



STATE ATTORNEY

ELEVENTH JUDICIAL CIRCUIT OF FLORIDA
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KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY

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July 5, 2018

Jorge Colina, Chief of Police
City of Miami Police Department
400 NW 2nd Avenue
Miami, FL 33128

Dear Chief Colina:

Enclosed is our final report regarding the investigation into the police-involved shooting of Bernard Joseph Gantt on December 24th, 2017. The officers involved in this incident were Officers Willie Laster (#28417) and John Romero (#42629).

The investigation has determined that, while in a stolen vehicle, the subject drove recklessly and eventually crashed as he fled from the Police. Officers Laster and Romero fired their weapons when the subject retrieved a gun from his waistband and pointed it in Officer Laster's general direction.

Considering Mr. Gantt's menacing actions, it is reasonable to believe that Officer Laster and Officer Romero considered it necessary to use deadly force by firing their weapons to prevent injury to themselves and others. 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)
MPD – Internal Affairs
Sgt. Steadman Stahl, (PBA)
Andrew Axelrad, (PBA)
Robert Senior (AUSA)
Troy Walker (FDLE)
Enclosure



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INTEROFFICE MEMORANDUM

TO: KATHERINE FERNANDEZ RUNDLE DATE: JULY 3, 2018
State Attorney

FROM: STAFFING/REVIEW TEAM RE: POLICE SHOOTING
CASE #: FDLE MI-27-0077
SAO #62/17/12/24/004
INJURED: Bernard Joseph Gantt

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 Bernard Joseph Gantt repeatedly refused to follow police commands. He recklessly drove a stolen vehicle at a high rate of speed, nearly hitting Officers' vehicles, before crashing into a house. While being chased on foot, the subject retrieved a gun from his waistband area and pointed it in Officer Laster's direction. Fearing for his life, Officer Laster discharged his firearm. Officer Romero also observed the subject move to draw something from his waist, an action consistent with drawing a firearm. Officer Romero subsequently heard a shot and thought the subject had shot Officer Laster. Therefore, Officer Laster also began shooting at the subject.

Considering Mr. Gantt's threatening actions, it is reasonable to believe that the Officers considered it necessary to use deadly force to prevent injury to themselves and others.

We find that Officer Willic Laster (28417) and Officer John Romero (42629) were legally justified in the use of force by firing their weapons.

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

 _____ Jose J. Arrojo	 _____ Kathleen Hoague	 _____ Esther Jacobs
 _____ Don L. Horn	 _____ Frank Ledee	 _____ Reid Rubin
 _____ Christine Zahralban	_____ Responding Member of Shooting Team	_____ Responding Member of Shooting Team

Approved by State Attorney on this 5 day of July, 2018.

KATHERINE FERNANDEZ RUNDLE
State Attorney





INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM

DATE: JULY 3, 2018

FROM: MICHAEL VON ZAMFT
Assistant State Attorney

RE: POLICE SHOOTING CLOSEOUT MEMO
CASE # MI-27-0077
SAO# 62/17/12/24/004

OFFICER INVOLVED:	OFFICER WILLIE LASTER ID #28417 OFFICER JOHN ROMERO ID #42629 CITY OF MIAMI POLICE DEPARTMENT
INJURED:	BERNARD JOSEPH GANTT DOB: 12/26/1980, 37 YOA
INJURIES:	SEVERAL GUNSHOT WOUNDS ON THE CHEST, LEFT SIDE OF TORSO AND BACK.
DATE & TIME:	DECEMBER 24, 2017, APPROXIMATELY 3:30 A.M.
LOCATION:	5804 NW 18 th AVENUE, MIAMI, FL 33142
WEAPON:	ONE GLOCK, MODEL 22 GEN 4, 40 CALIBER SEMI-AUTOMATIC PISTOL, SERIAL NUMBER MIA2218, AND ONE GLOCK, MODEL 22 GEN 4, 40 CALIBER SEMI-AUTOMATIC PISTOL SERIAL NUMBER MIA1541
LEAD INVESTIGATOR:	SPECIAL AGENT CONFESOR GONAZLEZ FLORIDA DEPARTMENT OF LAW ENFORCEMENT
M.P.D. CASE #:	171224-0056086

SUMMARY OF THE FACTS

On December 24, 2017, complainant, Antoinette Lashona Avery, reported her vehicle being stolen. Upon arrival, Officers Romero and Laster contacted the complainant. The complainant stated she had located her stolen vehicle, a 2005 Silver Chevy Malibu, which had been stolen by her ex-boyfriend Bernard Joseph Gantt, DOB 12/26/1980. Gantt was sitting in the stolen vehicle near the Burger King on 54th Street and NW 6th Avenue.

Officer Romero approached Gantt and illuminated his spotlight inside the stolen vehicle. Gantt started the ignition and fled. The officers started a vehicle pursuit. Gantt crashed the stolen vehicle into a single-family residence, located at 5804 NW 18th Avenue, Miami, FL 33142. Gantt exited the vehicle and fled on foot with the officers in pursuit. Officer Romero yelled at Gantt to "stop" as he was jumping over a fence. Gantt continued to run.

Gantt was running towards where Officer Laster was setting a perimeter. Officer Laster drew his firearm as he was approaching Gantt. Officer Laster noticed Gantt retrieve a gun from his waistband and point it in his direction. Fearing for his life, Officer Laster discharged his firearm. As Officer Romero neared Gantt, he saw him place his left hand on his waist and moved to draw something with his right hand. Officer Romero stated that Gantt's actions were consistent with someone drawing a firearm. Officer Romero heard a shot and thought Gantt had shot Officer Laster. Officer Romero drew his firearm and immediately began shooting at Gantt. Once Gantt fell to the ground, Officer Laster maneuvered the gun with his right foot from Gantt's right hand, onto the sidewalk away from Gantt. A .38 Caliber S&W five shot revolver, Model 925, S/N AN91285 firearm was recovered from the possession of Mr. Gantt. Mr. Gantt sustained multiple gunshot wounds. Furthermore, Officer T'Andre Bellinger, states that he heard the officers yell "gun." Officer Jason Washington also states that he heard the other officers advise "shots fired." In addition, Officer Marquis Williams heard the officer on the radio advise that Gantt had a weapon. Other civilian witness statements further corroborate this. Civilian Dedric Marshall stated that he repeatedly heard the officer give the male commands to "drop the gun."

ANALYSIS

In this investigation, unlike many such investigations, both shooting officers gave voluntary statements about what occurred. The shooting took place at 3:30 AM when it was dark outside, and the neighborhood was dimly lit. City of Miami Police Department Officers Willie Laster and Officer John

Romero responded to a call at NW 6th Avenue and 54th Street on the date of the incident. That call was about a possible stolen vehicle, a 2005 Silver Chevy Malibu, which belonged to the claimant Antoinette Lashona Avery. The Officers were also informed of a call regarding shots fired in the area of NW 6th Court and 54th Street; however, that call turned out to be unrelated to this matter.

When Officer Laster and Officer Romero arrived at NW 6th Avenue and 54th street, the claimant flagged them down. She said she and Gantt had an on-again, off-again relationship, and that he had forcibly taken the keys from her early on the morning of December 12, 2017, and drove off in her vehicle without permission. She said she had been looking around for her vehicle that night because Gantt never returned with it and she needed it for work. The claimant then gave Officer Laster a case card regarding a stolen vehicle report she had made earlier. Officer Romero located the possible stolen vehicle and the claimant confirmed it was her vehicle.

