

Close-out Memorandum of the
Investigation Regarding
Christian Roque
March 20, 2024



State Attorney's Office
Eleventh Judicial Circuit
Miami-Dade County
October 23, 2025

OFFICE OF THE STATE ATTORNEY
ELEVENTH JUDICIAL CIRCUIT

KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY



INTEROFFICE MEMORANDUM

TO: KATHERINE FERNANDEZ RUNDLE
State Attorney

DATE: October 23, 2025

FROM: STAFFING/REVIEW TEAM

RE: SAO Case #: 62/24/03/20/002

INJURED: Christian Roque

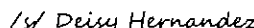
Based on the information obtained and reviewed during the course of the investigation, the conclusion of the staffing/review team is the following:

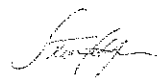
On March 20, 2024, at about 6:51 PM, Officers Daniel Barcelo and Shawn Victorin, were on patrol when they noticed a vehicle with an expired temporary tag commit multiple traffic infractions. The officers activated their emergency equipment and attempted to initiate a traffic stop, however, the driver, Christian Roque, refused to stop and attempted to evade police. Roque lost control of the car and struck a parked vehicle and a fence. Roque then exited the vehicle and fled on foot while armed with a black semi-automatic firearm. He ran into Marva Y. Bannerman Park & Pool located at 4830 NW 24th Avenue where civilians, including children, were located. Officers Barcelo and Victorin pursued on foot while giving multiple, loud verbal commands to stop and drop the firearm.

Detective Laureano Garcia arrived on scene to assist and observed Roque with the firearm running towards children at the playground. Officers Victorin and Barcelo continued to give Roque loud verbal commands to drop the firearm. Roque ignored the officers' commands, and they discharged their weapons. Roque sustained multiple gunshot wounds, was transported to Ryder Trauma Center, and was successfully treated for the injuries. Pursuant to Florida Statute 776.012, after a full investigation and review of the facts and evidence, the use of deadly force by MDSO Deputies Daniel Barcel 30-10459, Shawn Victorin 30-10319, and Laureano Garcia 30-5039 is determined to be legally justified.

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

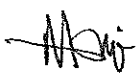

Howard Rosen

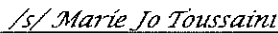

Deisy Hernandez


Stephen K. Talpins

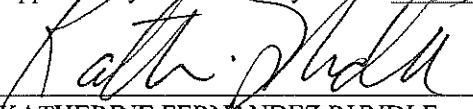

Kathleen Hoague


Nilo Cuervo


Jose Arrojo


Marie Jo Toussaint

Approved by State Attorney on this 23 day of Oct, 2025.


KATHERINE FERNANDEZ RUNDLE
State Attorney



INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM

DATE: October 21, 2025

FROM: AYANA DUNCAN
ASSISTANT STATE ATTORNEY

RE: POLICE SHOOTING CLOSEOUT MEMO
SAO Case # 62/24/03/20/002

OFFICERS INVOLVED:	Officer Daniel Barcelo ID#10459, Miami-Dade Sheriff's Office Officer Shawn Victorin ID#10319, Miami-Dade Sheriff's Office Officer Laureano Garcia ID#5039, Miami-Dade Sheriff's Office
INJURED	Christian Roque
DATE & TIME:	March 20, 2024 @ 6:51 P.M.
LOCATION:	NW 43 rd Street and NW 27 th Ave, Miami, Florida
WEAPONS:	Glock 19, 9mm, Gen 4, SN HRK997 (Officer Barcelo) Glock 17, Gen5, SN BHGK119 (Officer Victorin) Glock 17, Gen4, SN BGLA759 (Officer Garcia) Glock, model 48, 9mm SN BRUC528 (Christian Roque)
LEAD/REPORTS:	FDLE S/A Joseph Romero / Reports Received on 5/20/2025
CASE #:	FDLE# MI-27-0250

