



INTEROFFICE MEMORANDUM

TO: KATHERINE FERNANDEZ RUNDLE DATE: MAY 14, 2019
State Attorney

FROM: STAFFING/REVIEW TEAM RE: POLICE SHOOTING CLOSEOUT MEMO
CASE # SAO # 62/17/05/03/001
INJURED: VEAZEY, Roderick Oliver

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 Officer Saul Rodriguez was working an overtime detail at the Miami Dade Public Library. During the same time, Roderick Veazey was chasing Carl Cooperstein around the library while carrying a firearm. At one point, Veazey fired at Cooperstein, who had hidden to call 911. Cooperstein was not hurt.

Officer Rodriguez heard the shot and confronted Veazey. The Officer's commands to drop the weapon were recorded on the open 911 call made by Cooperstein. Veazey failed to comply with police orders and was subsequently shot by Officer Rodriguez. Fire Rescue responded and transported Veazey to the hospital where he recovered.

Based on the subject's actions, witness statements, crime scene reports, and other evidence compiled in the FDLE investigation, it is reasonable to believe that the shooting officer considered it necessary to use deadly force to prevent injury to himself and others in the surrounding area. Therefore, we find that Officer Saul Rodriguez (30-4896) 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	 _____ Stephen K. Talpins	 _____ Kathleen Hoague
 _____ Deisy Hernandez	 _____ Howard Rosen	 _____ Reid Rubin
 _____ J. Scott Dunn	 _____ Christine Zahralban	

Approved by State Attorney on this 16 day of May, 2019.

KATHERINE FERNANDEZ RUNDLE
State Attorney





INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM

DATE: MAY 14, 2019

FROM: CHIAKA IHEKWABA & TIM VANDERGIESEN
ASSISTANT STATE ATTORNEYS

RE: POLICE SHOOTING CLOSEOUT MEMO
Case # FDLE MI-27-0060; PD 170503166376

OFFICER INVOLVED:	MDPD Officer Saul Rodriguez, Id #4896
INJURED:	Roderick Oliver Veazey, DOB 2/1/1953, Gunshot wounds to chest.
DATE & TIME:	May 3 rd , 2017 10:31 A.M.
LOCATION:	Miami Dade County Main Library at: 101 West Flagler Street, Miami, Florida 33130
WEAPON:	Rodriguez: 9mm Glock Model 17 Gen4, SN# REE 538 Veazey: 9mm Beretta Model 380 Corto Pistol, SN# 35283
LEAD:	FDLE SA Dean Wellinghoff
SAO CASE #:	#62/17/05/03/001
FDLE Case #	MI-27-0060
MDPD Case #	PD170503166376

SUMMARY OF FACTS

On Wednesday, May 3, 2017, at approximately 1049 hours, the Miami-Dade Police Department (MDPD) requested the Florida Department of Law Enforcement (FDLE) respond to 101 West Flagler Street in Miami- Dade County, Florida in order to investigate a use of deadly force incident involving MDPD Officer Saul A. Rodriguez in which the victim, Roderick O. Veazey, suffered a non-fatal gunshot wound to his chest.

On Wednesday, May 3, 2017, Florida Department of Law Enforcement (FDLE) Special Agents responded to the scene of an incident at the Miami-Dade Public Library at 101 West Flagler Street. Agents learned that MDPD Officer Saul A. Rodriguez was working an overtime detail at the library. At approximately 1030 hours, Officer Rodriguez initiated a radio call to Miami-Dade County Police dispatch advising of shots fired, and he requested that Fire Rescue be dispatched.

The investigation revealed that, at approximately 1000 hours, Carl Cooperstein (hereinafter "Cooperstein") entered the library and went up to the second floor to read a newspaper. At some point after Cooperstein entered the library, Roderick O. Veazey (hereinafter "Veazey") also entered the library. Cooperstein and Veazey have known each other for several years (20 years or more), and each of them have been romantically involved with the same female, Elizabeth Sokol. Recently, Ms. Sokol left Veazey and moved in with Cooperstein. There was also an allegation by Veazey that Sokol and Cooperstein recently stole money from him.