When Officer Romero approached the stolen vehicle, Gantt was inside it. He disregarded police commands to stop and drove away at a high rate of speed, nearly hitting both Officers' vehicles. Gantt traveled north on NW 6th Court and turned west on NW 58th Street. Officer Romero was positioned directly behind Gantt. Gantt was driving recklessly west on NW 58th Street to the area of NW 18th Avenue, when he lost control of the vehicle and crashed into a house, causing a large hole in the side of the garage. The vehicle flipped over and came to rest on the driver's side. Gantt managed to get out of the vehicle and flee. Once Gantt was fleeing on foot, Officer Romero requested that a perimeter be established. Officer Laster proceeded north on NW 18th Avenue to set up a perimeter post on NW 59th Street.

As Officer Laster was taking a perimeter position, he saw Gantt running north on NW 18th Avenue. Officer Laster then ran south on NW 18th Avenue from 59th Street, on the east sidewalk, towards Gantt to intercept and apprehend him. As Officer Laster was approaching Gantt he drew his firearm. Officer Laster noticed Gantt retrieve a gun from his right front waistband area and pointed it in the officer's direction. In fear for his life, Officer Laster discharged his firearm. Officer Romero saw Gantt place his left hand on his waist and move to draw something with his right hand. Officer Romero stated that this action was "consistent with someone drawing a firearm." Officer Romero heard a shot and thought Gantt had shot Officer Laster. Officer Romero immediately drew his firearm and began shooting at Gantt.

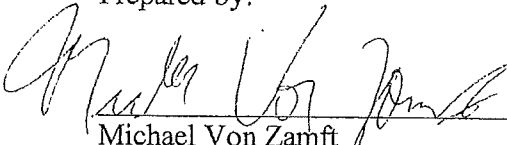
The role of the State Attorney in this investigation and in conducting this review is limited to determining whether a criminal violation of Florida law has occurred, whether any person may be held criminally responsible, and whether such criminal responsibility can be proven beyond a reasonable

doubt in a court of law. The State Attorney does not establish agency policy, procedures, or 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 Miami Police Department Officers Willie Laster and John Romero constitute a criminal act that can be proven beyond and to the exclusion of every reasonable doubt. To that end, prosecutors from the State Attorney's office went to the scene of the shooting, attended and/or reviewed the statements of witnesses, and reviewed the executive summary prepared by FDLE, which is hereby incorporated into this memorandum.

Section 776.012, Florida Statutes, permits the use of deadly force when a person reasonably believes such force is necessary to prevent imminent death or great bodily harm to himself or to prevent the commission of a forcible felony. Section 776.05(1), 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.

During the shooting incident, Officers Laster and Romero fired their weapons and, therefore, used deadly force. However, during that time, Bernard Gantt had retrieved a gun from his waistband and pointed it in Officer Laster's general direction. The evidence demonstrates that both Officers Laster and Romero reasonably believed that deadly force was necessary to prevent imminent harm to each other and to themselves. Officer Laster and Romero both knew the vehicle Gantt was in was stolen; that he endangered themselves and anyone else who was on the road as he fled from the police, that he bailed from the vehicle after it crashed, and disregarded commands to stop. Furthermore, they saw Gantt pointing a firearm at them (which was recovered from the scene). Their statements, in which they stated that they fired their weapons out of fear for their lives, are corroborated by physical and testimonial evidence. Officer Laster and Officer Romero were legally justified in using deadly force against Gantt.

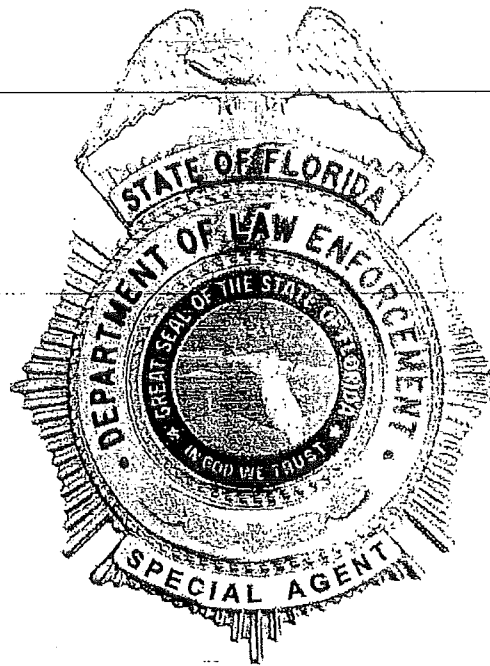
Prepared by:



Michael Von Zamft
Assistant State Attorney

Laura Adams
Assistant State Attorney

Florida Department of Law Enforcement
Eleventh Judicial Circuit



Police Use of Force Investigation

Case #: MI-27-0077

Case Agent: Confesor Gonzalez

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

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FLORIDA DEPARTMENT OF LAW ENFORCEMENT

Eleventh Judicial Circuit of Florida

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Eleventh Judicial Circuit of Florida

Investigative Summary

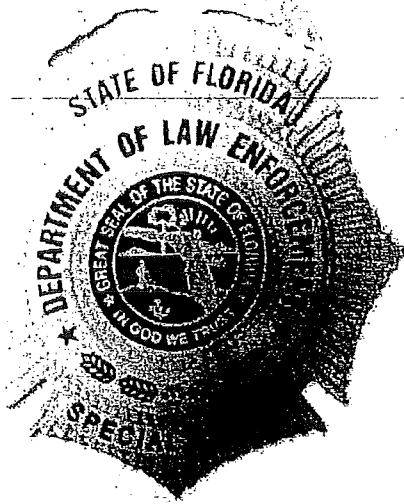
Use of Force Investigation

City of Miami Police Department

Incident Date: December 24, 2017

Case Agent:

Special Agent Confesor Gonzalez



Victim:

Bernard Joseph Gantt
B/M
DOB: December 26, 1980

Involved Officers:

Officer Willie Laster
Officer John Romero
City of Miami Police Dept.
400 NW 2nd Avenue
Miami, FL 33128

Incident Location:

NW 18th Avenue and 58th Street,
Miami, FL 33328

Initial Response

(IR # 1)

On Sunday, December 24, 2017, at approximately 0330 hours, The Miami Police Department (MPD) requested the Florida Department of Law Enforcement (FDLE) respond to 5804 NW 18th Avenue in the City of Miami, Miami-Dade County Florida, to investigate a use of deadly force incident by MPD Officers Willie Laster and John Romero against Bernard Joseph Gantt.

On the same date, initial information revealed that at approximately 0308 hours, MPD Officers Laster and Romero were dispatched to NW 6th Avenue and 54th Street in reference to a complainant reporting a possible stolen vehicle. Upon arrival, the officers made contact with the complainant, later identified as Antoinette Lashona Avery, who advised that she located her stolen vehicle, a 2005 Silver Chevy Malibu, which had been stolen by her ex-boyfriend/victim, later identified as Bernard Gantt. Antoinette Avery located her vehicle parked at an apartment complex occupied by Bernard Gantt seated in the driver seat. As the officers approached the vehicle, Bernard Gantt fled in the vehicle and the officers initiated a vehicle pursuit.

Bernard Gantt crashed the stolen vehicle into a single-family residence, located at 5804 NW 18th Avenue, Miami, Florida 33142. Bernard Gantt then exited the vehicle and fled on foot with the officers in pursuit. While fleeing from officers, Bernard Gantt brandished a firearm and was subsequently shot by Officers Laster and Romero. Bernard Gantt sustained multiple gunshot wounds and was treated by Miami Fire Department Rescue (MFDR) #12. Bernard Gantt was transported to Jackson Ryder Trauma Center where his condition was originally listed as critical; however he survived his injuries. Officers Laster and Romero were not injured.

