

Close-out Memorandum of the
Investigation Regarding
Edridge Alexis
March 16, 2023



State Attorney's Office
Eleventh Judicial Circuit
Miami-Dade County
October 25, 2023



INTEROFFICE MEMORANDUM



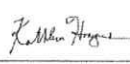
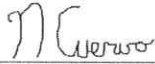
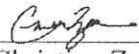
TO: KATHERINE FERNANDEZ RUNDLE DATE: October 24, 2023
State Attorney

FROM: STAFFING/REVIEW TEAM RE: SAO/Case #: 62/23/03/16/003
Deceased: Edridge Alexis


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

On March 16, 2023, at about 1:15 pm, the North Miami Beach Police received a 911 call from a civilian indicating Edridge Alexis, was armed with a machete and threatening family members. NMBPD Officers Samuel Simon, Jetro Nelson, and Bradley Bourbon responded and found Alexis in the parking lot of an office building. Officers attempted to negotiate with him, in English and Creole, to drop the machete numerous times. Alexis failed to comply and crouching down, with the machete to his neck, made his way towards the entrance of the office building. Officer Bourbon deployed his Taser without success, and Officer Simon deployed his Taser, which made contact. Alexis became temporarily rigid then ran into the office building. Once inside the building, Alexis took a female hostage as a human shield with the machete pointed at the base of her skull. The officers negotiated with him for over 15 minutes, asking him to let her go, to drop the weapon, and telling him no one had get hurt. Alexis became increasingly agitated and tried to enter a locked door, and the hostage began complaining he was hurting her neck. Sgt. Jonathan Wilson discharged his firearm, striking Alexis three times, and the hostage was able to crawl away to safety unharmed. NMBPD officers attempted to render life-saving aid, but Alexis expired on-scene. Pursuant to F.S. 776.012 and 776.05, and a thorough review of the evidence in this investigation, we find the use of deadly force by Sgt. Wilson to be legally justified. Therefore, no criminal charges are warranted.

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

 Howard Rosen	<i>/s/ Deisy Hernandez</i> Deisy Hernandez	 Stephen K. Talpins
 Kathleen Hoague	 Nilo Cuervo	 Christine Zahralban
<i>/s/ Marie Jo Toussaint</i> Marie Jo Toussaint		

Approved by State Attorney on this 25 day of October, 2023.


KATHERINE FERNANDEZ RUNDLE
State Attorney



INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM

DATE: 10/16/2023

FROM: MARY ERNST
SUZANNE VON PAULUS
Assistant State Attorneys

RE: POLICE SHOOTING CLOSEOUT MEMO
SAO Case #62/23/03/16/003

OFFICER INVOLVED:	Sergeant Jonathan Wilson ID # 007-233 North Miami Beach Police Department
DECEASED:	Edridge Alexis
DATE & TIME:	Thursday, March 16, 2023 at approximately 1:48 PM.
LOCATION:	16855 NE 2 Avenue, North Miami Beach, FL 33162
WEAPONS:	Glock 21, .45 caliber semi-automatic, serial# BKXL721 (Sgt Wilson) Machete (Edridge Alexis)
LEAD/REPORTS:	FDLE SPECIAL AGENT LUIS ALVAREZ / SEPT 25, 2023
FDLE CASE #:	FDLE - MI-27-0220
SAO CASE #:	62/23/03/16/003

FACTUAL SUMMARY

On Thursday, March 16, 2023, at approximately 1:15 PM hours, the North Miami Beach Police Department (hereafter referred to as "NMBPD") emergency dispatch received a 911 call from § A . Ms. A indicated that decedent Edridge Alexis, armed with a machete and threatening family members. Ms. A indicated that Mr. Alexis was wearing an all red outfit.

