooks and blood stain (EM 39)
- Two (2) vehicle key fobs with Crooks' clothing (EM 39)
- Torn Social Security Card (EM 40)
- Blood drops (EM 41)
- Black 5.11 brand gloves (EM 42)
- Taurus model PT24/7, .40 caliber semi-automatic pistol with serial number SAR09214.

Following the shooting, officers approached the vehicle to check Crooks' status. Discovering that Crooks was alive and still had a firearm in his waistband, Officer Benitez entered the vehicle and removed a Taurus model PT24/7, .40 caliber semi-automatic pistol with serial number SAR09214 from Crooks' waistband. Officer Benitez then secured the pistol in his vehicle.

On October 19, 2018, at approximately 1100 hours, FDLE SA Stein and MGPD CSI Slaughter opened Officer Benitez' vehicle (MGPD marked vehicle #424) and recovered a brown paper bag from the rear of the vehicle. The bag contained the previously mentioned Taurus pistol which was found to have a live cartridge in the chamber and a magazine inserted in the magazine well that contained eighth (8) live cartridges.

It should be noted that a weapons trace conducted through the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) revealed that the Taurus pistol recovered from Crooks had been purchased by "Nathaniel Cordelius Merrell, Jr."

On October 22, 2018, FDLE SA Chong-Yen and FDLE SA Jacky Succes responded to Merrell's residence and were unable to make contact with him in person. SA Chong-Yen, however, was able to speak with Merrell on the telephone. Merrell advised SA Chong-Yen that his firearm was stolen from his vehicle on October 9, 2018 while it was parked outside his residence at 21009 NW 14 Place. According to Merrell, he attempted to report the theft; however, he did not have the serial number to the firearm and a police report was not generated at that time. A report was subsequently generated by MGPD under case 2018-019504 documenting the theft of Merrell's firearm.

Officer Processing	(IR #5, 6, 7)
---------------------------	----------------------

The involved officers were processed as follows:

Officer Adkinson

On October 19, 2018, FDLE SA Chong-Yen responded to the hospital in order to coordinate the processing of Officer Adkinson who had received minor injuries during this incident and was transported from the scene to Aventura Hospital for treatment. When SA Chong-Yen arrived, he noted that MGD Detective David Schroeck and MGPD CSI Cynthia Alexander were exiting the emergency room and Detective Schroeck was carrying a gun belt belonging to Officer Adkinson. CSI Alexander advised SA Chong-Yen that Officer Adkinson had

already been photographed and SA Chong-Yen was present to document the round count of Officer Adkinson's firearm and magazines. The following was noted:

Officer Adkinson's Sig Sauer pistol (model P320 with serial number 58B205454) was contained within a holster on the gun belt. There was a Streamlight TLR-1 flashlight mounted on the end of the pistol and there was a twenty one (21) round capacity contained within the magazine well. Upon inspection of the pistol, a live cartridge (head stamp WIN 9mm Luger +P) was located in the chamber and there were twelve (12) live cartridges contained within the magazine.

Officer Adkinson's duty belt contained three additional twenty one (21) round capacity magazines in a triple magazine pouch and each of them were filled to capacity with twenty one (21) live 9mm cartridges. Also affixed to Officer Adkinson's duty belt was a Taser (model X2), a double handcuff pouch, a black metal multi-tool in a pouch, a handheld police radio, and a flashlight in a pouch.

Following the round count, SA Chong-Yen responded to the room in which Officer Adkinson was waiting to be treated. Upon arrival, SA Chong-Yen noted that Officer Adkinson was dressed in a short sleeve black polo type shirt that had the MGPD badge imprinted on the left chest area and "K-9" imprinted underneath the badge. Each sleeve of the shirt also had "POLICE K-9" imprinted on them. Additionally, "POLICE K-9" was imprinted on the back of the shirt. Officer Adkinson was also wearing black cargo pants on which was noted a light colored powdery substance, appearing to be dirt. (It should be noted that the swale area in which the vehicle was parked when officers initially contacted Crooks was a dirt/mud surface.)

Officer Gebbia

Officer Gebbia was transported to MGPD from the scene and was processed in an interview room in the Criminal Investigations Division. On October 19, 2018, at approximately 0915 hours, FDLE SA Wellinghoff responded to MGPD in order to document the processing of Officer Gebbia, which was performed by MGPD CSI Alexander. The following was noted at the time of processing:

Officer Gebbia was dressed in a MGPD class B uniform consisting of a blue uniform shirt with a MGPD patch on each sleeve and blue uniform pants. Additionally, Officer Gebbia was wearing a ballistic vest over his uniform shirt which had a silver badge affixed to the left chest and a duty gun belt consisting of the following: Right hand holster which contained a Glock model 34, 9mm firearm, a handcuff case, a double magazine pouch containing two spare magazines, a Taser, a police handheld radio, and a pair of spare handcuffs attached to the belt with a "belt keeper".