911 calls / Radio Communications / CAD report

(IR# 2)

911 Calls:

Time:	Notes:
0308 hours	██████████ called 911 after locating her stolen vehicle occupied by ex-boyfriend "Bernard". informed dispatch she was hiding in the bushes to avoid detection by Bernard Gantt.
0314 hours	██████████ called 911 back anxiously requesting an estimated time of arrival (ETA). Dispatch operator advised next available unit will be dispatched.
0329 hours	██████████ called 911 again to advise police vehicles were in pursuit, stating "they on the chase, don't you hear the sirens?"

Radio Communications:

Time:	Transmission:
0318 hours	MPD Officers Willie Laster and Sandra Garcia were dispatched to the call for service. Officer Romero responded and cancelled Officer Garcia to advise he was in close proximity to the location to back up Officer Laster.
0326 hours	MPD Officers Kyle Larrow and Giordano Acosta were dispatched to NW 6 Court and 54 Street reference a call received regarding shots fired in the area. Officer Larrow informed dispatch that other units were in the same area on another call. Officer Laster informed dispatch that Officers were in the area and had not heard shots fired but would investigate.
0329 hours	Officer Laster transmitted with an excited/rapid tone vehicle tag "EDC73", as dispatch attempted to repeat, Officer Laster advised "EDAC73" referring to the "grey Malibu".
0330 hours	Officer Romero transmitted the fleeing vehicle was involved in an accident near NW 19th Avenue and 58th Street. Officer Romero requested a security perimeter between NW 18th to 19th Avenue and NW 58th to 59th Street. Officer Romero then transmitted "westbound" and "east, east".
0331 hours	Officer Laster transmitted "shots fired" followed by location (NW 18th Avenue and 59th Street).
0332 hours	MPD Officer TiAndre Bellinger transmitted two officers discharged their firearms and subject

was "down". Officer Bellinger requested a security perimeter.

CAD Report

The 911 calls and radio communications made by officers (Laster, Romero, Larrow and Bellinger) and complainant [REDACTED] were consistent with recorded CAD times and notes.

Hospital Response

(IR #3)

On Sunday, December 24, 2017, FDLE SA Pete Chong-Yen responded to Ryder Trauma Center where Bernard Gantt was transported by Miami Fire Department Rescue (MFDR) #12 for treatment. SA Chong-Yen made contact with MPD Homicide Detective Ridge Graham, MPD Uniform Patrol Officers Jason Washington and Tanya Bauza as well as MPD Crime Scene Investigator Barbara Simbert.

Detective Graham informed SA Chong-Yen that the victim shot by officers was identified as Bernard Joseph Gantt and Gantt was currently sedated and receiving medical attention. SA Chong-Yen was also informed by Officer Bauza that she and Officer Washington arrived at the scene following the shooting. Both Officers Bauza and Washington were later tasked to escort MFDR #12 during transportation of Bernard Gantt to Ryder Trauma Center.

Officer Bauza stated that she observed several wounds consistent with gunshot wounds to Bernard Gantt's chest, left side of torso and back. According to Officer Bauza, a plastic bag secured at the nurse's station contained clothing that was cut off of Gantt by medical staff. SA Chong-Yen was able to see through the clear plastic bag and determined that it contained a pair of black and white athletic shoes, a grey shirt / top, a black tank top and a silver watch. Officer Bauza informed SA Chong-Yen that the property would be submitted into evidence by MPD. Officer Bauza further stated that a computer check revealed that Bernard Gantt had an active arrest warrant issued on 8/15/2016 out of Miami-Dade County for driving while license suspended (knowingly), bond \$3,500.00. MPD Crime Scene documented and photographed the hospital scene.

It should be noted that Bernard Gantt was rushed in to surgery and was subsequently arrested by MPD who then placed him in the custody of Miami-Dade Corrections. Bernard Gantt was assigned a public defender and as such FDLE agents were unable to interview him.

Crime Scene Activities

(IR #4, 11, 14)

On Sunday, December 24, 2017, at approximately 0440 hours, FDLE SA Michael Stein coordinated with MPD Crime Scene Technicians to process and document the crime scene located at NW 59th Street and 18th Avenue. SA Stein then met with MPD Crime Scene Supervisor Wendell Harris and Crime Scene Technician Barbara Simbert regarding the processing of this scene.

At approximately 0540 hours, SA Stein was informed by SA Gonzalez that MPD Officer T'Andre Bellinger, who witnessed the police shooting, was going to direct investigators in a walk-through of scene in order to give investigators a better understanding as to how the events unfolded. Officer Bellinger informed SA Stein that he responded to the scene to assist the officers who were chasing Bernard Gantt. Officer Bellinger stopped his marked patrol vehicle in the roadway next to Officer Laster's marked patrol vehicle on NW 19th Avenue and 59th Street. He exited his police vehicle and saw Officers Laster and Romero running south on NW 18th Avenue from 59th Street. Officer Bellinger then heard someone yell "gun" and saw Officers Laster and Romero discharge their firearms in an easterly direction, while standing in the middle of NW 18th Avenue. Soon thereafter, Officer Bellinger observed Bernard Gantt on the ground.

Shooting Scene:

The scene was located in the roadway between NW 59th and 58th Streets on NW 18th Avenue. At the time of this shooting it was dark outside and it had not been raining. The area was dimly lit and illuminated by street lights.

At the intersection of NW 18th Avenue and 59th Street, MPD marked police vehicle 214211 assigned to MPD Officer T'Andre Bellinger was stopped facing southbound just west of marked MPD police vehicle 29218. To the south of the marked police vehicles there were fourteen (14) spent shell casings located in the roadway on NW 18th Avenue. To the east of the fourteen (14) spent shell casings, a .38 caliber, Smith and Wesson Model 925 (serial number 91285) five shot revolver was located on the sidewalk. Just south of the revolver, was bloody clothing, medical waste consistent with life saving measures from fire rescue.

~~A projectile / projectile fragment was located on NW 18th Avenue, north of NW 58th Street. There was a marked MPD police vehicle (216591) parked mid-block, between NW 58th and 59th Streets on NW 18th Avenue. To the south of the shooting scene, there was a vehicle crash scene located on the south side of the residence at 5804 NW 18th Avenue. The vehicle involved in this crash was a silver Chevrolet Malibu bearing Florida tag # EDAC73.~~

At approximately 0700 hours, SA Stein along with MPD Detective (Det.) Ridge Graham met with Kareem Adams and Detric Marshall who reside at 5804 NW 18th Avenue / 1815 NW 58th Street (rear of 5804 NW 18th Avenue). Adams and Marshall signed consent to search form authorizing investigators from the MPD and FDLE to enter their property in an effort to collect and document evidence as part of this investigation. While on the scene, the resident of 1795 NW 58th Street approached an unknown MPD Police Officer and advised that a projectile had been located in a shower on the second floor of the residence. Upon further inspection of the exterior of the residence, a hole consistent with a projectile strike was observed in the upper left side of the second story window located on the northwest corner of the residence. The projectile provided to the MPD officer was impounded by MPD as part of this investigation. It should be noted that the second story window and portions of the northwest side of the residence had other holes consistent with projectile strikes which the homeowner stated were old damage and unrelated to this incident.

