



INTEROFFICE MEMORANDUM

TO: KATHERINE FERNANDEZ RUNDLE DATE: MARCH 26, 2019
State Attorney




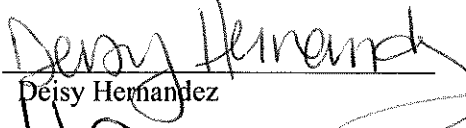
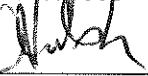
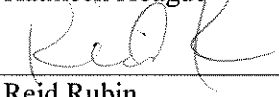
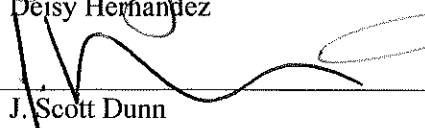
FROM: STAFFING/REVIEW TEAM RE: POLICE SHOOTING CLOSEOUT MEMO
CASE # SAO # 62/17/06/05/001
DECEASED: SPAULDING, John Christopher

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 Miami Dade Police Robbery Intervention officers obtained an LPR (License Plate Reader) "hit" on the tag of a Jeep SUV belonging to the victim of a homicide in Miami. Officer Laffita located the Jeep parked on a roadside with Christopher Spaulding in the driver's seat.

Backup officers arrived at the scene and Officers Laffita, Mayorga and Baskins confronted Mr. Spaulding. All officers had their firearms drawn while Officer Laffita shouted police commands for Mr. Spaulding to keep both hands visible, not to move or reach. When Mr. Spaulding lowered his hands and appeared to reach for something, Officers Laffita and Baskins discharged their firearms, fatally shooting Mr. Spaulding. Once Mr. Spaulding's body was pulled out of the vehicle, a firearm was located on his person.

Upon advice of counsel, 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 Daniel Laffita (30-7503) and William Baskins (30-7909) 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 Jacobb	 _____ Kathleen Hoague
 _____ Deisy Hernandez	 _____ Howard Rosen	 _____ Reid Rubin
 _____ J. Scott Dunn	_____ Christine Zahralban	_____

Approved by State Attorney on this 24 day of March, 2019.



KATHERINE FERNANDEZ RUNDLE
State Attorney





INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM

DATE: MARCH 26, 2019

FROM: ESTHER JACOBO
CHIEF ASSISTANT STATE ATTORNEY

RE: POLICE SHOOTING CLOSEOUT MEMO
Case # MDPD Case Number 1706052122748
MI-27-0065

OFFICER(S) INVOLVED:	DANIEL LAFFITA (30-7503) WILLIAM BASKINS (30-7909)
DECEASED	JOHN CHRISTOPHER SPAULDING
INJURIES:	MULTIPLE GUNSHOT WOUNDS
DATE & TIME:	JUNE 5, 2017
LOCATION:	ROADSIDE WEST OF: 4101 NW 70 AVENUE MIAMI FLORIDA 33166
WEAPONS:	GLOCK MODEL 17, 9MM SEMI-AUTOMATIC SERIAL NO. REF983 (LAFFFFITA) GLOCK MODEL 21, 45 CALIBER SEMI-AUTOMATIC SERIAL NO. REG095 (BASKINS) SIX SHOT REVOLVER (RECOVERED FROM THE PERSON OF JOHN SPAULDING)
LEAD:	SPECIAL AGENT MICHAEL STEIN
CASE #:	FDLE CASE NUMBER MI-27-0065 MDPD CASE NUMBER PD170605212748
SAO CASE #:	62/17/06/05/001



SUMMARY

On June 4, 2017, a homicide occurred at 4610 NW 11th Avenue, within the City of Miami Jurisdiction. Pursuant to investigation, the City of Miami Police Department determined that there was probable cause to arrest John Christopher Spaulding as the subject in that homicide. It was also determined by Miami Police that Mr. Spaulding was likely driving a 2001 Jeep Grand Cherokee (Jeep) belonging to the victim of the homicide.

On June 05, 2017, Miami-Dade Police Department, Robbery Intervention Detail (RID) officers obtained a License Plate Reader (LPR) "hit" on the tag belonging to the homicide victim's Jeep. RID Officer Daniel Laffita located the Jeep parked on the roadside west of 4101 NW 70 Avenue. Mr. Spaulding was sitting in the driver's seat of the jeep and no one else was in the car. Officer Lafitta stopped his car close to the Jeep's driver side door blocking the driver's ability to exit the Jeep through the driver's side door. Thereafter, Officer Mayorga, Sgt. Hylton and Officer Baskins arrived on the scene. Officers Laffita, Mayorga and Baskins confronted Mr. Spaulding. All Officers had firearms drawn. Officer Laffita repeatedly shouted commands to Mr. Spaulding to keep both hands visible, not to move and not to reach. Mr. Spaulding then lowered his hands and seemed to reach for something. Officers Laffita and Baskins discharged their firearms, fatally shooting Mr. Spaulding. Mr. Spaulding died on the scene. The autopsy revealed that Mr. Spaulding had nine gunshot wounds. A revolver that was later determined to be nonfunctioning was found on Mr. Spaulding's person after he was removed from the vehicle.

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 Laffita and Baskins 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 into the Police Use of Force in this incident. We have also reviewed the sworn statements, crime scene reports, autopsy report, lab reports, Body Worn Camera footage from all officers on the scene, and other evidence compiled by FDLE under FDLE Case Number MI-27-0065. We find the summary to be complete, thorough and consistent with the witness statements in which we participated on the day of the incident as well as consistent with our observations at the scene. We adopt the Investigative Summary and offer our conclusion based on the results of our investigation and review.

Officers Laffita and Baskins approached Mr. Spaulding because he was the subject in a homicide investigation. Officers Laffita and Baskin approached the Jeep and gave verbal commands for Mr. Spaulding to keep his hands visible and not to move. Mr. Spaulding did not comply with the commands and instead lowered his hands and seemed to reach for something. Officers Laffita and Baskins fired their weapons only after Mr. Spaulding lowered his hands to a position where officers could not see what he was doing or to see if he was reaching for something. After he was removed from the Jeep SUV, an unloaded revolver was found in Mr. Spaulding's possession.

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 Officer Daniel Lafitta and Officer William Baskins to be legally justified.

Prepared by:

Esther Jacobo

/s/ Esther Jacobo

Chief Assistant State Attorney