Upon arrival, NMBPD Officers Samuel Simon, Jetro Nelson, and Bradley Bourbon discovered Mr. Alexis had fled to a parking lot down the street from his family's home. The three NMBPD officers found Mr. Alexis in the parking lot of an office building located at 16855 NE 2 Ave. All officers were wearing NMBPD uniforms. All officers had active body-worn cameras (BWC) that captured the entirety of the encounter with Mr. Alexis.

At approximately 1:28:19 PM, Mr. Alexis can be seen wearing all red, hiding between a tree and a parked car, and holding a machete to his neck. Between 1:28:19 and 1:33:37 PM, the officers attempted to negotiate with Mr. Alexis to drop the machete numerous times in the parking lot. They attempted in both English and Creole. Mr. Alexis failed to obey the officers' numerous commands to drop the machete and continued to move around the parking lot, with the machete at his neck.

Mr. Alexis began crouching down, with the machete to his neck, making his way towards the entrance of the office building located at 16855 NE 2 Ave. At approximately 1:33:37 PM Officer Bourbon deployed his Taser without success. Officer Simon then immediately deployed his Taser, which made contact with Mr. Alexis, who became temporarily rigid then ran shrieking into the office building.

Once inside the building, Mr. Alexis took a female, Oksana Kozak, hostage. He positioned her as a human shield at the end of a hallway with the machete pointed at the base of her skull. The officers attempted to negotiate with him for upwards of 15 minutes asking him to let her go, to drop the weapon, and telling him no one had to get hurt. Mr. Alexis responded to both English questions and commands in English as well as in Creole, indicating he understood both languages.

At approximately 1:38:28 PM Sergeant Jonathan Wilson (the shooting officer) attempted to begin dialogue with Mr. Alexis. At 1:44:22 PM, Sgt. Kenneth Baker joined the original group of officers and attempted to negotiate with Mr. Alexis. Both sergeants were unsuccessful. Mr. Alexis became increasingly agitated and began attempting to enter a locked door to his left. Ms. Kozak, the hostage, began complaining that he was hurting her neck. At no time did Mr. Alexis ever drop the machete, reposition it away from either himself or the hostage, or allow the hostage to leave.

At approximately 1:48:23 PM, Mr. Alexis moved and created space between himself and his hostage by partially raising his body. At that time, Sgt. Wilson discharged his firearm, striking Alexis three times. Kozak crawled away to the group of officers and was checked for injuries. She was unharmed. NMBPD officers attempted to render life-saving aid to Mr. Alexis, who expired on-scene. The machete and three casings were within close proximity to Mr. Alexis's body.

Chief Medical Examiner Kenneth Hutchins examined Mr. Alexis on-scene. The scene was processed by NMBPD Crime Scene Technician (CST) Nina Salazar (lead) and NMBPD Detective Edward Garcia (lead). All items of evidentiary value were impounded including the machete, spent casings, Taser cartridges, Alexis' clothing, and more. The full list of items impounded, and their corresponding property receipts, are maintained in the FDLE case file.

INTERVIEWS

NMBPD law enforcement witnesses were interviewed immediately following the incident by FDLE Special Agents. All relevant law enforcement and civilian witnesses were interviewed by FDLE. Their interviews were audio recorded and sworn. They remain part of the FDLE case file. Below are summaries of the most pertinent witnesses:

1. **Officer Samuel Simon**: Officer Simon provided a sworn recorded statement to FDLE Special Agent Raul Perez. Officer Simon stated that he was dispatched to 190 NE 169 Tr on a 2-32 (battery) where the complainant indicated that she was going to kill Mr. Alexis, if the police did not arrive. Mr. Alexis was armed with a machete (dispute). Simon advised that NMB Officers Jetro Nelson and Bradley Bourbon were also dispatched to the scene.

Simon indicated that on arrival the sister (complainant-no name provided) pointed to the area of 16855 NE 2 Ave where the subject was standing, described as a black male with dreads, wearing a red bandana (later to be identified as Edridge Alexis).

