

Close-out Memorandum of the
Investigation Regarding
Kristofer Laboy
June 17, 2025



State Attorney's Office
Eleventh Judicial Circuit
Miami-Dade County
May 26, 2026



INTEROFFICE MEMORANDUM

TO: KATHERINE FERNANDEZ RUNDLE
State Attorney

DATE: May 20, 2026

FROM: STAFFING/REVIEW TEAM

RE: POLICE SHOOTING CLOSEOUT MEMO
SAO CASE # 62/25/06/17/002

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

On June 17, 2025, at about 5:00 P.M., the Robbery Investigation Detail of the Miami-Dade Sheriff's Office were conducting operations in the north end of Miami-Dade County. MDSO Detective Oliver Morris observed a yellow Corvette with very dark front windshield tints and initiated a traffic stop. The Corvette accelerated to a high rate of speed and a brief chase ensued. Detective Morris ceased the pursuit, reported the incident via radio, and requested assistance of other officers and the MDSO Aviation Unit operating a helicopter in the area. The Aviation Unit located the Corvette and captured footage of the car driving recklessly throughout residential neighborhoods by driving at extremely high rates of speed, driving on the wrong side of the road, driving off the roadway, failing to stop at stop signs, and nearly causing crashes. Sergeant Kelvin Cox and Sergeant Ryan Aguilera located the Corvette and pursued it into a housing complex until the driver, Kristofer Laboy, drove into a dead end. Laboy exited the Corvette with a firearm in his right hand and ran toward Sergeant Cox's vehicle. Sergeant Cox discharged his weapon, striking Laboy, who fell forward dropping his pistol. Laboy was pronounced deceased at the scene.

Pursuant to F.S. 776.05 and 776.012, and a review of the facts, evidence, and law in this investigation, we find the discharge by MDSO Deputy Sergeant Kelvin Cox 30-5443 to be legally justified.

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



Jose Arrojo



Deisy Hernandez



Kathleen Hoague



Stephen K. Talpins



Howard Rosen



Nilo Cuervo



Marie Jo Toussaint

Approved by State Attorney on this 26 day of May, 2026.



KATHERINE FERNANDEZ RUNDLE
State Attorney



INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM

DATE: MAY 20, 2026

FROM: ADAM C. KORN
Assistant State Attorney

RE: POLICE SHOOTING CLOSEOUT MEMO
SAO # 62/25/06/17/002

LAURA ADAMS
Assistant State Attorney

OFFICER INVOLVED:	MDSO Deputy Sergeant Kelvin Cox, ID 30-5443
DECEDENT:	Kristofer Lazaro Laboy
DATE & TIME:	June 17, 2025 @ 5:14 P.M.
LOCATION:	440 NW 85 Street Road, Miami, Florida
WEAPONS:	Department-issued Glock 17, Gen4, 9mm pistol, serial number REE059 (Sergeant Cox) Sig Sauer P320-M18 semi-automatic pistol, serial number M18A165158 (Kristofer Laboy)
LEAD/REPORTS:	Special Agent Joseph L. Romero, FDLE / Received January 26, 2026
FDLE CASE #:	MI-27-0289
SAO CASE #:	SAO # 62/25/06/17/002

FACTUAL OVERVIEW

On Tuesday, June 17, 2025, shortly after 5:00 p.m., the Robbery Investigation Detail (“RID”) of the Miami-Dade Sheriff’s Office (“MDSO”) were conducting operations in the north end of Miami-Dade County. MDSO Detective Oliver Morris observed a yellow Chevrolet Corvette with very dark front windshield tints being driven in the area of Northwest 21st Avenue and 75th Street. The Corvette was later determined to have been driven by the decedent, Kristofer Lazaro Laboy.

Detective Morris followed the Corvette briefly, ran the license plate number, then attempted to conduct a traffic stop on the Corvette by activating blue and red police lights in his otherwise unmarked Dodge Charger. The Corvette accelerated to a high rate of speed “kicking up dust” as described by Detective Morris. Detective Morris briefly gave chase but discontinued his pursuit. Detective Morris reported the incident via police radio and requested assistance of other RID detectives in vehicles in the area as well as the MDSO Aviation Unit which was operating a helicopter in the area.