At approximately 1215 hours, MPD K-9 (gun dog) Sergeant (Sgt.) Alberto Perez and his partner Dexter conducted a check of the shooting scene for any spent shell casings not located by MPD crime scene investigators. Upon checking the area, K-9 Dexter located one (1) spent shell casing in the grass just north of evidence marker 15 which is where the revolver was located on this crime scene. While marking the spent shell casing, MPD Crime Scene Technician Barbara Simbert located a second spent shell casing near the spent shell casing located by K-9 Dexter. The spent shell casings, clothing, firearm and projectiles were impounded by MPD Crime Scene Investigators. The Chevrolet Malibu was towed from the scene by MPD, tow slip issued.

Below is a listing of evidence marker numbers denoting evidence on the scene:

- Markers 1 thru 14 Spent Shell casings
- Markers 22 / 23 Spent Shell casings
- Marker 15 Smith and Wesson Model 925 Revolver (serial number 91285)
- Marker 17 Pool of Blood
- Marker 18 Projectile Fragment
- Marker 19 Hoodie Jacket
- Marker 20 Marlins Hat

➤ Marker 21 bullet hole window of 1795 NW 58 Street

Secondary Scene:

On Sunday, December 24, 2017, at 1135 hours, SA Michael Stein advised FDLE SA Alberto Borges, that a projectile had been discovered in a residence upstairs' bathroom located at 1795 NW 58 Street, Miami, Florida. SA Stein directed SA Borges to document the scene and speak to the resident. SA Borges spoke to Judith Maldonado in her residence located at 1795 NW 58th Street. She said her son, Edgardo Maldonado, was about to take a shower in the second floor bathroom when he found the projectile on the floor of the shower stall. He picked up the projectile and showed it to her. She took the projectile and handed it to a MPD Officer Jose Sepulveda. Judith Maldonado signed consent to search allowing MPD CSI to process the bathroom.

The structure that the projectile was found is a two-story single family residence. The second floor of the structure is primarily bedrooms and bathrooms. The bathroom in which the projectile was found is located on the northwest side of the second floor of the structure. Access to the bathroom is obtained from a bedroom located on the west side of the structure. The bathroom contains a toilet, sink and standup shower stall. The stall is located against the north wall of the structure with a window inside the stall against the north wall. The window was divided into nine smaller window panes. The window had two holes, one on the top left corner and the second on the lower left corner.

According to Judith Maldonado, the lower right hole was there previously and the upper left hole was new. An examination of the shower stall showed no broken glass or any other damage inside the bathroom. Judith Maldonado said she did not clean the bathroom or find any additional damage in the shower stall. The wall and windows on the north side exterior of the structure had multiple holes which were consistent with strike marks. Judith Maldonado said that all the holes, except the previously mentioned hole in the bathroom window, were old. The projectile was recovered from Officer Sepulveda by MPD Crime Scene Technician Barbara Simbert.

Search Warrant:

On Thursday, December 28, 2017, MPD Homicide Sgt. Roger Jackson served a search warrant on the vehicle Bernard Gantt was driving which belongs to Antoinette Avery. The vehicle was then processed by MPD Crime Scene Investigations (CSI) and a firearm was discovered in the driver side door panel. The firearm was identified as a Smith & Wesson semiautomatic pistol Model SW40VE, and contained a total of six (6) live rounds in the magazine and no live rounds in the chamber. The firearm was swabbed by MPD CSI Technicians and was submitted to the Miami-Dade Crime Lab for DNA analysis.

A records check of the firearm revealed that it was registered to Ronald Edward Lee Ivey who resides in Tallahassee, Florida. The firearm did not show it reported as stolen. On Tuesday, December 26, 2017, SA Gonzalez conducted a telephonic interview with Ronald Ivey. Ronald Ivey informed SA Gonzalez that he was visiting Miami last year and met Antoinette Avery. The couple went to a night club in Miami and he [Ronald Ivey] left his gun in the glove box of Antoinette Avery's vehicle. According to Ronald Ivey, when they returned to the vehicle, his gun was missing and Antoinette Avery told him "someone must have stolen it".

Ronald Ivey said that he questioned Antoinette Avery because the car windows had not been broken and the car was secure. Ronald Ivey said that he opted "not to make an issue out of it" and subsequently returned home to Tallahassee and never spoke with Antoinette Avery again. Ronald Ivey stated that he did not file police report/complaint. MPD Sgt. Jackson was updated with the aforementioned information regarding the alleged firearm theft/recovery.

Officer Processing

(IR #5)

On Sunday, December 24, 2017, SA Borges witnessed and documented the processing of MPD Officers Willie Laster and John Romero. This occurred in the MPD Crime Scene Investigations Van. Present during the

processing were Fraternal Order of Police Attorney Eugene Gibbons, MPD Internal Affairs (IA) Sgt. Shantel Kirkland, MPD Crime Scene Investigation (CSI) Supervisor Wendell Harris and MPD CSI Technician Laura Leonard who photographed the officer processing segment.

Officer John Romero Firearm:

Glock, Model 22 Gen 4, 40 caliber semi-automatic pistol, S/N MIA2218.
The pistol contained one live round in the chamber (Speer 40 caliber Smith and Wesson) along with 6 live cartridges in the magazine inserted in the magazine well (15 round capacity).
Two spare magazines were recovered from Officer Romero's magazine pouch both loaded to capacity with fifteen (15) live cartridges in each magazine. All the cartridges recovered from the weapon and magazines were Speer 40 caliber Smith and Wesson. A total of 37 out of a possible 46 live cartridges were recovered from Officer Romero's firearm and spare magazines.

Officer Romero was processed at 0726 hours inside the MPD Crime Scene Investigations Van. Officer Romero was dressed in his MPD Class "B" uniform marked with his name tag, badge and MPD patches on each sleeve. Officer Romero department issued duty belt contained the following items: an expandable baton in its holster along with a pouch containing rubber gloves, handcuff case with handcuffs and a holder containing a flashlight. Additionally, Officer Romero was equipped with a police department issued Motorola radio maintained in a carrier, Taser X-2 in a holster, two spare magazines each in a magazine pouch and a key chain with several keys. CSI Tech Leonard collected Officer Romero's weapon and two spare magazines from his duty belt. Officer Romero was photographed and provided a replacement weapon with three magazines prior to clearing the scene.

Officer Willie Laster Firearm:

Glock Model 22 Gen 4, 40 caliber semi-automatic pistol, S/N MIA1541.
The pistol contained one live round in the chamber (Speer 40 caliber Smith and Wesson) along with 8 live cartridges in the in the magazine inserted in the magazine well (15 round capacity)
Two spare magazines were recovered from Officer Laster's magazine pouch loaded to capacity with fifteen (15) live cartridges in each magazine. All the cartridges recovered from the weapon and magazines were Speer 40 caliber Smith and Wesson. A total of 39 out of a possible 46 unfired cartridges were recovered from Officer Laster's firearm and spare magazines.

Officer Laster was processed at 0755 hours inside the MPD Crime Scene Investigations Van. Officer Laster was dressed in his MPD Class "B" uniform marked with his name tag, badge and MPD patches on each sleeve. Attached to the left shoulder strap of his uniform shirt was a small flashlight. Officer Laster's department issued duty belt contained the following items: An expandable baton in its holster, cellular phone case with a cellular phone, two key rings with keys. Officer Laster's was equipped with OC holster containing department issued OC spray, handcuff case with handcuffs and a holder containing a flashlight A police department issued Motorola radio in holder, two spare magazine each in a magazine pouch along with a folding knife clipped to his belt. CSI Tech Leonard collected Officer Laster's weapon and two spare magazines from his duty belt. Officer Laster was photographed and provided a replacement weapon with three magazines prior to clearing the scene.