Simon indicated that Mr. Alexis was carrying something in his hand, possibly jeans, wrapped around a machete. Simon stated that he gave loud verbal commands to drop what he (Mr. Alexis) was carrying but was ignored completely. Simon stated that he did see the handle and part of machete blade. Simon advised that the commands were given in both English and Creole (when Bourbon arrived) and Mr. Alexis did respond in Creole, but never dropped the machete, but rather put it up to his neck and walked towards the officers. Simon stated that Mr. Alexis walked towards Nelson in an aggressive manner still keeping the machete to his neck. Nelson retreated, and officers repositioned themselves while still giving verbal commands. Simon stated that Bourbon fired two (2) cartridges from his Taser (less lethal). One struck Mr. Alexis in the upper body. Simon then fired two (2) cartridges from his Taser and saw them connect. According to Simon, Mr. Alexis screamed and ran away.

According to Simon the officers gave pursuit into the lobby of 16855 NE 2 Ave, where he heard a female scream. Simon stated that as he ran into the lobby of 16855 NE 2 Ave and went to the right he observed Mr. Alexis sitting on the floor with a white female (who Simon advised was named Oksana) in front of him, holding the machete to his neck and to the back of her head in a chokehold. Simon advised the dispatcher there was a hostage situation.

According to Simon, attempts were made to negotiate with Mr. Alexis, both in English and in Creole. Simon stated that NMB Sergeant Jonathan Wilson arrived on the scene and tried to slow things down by telling the officers to back up and to back up with the long gun. Wilson and NMB Sgt. Kenneth Baker both tried to build a dialogue with Mr. Alexis. Simon stated that the hostage was visibly upset.

Simon stated that during this entire time the officers tried to deescalate the situation. Simon stated that Sergeants Wilson and Baker moved slightly closer to Mr. Alexis, noting that Baker was directly in front of him (Simon), and he lost line of sight. Simon stated that he heard 2-3 gunshots and saw Wilson retreat. Simon stated that immediately he did not know who shot but saw Wilson with his firearm out. The machete was kicked to the side. Simon stated he observed the female victim dive towards the officers, as Simon and Baker moved forward. Simon indicated that he assisted the female up and handed her to officers behind him.

Simon stated that he secured Mr. Alexis by handcuffing him behind his back. Simon advised that Aventura K-9 Officer Jason Williams ID#296 had responded to the scene with a med kit and they began administering first aid. Simon stated that he along with Williams cut Mr. Alexis's shirt off and began first aid. Simon stated that he observed a gunshot wound to the left cheek area directly beneath his ear, a gunshot wound to the left bicep and a gunshot wound between his eyes. First aid and CPR was administered until the arrival of Miami Dade Fire Rescue.

2. **Officer Jetro Nelson:** Officer Nelson provided a sworn, recorded statement to FDLE Special Agent Rick Martinez. Ofc. Nelson responded to the location of the 911 caller located and contacted the decedent S A While at that location, he heard Ofc. Samuel Simon giving the decedent loud, verbal commands to "drop it." Mr. Alexis had moved into the parking lot area of the building located at 16855 NE 2 Avenue.

Officer. Nelson headed towards Ofc. Simon, where he observed the decedent, Mr. Alexis, dressed in red, in the parking lot, with a machete wrapped in a jacket. Ofc. Nelson attempted to de-escalate the situation without success. Officer Bradley Bourbon then arrived on scene. Officer Bourbon began speaking to Mr. Alexis, asking him in Creole to drop the machete, again without success. Ofc. Nelson was also present when Mr. Alexis ran into the office building and took a female hostage while holding a machete. He stated that Sergeant (Sgt.) Jonathan Wilson also tried to negotiate with the Mr. Alexis to let the hostage go, but he did not comply. The situation went on for approximately fifteen (15) minutes and Mr. Alexis continued to hold the female hostage. Officer Nelson heard a gunshot and saw Sgt. Wilson discharge his firearm striking Mr. Alexis several times. Officer Nelson then assisted the other officers in removing the hostage while another officer rendered aid to the decedent.

