



## 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](http://www.miamiSAO.com)

May 12, 2020

Alfredo Ramirez III, Director  
Miami-Dade Police Department  
9105 NW 25<sup>th</sup> Street  
Doral, FL 33172

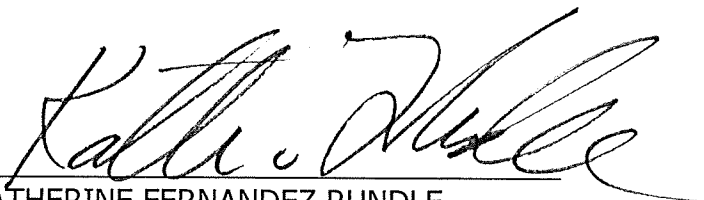
Dear Director Ramirez:

Enclosed is our final report regarding the investigation into the police-involved shooting of Reinaldo Gonzalez Montalvo on May 1, 2019. The officer involved in this incident was Officer Gordon Hirsch (30-5551).

The investigation has determined that this officer was legally justified in the use of deadly force by firing his weapon. 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

Enclosures

c: Listed Officer(s)  
MDPD Homicide Bureau  
Sgt. Kent Journey, Jr. – Professional Compliance  
Sgt. Steadman Stahl, PBA  
Andrew Axelrad, PBA  
Robert Senior (AUSA)  
Troy Walker (FDLE)



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INTEROFFICE MEMORANDUM

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TO: KATHERINE FERNANDEZ RUNDLE      DATE: MAY 8, 2020  
State Attorney

FROM: STAFFING/REVIEW TEAM      RE: POLICE SHOOTING CLOSEOUT MEMO  
CASE # SAO #62/19/05/01/001  
DECEASED: GONZALEZ MONTALVO, Reinaldo

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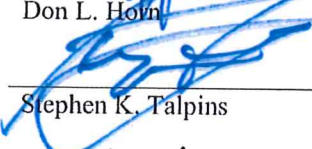
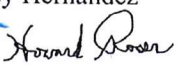


Based on the information obtained and reviewed during the investigation, the conclusion of the staffing/review team is the following:

Officers were dispatched reference to an emergency call regarding a female calling that her father was killing her mother by stabbing her with a knife. Upon Officer Gordon Hirsch's arrival, a child inside the home opened the door for him to enter. While this Officer was making his way toward the living room, Reinaldo Gonzalez Montalvo entered the house through the back door holding a knife.

A 911 recording captured Officer Hirsch's verbal commands to "drop the knife". Gonzalez Montalvo did not comply and instead, walked toward the Officer while still holding the knife. Subsequently, Officer Hirsch discharged his firearm three times, fatally wounding Gonzalez Montalvo.

Considering the subject's actions, it is reasonable to believe the officer involved considered it necessary to use deadly force to prevent injury to himself and others, or to prevent the commission of a forcible felony. Also, the force was necessary to defend himself or another while making an arrest. Therefore, based on the crime scene reports, evidence compiled by FDLE and pursuant to Florida Statute 776.012 and 776.05, we find that Officer Gordon Hirsch (30-5551) was legally justified in the use of deadly force by firing his weapon.

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

 _____ Don L. Horn	 _____ Deisy Hernandez	 _____ Kathleen Hoague
 _____ Stephen K. Talpins	 _____ Howard Rosen	 _____ /s/ J. Scott Dunn
 _____ Christine Zahralban	_____	_____

Approved by State Attorney on this 13 day of May, 2020.

  
\_\_\_\_\_  
KATHERINE FERNANDEZ RUNDLE  
State Attorney



INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM

DATE: MAY 5, 2020

FROM: STEPHEN MITCHELL  
ASSISTANT STATE ATTORNEY

RE: POLICE SHOOTING CLOSEOUT MEMO  
SAO # 62/19/05/01/001  
MDPD # PD190501154873  
FDLE CASE # MI-27-0103

OFFICER INVOLVED:	(MDPD) OFFICER GORDON HIRSCH (30-05551)
DECEASED:	REINALDO GONZALEZ MONTALVO
INJURIES:	SHARP FORCE WOUNDS TO ABDOMEN AND NECK GUNSHOT WOUNDS TO CHEST AND RIGHT UPPER THIGH
DATE & TIME:	WEDNESDAY, MAY 1, 2019, APPROXIMATELY 7:17 A.M.
LOCATION:	3253 SW 14 COURT MIAMI, FLORIDA
WEAPONS:	GLOCK 17, 9MM PISTOL, SERIAL # REF071 – (OFC. HIRSCH) KNIFE – (REINALDO GONZALEZ MONTALVO)
LEAD:	SPECIAL AGENT DEAN WELLINGHOFF (FDLE)
CASE #:	MDPD # PD190501154873 FDLE CASE # MI-27-0103
SAO CASE #:	62/19/05/01/001