Conducted Electrical Weapon Analysis

(IR# 24)

On Tuesday, February 6, 2018, MPD Officer John Romero's CEW (Taser), model X2, with serial number X29003X9M, was impounded by MPD Sgt. David Bernatt at the MPD Internal Affairs Division. On Wednesday, February 7, 2018, MPD Sgt. Frank Espinosa and MPD Det. Orlando Benitez conducted a data download on Officer Romero's CEW, which revealed the trigger of the CEW was pressed and the CEW registered "Cartridge Sense Fault" indicating a malfunction. This information is consistent with Officer Romero's statement that he

attempted to deploy the CEW on Bernard Gantt, but the CEW failed to properly deploy prior to discharging his firearm.

Time:	Event:	Register:
03:27:44 hours	Armed	Standard
03:27:52 hours	Trigger	Cartridge Sense Fault
03:29:44 hours	Safe	Cartridge Sense Fault; Standard

It should be noted that during the initial investigation, it was unknown that Officer Romero had deployed or attempted to deploy his CEW (Taser) and this information was not learned until Officer Romero provided a voluntary statement.

Fire Rescue Response and Interviews

Miami Fire Department Rescue (MFDR) #12 responded to the scene. The following Firefighter/Paramedics rendered aid and transported Bernard Gantt to Jackson Memorial Hospital, Ryder Trauma Unit:

Firefighter/ Paramedic Patrick Sweet, ID # 12357

Firefighter/Para medic Juan Ramirez, ID # 28767

Firefighter/Paramedic Mathew Alvarez, ID # 41823

The Firefighter/Paramedics declined to provide a voluntary statements relating to the aforementioned Officer-Involved shooting investigation. The Firefighter/Paramedics arrived after the shooting and were not firsthand witnesses. ASA Michael Vonzamft was telephonically consulted and he advised that at this time, he did not see a need to issue subpoenas for their testimony.

Area Canvas

(IR #7, 8, 17, 21)

On December 24, 2017, FDLE SA Michelle Cabrera, SA Jason Ravenel, SA Tatiana Miguel, SA Cong-Yen along with MPD Detectives conducted an area canvass in an effort to determine whether there were any witnesses or video cameras present. The following homes/residents were contacted:

Address:	Notes:
1720 NW 58th Street	Orlem Martinez stated he did not see or hear anything. He stated he fell asleep at approximately 0100 hours. No cameras located at residence.
1730 NW 58th Street	No answer, no cameras visible.
1740 NW 58th Street	Sandra Ham stated she did not hear or see anything. Resident has two working video cameras outside but did not record the incident.
1748 NW 58th Street	Shakita Gerald stated she heard a loud crash and heard several gunshots. No cameras at residence.
1760 NW 58th Street	No answer at residence, no visible cameras outside.
1764 NW 58th Street	Justin Blue stated he did not hear our see anything. No cameras at residence.
1788 NW 58th Street	Francisco Javier stated he heard a crash and then about five (5) gunshots. No cameras at residence.
1790 NW 58th Street	Arva Covington stated she heard a crash and heard what "sounded like a bomb". Heard about four (4) to five (5) gunshots. One camera inside screened in porch but did not record the incident or any part of it.
5720 NW 18th Avenue	Carlos and Diana Pinzon reported they were sleeping when they heard noise outside but did not see anything. The property did not have camera(s).
1808 NW 18th Avenue	Property had locked gates and investigators were unable to establish contact. No

	cameras were observed on the outside of the structure.
1818 NW 18th Avenue	Paul Taylor reported waking up after hearing a loud noise from the crash; he looked through the window and came out to the front of the house. A few minutes after the crash he heard gun shots and heard someone say; "get the fuck down", Taylor did not see the vehicle across the street in the neighbor's yard because it was too dark.
1828 NW 18th Avenue	Sandra McArthur reported she had not heard anything but that she had seen the police lights when she looked out the window. McArthur reported that her residence did not have cameras
1838 NW 18th Avenue	Mr. Rojas and Ms. Ordonez reported that around 0200 hours, they were sleeping when they heard noises outside and arguing. Mr. Rojas went outside to the front porch and heard shots being fired. He immediately went back inside his home and they went back to bed to remain low. Rojas and Ordonez said that they had no cameras.
1848 NW 18th Avenue	Melvin Woods said he did not hear nor see anything. The residence did not have cameras.
1858 NW 18th Avenue	Unknown occupants and no cameras observed.
1855 NW 18th Avenue	Unknown occupants and no cameras observed.
1843 NW 18th Avenue	Unknown occupants and no cameras observed.
1831 NW 18th Avenue	William Gonzalez reported that he was sleeping and awakened by shots being fired. Gonzalez said that he then heard a female or a child screaming immediately being followed by sirens. Residence does not have cameras.
1819 NW 18th Avenue	Renter did not wish to provide his personal information. Renter stated that the police had already spoken with owner of the property. No video was available.
5815 NW 18th Avenue	Manuel Salazar said that at approximately 0315 hours, he heard shots and looked through the windows but it was very dark and could not see much. He heard a "commotion" going on outside and saw police five (5) or six (6) minutes later. Residence had no cameras.
1727 NW 58th Street	No answer
1739 NW 58th Street	Gate chained, aggressive dog in yard. Attempted yelling to get attention of any possible residents, but no response.
1763 NW 58th Street	Alfreda Brown stated that a noise woke her up around 0330 hours and she saw police cars on her street, then heard an unknown number of gunshots but didn't see anything.
1775 NW 58th Street	Gate locked. Attempted yelling to get attention of any possible residents, but no response.
1795 NW 58th Street	Judith Maldonado stated she was up as she has small children. She heard a crash, and then saw a police officer chasing a tall black male. Maldonado stated the officer was yelling "Stop" repeatedly. Her husband Maldonado, Edgar was upstairs. They did not witness the shooting. See statement below for further details.
1819 NW 58th Street	Christian Ruiz didn't see or hear anything.
5890 NW 18th Avenue	Jackie Beasley stated that she heard a car dragging and then heard a loud "boom". She then opened her front door to look outside and check her car. Beasley stated she then heard gunshots at which point she shut the front door and got down. Beasley did not witness the shooting.
5814 NW 18th Avenue	Home under renovation, no residents available.
1815 NW 58th Street	Kareem Adams resides in the apartment located behind the house struck by the vehicle. Kareem stated that around 0300 hours he heard a loud "boom" that woke him up. He then walked outside and saw that a car had crashed into the fence several feet away from his apartment. While standing outside, Adams stated he heard approximately 6 gunshots. Adams did not witness the shooting.
5804 NW 18th Avenue	Dedric A. Marshall inside his residence at the time of the incident. Marshall observed a black male jumping the fence. Observed a Police Officer running behind the male. Marshall heard the officer give verbal commands to stop running. Marshall heard the

officer repeatedly give the male commands to "drop the gun." Marshall stated he then heard gun shots. See statement below for further details.

Video Evidence

The officers were not wearing any Body Worn Cameras and no video evidence was identified or recovered.

Law Enforcement Interviews

Officer Willie Laster

(IR # 22)

On Wednesday, January 24, 2018, Officer Willie Laster provided SA Gonzalez a voluntary sworn audio recorded statement. Present for the statement were MPD Sgt. Roger Jackson as well as Officer Laster's Fraternal Order Of Police (FOP) Attorney, Gene Gibbons. Miami-Dade Assistant State Attorneys (ASA) Michael Vonzamft and Laura Adams were also present.