Minutes later, the MDSO Aviation Unit located the Corvette. Video from the Aviation Unit as well as body worn cameras from officers depict the following events leading up to and including MDSO Deputy Sergeant Kelvin Cox fatally shooting Laboy.

The MDSO Aviation Unit captured the Corvette driving recklessly throughout residential neighborhoods in Northwest Miami-Dade County for approximately five minutes. RID Detectives in vehicles appear to give chase but were outpaced by the Corvette. The driving pattern included extremely high rates of speed, driving on the wrong side of roads, driving off the roadway, failing to stop at stop signs, and nearly causing crashes.



Unmarked RID vehicles appear to give chase before being outpaced by Corvette (depicted here crossing double yellow line into oncoming traffic)



Corvette overtakes black vehicle across yellow line nearly causing head-on collision with white vehicle

The Corvette was observed briefly parking as the driver opened the driver's door and threw a light-colored item or items from the vehicle.



Approximately four minutes after the MDSO Aviation Unit first established visual contact of the fleeing Corvette, Sergeant Cox (driving a white Dodge Charger) and Sergeant Ryan Aguilera (driving a red Dodge Charger) positioned their vehicles behind the Corvette and followed it into a housing complex. Both had visible blue and red police lights activated. The Corvette drove onto a grassy area next to a residential building but was forced to stop at a dead end. The two Dodge Chargers were positioned directly behind the Corvette boxing it in. Sergeant Cox can be heard on a body-worn recording device saying “put the gun [unintelligible]” prior to Laboy exiting his vehicle.

Laboy then parked and exited the Corvette with a firearm in his right hand and ran toward Sergeant Cox’s parked vehicle. Sergeant Cox exclaimed “oh shit,” opened his front driver’s door, and discharged his firearm approximately eight times, striking Laboy.



Laboy can be seen exiting his vehicle before Sergeant Cox opens his door.



As Laboy runs toward the white Dodge Charger, Sergeant Cox can be seen opening his door and pointing his firearm at Laboy.

Deputies secured Laboy and the firearm, rendered first aid, and requested support from Fire Rescue. Fire Rescue responded and pronounced Laboy deceased at the scene of the shooting. Marijuana and empty bottles of promethazine hydrochloride were later recovered from inside the Corvette.

Other relevant information and evidence from the investigation is detailed below.

VIDEO EVIDENCE

The relevant video evidence consists of the approximately five-minute pursuit of the Corvette captured completely by MDSO Aviation Unit; and audio/visual recording devices worn by MDSO RID Sergeants Kelvin Cox and Ryan Aguilera as well as MDSO Deputy Jonathan Tookes.

Only Sergeant Cox's body-worn camera and the MDSO Aviation Unit camera capture the moments directly preceding the shooting. The door of Sergeant Cox's vehicle blocks a direct view of Laboy from the body-worn camera prior to the shooting. The MDSO Aviation Unit's camera was partially obscured by the side of a building, though it appears that Laboy was holding the firearm in his right hand at the time of the shooting. However, the image is pixelated.

The videos depict that both Dodge Chargers had emergency lights activated prior to the shooting.

STATEMENTS FROM LAW ENFORCEMENT WITNESSES

MDSO RID Detective Oliver Morris

Detective Morris initially observed the yellow Chevrolet Corvette with very dark tinted windows and front windshield. Detective Morris stated that he ran the license plate of the vehicle and learned that the registrant was a female, then attempted to conduct a traffic stop for the illegal tints by activating his emergency lights, but the vehicle fled. Detective Morris stated that he briefly gave chase before discontinuing pursuit and relaying the incident to other RID detectives as well as the MDSO Aviation Unit.

MDSO RID Sergeant Ryan Aguilera

Sergeant Aguilera was conducting normal operations with the RID unit when he heard over the radio that a yellow Chevrolet Corvette fled from deputies who had attempted to conduct a traffic stop. Sergeant Aguilera responded to the area and observed the Corvette driving at a high rate of speed and was able to position his red Dodge Charger behind the Corvette. Sergeant Aguilera stated that he

followed the Corvette into an apartment complex and boxed the Corvette in alongside a white Dodge Charger which he recognized to be another RID police vehicle. Sergeant Aguilera stated that both vehicles had emergency red and blue lights activated. Sergeant Aguilera stated that he observed the driver of the Corvette exit his vehicle with an olive-green colored pistol in his right hand and run toward the deputy who was driving the white Dodge Charger. Sergeant Aguilera then heard multiple gunshots and began managing the scene and aftermath.