FACTUAL SUMMARY

On Wednesday, March 20th, 2024, at approximately 6:51 pm, Officers Daniel Barcelo and Shawn Victorin, of the MDPD Neighborhood Resource Unit, were working the area of NW 43rd Street and NW 27th Avenue, in Miami, Florida. The officers were working as a two-man unit, riding together in Officer Victorin's marked MDPD police vehicle. As Officers Barcelo and Victorin were patrolling the location, they observed a black Infinity G35 sedan with an expired Florida temporary tag (AF12575) commit multiple traffic infractions. The officers activated their emergency equipment and attempted to initiate a traffic stop; however, the Infinity evaded their law enforcement vehicle. Officers Barcelo and Victorin immediately requested aviation to assist, and Officer Victorin deactivated the emergency equipment on his MDPD patrol vehicle. While keeping their distance from the Infinity, the driver of the Infinity (later identified as Christian Roque) (hereinafter referred to as "Roque") continued to flee from the MDPD patrol vehicle. Shortly thereafter, the Infinity lost control and struck a parked vehicle and a fence on 50th Street between NW 25th Avenue and NW 24th Court. Roque exited the Infinity and fled eastbound on foot while holding a black semi-automatic firearm in his hand. Roque then ran in a southeasterly direction through Marva Y. Bannerman Park & Pool, located at 4830 NW 24th Avenue. Officers Barcelo and Victorin pursued Roque on foot while giving him loud verbal commands to drop his firearm. The officers also warned children in the park by yelling out to them, about police being in pursuit of an armed suspect (Roque) in their vicinity.

As Roque approached the sidewalk on the southeast side of Marva Y. Bannerman Park (24th Avenue), Detective Laureano Garcia arrived at that location in an unmarked police vehicle. The 911 calls, radio communications, and computer aided dispatch (CAD) reports reveal that Detective Garcia transmitted that a male armed with a gun was running through the park at NW 24th Avenue and 50th Street, running towards kids at the playground, and that there was a need to set up perimeter positions around the park. As Officers Victorin and Barcelo closed in on Roque, they continued to give him verbal commands, which Roque ignored. Roque continued walking onto the sidewalk of the park, close to Officer Garcia's unmarked vehicle. This resulted in the three officers discharging their firearms at Roque, striking him and causing him to fall to the ground.

Roque sustained multiple gunshot wounds about his body. Specifically, he was shot in the left center mass, right arm, right thigh, right lower leg, and right foot. Roque was transported to Ryder Trauma Center by Miami-Dade Fire Rescue, in critical, but stable condition. He survived the shooting and was subsequently discharged from the hospital. No officers or civilians were injured during the shooting incident.

BODY WORN CAMERA VIDEOS

Officers Barcelo and Victorin were wearing Body Worn Cameras ("BWC") at the time of the incident, which were activated. It is important to note that since both officers were riding together in Officer Victorin's marked police vehicle, their BWC videos provide similar views and audio. Detective Garcia did not have a department issued BWC at the time of the incident.

Officer Victorin's BWC reveals that at approximately 6:49pm-6:50pm, he is driving his MDPD patrol vehicle and Officer Barcelo is sitting in the front passenger seat. Next, Officer Victorin's vehicle

is stopped and the driver's door is opened, but Officer Victorin does not exit the vehicle. Officer Victorin continues to drive eastbound on NW 50th Street, towards Marva Y. Bannerman Park with his car door still open. At 6:50pm, the audio is activated. As Officer Victorin is still driving eastbound, he shouts, "Hey, stop running!" Officer Victorin then exits his vehicle with his firearm drawn and pointed towards Roque, shouting, "He's got a gun!" Officer Victorin begins to run behind Roque, who is wearing a short black sleeve t-shirt, black shorts, and a pair of red sneakers. Officer Victorin is then observed running behind Roque eastbound on NW 50th Street, towards NW 24th Avenue. Roque continues running southbound in the grassy area of the park, towards the children in the playground area, holding a firearm in his right hand. Officer Victorin is heard shouting, "hey, I'm going to fucking shoot you, drop the gun!", as he and Roque continue to run eastbound on NW 50th Street, towards NW 24th Avenue. At one point, Roque slipped on the grass and fell, but he immediately got back up and continued running with the pistol in his right hand while approaching the children's playground area. Officer Victorin is continually heard yelling, "drop the gun!" and "we have kids!" as he continues to run after Roque. At one point, Roque started to walk towards NW 24th Avenue, while Officer Victorin continues to yell, "hey, drop the gun, I'm going to shoot you!"