Officer Laster stated that he and Officer Romero responded to the area of NW 6th Avenue and 54th Street regarding a domestic dispute involving a possible stolen vehicle. Upon arrival, officers could not locate the complainant and requested a call back. As they were waiting for the call back, a call regarding shots fired was dispatched to the area of NW 6th Court and 54th Street. According to Officer Laster, they did not hear any shots but informed the dispatcher they would check the area.

Officer Laster stated that he and Officer Romero were on NW 6th Court and 54th Street when Antoinette Avery (complainant) flagged them down. Antoinette Avery then approached Officer Laster and gave him a case card regarding a stolen vehicle report. According to Officer Laster, Officer Romero was north of him and located the possible stolen vehicle. Bernard Gantt immediately began to speed away from them and traveled north on NW 6th Court and turned west on NW 58th Street. Officer Romero was positioned directly behind Bernard Gantt during the pursuit.

Officer Laster stated that he and Officer Romero followed Bernard Gantt who was driving recklessly (running stop signs) west on NW 58th Street to the area of NW 18th Avenue where Bernard Gantt lost control of his vehicle and crashed into a house. According to Officer Laster, Bernard Gantt managed to get out of the car and flee, which initiated Officer Romero's request for a perimeter. Officer Laster added that he then proceeded north on NW 18th Avenue to set up a perimeter post on NW 59th Street.

Officer Laster said that as he was taking a perimeter position, he saw Bernard Gantt running north on NW 18th Avenue pursued by Officer Romero. According to Officer Laster, he then ran south on NW 18th Avenue from 59th Street, on the east sidewalk, towards Bernard Gantt in pursuit to intercept and apprehend him. Officer Laster drew his firearm as he was approaching Bernard Gantt. He then noticed Bernard Gantt attempting to retrieve a gun from his right front waistband area. Officer Laster demonstrated by gesturing with his right arm imitating Bernard Gantt retrieving a weapon and pointing it in Officer Laster's general direction. According to Officer Laster, at that moment in fear for his life, he discharged his firearm at Bernard Gantt. Officer Laster continued by describing Bernard Gantt falling to the ground while possessing the firearm in his right hand. Officer Laster then maneuvered the gun, with his right foot, onto the sidewalk away from Bernard Gantt's hand.

Officer John Romero

(IR # 23)

On Wednesday, January 24, 2018, MPD Officer John Romero provided SA Gonzalez a voluntary, sworn, audio recorded statement. Present for the statement were MPD Sgt. Roger Jackson as well as Officer Romero's Fraternal Order Of Police (FOP) Attorney, Gene Gibbons. Miami-Dade Assistant State Attorneys (ASA) Michael Vonzamft and Laura Adams were also present.

Officer Romero stated that he and Officer Willie Laster responded to the area of NW 6th Avenue and 54th Street regarding a domestic dispute involving a possible stolen vehicle. Soon thereafter, a call was dispatched reference shots fired in the area of NW 6th Court and 54th Street. Officers informed dispatch that they did not hear any shots, but would investigate further. As officers were positioned in the area of NW 6th Court and 54th Street, a female approached Officer Laster's vehicle. Officer Romero then observed Officer Laster pointing in the northbound direction wherein Officer Romero subsequently located the possible stolen vehicle (occupied by Bernard Gantt). Officer Romero illuminated Bernard Gantt's vehicle with his spot light in which time Bernard Gantt appeared "startled or something". According to Officer Romero, Bernard Gantt started the ignition and "floored it out of the parking spot" nearly hitting both Officers' vehicles. Officer Romero recalled that he had to "swerve to the left" to avoid being hit by the Bernard Gantt's car.

~~According to Officer Romero, Bernard Gantt fled north on NW 6th Court and turned left on NW 58th Street at which time he activated his lights and tried to read out the tag on the vehicle; however, Bernard Gantt was driving very fast and "just kept flooring it" hastily running intersections. Officer Romero recalled Officer Laster providing direction of travel updates. Officer Romero continued to maintain a visual of Bernard Gantt's vehicle as he reassessed the pursuit in fear Bernard Gantt would crash. Officer Romero said that he then slowed down and decided to "OT myself off of this". Moments later, Bernard Gantt's vehicle "hit a dip and began to swerve and just crashed into a house". Officer Romero said that he was about two and a half (2.5) blocks away and realized that he was obligated to remain engaged. As Officer Romero approached the crash location, he observed Bernard Gantt pushing himself out of the vehicle which was positioned on its side.~~

Officer Romero further stated that Bernard Gantt jumped out the vehicle as Officer Romero requested for dispatch to establish a perimeter in the area of NW 18th to 19th Avenue intersecting NW 58th and 59th Street. Officer Romero recalled Officer Laster turn north on NW 18th Avenue to stage a perimeter post on the corner of NW 18th Avenue and 58th Street. As Officer Romero attempted to stage a perimeter on NW 19th Avenue, he heard a chain "rattle". As Officer Romero looked, he saw Bernard Gantt running east across NW 18th Avenue. As Officer Romero pursued Bernard Gantt he drew his "taser" as Bernard Gantt attempted to jump a fence on the east side of NW 18th Avenue. Officer Romero yelled at Bernard Gantt to stop; however Bernard Gantt continued to run north on the east sidewalk in the direction of Officer Laster who was running south on NW 18 Ave from NW 58th Street. Officer Romero presumed that Bernard Gantt was unaware that he was running in the direction of Officer Laster.

Officer Romero said that he then pointed his Taser at Bernard Gantt who was about an "arm and a half's length" in distance. Officer Romero "squeezed" the Taser trigger but the prongs failed to deploy. Officer Romero then transitioned to "dry stun"; however, as he neared he saw Bernard Gantt turn and place his left hand on his waist and move to draw something with his right hand. Officer Romero described Bernard Gantt's actions as "consistent with someone drawing a firearm". Officer Romero then heard a shot as Bernard Gantt's hand resurfaced and said that his ear was ringing and thought that Bernard Gantt shot Officer Laster.

Officer Romero said that he immediately drew his firearm and began shooting at Bernard Gantt. Officer Romero thought, "Oh my god he shot Laster" and then saw Bernard Gantt collapse. Officer Romero then checked if Officer Laster was ok and both Officers then approached Bernard Gantt and Officer Laster kicked the gun from Bernard Gantt's hand. At that time, the sergeant quickly approached both officers and asked "did you shoot, did you shoot, did you shoot" and both shooting officers were immediately placed into separate vehicles.

Officer T'Andre Bellinger

(IR # 6)

On Sunday, December 24, 2017, at 0630 hours, SA Gonzalez and MPD Sgt. Roger Jackson obtained a sworn audio recorded statement from MPD Officer T'Andre Bellinger. Officer Bellinger stated that he responded to the area of NW 6th Court and NW 54th Street to back up Officers Laster and Romero in reference to locating a possible stolen car. Officer Bellinger stated that near his arrival, he heard the police dispatcher advice over the

police radio that they also had a call in the same area reference shots fired and he informed the dispatcher that he believed both calls were related.

Officer Bellinger added that as he was traveling north on NW 6th Court from NW 54th Street, he saw a cloud of dust directly in front of him and saw a police car turning west from NW 6th Court. He followed the police car but lost sight of it and then heard one of the officers advise over the police radio that they were traveling west on NW 58th Street from NW 12th Avenue. Officer Bellinger said that shortly thereafter, he heard the officers advising that the vehicle had crashed into a house at NW 18th Avenue and NW 58th Street. Officer Bellinger responded to the area of the reported crash. Upon arrival, he saw Officer Laster chasing Bernard Gantt and heard the officers yell "gun" and witnessed Officers Laster and Romero shoot Bernard Gantt. Bernard Gantt then fell to the ground and he [Officer Bellinger] saw a handgun on the sidewalk directly in front of Bernard Gantt.