3. **Officer Bradley Bourbon:** Officer Bourbon provided a sworn, recorded statement to FDLE Special Agent Nigel Morrison. Officer Bourbon advised that he was a 5-year NMBPD employee, currently assigned to road patrol. On this day, Ofc. Bourbon stated that he was at the NMBPD when he was dispatched as a back-up unit to an emergency call regarding a male making threats with a machete. Ofc. Bourbon advised that it took him approximately 4 minutes to arrive.

Upon arrival he noticed two officers on scene (Samuel Simon and Jetro Nelson) and Mr. Alexis, who was holding a machete to his neck. All parties were located at the northwest corner of the 16855 NE 2 Avenue, parking lot. All Officers on scene were in their full NMBPD uniform.

Officer Bourbon advised that he, along with Ofc. Simon and Ofc. Nelson, instructed Mr. Alexis to drop the machete and told him that they are there to help. Mr. Alexis was wearing a red shirt, with a red rag wrapped around the handle of the machete. Officer Bourbon could not recall what color or type of pants Mr. Alexis was wearing. Officer Bourbon advised that Mr. Alexis held the machete with both hands to his neck, with the blade pressed against his skin.

According to Ofc. Bourbon, Mr. Alexis was switching between the English language and Creole, and was stating that no one is going to help him. He then walked away from the officers and refused to comply with their commands. Officer Bourbon stated that it was a clear day and they had a clear view of each other. Mr. Alexis began to crab walk in the parking lot (in a squatting position) with the machete still pressed against his neck. The officer's verbal commands to drop the machete and stop continued as Mr. Alexis walked in-between parked vehicles. At that time, Officer Bourbon removed his TASER and pulled the trigger to subdue Mr. Alexis. Officer Bourbon stated that both of his attempts to "tase" Mr. Alexis were unsuccessful and Mr. Alexis started to run.

Officer Bourbon advised that Ofc. Simon also attempted to "tase" Mr. Alexis, with negative results. Mr. Alexis was screaming as he ran east towards the entrance of the 16855 building, entering through the south doors. Officer Bourbon advised that they ran behind Mr. Alexis into the building. When they caught up to him, he was standing in the hallway outside of office #103 and was holding an adult female hostage. Mr. Alexis had his arm wrapped around the hostage's neck. Officer Bourbon stated that he and the other officers continued to instruct Mr. Alexis to drop the machete. Mr. Alexis refused and stated aloud that he was not going to hurt her, Mr. Alexis added that she (the hostage) smelled good. Officer Bourbon observed Mr. Alexis with one arm around the hostage's neck and his other arm/hand holding the machete by her neck.

Based on Mr. Alexis' behavior, Ofc. Bourbon believed that Mr. Alexis was using the hostage as a "human shield". Officer Bourbon continued to instruct Mr. Alexis to drop the machete; however, his commands were ignored. At one point, Mr. Alexis stated that he "just wants a job."

As the negotiations continued, Mr. Alexis asked for Miami Dade Police Officers to respond. Officer Bourbon told Mr. Alexis that Miami Dade Police Officers were on their way. Mr. Alexis continued to physically move around and re-positioned the blade several times around the hostage's neck. Officer Bourbon stated that the officers repeatedly asked Mr. Alexis what could they do to calm the situation, but Mr. Alexis did not respond.

At some point during the standoff, Officer Simon, Sergeants Jonathan Wilson and Kenneth Baker were also present in the hallway. Everyone continued to negotiate with Mr. Alexis and continued to request that he drop the machete and let the hostage go. The negotiations were not successful.

Mr. Alexis then attempted to stand up with the blade still placed against the hostage's neck. It was at that time that Sgt. Wilson fired his weapon. Officer Bourbon estimated that he was 4 or 5 feet away from Sgt. Wilson when Sgt. Wilson fired. Once the shots stopped, Bourbon grabbed the hostage and escorted her away from the scene, she then sat in his police vehicle until NMBPD detectives arrived.

