

Close-out Memorandum of the
Investigation Regarding
Melenek Emmanuel Clarke
May 25, 2025



State Attorney's Office
Eleventh Judicial Circuit
Miami-Dade County
March 18, 2026



STATE ATTORNEY

ELEVENTH JUDICIAL CIRCUIT OF FLORIDA
E. R. GRAHAM BUILDING
1350 N.W. 12TH AVENUE
MIAMI, FLORIDA 33136-2111

KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY

TELEPHONE (305) 547-0100
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March 17, 2026

Manuel Morales, Chief of Police
City of Miami Police Department
400 NW 2nd Avenue
Miami, Florida 33128

Dear Chief Morales:

Enclosed is our final report regarding the investigation into the police-involved shooting of injured Melenek Emmanuel Clarke on May 25, 2025. The City of Miami Police Department officer involved was Mauricio Delgado ID # 01-46513.

The investigation has determined that the officer was legally justified in the use of deadly force by discharging his weapon. Therefore, no criminal charges will be filed.

Please be aware that now that the investigation is closed, absent specific exemptions, the materials contained in our investigative file are now public records and are subject to being provided pursuant to any public records request that we may receive under Sec. 119.071(2)(c)1..Florida Statutes.

If you have any questions, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink that reads "Kath Rundle".

KATHERINE FERNANDEZ RUNDLE
State Attorney

KFR/yf

cc: Winsor Lozano, Major (IA)
Felix Del Rosario, President (FOP)
Edward Stamm, Assistant United States Attorney
John Vecchio, Special Agent in Charge (FDLE)



INTEROFFICE MEMORANDUM

TO: KATHERINE FERNANDEZ RUNDLE DATE: March 17, 2026
State Attorney

FROM: STAFFING/REVIEW TEAM RE: SAO Case #: 62/25/05/25/001
Injured: MENELEK EMMANUEL CLARKE

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

On May 25, 2025, at about 7:17 PM, City of Miami Police Department Officer Mauricio Delgado was working an off-duty traffic detail for an event at Bayfront Park wearing his police uniform and a bright yellow traffic vest. A review of Officer Delgado's Body Worn Camera video reveals he was directing traffic on Biscayne Boulevard and motioned for a black BMW to stop while gesturing other vehicles to proceed. Despite the Officer's instructions, the BMW driver, Menelek Clarke, continued to drive the car towards Officer Delgado. In response, Officer Delgado raised his left arm, palm forward, in a signal to stop. Clarke again disregarded the instructions and continued moving the car forward, making physical contact with the Officer's body. Officer Delgado placed both hands on the hood of the vehicle and drew his firearm. Clarke refused to stop, accelerated forward, and caused Officer Delgado to land on the front hood of the BMW. As Clarke continued to drive with Officer Delgado clinging to the hood, the Officer discharged his weapon into the windshield. Officer Delgado was able to get off the hood immediately before the car collided with a parked police vehicle. Clarke, who was struck and bleeding, exited the car and attempted to walk away from the scene. Officer Delgado followed him, ordered him to get on the ground, and Clarke was taken into custody and successfully treated for his injury.

Pursuant to Florida Statute 776.012, after a full review of the evidence including video footage and witness statements, the use of deadly force used by City of Miami Officer Mauricio Delgado 01-46513 is determined to be legally justified.

Howard Rosen

Deisy Hernandez

Stephen K. Talpins

Kathleen Hoague

Nilo Cuervo

Jose Arrojo

Marie Jo Toussaint

Approved by State Attorney on this 18 day of March, 2026.