Despite Officer Victorin's loud verbal commands, Roque continues to walk southbound towards the sidewalk on NW 24th Avenue. Just then, Detective Garcia's grey unmarked Ford Fusion is observed driving southbound on NW 24th Avenue while Officer Victorin continues to pursue Roque. Officer Garcia discharged his firearm (shots can be heard, although not captured on BWC). Officers Victorin and Barcelo then also discharged their firearms towards Roque, causing Roque to fall to the ground on NW 24th Avenue between the street and the sidewalk. Officer Victorin then transmits via police radio, "shots fired!" The BWC captures Roque sitting up next to the sidewalk and Officers Victorin and Barcelo are situated behind a tree with their guns drawn towards Roque yelling, "hey, let go of the gun and stay down!" The BWC also depicts Officer Barcelo using a large tree for cover, and Detective Garcia standing outside, next to the front driver's side quarter panel, with his firearm drawn towards Roque. Officers Victorin and Barcelo, as well as Detective Garcia, are heard giving loud verbal commands for Roque to stay on the ground. The officers then approach Roque and take him into custody. A black semi-automatic pistol is observed on the sidewalk, near Roque. MDPD officers begin rendering first aid to Roque until fire rescue's arrival.

Officer Barcelo's BWC reveals that his BWC is activated (no audio) at approximately 6:49pm. Officer Barcelo is sitting in the front passenger seat and Officer Victorin is driving. The patrol vehicle stops and Officer Barcelo exits the vehicle, holding his handheld police radio in his left hand. Officer Victorin is observed driving eastbound on NW 50th Street, while Officer Barcelo starts running down the street towards Officer Victorin's now parked vehicle. Officer Victorin is observed running on foot after Roque on NW 50th Street, towards the park. Detective Garcia is observed driving eastbound on NW 50th Street, towards 24th Avenue. At approximately 6:50pm, Officer Barcelo's BWC audio is activated. Officer Victorin is observed running through the park after Roque, while giving several loud verbal commands to, "drop the gun!" Officer Barcelo is also heard giving Roque verbal commands to "drop the gun, you're going to get shot!" Approximately one minute later, Officer Barcelo discharges his firearm towards Roque and Roque is observed falling in the street/sidewalk on NW 24th Avenue. Officer Barcelo is then observed taking cover behind a tree next to the roadway. The remaining BWC video footage is consistent with Officer Victorin's BWC footage related to this incident.

WITNESS STATEMENTS

On Wednesday, November 29th, 2023, MDPD Officers Anthony Silva and Bobby Asberry, provided Florida Department of Law Enforcement (FDLE) SA Mulvey with a sworn audio-recorded statement. Officers Barcelo, Victorin, and Garcia did not provide a statement.

Officer Anthony Silva

Officer Silva advised that he was on duty, on the main road channels, when he heard one of the officers saying, "subject running holding a firearm"; and then he heard, "subject down!" Officer Silva stated that he believed that Officer Garcia was the officer who transmitted the information over the radio. Officer Silva arrived on the scene and immediately grabbed a ballistic shield. He approached the scene with his shield and observed Roque lying on the roadway (facing in an upward direction) in a southbound direction on the roadway (NW 24th Avenue). He overheard other MDPD officers who were also on scene, giving Roque verbal commands. Officer Silva stated that as he approached Roque, immediately after Roque was handcuffed and being given first aid, he noticed a black Glock pistol on the sidewalk near Roque. Officer Silva advised that he did not discharge his firearm during this shooting incident, nor did he witness the shooting incident.