Officer Bourbon recalled that at one time during the negotiations with Mr. Alexis, he stated in Creole that he wanted to drink her (the hostage's) blood.

4. **Sergeant Kenneth Baker**: Sergeant Baker provided a sworn recorded statement to FDLE Special Agent Edwin Diaz. Sergeant Baker stated he is assigned to day shift road patrol supervisor and on the day of this incident he was performing in this capacity. Sergeant Baker further stated he became aware of this incident via police radio that road patrol units were responding to a domestic disturbance call. Sergeant Baker advised that dispatch had updated responding units, via police radio, that the male subject (later identified as Mr. Alexis) was armed with a machete.

Sergeant Baker further advised he learned Mr. Alexis fled to the incident location and had taken a hostage. Sergeant Baker stated that upon arriving to the location he observed the building was surrounded by officers and then learned that Mr. Alexis and the hostage were inside the building. Upon entering the building, Sergeant Baker observed several NMBPD officers surrounding Mr. Alexis and the hostage. Sergeant Baker further stated that Mr. Alexis was holding the machete with his right hand and had it positioned with the blade against his neck and the sharp pointed end to the back of the hostage's neck, as his left arm had the hostage in a chokehold position.

At this point, Sergeant Baker advised that he took over negotiations and attempted to make dialogue with Mr. Alexis. Sergeant Baker further advised that Mr. Alexis was very agitated and was incoherent when he spoke while he attempted to get Mr. Alexis to drop the machete. Sergeant Baker stated the hostage also was pleading with Mr. Alexis to let her go as he was speaking with Mr. Alexis. Sergeant Baker said while speaking it appeared to him that Mr. Alexis had loosened his grip on the hostage which allowed her to shift herself a little lower.

Simultaneously, Sergeant Baker heard three gunshots which struck Mr. Alexis. Sergeant Baker stated that he quickly grabbed the hostage and pulled her behind him as he stepped on the machete. Sergeant Baker then slid the machete with his foot away from Mr. Alexis. Sergeant Baker stated that after Mr. Alexis was secured in handcuffs first aid was rendered and fire-rescue was called, via police radio.

5. **Officer Christopher Bagwell**: Officer Bagwell provided a sworn, recorded statement to FDLE SA Rick Martinez. Bagwell stated that he responded as a backup officer along with officers Samuel Simon, Jetro Nelson and Sergeant Jonathan Wilson at a hostage situation to the incident location. Sergeant Baker also attempted to negotiate with Mr. Alexis to release the hostage, but negotiations were not working. Officer Bagwell observed Sgt. Wilson discharge his firearm, striking Mr. Alexis. The other officers, including himself, were able to pull out the hostage to safety.

6. **Aventura K-9 Ofc. Jason Williams**: Officer Jason Williams of Aventura Police Department was interviewed by FDLE Special Agent Raul Perez. Officer Williams indicated that he was requested to respond to the scene at 16855 NE 2 Ave NMB for a hostage situation. On his arrival, Williams stated that he approached a NMB supervisor on how he could assist with the K-9, when he heard 3-4 gunshots coming from inside the building.

Officer Williams stated that he grabbed his medical kit and ran into the building, 16855 NE 2 Ave, went to the right, and observed a black male (Mr. Alexis) face down and handcuffed. Williams advised he observed a machete approximately 5'-10' away from Mr. Alexis. Williams stated that he observed NMB Officer Samuel Simon and NMB Sgt. Jonathan Wilson on the scene. Williams stated that he "gloved up" and proceeded to cut

several shirts off Mr. Alexis, who had sustained gunshot wounds to his left bicep, left neck, and to the left side of his nose.

According to Ofc. Williams, Mr. Alexis initially had no pulse and was not breathing, so he initiated CPR (compressions only). Ofc. Williams continued CPR until Mr. Alexis started breathing and had a pulse. Ofc. Williams continued checking for a pulse until Fire Rescue responded and took over.