KATHERINE FERNANDEZ RUNDLE
State Attorney



INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM

DATE: March 17, 2026

FROM: SONALI N. DESAI
ASSISTANT STATE ATTORNEY

RE: POLICE SHOOTING CLOSEOUT MEMO
SAO Case # 62/25/05/25/001

GABRIELA ALFARO
ASSISTANT STATE ATTORNEY

OFFICER INVOLVED:	OFC. MAURICIO DELGADO 01-46513 CITY OF MIAMI POLICE DEPARTMENT
INJURED:	MENELEK EMMANUEL CLARKE
DATE & TIME:	MAY 25, 2025 AT 7:17 PM
LOCATION:	BISCAYNE BOULEVARD AND NE 2 ND STREET, MIAMI, FL 33132
WEAPONS:	SIG SAUER 320 SEMI-AUTOMATIC 9MM PISTOL, SERIAL NUMBER 58K123625 (OFFICER DELGADO) 2017 BLACK, TWO DOOR BMW 320I FLORIDA TAG DY21YQ (MENELEK EMMANUEL CLARKE)
LEAD:	S.A. LUIS ALVAREZ, FDLE (Report Received 1-26-2026)
F.D.L.E. CASE #:	M1-27-0286
SAO CASE #:	62/25/05/25/001

SUMMARY OF FACTS AND EVIDENCE

On Sunday, May 25, 2025, at approximately 7:17 PM, City of Miami Police Department (MPD) Officer Mauricio Delgado was working in an off-duty capacity as on a traffic detail for an event at Bayfront Park in Downtown Miami. Officer Delgado was assigned to the intersection of Biscayne Boulevard and NE 2nd Street, where he directed traffic on foot. Officer Delgado wore a City of Miami uniform with a bright yellow traffic vest. Video of the incident was reviewed from Officer Delgado's Body Worn Camera as well as a cell phone video aired by Channel 10 News (although the latter footage did not capture the beginning of the incident).

Officer Delgado's Body Worn Camera revealed that he was directing traffic for three north-bound lanes on Biscayne Boulevard. The video does not have audio for the beginning of the incident, though audio is activated by the end. Officer Delgado stood in the middle lane and motioned for a black BMW in front of him to stop while gesturing to the lanes on either side to proceed. This black BMW was later revealed to be driven by Menelek Emanuel Clarke. Sherrylann Clarke, the driver's sister, rode with him.

Despite Officer Delgado's command to stop, Clarke continued to drive the BMW towards Officer Delgado. In response, Officer Delgado raised his left arm, palm forward, in a signal to stop. Clarke disregarded this command and continued moving the BMW forward, making physical contact with Officer Delgado's body. Officer Delgado placed both hands on the hood of the BMW now pushing against him and slapped the hood of the vehicle while drawing his firearm. Instead of stopping, Clarke accelerated, forcing Officer Delgado onto the front hood of the BMW. As Clarke continued to drive with Officer Delgado clinging to the hood, Officer Delgado fired three

(3) rounds into the BMW's windshield. Officer Delgado was able to jump off the hood right before the BMW collided with a parked City of Miami patrol vehicle. Clarke exited the BMW and attempted to walk away, visibly bleeding. Officer Delgado followed Clarke and ordered him to get on the ground at gunpoint. Clarke fell to the ground and was taken into custody by other officers arriving on scene.

The cell phone footage from Channel 10 news began at the point where Officer Delgado was already fully on the hood of the BMW as it accelerated forward. The video captured the shooting itself as well as Clarke's attempt to leave the scene. From the angle of this footage, it is possible to see Clarke had already opened the driver's side door before the BMW crashed into the patrol vehicle, exited the vehicle, and attempted to walk away from the scene.

City of Miami Fire Rescue responded and transported Clarke to the Jackson Ryder Trauma center. Clarke was intubated in serious but stable condition. He sustained gunshot wounds to his right thigh, right shoulder, and right side likely exiting through the lower back. Upon recovery, Clarke declined to make a statement to police.

Officer Delgado was transported to the hospital but did not suffer any major injuries. Crime scene photographed some bruising as well as the uniform worn during the incident.

A round count was completed for Officer Delgado's weapon, which revealed a maximum of three (3) rounds fired. This was corroborated by three (3) casings recovered on scene as well as the video evidence of the incident. Other evidence included a bag of marijuana, amount unknown, taken from Clarke.