Officer Jason Washington

On Sunday, December 24, 2017, SA Chong-Yen obtained a sworn, audio recorded statement from MPD Officer Jason Washington ID# 1231. Also present for the statement was Miami-Dade Assistant State Attorney Michael Von Zamft, MPD Homicide-Det. Jose Reyes and MPD Internal Affairs Detective Keler Gilet.

Officer Washington stated that he was on a traffic stop at North Miami Avenue and NW 79th Street when he heard the initial incident over the police radio (domestic related call) where the offender was in the victim's stolen vehicle. Officer Washington stated he heard a unit take an arrival and then heard the units call out that the vehicle was fleeing. Officer Washington said that he began driving in the direction where the vehicle was fleeing and heard the officers' advice "bailout" and reported a crash at NW 18th Avenue and 58th Street. He responded to the scene and upon arrival, parked on NW 58th Street just east of NW 18th Avenue. Seconds later, Officer Washington heard the officers' advice "shots fired". Officer Washington stated that he observed an accident scene where a vehicle had crashed into a fence positioned on the south wall of a residence. He also observed Officer Tanya Bauza, Officer Oyuki Segura and Officer Marquis Williams standing over Bernard Gantt who was on the east sidewalk of NW 18 Avenue. Officer Washington stated that he saw the officers trying to remove the Bernard Gantt's shirt; however, Bernard Gantt was being combative.

Officer Washington said Bernard Gantt sat up and was breathing heavily. Officer Washington had his issued "active shooter vest" on and began providing other officers with gauze and first aid equipment from his medical pouch. Officer Washington stated that Officer Bauza was attempting to have Bernard Gantt lay down so they could render aid, but Bernard Gantt refused to comply and was being combative (pushing away officer's arms) stating "get off me. I'm fine. I'm fine". Officer Washington stated Bernard Gantt did not make any other statements, but was making sounds like he was out of breath "as if he had just run a marathon". Officer Washington initially did not know Bernard Gantt was shot until he sat up and Officer Washington observed blood running from the wounds.

Officer Washington stated that the area where Bernard Gantt originally fell was dark and under a tree by a house providing minimum lighting. Therefore, Officer Washington held a flashlight as the other officers attempted to render aid. Det. Reyes provided a black and white printed map of the area to Office Washington. Officer Washington marked several locations on the map indicating where Bernard Gantt was lying and his position, the location where Officer Washington stopped his police vehicle and the location of the crash. Officer Washington stated that he observed a small black rusted revolver on the ground about two (2) feet away from Bernard Gantt. Officer Washington described the hammer of the revolver as "cocked".

Officer Washington stated that he and Officer Bauza were then assigned to escort fire rescue to Ryder Trauma. Upon arrival, Officers Washington and Bauza exited their vehicles and observed Fire Rescue personnel escorting Bernard Gantt into the Trauma Center. Officer Washington recalled officers attempted to speak to Bernard Gantt, but he was soon sedated and unable to speak. Officer Washington stated that Fire Rescue cut off Bernard Gantt's clothing and placed it into a plastic bag which was collected as evidence.

Officer Marquis Williams

(IR # 13)

On Sunday, December 24, 2017, at 0857 hours, FDLE SA Alberto Borges obtained a sworn, audio recorded statement from MPD Officer Marquis Williams, #42700. Present during the statement were MPD Sgt. Shauntel Kirkland of the Internal Affairs Unit, MPD Sgt. Roger Jackson of the Homicide Unit, and Assistant State Attorney Michael Von Zamft of the Miami Dade State Attorney Office.

Officer Williams stated that he was located at Miami Police Department North District Station as the incident evolved. Officer Williams was assisting another officer process an arrest when he heard an officer on the police radio, providing the police dispatcher vehicle tag information. In Officer Williams' opinion, the officer's tone of voice during the radio transmission sounded like he needed assistance. Officer Williams stated the reporting officer repeated the tag number two to three times but did not give additional information. The dispatcher advised the tag had no stolen vehicle message but the officer responded it was a stolen vehicle.

Officer Williams said that he heard the officer on the radio advise that the victim had a weapon. Officer Williams responded to the scene and on the way to the scene he heard someone advise over the radio that shots were fired. Upon arrival, he saw Bernard Gantt on the ground and observed Sgt. Daniel Mogro, Officer Tania Bauza, Officer Oyuki Segura, Officer Laster and Officer Romero on scene. Officer Williams added that he did not speak to any officers about the incident and returned to his vehicle to retrieve his first aid kit. Officer Williams along with Officers Bauza and Segura attempted to provide first aid to Bernard Gantt; however, Bernard Gantt resisted officers' efforts to render aid and told officers to leave him alone.

Officer Williams said he saw a firearm, a black colored revolver on the sidewalk near Bernard Gantt. The firearm was positioned near Bernard Gantt, but far enough away that he was able to maintain a visual of the firearm. He did not see anyone touch or move the firearm while he was there. Officer Williams continued to render first aid but Bernard Gantt continued to resist. Officer Williams urged Bernard Gantt to allow officers to provide aid but never asked him about the shooting. Bernard Gantt did not say anything to him about the incident. Officer Williams stated he never spoke to the shooting officers about the incident or anyone who claimed to be a witness. He was not aware about the events that led to the shooting other than the transmissions he heard on the radio.

Officer Oyuki Segura

(IR # 12)

On Sunday, December 24, 2017, at 0830 hours, SA Borges obtained a sworn audio recorded statement from MPD Officer Oyuki Segura, #42716. Present during the statement were MPD Sergeants Shauntel Kirkland of the Internal Affairs Unit and Roger Jackson of the Homicide Unit. Also present was Miami-Dade, Assistant State Attorney Michael Van Zamft.

Officer Segura stated that at the time of the incident, she was at the MPD North District Sub-Station turning in reports and preparing to check out of service. She heard an unknown male officer begin to repeatedly advise of a tag over the radio. The dispatcher asked the officer for his location and he referenced the vehicle tag.

Officer Segura said the officer continued to only provide the vehicle tag information over the radio and the officer's voice appeared excited. Officer Segura then walked to her vehicle as the officer eventually gave his location, and advised the vehicle had crashed. According to Officer Segura, the officer began to request a security perimeter and Officer Segura was subsequently assigned (by dispatch) a post at NW 18th Avenue and 59th Street. While she driving to the scene, the dispatcher told units to respond in emergency mode to assist the officers (3-15). Officer Segura then heard an officer advice on the radio that shots had been fired.

Officer Segura stated that she arrived at NW 18th Avenue and 59th Street and found a unit already assigned to that intersection. She then proceeded to drive south on 18th Avenue and saw several officers with their weapons drawn. She stopped her vehicle, exited and saw Sgt. Daniel Mogro and Officer Laster in the street.

Sgt. Mogro was giving officers direction and asking the direction the shots were fired. At this point, Officer Segura saw the victim, Bernard Gantt lying on the sidewalk. Officer Segura along with Officers Bauza and Williams providing first aid to Bernard Gantt and inquire about gunshot injuries; however, Bernard Gantt told officers to leave him alone. Officer Segura attempted to cut Bernard Gantt's shirt but he tried to push her off and told the officers again to leave him alone. Officer Segura observed one wound. After Officer Bauza managed to cut Bernard Gantt's shirt, Officer Segura discovered two additional wounds on Bernard Gantt's chest.