FDLE Special Agents also interviewed NMBPD Sgt. David Foy and Miami Dade Police Department Officers Russell Swain and Daniel Hannah. Their sworn, audio recorded statements are part of the FDLE case file. These statements are consistent with the statements listed above. Sgt. Wilson declined to provide a statement on advice of counsel.

Civilian witnesses also provided sworn, audio-recorded statements to FDLE. Their statement were sworn and audio recorded. They are kept as part of the FDLE case file. Hostage Oksana Kozak was interviewed. FDLE Special Agent Luis Alvarez obtained a sworn recorded statement from her:

7. **Oksana Kozak (hostage):**

In the early afternoon of March 16, 2023, Kozak was arriving at 16855 NE 2 Avenue, where she had a medical appointment inside the office building. As she was parking her vehicle, Kozak observed two (2) police officers in the parking lot. Kozak parked her vehicle and started walking towards the office building. As she was walking to the building, Kozak saw people running, heard someone shout something behind her, where she looked and saw a male (later identified as Mr. Alexis), dressed in red, running towards her. Kozak ran, entered the office building, and attempted to enter an office; however, the door to the office was closed and locked.

At that time, Kozak looked behind her and saw Mr. Alexis coming at her. Mr. Alexis reached her, grabbed her from behind, put his arm around her neck, and placed a machete against the back of her neck/head. Kozak then saw three police officers arrive and began telling Mr. Alexis to let her go. Mr. Alexis refused. The officers attempted to persuade Mr. Alexis to let her go for approximately fifteen (15) to twenty (20) minutes, but he refused.

She advised that during that time, Mr. Alexis took her car keys (from her hand), moved the machete around the back of her neck and head, stated that he wanted to drink her blood, and told the officers to put their guns away, which they did. She further advised that one of the officers was able to get Mr. Alexis to relax, and she began to slide down, as Mr. Alexis eased his grip a little. Kozak added that, at that time, she heard “maybe three (3)” gunshots, but did not see who shot, she fell forward, and officers pulled her away and escorted her out of the building.

Other civilians interviewed include Dora Orellana, Joely Rodriguez and Yvette Rosario. Their sworn, audio-recorded statements are part of FDLE's case file. Their statements were consistent with the officers' and hostage's statements as well as the BWC footage.

FIREARMS ANALYSIS

Criminalist Erin Wilson of MDPD's Firearm and Toolmark Unit, tested the submitted firearm, belonging to Sergeant Wilson. Criminalist Wilson found the firearm to be in satisfactory operating condition. Criminalist Wilson conducted microscope examinations and determined that the three (3) .45 Auto casings and the three (3) projectiles were identified, as having been fired in Sergeant Wilson's Glock, Model 21, .45 Auto, semi-automatic pistol, serial number BKXL721.

This information is consistent with the round count on Sergeant Wilson's department issued Glock conducted by Special Agent (SA) Alex Villanueva along with NMBPD Crime Scene Technician (CST) Maria Aguilera immediately after the incident. Specifically, Sgt. Wilson discharged his NMBPD issued Glock 21, .45 caliber, semi-automatic firearm, serial number BKXL721, with a light attachment. The firearm contained one (1) live .45 caliber cartridge in the chamber. The inserted thirteen (13) round capacity Glock magazine contained ten (10) live .45 caliber cartridges. Sgt. Wilson tops off his firearm. Based on the round count, Sgt. Wilson could have fired up to three (3) .45 caliber cartridges.