Officer Bobby Asberry

Officer Asberry indicated that at approximately 6:51pm, he was on the main radio channel when he overheard radio transmissions from Officer Garcia advising there was a white male (Roque) running and holding a handgun. He heard Officer Garcia advising that Roque was running with the gun in hand, through a park with kids, near NW 50th Street and 24th Avenue. Once on scene, Officer Asberry observed Officer Victorin and another unknown officer concealing themselves behind a tree, pointing their handguns southward towards Roque's direction. Officer Asberry immediately exited his vehicle and parked it on the right side, next to Officer Garcia's vehicle, which was facing southbound. Officer Asberry advised that he observed Roque on the ground as well as a black handgun lying on the sidewalk, next to Roque's left side. Roque was subsequently taken into police custody and officers were rendering him first aid.

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 Barcelo, Victorin, and Garcia constitute a criminal act that can be proven beyond and to the exclusion of every reasonable doubt.

The undersigned attorney has reviewed the entire FDLE file regarding the Police Use of Force in this incident. I have also reviewed the 911 calls/CAD Report, sworn recorded statements, BWC, crime scene photographs, and other evidence compiled by FDLE under FDLE case Number #MI-27-0250. I find the FDLE summary and report to be complete, thorough and consistent with the witness statements taken on the day of the incident. I adopt the FDLE report into this memorandum and offer my conclusion based upon the results of my independent review of the evidence.

The relevant and applicable statute in this situation is Florida Statute 776.012, which provides:

“(2) A person is justified in using or threatening to use deadly force if he or she reasonably believes that using or threatening to use such force is necessary to prevent imminent death or great bodily harm to himself or herself or another or to prevent the imminent commission of a forcible felony”.

A review of the evidence shows that Officers Barcelo and Victorin were on duty, patrolling the area in a marked police vehicle, when they observed Roque's Infinity with an expired Florida tag commit multiple traffic infractions. The officers lawfully attempted to initiate a traffic stop after activating their emergency equipment, when Roque refused to stop, and he fled from the officers. Roque exited his vehicle only after he crashed it on a residential street, trying to flee and elude law enforcement. Subsequent to him exiting his vehicle, Roque fled on foot, armed with a firearm in his hand. Despite Officers Victorin and Barcelo running behind him, yelling verbal commands to stop running and to drop the gun, Roque ignored the officers' commands, and he ran into a public park, occupied by civilians. For approximately two (2) minutes, Roque ignored repeated commands by Officers Victorin and Barcelo to stop running and to drop the firearm. Rather than adhere to police commands, Roque ran through the populated playground area of a public park, where children were present, with a gun in his hand. Roque then walked onto the sidewalk of the park, where he converged with Officer Garcia, who was just arriving on scene. Officer Garcia was already aware that Roque was armed with a firearm, and he also observed Roque advancing on foot in his direction, with the gun. Accordingly, Officer Garcia discharged his firearm at Roque. Officers Barcelo and Victorin subsequently fired several rounds at Roque.

The actions of Roque in refusing to follow police commands to drop the firearm and to stop running, followed by Roque's continued advancement toward civilians and Officer Garcia, warranted Officers Victorin and Barcelo to shoot to protect themselves as well as Officer Garcia from Roque. Similarly, Officer Garcia discharged his firearm in order to protect himself and/or others (civilians) in the vicinity, as well as Officers Victorin and Barcelo, from Roque. Based on these facts and the statutory provision above, the undersigned finds that the shooting was legally justified under Fla. Stat. 776.012. Officers Barcelo, Victorin, and Garcia were legally justified in using deadly force to protect themselves and others from imminent death and/or great bodily harm.

Prepared by:

/s/ Ayana N. Duncan
Assistant State Attorney