



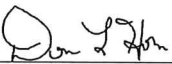






INTEROFFICE MEMORANDUM

TO: KATHERINE FERNANDEZ RUNDLE DATE: MARCH 16, 2021
State Attorney


FROM: STAFFING/REVIEW TEAM RE: POLICE SHOOTING
CASE # Case: SAO #62/20/08/21/002
FDLE MI-27-0139
INJURED: HERNADEZ-RIVERA, A.

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

After a thorough review of the evidence and applicable law, we believe that pursuant to Fla. Stats. §§ 776.012 and 776.05(1) the actions of MDPD Officer Calderon were legally justified and no charges should be filed. This incident was video recorded in its entirety. A review of the video shows that Arcadio Hernandez-Rivera was in the street and armed with a machete when MDPD Officer Calderon arrived, responding to a 911 call. The video also shows that upon his arrival, Mr. Hernandez-Rivera threatened Officer Calderon with the machete. For over three minutes, Officer Calderon tried to de-escalate the situation and talked to Mr. Hernandez-Rivera asking him to drop the machete. A second responding officer used his taser. However, Mr. Hernandez-Rivera never dropped the machete and just before being shot charged towards Officer Calderon. The members of the staffing/review team for this case are:

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

Approved by State Attorney on this 16 day of March, 2021.



KATHERINE FERNANDEZ RUNDLE
State Attorney