After reading the newspaper, Cooperstein walked downstairs and was approached by Veazey, who displayed a firearm to Cooperstein. Cooperstein then ran back upstairs and hid between some bookshelves on the second floor. Veazey began searching the library for Cooperstein and was observed by two individual witnesses; Kevin Serillo and Erick Jones, walking upstairs carrying a handgun. While hiding upstairs, Cooperstein called 911 from his cellular phone, but either hung up or the call failed. A City of Miami Police Department Communications Operator (#11) initiated a call to Cooperstein's phone and, when he answered, asked if he needed police or rescue. Cooperstein then advised the Communications Operator that he was being chased around the library by a man with a gun, whom he identified in the call as "Rod Veazey". While making the call, Cooperstein lost sight of Veazey and believed it was safe for him to proceed downstairs. When he got downstairs, and while the 911 call

remained active, Veazey confronted Cooperstein with a handgun and fired a shot at Cooperstein. The bullet missed Cooperstein and struck three books on a bookshelf nearby. Cooperstein fled towards the rear of the library while being chased by Veazey.

Officer Rodriguez was in the general vicinity of where Cooperstein and Veazey were running and he heard the shot. Officer Rodriguez can be heard on the open 911 call ordering Veazey to drop his gun. Veazey failed to comply with commands to drop his weapon at which time Officer Rodriguez discharged his firearm once, striking Veazey in the chest. During his interview, Veazey told investigators that he heard the officer command him to drop his weapon, but he refused to do so at which time the officer shot him. Veazey fell to the floor, as did the firearm he was carrying. Veazey remained conscious. According to a witness, as Officer Rodriguez moved in closer to Veazey, Veazey reached for his firearm at which time Officer Rodriguez kicked the firearm out of his reach. Backup officers arrived and placed Veazey in handcuffs, and Miami Fire Rescue personnel responded to treat Veazey on scene. He was subsequently transported by Miami Fire Rescue to Jackson Memorial Hospital's Ryder Trauma Center where he underwent surgery and recovered.

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 Saul Rodriguez constitute a criminal act that can be proven beyond and to the exclusion of every reasonable doubt.

The undersigned attorneys have reviewed the entire Florida Department of Law Enforcement (FDLE) file regarding the Police Use of Force in this incident. We have also reviewed the sworn statements, crime scene reports, lab reports, 911 calls and other evidence compiled by FDLE under FDLE case Number MI-27-0060. We find the FDLE summary and report 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 the FDLE report into this memorandum and offer our conclusion based upon the results of our independent review of the evidence.

Sec. 776.05, Fla. Stat. provides: "A law enforcement officer, or any person whom the officer has summoned or directed to assist him or her, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. The officer is justified in the use of any force:

- (1) [w]hich he or she reasonably believes to be necessary to defend him or herself or another from bodily harm while making the arrest;

Although Officer Rodriguez did not give a statement, we know through various witnesses that he encountered Veazey while responding to a shooting in the library. Veazey began the use of lethal force in this confrontation when he took out his firearm and shot at Cooperstein. Only after Veazey fired a shot at Cooperstein and Veazey refused to drop his firearm per Officer Rodriguez's command, did Officer Rodriguez discharge his firearm at Veazey. The actions of Roderick Veazey in shooting Carl Cooperstein at close range constituted an Attempted Murder. Officer Rodriguez, in turn, used deadly force to prevent death or further injury to himself and others after clear instructions for Veazey to drop his weapon and Veazey's failure to do so. Based on these statutory provisions, we find the shooting was legally justified under Fla Stat. 776.05(1).

Prepared by:



Chiaka Ihekweba
Assistant State Attorney



Tim VanderGeisen
Assistant State Attorney