Officer Gebbia's firearm was removed from the holster and the following was noted:

The firearm was a Glock model 34, 9mm with serial number BCUT606. The firearm was equipped with a tactical "Valkyrie PL-2" flashlight and there was a live round in the chamber (head stamp WIN 9mm Luger) and a seventeen (17) round capacity magazine inserted in the magazine well which contained nine (9) live cartridges.

The spare magazines which were located in the magazine pouch on Officer Gebbia's duty belt were examined and each was found to have a capacity of seventeen (17) rounds and each was filled to capacity.

Officer Rivero

Officer Rivero was seated in a police vehicle when FDLE agents arrived on scene. On October 19, 2018, at approximately 0750 hours, FDLE SA Wellinghoff was advised that Officer Rivero had received some of Crooks' blood on his arms, which he had partially cleaned off; however, he wanted to clean his arms more thoroughly. Therefore, SA Wellinghoff directed that Officer Rivero be photographed and processed by MGPD CSI Slaughter next to a MGPD Crime Scene Unit vehicle. A gunshot residue (GSR) kit was collected at approximately 0800 hours and Officer Rivero's arms were also swabbed for the presence of blood. Further

processing of Officer Rivero to include the examination of his firearm and pistol magazines was conducted at approximately 0842 hours by FDLE SA Michael Stein and the following was noted:

Officer Rivero was dressed in a MGPD class B uniform consisting of uniform shirt with MGPD patches sewn on each sleeve and a silver badge on the left front chest, a duty belt and uniform pants. The duty belt consisted of a right hand holster containing a Glock pistol, a handcuff pouch, double magazine pouch, Taser, portable radio holder and an expandable baton holder.

Officer Rivero's firearm, which was contained within a holster on his duty belt, was examined and the following was noted:

The firearm, a Glock model 34, 9mm pistol with serial number BGXN905 had a live cartridge within the chamber and a twenty three (23) round capacity magazine inserted in the magazine well. The magazine was removed and was found to contain nine live cartridges.

Officer Rivero's spare magazines were examined as well and each were found to have a twenty three (23) round capacity. One of the magazines contained twenty three (23) live cartridges while the other contained twenty two (22) live cartridges.

Officer Rivero also had a body worn camera which he provided to FDLE SA Wellinghoff at the time of the round count. SA Wellinghoff then delivered the camera to MGPD Sergeant Douglas Skaggs who downloaded the video footage from it at MGPD.

It should be noted that none of the officers who fired their firearms provided a statement to FDLE agents under advice of counsel.

Area Canvass

(IR #12)

On October 19, 2018, an area canvass was conducted by FDLE SA Raul Perez and FDLE SA Joseph Crystal. The following individuals were contacted and the following information noted:

ADDRESS	RESIDENT'S NAME	WITNESS STATEMENT (YES/NO)
141 NW 189 Street	Willetta Bain	Yes (See civilian statement below)
141 NW 189 Street	Roudy Voltaire	Yes (See civilian statement below)
151 NW 189 Street	Jazmine Toomer	Yes (See civilian statement below)
150 NW 189 Street	Nobody answered	No
140 NW 189 Street	Nobody answered	No
130 NW 189 Street	Nobody answered	No
120 NW 189 Street	Nobody answered	No

It should be noted that the home at 141 NW 189 Street (Ms. Bain and Mr. Voltaire's residence) had a "Nest" camera in the home which faced the area of the shooting incident. Mr. Voltaire, however, advised that he does not pay a monthly storage fee to have footage saved and that any footage captured by the camera is automatically deleted after a short period of time. Therefore, there was no footage that was captured by the "Nest" camera. However, Mr. Voltaire had utilized his Ipad to film the aftermath of the shooting. (See Video Evidence section below for further details on this video.)

SA Perez and SA Crystal also responded to the Taco Bell restaurant located at 18895 NW 2 Avenue which is due west of the incident location. The restaurant had a surveillance camera affixed to the exterior of the building and footage was reviewed from the camera. The footage did not show the shooting incident or the events leading up to it.

Body Camera Footage

Officers Benitez, Mays, Rivero, and Gebbia all were wearing body cameras which captured the shooting incident and the events leading up to it. Footage from each of the cameras was downloaded by MGPD Sergeant Douglas Skaggs and provided to FDLE SA Monica Baldo. The footage was reviewed and showed the following:

(Note: Officer Bryan Blanco, who arrived on scene after the shooting was also wearing a body camera; however, the battery on the camera had not been charged. Therefore, Officer Blanco's camera contained no footage.)

