

Close-out Memorandum of the  
Investigation Regarding  
Donovan Adrian Watson  
March 3, 2023



State Attorney's Office  
Eleventh Judicial Circuit  
Miami-Dade County  
May 8, 2024



INTEROFFICE MEMORANDUM

TO: KATHERINE FERNANDEZ RUNDLE  
State Attorney

DATE: May 7, 2024

FROM: STAFFING/REVIEW TEAM

RE: SAO/Case #: 62/23/03/03/002  
Deceased: Donovan Adrian Watson

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 2, 2023, shortly after 10 P.M., officers from the Miami-Dade Police Department (MDPD) were dispatched to a Shotspotter alert, and several 911 calls that a male had been shot at the Point South Condominium complex. Upon arrival, police discovered a shooting victim who was transported to JMH and later died. The responding officers learned Donovan Watson barricaded himself in apartment #103 of the building after shooting the victim. The 911 records reveal Watson had called 911 at about 10:13 P.M. to report he had shot someone and was armed with a firearm inside the unit. The MDPD Special Response Team (SRT) and hostage negotiators arrived on scene and attempted for two hours to negotiate with Watson on his surrender. SRT unsuccessfully deployed a robot and a drone into the apartment to locate Watson. Prior to deploying a second drone, Watson approached the front door and discharged his firearm at the SRT Officers Vega, Cardenas, and Crum who were outside. These officers returned fire, and Watson retreated into his apartment unharmed. SRT then deployed gas into the apartment and breached the rear door of the apartment using tactical police vehicles. Watson emerged from the rear of the apartment and again discharged his firearm at police, striking the tactical vehicles. Officers Correa and Jimenez were in the turret of the vehicles and returned fire. Watson was struck and pronounced deceased on scene with a .40 caliber Glock 23 semiautomatic firearm in his hand. The incident was capture on BWC. Pursuant to F.S. 776.05 and 776.012, the use of deadly force by Officers Vega, Cardenas, Crum, Correa, and Jimenez was legally justified.

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

Howard Rosen

*/s/ Deisy Hernandez*

Deisy Hernandez

Stephen K. Talpins

Kathleen Hoague

Nilo Cuervo

*/s/ Marie Jo Toussaint*

Marie Jo Toussaint

Approved by State Attorney on this 8 day of May, 2024.

KATHERINE FERNANDEZ RUNDLE  
State Attorney



INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM

DATE: April 29, 2024

FROM: MARIE E. MATO  
ASSISTANT STATE ATTORNEY

RE: POLICE SHOOTING CLOSEOUT MEMO  
SAO Case # 62/23/03/03/002

OFFICERS INVOLVED:	Jorge Vega ID #30-5680 MDPD Miguel Cardenas ID #30-5650 MDPD Eric Crum ID #30-0739 MDPD Jonathan Correa ID #30-9923 MDPD Jose Jimenez ID #30-4457 MDPD
DECEASED	Donovan Adrian Watson
DATE & TIME:	March 3, 2023 at approximately 3:11 a.m.
LOCATION:	19851 SW 114 Avenue, Unit #103 Miami, FL 33157
WEAPONS:	Glock 17, Generation 4, 9 mm, SN: REF680 (Officer Vega) Colt M-4 Commando, Chambered in 300 AAC, SN: A0197991 (Officer Cardenas) Sword International, MK-17, MOD0, SN: 17170080 (Officer Crum) Colt M-4 Commando; Chambered in 300 AAC, SN: A0197961 (Officer Correa) Colt M-4 Commando, Chambered in 300 AAC, SN: A0197981 (Officer Jimenez) Glock 23, .40 caliber, SN: BKGS630 (Donovan Watson)
LEAD/REPORTS:	Ricardo Martinez , FDLE Special Agent/Reports Received April 24, 2024
FDLE CASE #:	MI-27-0218
SAO CASE #:	62/23/03/03/002

## FACTUAL SUMMARY

On March 2, 2023, shortly after 10:00 p.m., officers from the Miami-Dade Police Department (MDPD) Hammocks District were dispatched to a Shotspotter alert as well as several 911 calls that a male had been shot at the Point South Condominium located at 19851 SW 114 Avenue, Miami, Florida 33157. Upon arrival, police officers discovered the shooting victim, Jean Pablo Gutierrez, lying on the ground in the condominium passageway, unresponsive and suffering from multiple gunshot wounds. Mr. Gutierrez was transported to Jackson South Community Hospital where he died from his injuries. This homicide investigation is documented under MDPD case number PD230302073535.

While at the homicide scene, MDPD uniform Officer Alexander Aguiar learned that the subject of the homicide had barricaded himself inside his apartment at the Point South Condominium after shooting Mr. Gutierrez. The subject of the homicide was identified as Donovan Watson. A review of 911 records reveals that Mr. Watson had called 911 at approximately 10:13 p.m. to advise that he had shot someone and was armed with a Glock firearm inside apartment #103. Officer Aguiar established contact with Mr. Watson but then Mr. Watson stopped speaking to Officer Aguiar.