## SUMMARY

On May 1, 2019, members of the Miami-Dade Police Department (MDPD) received emergency calls to respond to 9105 NW 25<sup>th</sup> Street Miami, Florida 33172 regarding a homicide that was currently in progress. Prior to officer arrival, Reinaldo Gonzalez Montalvo (GONZALEZ MONTALVO) and his wife, Valero Morejon, had a domestic dispute regarding a divorce. According to both children, Mariam Gonzalez Valero and R.G. (a minor), they were awakened in the morning to screams coming from their mother in their mother's bedroom. As Mariam went into her mother's bedroom to investigate the cause of the screaming, she observed her father, GONZALEZ MONTALVO, on top of her mother stabbing her with a knife. Mariam immediately called 911 from her cellular phone and yelled for her brother, R.G. (a minor), for help. Mariam then attempted to physically stop her father from stabbing her mother, Valero Morejon, but was unsuccessful. At one point during the attack, GONZALEZ MONTALVO stopped the attack and left the room for a brief period of time. Soon thereafter, he reentered the room and began a second attack during which he cut his wife's throat as Mariam and her brother tried to stop him.

Following the second attack on the mother, GONZALEZ MONTALVO exited the home through the rear door and then walked around to the south side of the home and began stabbing himself with the knife.

Officer Gordon Hirsch, who was assigned to uniform patrol in the Hammocks District, was dispatched to the 911 call in an emergency mode. Police dispatch notified law enforcement that "female caller advises that father is killing mother", "female is heard yelling 'give me the knife'" and "the female advising that the father is stabbing the mom in the neck with a knife." Officer Hirsch arrived as GONZALEZ MONTALVO was outside on the south side of the home. Officer Hirsch approached the home and was provided entry into the home by the couple's child who was still inside. As Officer Hirsch made his way towards the living room, GONZALEZ MONTALVO entered the back door armed with the knife.

Officer Hirsch was heard on the open recorded 911 call, which was placed to police by Mariam, commanding GONZALEZ MONTALVO to, "Drop the knife!" GONZALEZ MONTALVO did not comply with Officer Hirsch's commands and walked towards Officer Hirsch armed with the knife. Officer Hirsch subsequently discharged his firearm three (3) times striking and fatally wounding GONZALEZ MONTALVO.

Officer Hirsch did not provide a statement to investigators. However, as Officer Hirsch was being escorted to a police vehicle after the shooting, he told Officer Luis Gomez that he saw the children with blood on them and that GONZALEZ MONTALVO with the knife came towards him and he had to discharge his firearm.

Miami-Dade Fire Rescue (MDFR) units responded and pronounced GONZALEZ MONTALVO and Valero Morejon deceased on scene.

### **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 Officer Gordon Hirsch constitute a criminal act that can be proven beyond and to the exclusion of every reasonable doubt.

I have reviewed the Florida Department of Law Enforcement Investigative Summary into the Police Use of Force in this incident. I have also reviewed the sworn statements, crime scene results, 911 recorded phone calls, police body camera video, and other evidence compiled by FDLE under FDLE Case Number MI-27-0103. Officer Hirsch's body camera was not on at the time of the shooting but was activated moments afterwards. I find the summary to be complete, thorough and consistent with the witness statements that I have reviewed. I adopt and attach that Investigative Summary hereto and also offer a conclusion based on the results of the investigation and review.

Officer Gordon Hirsch approached GONZALEZ MONTALVO while investigating a 911 call regarding a homicide inside of the home. The 911 recordings and the children's statements confirm that this emergency complaint was both valid and serious. GONZALEZ MONTALVO had just stabbed his wife to death with a knife, and his children were still inside of the home at the time Officer Hirsch arrived on scene.

GONZALEZ MONTALVO had committed the felony offense of Aggravated Assault on a Law Enforcement Officer.

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 I find the shooting by Officer Hirsch to be legally justified.

**Prepared by:**

A handwritten signature in black ink, appearing to read 'Stephen Mitchell', is written over a horizontal line.

**Stephen Mitchell**  
**Assistant State Attorney**