Officer Benitez

Officer Benitez' body camera footage began at 04:55:49 hours and ended at 05:25:08 hours. On the video, an officer was heard asking, "How did you see that he has a gun?" to which Officer Benitez stated, "I looked inside. He had it right there." Benitez was also heard stating, "He's completely out" and an officer was heard stating, "His hand is right by the gun."

At 04:57:16 hours, Officer Benitez began knocking on the driver's window in an attempt to awaken Crooks while other officers positioned themselves along the driver's side of the vehicle, including Officer Adkinson who was positioned by the left side of the front windshield. For several seconds afterward, officers were heard announcing, "Police", "Miami Gardens Police Department", and "Put your hands in the air". Officer Benitez ordered Crooks to, "Open the door" and Crooks was observed reaching towards the front windshield.

At 04:47:50 hours, Officer Gebbia was observed attempting to break the driver's window after Crooks looked at the officers and then placed his hands on the steering wheel. An officer was heard in the seconds that followed stating, "He's going to put it in drive" and Officer Benitez was heard yelling, "Stop, stop" as the engine revved loudly.

At 04:58:00 hours, Crooks placed the vehicle in reverse and struck a vehicle parked behind him at which time he then accelerated forward towards the officers and several gunshots were fired. The vehicle then traveled across NW 189 Street and crashed into the front of the home located at 140 NW 189 Street.

Immediately following the crash, officers ran to the vehicle and multiple commands were given to Crooks to put his "hands up". Officer Adkinson was heard ordering Crooks, "Don't move for the gun" and "Don't you move for the gun" as Crooks was seen moving inside the vehicle.

Footage showed Officer Benitez entering the front passenger side of the vehicle as an officer mentioned something about getting the gun from Crooks. Officer Benitez was observed reaching towards Crooks and an officer was heard asking, "Got the gun?" to which Officer Benitez stated, "Got it". Officer Benitez was then observed on the video walking to his marked police vehicle, opening the rear lift gate, and then opening a paper bag. (Note: Later in the video, at 05:03:50 hours, Officer Benitez stated, "I got the gun in the back of my truck".) He then provided instructions over the police radio, closed the lift gate and walked back to the vehicle Crooks was in. He was heard asking other officers on the scene if they observed any other weapons to which Officer Adkinson stated "No. I don't see any but I'm cover" as he watched Crooks while other officers were entering the passenger side of the vehicle.

Officers were observed dragging Crooks to the roadway and then providing aid to him. At 05:10:08 hours, Officer Benitez told Sergeant Lucius, "I got his gun in a brown bag, inside it and then I put it inside my trunk. I didn't clear it or nothing".

The remainder of the footage showed Officer Benitez remaining on the scene and holding a perimeter point in front of 131 NW 189 Street.

Officer Mays

Officer Mays' body camera footage revealed two video files. The first began at 04:57:46 hours and ended at 05:00:23 hours. (Note: There is no audio until 30 seconds into the video footage) The footage showed Officer Adkinson positioned at the left portion of the front windshield of the vehicle with his gun pointed towards the driver (Crooks). The Lexus was seen backing up and then proceeding across the street where it crashed.

Following the crash, officers were heard giving commands to Crooks to raise his hands. An officer was heard stating, "The gun's right there" and officers repeatedly commanded and pleaded with Crooks not to reach for the gun, which an officer stated, at 04:59:02 hours, was "in his pants".

An officer advised that he secured the gun from Crooks at which time officers began discussing how to remove Crooks from the vehicle. The remainder of the video showed Officer Mays running towards police vehicles in order to obtain protective gloves.

The second video file began at 05:01:48 hours and ended at 05:03:17 hours and only showed him retrieving latex gloves from a police vehicle. Officer Mays was heard yelling at someone to stay inside their home and was then directed to respond to the rear of that residence to ensure nobody exited the rear of the residence at which time the video footage ended.

Officer Rivero

Officer Rivero's body camera footage began at 04:55:44 hours and ended at 05:10:25 hours. It began as officers stood by the vehicle and an officer was heard asking, "How did you see that he has a gun?" Officer Benitez responded by saying, "I looked inside. He had it right there." Officers then discussed how they were going to proceed with making contact with Crooks.

The footage depicted Officer Rivero standing at the driver's door of the vehicle while Officer Gebbia stood to the right of him, adjacent to the left rear passenger door. Officers attempted to awaken Crooks and repeatedly identified themselves as "Police" and "Miami Gardens Police Department" and ordered Crooks to open the door. However, Crooks refused to comply with the commands.

At 04:57:40 hours, a determination was made to break the driver's door window at which time Officer Rivero stepped back slightly and allowed Officer Gebbia to step in front of him in order to break the window.