Members of the MDPD Special Response Team (SRT) and hostage negotiators were notified and arrived on scene. MDPD uniform officers surrounded the condominium and evacuated nearby condo residents. MDPD SRT and hostage negotiators tried to establish contact with Mr. Watson and tried to negotiate his surrender for approximately two hours. The door to apartment #103 where Mr. Watson was barricaded was ajar and SRT deployed a robot into the apartment to locate Mr. Watson. The robot's battery began to run low while inside the apartment and SRT then deployed a drone into the apartment. The drone crashed. While SRT was preparing to deploy a second drone, Mr. Watson came toward the front door and began to discharge his firearm at the SRT officers who were positioned outside. Those MDPD SRT officers were Officers Jorge Vega, Miguel Cardenas, and Eric Crum. In response, these officers all discharged their firearms while Mr. Watson retreated back into his apartment. There is no evidence that Mr. Watson was struck by any of these officers.

SRT then deployed gas into the apartment and breached the rear door of the apartment using tactical police vehicles. Mr. Watson emerged from the rear of the apartment and began shooting at the tactical vehicles, striking them. MDPD SRT Officers Jonathan Correa and Jose Jimenez were in the

turret of the tactical vehicles. In response to Mr. Watson's actions, Officer Correa and Jimenez discharged their rifles striking Mr. Watson. SRT officers entered the apartment and located Mr. Watson on the floor with a firearm in his hand. The firearm, a .40 caliber Glock 23 semiautomatic pistol bearing serial number BKGS630, was removed from his hand and placed on a table. Mr. Watson was pronounced deceased on scene.

On March 3, 2023, at approximately 4:30 a.m., the Florida Department of Law Enforcement (FDLE) was notified of the officer involved shooting. FDLE Special Agent (SA) Ricardo Martinez and FDLE Special Agent Supervisor (SAS) Michael Stein both arrived on scene.

None of the subject officers provided statements to FDLE. As part of this investigation, FDLE recovered video evidence consisting of Body Worn Camera (BWC) footage assigned to members of the MDPD SRT which captured both the shooting at the front of the apartment (BWC from Sgt. Diego Castro and Officer Vega) and in the rear (BWC from Officer Jimenez).

On March 4, 2023, an autopsy was performed by Miami-Dade Chief Medical Examiner Dr. Kenneth Hutchins. Dr. Hutchins determined that Mr. Watson died as a result of multiple gunshot wounds. All medical examiner findings are documented under M.E. case number 2023-00723.

On April 4, 2023, MDPD Criminalist Arelis Paredes Daccarret finalized her report. She examined all firearms including all five (5) county issued firearms discharged by the shooting officers and Mr. Watson's firearm. She found that all submitted firearms were in satisfactory operating condition. Among the items tested, Criminalist Daccarrett examined all seven (7) spent projectiles recovered during the autopsy. Six (6) of the spent projectiles were fired in SRT Correa's firearm (labeled Exhibits 11.1, 11.2, 11.4-11.7) and one (1) spent projectile (Exhibit 11.3) was fired in SRT Jimenez's firearm. No other spent projectiles were recovered during the autopsy. There were spent projectiles and casings on scene that were recovered and identified as having been fired in all firearms submitted.

I have reviewed the FDLE Investigative Summary into the Police Use of Force in this incident. I have also reviewed the sworn statements, police reports, body camera footage (BWC), and other evidence compiled by FDLE under FDLE Case Number MI-27-0218. I find the summary to be complete,

thorough, and consistent with the witnesses' statements as well as with our observations at the scene. I adopt and attach that Investigative Summary hereto and offer my conclusions based on the results of my investigation and review.

### **LEGAL 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 Vega, Officer Cardenas, Officer Crum, Officer Correa, and Officer Jimenez constitute a criminal act that can be proven beyond and to the exclusion of every reasonable doubt.

Section 776.012, Florida Statutes, permits the deadly use of force when a person reasonably believes such force is necessary to prevent death or great bodily harm to himself or another or to prevent the commission of a forcible felony. 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 the facts delineated above, it is clear that while acting in the course of their official duties, the officers involved encountered Mr. Watson and they discharged their firearms in response to his use of deadly force. Mr. Watson's aggressive behavior amounts to attempted murder of a law enforcement officer and/or aggravated assault on a law enforcement officer, both forcible felonies. Based on the circumstances it was reasonable for all officers involved to believe that the use of deadly force was necessary to prevent death or serious bodily injury to himself or the other officers. Therefore, I find that, based on the evidence in this case, the shooting of Donovan Watson was legally justified pursuant to Florida law.

Prepared by:

*/s/ Marie E. Mato*

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Marie E. Mato  
Assistant State Attorney