Four (4) civilians provided recorded sworn statements: Clarke's sister, Clarke's cousin who was on scene in a separate vehicle, and two independent witnesses. Clarke's sister, Sherrylann Clarke, stated that they were in search of parking at the time of the incident. She was seated in the

back seat of the BMW on the passenger's side while the front passenger seat was empty because they had dropped off their mother. She further explained that they were in the middle lane at a red light when a male wearing a traffic vest approached their vehicle. Ms. Clarke stated that the male wearing the vest directed traffic, but she did not know if he was a police officer. The male eventually began letting vehicles from the lanes on either side of their vehicle move forward, but not their lane. Ms. Clarke stated that Clarke honked the horn at the male because they were frustrated Clarke then turned the vehicle to the right and drove forward. Ms. Clarke acknowledged that the male stated something to Clarke, but she did not hear what he said. At this point, Ms. Clark asserted that the male fired at Clarke. When asked, she acknowledged that the BMW was moving. After the shooting, Clarke exited the car and began walking away. It should be noted that Ms. Clarke consented to a search of her cell phone; however, no recordings of the incident itself were found, only the aftermath.

Clarke's cousin, Elijah Glassgow, stated that he was driving a vehicle located two cars behind Clarke. He heard gunshots and then saw Clarke outside on the ground, handcuffed. Mr. Glassgow also stated that he saw Clarke's vehicle crashed against a police vehicle. He then entered Clarke's BMW and move the car to the location later documented by crime scene. He was then approached by police officers and taken into custody himself.

Witness Nikecia Silvera Thompson said she was standing on the northeast corner of Biscayne Boulevard and NE 2nd Street when she heard screeching car tires and saw a silver vehicle traveling northbound at a high rate of speed after failing to stop at the intersection. Immediately after that, she heard a gunshot and saw an officer struck by a black vehicle. The officer clung to the hood of the vehicle as it continued forward and discharged his firearm twice through the windshield. The officer remained on the hood until it crashed into a patrol vehicle nearby. A black

male exited the driver's side of the black vehicle and began walking away before being taken into custody by police. It should be noted that the Channel 10 news footage contradicts this witness' statement in that all three (3) shots occurred in quick succession after the officer was already on the hood of the BMW.

Lastly, witness Nyatu Clark stated that he was standing at a crosswalk at the intersection where the incident occurred. He observed the involved officer directing traffic and a black vehicle which honked at the officer. The officer motioned to the black vehicle to stop at the intersection. Witness Clark further explained that the vehicle continued to move forward despite that command, ultimately striking the officer who landed on the hood of the vehicle. The officer pulled out his firearm before he ended up on the vehicle's hood, but did not fire until after he had been hit. The officer fired his weapon between two (2) and four (4) times through the front windshield until the black vehicle crashed with a marked patrol car. The driver of the black vehicle then exited the car and attempted to walk away before collapsing on the ground.

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 Mauricio Delgado 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, lab reports, body worn camera video, and other evidence compiled by FDLE under FDLE Case Number MI-27-0286. We find the summary to be complete, thorough and consistent with the witness statements and video evidence as well as consistent with our observations at the scene. We adopt and attach that Investigative Summary hereto and also offer our conclusion based on the results of our investigation and review.

Officer Mauricio Delgado was clearly uniformed and directing traffic at the incident location outside a busy concert. Rather than obeying Officer Delgado's traffic commands, Clarke honked his horn at the Officer, disobeyed the command to stop, and continued to drive forward despite the Officer's physical presence directly in front of his vehicle. Moreover, Clarke disregarded an additional command to stop and instead accelerated his vehicle forward into the Officer, causing the Officer to land on the hood of the car. It was only at this point, physically on the hood of Clarke's vehicle and that vehicle still moving forward, that Officer Delgado discharged his weapon three (3) times.

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. In this case, Clarke's actions constitute a clear Aggravated Battery on a Law Enforcement Officer, and based on this conduct, Officer Mauricio Delgado was legally justified in firing his weapon in defense of his person.

Prepared by:

/s/ Sonali Desai

Sonali Desai
Assistant State Attorney

/s/ Gabriela Alfaro

Gabriela Alfaro
Assistant State Attorney