At 04:57:45 hours, an officer is heard stating, "He's going to put it in drive."

At 04:57:49 hours, the vehicles' engine was heard revving loudly which indicated that Crooks was depressing the accelerator of the Lexus.

At 04:57:54 hours, Crooks placed the Lexus in reverse and a crash was heard shortly after. Crooks then (04:57:56 hours) accelerated forward towards officers and shots were fired.

Following the gunshots, the Lexus was seen on the footage traveling across the street and crashing in the home where it came to rest. Officers quickly approached the Lexus and began ordering Crooks not to move and not to reach for his gun. After Officer Benitez secured the firearm from Crooks, Officer Gebbia entered the front passenger side of the vehicle and began to administer first aid to Crooks. Crooks was subsequently removed through the right rear passenger door and taken to the roadway where officers administered first aid until MDFR arrived.

At 05:07:31 hours, Officer Gebbia was heard stating, "Dude I thought you were run over bro." Officer Rivero was then heard stating, "And he almost fucking hit me too on the fucking side".

At 05:07:38 hours, Officer Gebbia was heard stating, "Dude I was so fucking scared. I thought he was going to run you over bro."

Officer Gebbia

Officer Gebbia's body camera footage revealed two video files. The first began at 04:56:18 hours and ended at 05:11:12 hours. Footage was consistent with previously documented body camera footage. Of note, however, was footage depicting Sergeant Lucius breaking the windows on the passenger side of the vehicle after it had crashed into the home. The video also showed Officer Gebbia entering the passenger side of the vehicle after the crash and rendering aid to Crooks. Officer Gebbia then removed Crooks through the rear passenger door and dragged him to the roadway where he and other officers provided first aid. While they were rendering aid to Crooks, Officer Gebbia was heard stating, "Dude, I thought you were run over bro" and "Dude, I was so fucking scared. I thought he was going to run you over bro."

Surveillance Video Footage

As previously indicated, FDLE Special Agents Perez and Crystal located a camera affixed to the exterior of the Taco Bell restaurant located at 18995 NW 2 Avenue. FDLE Systems Programming Consultant (SPC) Kenny Subhit responded to the location and was able to download footage from the camera. A review of the footage revealed that neither the shooting incident nor the events leading up to it were captured by the camera.

Other Electronic Device Video Footage (Ipad)

During the area canvass, Mr. Roudy Voltaire who resides at 141 NW 189 Street, filmed aftermath of the shooting on his Ipad from his bedroom window. FDLE SPC Subhit responded to the home and recovered footage from Mr. Voltaire's Ipad. The footage was reviewed; however, did not show the shooting incident or the events that led up to it.

Law Enforcement Interviews

Note: The interviews are summarized below. For the verbatim statement, refer to the audio recording of each statement.

Sergeant Devin Lucius

(IR #11)

On October 19, 2018, FDLE SA Stein arrived to the scene and obtained factual information from Sergeant Devin Lucius as to what had occurred and confirmed with him that he did not discharge his firearm during this incident. Sergeant Lucius subsequently provided a voluntary, sworn, digitally recorded statement to SA Stein and Miami-Dade County Assistant State Attorney (ASA) Esther Jacobo. Sergeant Lucius indicated the following:

While conducting proactive patrol activities during his shift, Sergeant Lucius observed a Lexus SUV, which was running, parked in the swale in the 100 block of NW 189 Street. Sergeant Lucius provided the tag to the police dispatcher and requested that a backup unit be dispatched.

Officer Benitez arrived as a backup unit and positioned his vehicle on the driver's side of the Lexus at which time he and Sergeant Lucius approached the vehicle. Officer Benitez approached the front left portion of the Lexus while Sergeant Lucius maintained a position towards the rear of the vehicle. Once Officer Benitez arrived at his position, he observed Crooks sleeping in the driver's seat. He further observed that Crooks had a

gun tucked in his waistband. It was then learned through the police dispatcher that the vehicle had been reported as stolen.

Additional backup officers (Adkinson, Gebbia, Rivero, and Mays) arrived a short time later and Officer Adkinson positioned his vehicle in front of the Lexus. Sergeant Lucius and Officer Mays took a position towards the rear of the Lexus while the other officers positioned themselves on the driver's side of the vehicle and attempted to make contact with Crooks. Loud verbal commands to show his hands and to open the door were given to Crooks but he refused to comply with those commands. Crooks then accelerated backwards, striking a vehicle that was parked behind him, and then accelerated forward at which time Sergeant Lucius heard several gunshots. Following the gunshots, the Lexus travelled across NW 189 Street and struck the front of a residence and came to rest.