DNA ANALYSIS

A DNA card from Mr. Alexis, as well as two (2) swabs from the machete were submitted by NMBPD to MDPD Forensic Services Bureau Forensic Biology Section. The submitted evidence was examined by Criminalist Amanda Falcon. Criminalist Falcon prepared a report with the following conclusions:

VIDEO FOOTAGE

The following NMBPD officers wore BWC which captured the entire incident:

1. Officer Bradley Bourbon
2. Officer Samuel Simon
3. Officer Christopher Bagwell
4. Sergeant Jonathan Wilson
5. Officer Jetro Nelson

Sergeant Kenneth Baker did not have an active BWC, however, his actions are captured on the BWC footage of the above officers. Review of the BWC footage is consistent with the officers' and the hostage accounts of the events.

There is also video surveillance footage from the office door directly behind Mr. Alexis and the hostage which is consistent with the hostage and the officers' accounts of the events.

AUTOPSY

On Friday, March 17, 2023, Chief Medical Examiner, Doctor (Dr.) Kenneth Hutchins performed the autopsy of Edridge Alexis under M.E. case # 2023-00869. At the conclusion of the autopsy, Dr. Hutchins indicated that Mr. Alexis sustained a penetrating gunshot wound of the face, a penetrating gunshot wound of the left neck and a penetrating gunshot wound of the left arm. Dr. Hutchins indicated the cause of death to be gunshot wounds.

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 neither establishes nor opines on agency policy, procedures, or training requirements. The State Attorney is not responsible 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 Sergeant Jonathon Wilson constitute a criminal act that can be proven beyond and to the exclusion of every reasonable doubt.

We, Assistant State Attorneys Mary Ernst and Suzanne Von Paulus, responded to the police shooting scene on the day of the incident and were present for interviews of witnesses. In addition, we have reviewed the crime scene photographs, video footage, crime scene reports, lab reports, and Florida Department of Law Enforcement Investigative Summary into the Police Use of Force in this incident. Further, the undersigned have listened to the sworn statements and reviewed transcripts and summaries. We have also reviewed extensive BWC footage. We find the Florida Department of Law Enforcement Investigative Summary into the Police Use of Force in this incident to be complete, thorough, and consistent with the witness statements, as well as consistent with our observations at the scene. We adopt and attach the FDLE Investigative Summary hereto and offer this conclusion based on the results of our investigation and review.

Florida law mandates that use of deadly force is legally justified if "[a] person... reasonably believes that using or threatening to use [deadly] force is necessary to prevent imminent death or great bodily harm to himself or another or to prevent the imminent commission of a forcible felony." The Statute mandates that "[a] person who uses or threatens to use deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand his or her ground if the person using or threatening to use the deadly force is not engaged in a criminal activity and is in a place where he or she has a right to be...". Fla. Stat. § 776.012(2)(2023).

The use of deadly force by Sergeant Jonathan Wilson in discharging his weapon at and killing Mr. Edridge Alexis was legally justified pursuant to Fla. Stat. §§ 776.012(2) and 776.05. Mr. Alexis kidnapped Oksana Kozak with a machete, used her as a human shield, aimed the point

of the machete at the base of her skull, and refused any and all verbal commands to release her or to drop the weapon. These commands were given in both English and Creole, both languages spoken by Mr. Alexis.

In the moments proceeding the shooting, Mr. Alexis had grown increasingly irate, agitated, and uncooperative. He began kicking the door next to him and trying to move the hostage. He ripped her car keys from her hand and stated he wanted to drink her blood. Sergeant Wilson was in a place where he was legally entitled to be and was attempting to de-escalate the situation for the safety of both Mr. Alexis and the hostage as well as the other officers in close proximity. Though Sergeant Wilson declined to be interviewed, the objective facts establish that a reasonable person in Sergeant Wilson's position would have believed that using deadly force was necessary to prevent imminent death or great bodily harm to the hostage, himself, and/or others as well as to prevent the imminent commission of a forcible felony. Therefore, as Sergeant Wilson was legally justified in using deadly force, no charges should be filed against him.

Prepared by:

/s/ Mary Ernst

Mary Ernst

Assistant State Attorney

/s/ Suzanne Von Paulus

Suzanne Von Paulus

Assistant State Attorney