Officer Segura said she noticed a gun on the sidewalk near Bernard Gantt and advised other officers to secure the firearm. She is unaware if officers secured the firearm, but did not believe it was touched or moved by any officers. Officer Segura described the weapon as a revolver with rust and a wooden handle. She could not recall further details about the firearm. After Bernard Gantt was transported by Fire-Rescue, Officer Segura stood by the firearm until she was relieved. Officer Segura did not speak with any involved or witness officers. No one gave her a briefing on the details of the shooting.

MDPD Officer Kimberly Nanney

(IR # 15)

On Tuesday, December 26, 2017, SA Borges spoke with Miami-Dade Police Department (MDPD) Robbery Det. Kimberly Nanney. Det. Nanney informed SA Borges that on March 10, 2017, she placed a probable cause message in the MDPD Criminal Justice Information System (CJIS) for Bernard Gantt. The probable cause was for a robbery/carjacking he committed on March 2, 2017. The victim in that robbery was an ex-girlfriend by the name of Michelle Burch. Michelle Burch informed Det. Nanney that Bernard Gantt threatened to shoot her but she never saw a firearm. Det. Nanney provided SA Borges a copy of the MDPD Offense Incident report (Case # PD170303083056).

Civilian Witness Interviews

Judith Maldonado

(IR# 9)

SA Tatiana Miguel obtained an audio, sworn recorded statement from Judith Maldonado. Present during this interview was MPD Sgt. Jeffrey Nicholas. Judith Maldonado reported that she was awake during the incident because her daughter was ill. She heard the crash and went downstairs and looked out the window because she thought her mother's vehicle had been hit. Judith Maldonado added that she then saw an African-American male dressed in black running away from another African-American whom she believed to be a police officer. Judith Maldonado said that she heard the officer shouting at the man who was running, saying: "Stop, stop, stop, stop".

Note: Judith Maldonado was also the resident who recovered a projectile on the second floor bathroom of her residence located at 1795 NW 58th Street.

Dedric Marshall

(IR# 19)

On Sunday, December 24, 2017, SA Cabrera along with MPD Det. Dayna Frederick obtained a sworn audio recorded statement from Dedric Marshall. Dedric Marshall stated that around 0315 hours, he heard a loud noise outside his home. He looked outside to check on his truck and then walked downstairs and opened his front door. Dedric Marshall stated that he then saw a black male wearing a black shirt and black pants, jumping the northwest corner of the fence, surrounding his property, on to NW 18th Avenue.

Dedric Marshall saw the male run north on NW 18th Avenue and saw a police officer wearing a standard issued MPD uniform, running east on NW 58th Street and then north on NW 18th Avenue, behind the male. Dedric Marshall said he heard the officer give the male verbal commands to stop running; however, the male continued running. Dedric Marshall observed the officer stop running near the area of 5815 NW 18th Avenue

and heard the officer repeatedly give the male commands to "drop the gun" and then heard gun shots. He then grabbed his son and "got down".

Dedric Marshall explained that he heard approximately eight (8) gun shots and after the gun shots ceased, he looked outside and observed several other officers on scene. Dedric Marshall noted that he was inside his residence during the incident and only observed one officer during initial incident and did not witness the shooting. Dedric Marshall also added that the male was also yelling "Get off me", while running from the officer.

Antoinette Lashona Avery

(IR# 20)

On Sunday, December 24, 2017, SA Cabrera obtained a sworn, audio recorded statement from Antoinette Lashona Avery who was Bernard Gantt's girlfriend and registered owner of the stolen vehicle. Present during the statement were also MPD Det. Graham and Assistant State Attorney Laura Adams.

Antoinette Avery stated that she reported her vehicle stolen from her home on Tuesday, December 19, 2017, with the City of Miami Police Department. She explained that her vehicle was stolen by Bernard Gantt on the previous Tuesday morning (around 0545 hours) while walking to her vehicle for work. Antoinette Avery explained that at that time, Bernard Gantt "came out of nowhere" and "snatched" the keys out of her hand and drove away in her vehicle. Antoinette Avery said that Bernard Gantt was not armed during the incident.

Antoinette Avery explained that on December 24, 2017, she was driving around the neighborhood with her sister, Crystal Hall, looking for her stolen vehicle. Sometime between 0200 and 0300 hours, she observed her stolen vehicle near a Burger King on 54th Street and 7th Avenue and subsequently called the police. Antoinette Avery said that she noticed the windows on the vehicle were slightly opened and stated that she observed Bernard Gantt sitting inside. She remained watching the vehicle for approximately two and a half (2.5) hours until police arrived. According to Antoinette Avery, two (2) officers arrived in two (2) separate vehicles. Upon contact, Antoinette Avery provided one of the officers with the police case card and pointed out her vehicle.

According to Antoinette Avery, one of the officers approached the stolen vehicle and shined his flashlight into the vehicle, at which time, the vehicle's ignition was started and Bernard Gantt drove off. She then saw the officers follow behind the vehicle and she got back into her sister's vehicle and they attempted to follow the officers. They then observed a rescue vehicle and several police vehicles in the area of NW 17th Avenue and 62nd Street and they stopped and asked officers if the incident had anything to do with "the high speed chase". Antoinette Avery informed the officers that she was the registered owner of the gray Malibu the officers had been chasing.

Antoinette Avery stated that she had no contact with Bernard Gantt from the moment he stole her vehicle. Antoinette Avery added that this was not first time Bernard Gantt had taken her vehicle. She has never seen Bernard Gantt with a firearm or known him to carry one. Antoinette Avery went on to say that Bernard Gantt is not a violent person; however, she does fear him a little because "he is a man".

Laboratory Results

Firearms Analysis

(IR#4)

On January 22, 2018, Miami-Dade Police Criminalist John Mancini submitted a report detailing his findings of his examination of Officers Laster and Romero's firearms as well as on the spent casings and projectiles recovered at the scene. Criminalist Mancini concluded that spent .40 caliber casings, labeled M through Q and casing 2N were fired from Officers Romero's Issued Glock Pistol S/N MIA2218. Criminalist Mancini also concluded that .40 caliber casings R through Z which were also recovered at the scene were fired from Officer Laster's issued Glock S/N MIA1541.

Criminalist Mancini also noted in his report that a projectile recovered from the residence, located at 1795 NW 58th Street was damaged and did not contain enough class characteristics for him to be able to determine which firearm it could have been fired from.

Criminalist Mancini also examined a .38 Callber S&W five (5) shot revolver, Model 925, S/N AN91285 which was presumably in the possession of Bernard Gantt and was recovered from the scene. Criminalist Mancini concluded that the weapon was operable and contained four (4) live rounds and one (1) spent casing, consistent with the weapon having been fired once.

Conclusion

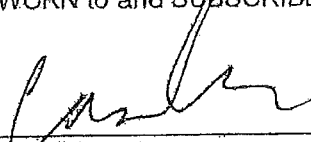
The Florida Department of Law Enforcement has completed a comprehensive investigation into the use of deadly force by Miami Police Department Officers John Romero and Willie Laster. This presentation of facts is based on law enforcement witnesses, civilian witnesses and physical evidence. FDLE submits this investigative summary to the Office of the State Attorney for their review and disposition.

Notarizations

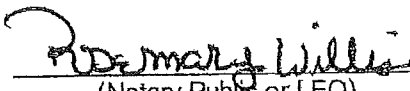
I swear that the foregoing is a true and accurate summary of facts either personally known to me, or derived from statements provided to me or to other law enforcement officers during the course of this investigation.

SWORN to and SUBSCRIBED

This 17th day of May, 2018



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



(Notary Public or LEO)