Following the shooting and the crash, Sergeant Lucius and the other officers attempted to open the doors to the Lexus but officers could not get in. Sergeant Lucius managed to break out a rear passenger window and entry was eventually made and the male was removed from the vehicle and taken to the roadway where first aid was administered until MDFR arrived.

Sergeant Lucius was subsequently advised by Officer Benitez that he had removed the firearm from Crooks' waistband and secured it in his police vehicle.

Officer Juan Benitez

(IR #13)

On October 19, 2018, Officer Benitez provided a voluntary, sworn, digitally recorded statement to FDLE SA Alberto Borges. Also present during the interview was ASA Jacobo and MGPD Internal Affairs Sergeant Lisa Bradshaw. The interview was conducted at the MGPD and Officer Benitez indicated the following:

Officer Benitez has been a police officer for approximately 24 years. He responded to the call for assistance from Sergeant Lucius regarding an occupied suspicious vehicle at 131 NW 189 Street. Upon his arrival, Officer Benitez walked up to the vehicle and looked inside and saw Crooks sleeping inside. As Officer Benitez looked into the vehicle and at Crooks, he observed the butt of a handgun in the front waistband of Crooks' pants and the gun appeared to have an "extended clip". It was soon learned that the vehicle had been reported stolen.

Additional police units responded to the scene including Officers Gebbia, Rivero, Mays, and Adkinson. Officer Adkinson parked his patrol vehicle in front of Crooks' vehicle and Officer Benitez parked his patrol vehicle at approximately a 45 degree angle to Crooks' vehicle.

A decision was made to awaken Crooks by knocking on the window and the officers positioned themselves on the side of the car. At one point as officers attempted to awaken Crooks, he awoke, appeared slightly disoriented, and lowered his window slightly. Officers loudly identified themselves as "Police" and loudly commanded Crooks to lower the window and open the door but he refused to comply. Crooks subsequently began "revving the engine of his car" and "he threw it in reverse and he hit an old pickup truck that was right behind his car..." Crooks then drove forward and Officer Benitez saw the vehicle strike Officer Adkinson on his left side/leg and Officer Benitez feared that Crooks was going to "kill" Officer Adkinson. Officers fired gunshots "as soon as he (Crooks) starts running over the K9 officer." Officer Benitez added, "I thought he was going to go under the car. I thought he was going to kill him." According to Officer Benitez, once Crooks moved the vehicle, he was unable to see what Crooks was doing with his firearm due to the dark tint on the windows. Officer Benitez advised that Crooks "could've been with the weapon on us." Officer Benitez prepared to fire his pistol; however, he saw the arm to one of the officers to his left and he did not fire because he feared shooting the other officer in the arm.

Following the shooting, the vehicle traveled across the street and crashed into the home. Officer Benitez and the other officers went over the vehicle and Officer Benitez subsequently retrieved the firearm from Crooks' waistband and secured it in his police vehicle.

Near the end of his sworn statement, Officer Benitez stated that it was "clear" to him that officers fired because, "He (Crooks) was going to kill the K9 officer and probably shoot back at us because we couldn't see through that glass."

Officer Kendrick Mays

(IR #19)

On October 19, 2018, Officer Mays provided a voluntary, sworn, digitally recorded statement to FDLE SA Monica Baldo. Also present during the interview was ASA Scott Warfman, MGPD Internal Affairs Sergeant David Noble, and MGPD Homicide Sergeant Joe Marinella. The interview was conducted at the MGPD and Officer Mays indicated the following:

Officer Mays has been a police officer for approximately eighteen months. On the date of this incident he was operating a marked MGPD vehicle and was dressed in an issued MGPD uniform. He responded to the scene as a backup officer and upon his arrival, he met with other officers who were already on scene including Officers Gebbia, Rivero, Adkinson, Benitez, and Sergeant Lucius. He observed Officer Benitez park his police vehicle at an angle adjacent to the vehicle in which Crooks was seated in order to provide cover for the officers.

Officer Mays initially took a position behind cover at the rear of Officer Benitez' vehicle as other officers approached Crooks' vehicle and attempted to make contact with him. As officers were banging on the window of Crooks' vehicle, Officer Mays approached the vehicle and observed Crooks awake but appearing "stunned". He also observed the butt of a gun in Crooks' waistband. Officer Mays stated that Crooks was not complying with commands to lower the window and he attempted to break the window with his expandable baton. Crooks backed his vehicle into another vehicle. Fearing he was going to be struck by the vehicle, Officer Mays backed up, dropped his expandable baton and began to draw his weapon at which time the vehicle drove forward and officers fired their weapons. He stated that he heard the gunshots, but did not see which officers fired. Officer Mays recalled that Officer Adkinson had been positioned at the front of Crooks' vehicle in the path of Crooks' vehicle as the vehicle accelerated forward.

Following the gunshots, Crooks' vehicle crashed into a home across the street. Officer Mays went over to the vehicle with other officers and he advised that an officer was able to enter the vehicle and secure the firearm that was in Crooks' waistband. Officer Mays heard Crooks stating, "Help me, help me" following the crash. Officer Mays ran to his vehicle and repositioned it in order to block the street and secure the scene. He then maintained a perimeter point at the scene at the direction of Sergeant Lucius.

Officer Bryan Blanco

(IR #27)

On November 5, 2018, FDLE Special Agents Dean Wellinghoff and Alberto Borges responded to the Miami Gardens Police Department in order to conduct an interview of MGPD Officer Bryan Blanco, one of the officers who responded to the shooting scene and assisted in providing first aid to Crooks. Also present in the interview was MGPD Homicide Sergeant Joe Marinella. Officer Blanco provided a sworn statement which is summarized as follows:

Officer Blanco was conducting patrol activities while working his normal shift from 1800 hours to 0600 hours on the date of the incident. Officer Blanco heard over the radio that Sergeant Lucius had discovered an occupied stolen vehicle and that the occupant of that vehicle was armed with a gun. Officer Blanco began to respond to the location in order to provide assistance to Sergeant Lucius. Prior to Officer Blanco's arrival on the scene, he heard over the radio that shots had been fired and that there was a vehicle crash. Officer Blanco arrived a short time later and observed a vehicle which had crashed into a home and officers surrounding the vehicle. Officer Blanco approached the vehicle and inquired from officers whether or not the gun which was possessed by Crooks had been secured at which time he was advised that the gun had been secured. Officer Blanco then assisted Officer Gebbia in removing Crooks from the vehicle by pulling him out of the right rear passenger door

and into the roadway where they began to render medical assistance to him. Officer Blanco noticed that Crooks had injuries to his right forearm, left shoulder, and left side of his neck. Officer Blanco also stated that Officer Rivero assisted him in providing medical assistance until Miami-Dade Fire Rescue arrived.

Additionally, Officer Blanco indicated that, while rendering aid to Crooks, two spare magazines were dislodged from Officer Rivero's magazine holder and they fell to the ground. Officer Blanco subsequently retrieved the magazines and gave them back to Officer Rivero.

Officer Blanco was not present at the time of the shooting incident. Therefore, he did not witness the shooting or the events which led up to it.

Fire Rescue Response and Interviews

MDFR Fire Rescue 38 Crew

(IR #25, 28, 29)

MDFR Rescue #38 was dispatched to the incident location in reference to the shooting. The crew consisted of Lieutenant Tammy Eltus, EMT/Paramedic Charles Rizo, and EMT/Paramedic Marvin Ady. Each member of the crew was interviewed by FDLE Special Agents and each provided a sworn, digitally recorded statement. Each of them recounted treating and transporting Crooks to Aventura Hospital; however, none witnessed the shooting incident nor did any of them hear or obtain any statements from Crooks or the involved officers regarding the circumstances under which the shooting occurred.

Civilian Witness Interviews

Willetta Bain

(IR #12)

Ms. Bain resides at 141 NW 189 Street and was home at the time of this incident. FDLE Special Agents Raul Perez and Joe Crystal interviewed Ms. Bain on October 19, 2018, at 0833 hours. Also present for the interview was MGPD Homicide Detective Sean Horne. Ms. Bain provided a sworn, digitally recorded statement and indicated the following:

Ms. Bain was in her bedroom, which faces south, and had awoke to her alarm at 0430 hours but remained in her bed for a while longer. Approximately 10 to 15 minutes later, Ms. Bain heard "six to seven gunshots" and looked out of her bedroom window. When Ms. Bain looked out of her window, Ms. Bain observed several officers standing next to a vehicle which had crashed into a home across the street. The officers had their guns drawn and were commanding Crooks, "Don't touch that gun. Don't touch that gun." Ms. Bain recognized the officers as police officers because "they had on uniforms."

Ms. Bain observed officers pulling Crooks from the vehicle and then providing first aid to him. Ms. Bain did not witness the shooting incident or the events that led up to it but, rather, only observed events that followed the shooting.

Roudy Voltaire

(IR #12)

Mr. Voltaire resides at 141 NW 189 Street with his mother, Willetta Bain, and was home at the time of this incident. FDLE Special Agents Raul Perez and Joe Crystal interviewed Mr. Voltaire on October 19, 2018, at 0922 hours. Also present for the interview was MGPD Homicide Detective Sean Horne. Mr. Voltaire provided a sworn, digitally recorded statement and indicated the following:

Between approximately 0430 hours and 0445 hours, Mr. Voltaire was in his bedroom when he heard what he described as a loud argument between some individuals near the front of his home. Soon afterward, he heard multiple gunshots and then heard a vehicle accelerating rapidly followed by the sound of a crash. Following the

crash, Mr. Voltaire heard "more yelling" and possibly additional gunshots from farther away. Shortly after, he looked out of his bedroom window, which faces south, and observed a Lexus which had crashed into a home across the street. Mr. Voltaire exited his home to see what had happened and observed officers approaching the Lexus and he was told by a police officer to get back into his home. As he walked back towards his home, he heard officers discussing the removal Crooks from the vehicle. He observed the officers carry Crooks to the street where they began to administer first aid to him.

Mr. Voltaire did not witness the shooting incident or the events that led up to it but, rather, only observed events that followed the shooting. Mr. Voltaire advised that he began filming the activities following the shooting on his Ipad from his bedroom window. As documented above, the footage was obtained and reviewed. It did not contain anything of evidentiary value.

Jazmine Toomer

(IR #12)

Ms. Toomer resides at 151 NW 189 Street and was home at the time of this incident. FDLE Special Agent Raul Perez and MGPD Homicide Detective Sean Horne interviewed Ms. Toomer on October 19, 2018, at 0957 hours. Ms. Toomer provided a sworn, digitally recorded statement and indicated the following:

Ms. Toomer was sleeping in her bedroom when she was awakened to gunshots in the area. She also heard commands to "Stop" and "Get down" and a crash simultaneously with the gunshots. After waking up, she ran through the home to check on a family member in the home. After making sure that nothing was wrong within her home, Ms. Toomer stepped outside of her home and observed several officers rushing up to the Lexus which had crashed into a home and then she "saw a body coming out." Ms. Toomer observed officers carry the Crooks to the edge of the roadway where they then began to administer first aid.

Ms. Toomer did not witness the shooting incident but, rather, only observed events that followed the shooting.

Medical Examiner's Report

(IR #26)

On October 20, 2018, an autopsy was performed by Dr. Benjamin Mathis. The following injuries were noted at the autopsy:

- Gunshot wound which began as a graze to the upper left shoulder. The projectile then traveled into the left side of the neck from left to right at a slightly downward trajectory.
- Gunshot wound to the upper left arm which fractured the humerus and traveled from left to right.
- Perforating gunshot wound which entered the right arm above the wrist and exited the forearm. (Note: Two exit wounds were associated with this gunshot wound.)
- A small abrasion located on the right side of the lower back.
- Multiple small abrasions were noted on various parts of the body possibly caused by flying glass and/or projectile fragments.
- A small abrasion was observed on the lower left arm with an apparent metal fragment in it. (Note: The fragment was approximately 1mm in size and was collected by Dr. Mathis. According to Dr. Mathis, the fragment was too small to have any comparative value and was not provided by Dr. Mathis for submission.)
- There were incisions on each side of the chest which had been made at the hospital for the insertion of chest tubes.

One projectile was recovered from the upper left arm and another was recovered from the area of the right clavicle.

Two yellow colored metal tooth caps were recovered from Crooks' esophagus and two small metal fragments resembling links to a necklace were recovered from the upper chest area.

According to the Medical Examiner's Report, the autopsy findings were:

- "Graze type gunshot wound of left shoulder associated with penetrating wound of neck and torso"
- "Penetrating gunshot wound of left arm"
- "Perforating gunshot wound of right forearm"
- "Mild cerebral edema"

The cause of death was indicated as "Gunshot Wounds" and the manner of death was classified as "Homicide."

Toxicology tests were also performed and the toxicology report indicated the presence of Cannabinoids and Tetrahydrocannabinol.

Laboratory Results

Firearms Analysis

(IR #18, 30, 31)

The following items were submitted to the MDPD Crime Laboratory in this case:

1. Sig Sauer model P320, 9mm pistol with serial number 58B205454 belonging to Officer Adkinson.
2. Glock model 34, 9mm pistol with serial number BCUT606 belonging to Officer Gebbia.
3. Glock model 34, 9mm pistol with serial number BGXN905 belonging to Officer Rivero.
4. Taurus model PT24/7, .40 caliber semi-automatic pistol with serial number SAR09214 which was removed from Crooks by Officer Benitez after the shooting incident.
5. Thirty one (31) 9mm cartridge casings recovered on scene.
6. GSR Kits collected from Officers Adkinson, Gebbia, Rivero, and from Neico Crooks.
7. 16 (16) spent projectiles which included four (4) lead fragments and two (2) that were recovered from Crooks' body at the time of autopsy.

Based on analysis by Criminalist John Mancini of MDPD's Firearm and Toolmark Unit, all of the submitted pistols were found to be in satisfactory operating condition.

The following is an analysis assessment of items submitted to the Firearm and Toolmark Unit:

- Sig Sauer model P320 belonging to Officer Adkinson: One (1) projectile and eight (8) cartridge casings were fired from this pistol. Two (2) additional projectiles, including one recovered from Crooks' left arm at the autopsy, "could have been fired in this same firearm based on class characteristics; however, damage and insufficient detail preclude a more conclusive determination."
- Glock model 34 belonging to Officer Gebbia: Eight (8) cartridge casings "were fired" in this pistol.
- Glock model 34 belonging to Officer Rivero: Fourteen (14) cartridge casings "were fired" in this pistol.
- Nine (9) projectiles, including the projectile that was recovered from Crooks' right clavicle at the autopsy, "could have been fired in either of the submitted Glock pistols (belonging to Officers Gebbia and Rivero) based on class characteristics; however, damage and insufficient detail preclude a more conclusive determination".
- Four (4) projectiles were "lead fragments of no microscopic comparison value".
- One (1) cartridge casing "was not fired in any of the submitted pistols based on differences in class and individual characteristics."

The GSR kits obtained from Officers Adkinson, Gebbia, and Rivero were positive for the presence of primer residue particles while the GSR kit obtained from Crooks was negative for the presence of primer residue particles.

MCPD CSI Slaughter collected swabs from the firearm that was recovered from Crooks. The swabs were submitted to the MCPD crime lab for analysis and a report from the Forensic Biology Section indicated that the following items were submitted and analyzed:

1. "Buccal standard swabs from N. Crooks"
2. "Swabs of the front and rear sights"
3. "Swabs of the grip"
4. "Swabs of magazine"

The results of the analysis indicated the following:

From the swabs of the front and rear sights, "a mixture of DNA profiles consisting of 2 contributors and including at least 1 male was obtained." "The partial male DNA profile obtained from the major component of the mixture matches the DNA profile obtained from "the buccal standard swabs of Crooks at "15 of the 21 loci."

From the grip, "a mixture of DNA profiles consisting of 2 contributors and including at least 1 male was obtained." "The male DNA profile obtained from the major component of the mixture matches the DNA profile obtained from" the buccal standard swabs of Crooks "at 21 of the 21 loci."

From the magazine, "a mixture of DNA profiles consisting of 2 contributors and including at least 1 male was obtained." "The male DNA profile obtained from the major component of the mixture matches the DNA profile obtained from" the buccal standard swabs of Crooks "at 21 of the 21 loci."

Summary Analysis

Based upon statements made by civilian witnesses, the following inconsistencies were noted:

Roudy Voltaire provided a sworn statement in which he recounted the sequence of events being; a loud argument, gunshots, a vehicle accelerating rapidly, and then a crash. He then heard more yelling and possibly additional gunshots from farther away.

Jazmine Toomer provided a sworn statement in which she described being awakened to gunshots. She also heard loud commands to "Stop" and "Get down", and a crash. Ms. Toomer advised that the commands, gunshots, and crash all seemed to happen simultaneously; however, she was not sure of the exact sequence of events.

Based upon body camera footage from the officers who were on the scene, the sequence of events was as follows: Officers approached Crooks' vehicle and attempted to make contact with him and awaken him by banging on the window and giving loud verbal commands. However, Crooks refused to comply with the officer's commands to lower the window and raise his hands. Instead, Crooks depressed the accelerator causing the vehicle to rev loudly, placed the vehicle in reverse striking a vehicle parked behind him, and then accelerated forward towards officers. Gunshots were then fired and were followed by the subsequent crash into the home.

Conclusion

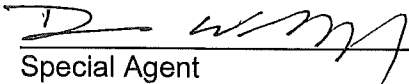
The Florida Department of Law Enforcement has completed a comprehensive investigation into the use of deadly force by (agency and officer name). This presentation of facts is based on law enforcement witnesses, civilian witnesses and physical evidence. FDLE submits this investigative summary to the Office of the State Attorney for their review and disposition.

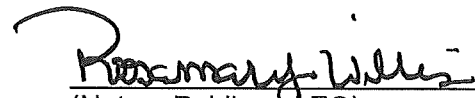
Notarizations

I swear that the foregoing is a true and accurate summary of facts either personally known to me, or derived from statements provided to me or to other law enforcement officers during the course of this investigation.

SWORN to and SUBSCRIBED

This 27 day of FEB., 2019


Special Agent
Florida Department of Law Enforcement
Miami Regional Operations Center
1030 NW 111 Avenue
Miami, Florida 33172


(Notary Public of LEO)