MDSO RID Detective Jonathan Tookes

Detective Tookes stated that he had heard that a yellow Chevrolet Corvette had fled from a RID detective during an attempted traffic stop. Detective Tookes stated that he responded to the area, parked his vehicle, and proceeded on foot to an area common for bail-outs due to a dead end in the street. Detective Tookes stated that he saw an individual exit the Corvette and run in a northbound direction then heard shots ring out and believed that Sergeant Cox had shot the individual. Detective Tookes then ran closer toward the shooting locations and jumped onto the roof of the Corvette for a better vantage point. Detective Tookes stated that he saw a tan firearm fall from the individual's person.

CRIME SCENE INVESTIGATION

Crime scene investigators secured a tan Sig Sauer P320-M18 semi-automatic pistol located near Laboy's body. The firearm had been moved by Sergeant Cox away from Laboy. The pistol had a magazine inserted and a round count of the Sig Sauer P320-M18 revealed one live 9mm cartridge was in the chamber. The magazine that was inserted in the pistol held twenty live 9mm cartridges. This firearm was later determined, by the Alcohol, Tobacco, Firearms, and Explosives' (ATF) National Tracing Center (NTC) to have been lawfully purchased by Augusto Laboy, Laboy's father.

Crime scene investigators recovered three spent 9mm casings which ultimately matched the ammunition carried by Sergeant Cox.

FDLE agents later searched the area where Laboy had briefly stopped and discarded an item or items however nothing of note was observed. This area was not secured or under surveillance between the time of the brief stop and the time of the search.

Forensic Pathologist, Doctor Nicholas Barna, from the Miami-Dade Medical Examiner Department, conducted an on-scene examination of Laboy's body. Dr. Barna observed multiple gunshot wounds to Laboy's body.

The Corvette was later processed; marijuana and empty bottles of promethazine hydrochloride were found. A tint meter was also deployed on the vehicle which revealed illegal tints on the front windshield and side windows.

Sergeant Cox was processed and inspected. After an inspection of his firearms and the relevant video evidence, it was determined that Sergeant Cox fired eight rounds.

SAO COMMUNICATIONS WITH LABOY FAMILY AND PRIVATE INVESTIGATOR

On February 12, 2026, ASA Adam Korn received an email from a private investigator named David Ferrante indicating that he had been hired by the family of Laboy, and that he had obtained information about possible witnesses to this incident.

On March 24, 2026, Mr. Ferrante provided the SAO with the requested information. The SAO subpoenaed each of those witnesses to appear and provide testimony about what they may have seen and/or heard regarding this matter.

One witness failed to appear after his subpoena was posted on the door of the address he had given, despite his statements to Mr. Ferrante in a recorded interview that he would do so if asked. Mr. Ferrante had previously provided an audio recording of a telephone call between he and that witness. That audio recording was reviewed and in relevant part, the witness claimed to have seen the shooting

perpetrated by the police officer who jumped on top of the Corvette (Detective Tookes) and that Laboy was unarmed. These statements conflict with video evidence collected during the investigation.

The other witness did agree to speak with ASA Adams via video call. That witness advised that she did not see the shooting but had heard the shots from inside her home. The witness further advised that her husband was home but could not have seen the shooting from where he was positioned. She indicated that the Ring camera on her door did not capture the shooting because the shooting occurred at the side of her home.

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 Kelvin J. Cox constitute a criminal act that can be proven beyond and to the exclusion of every reasonable doubt.

We, Assistant State Attorneys Adam C. Korn and Laura Adams 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 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 a homicide or attempted homicide 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) (2025).

Additionally, Florida Statute § 776.05 (2025) provides: “A law enforcement officer... 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 himself or herself or another from bodily harm while making the arrest.”

The recommendation of the undersigned is that the actions of Sergeant Kelvin Cox in discharging his weapon at Kristofer Laboy were justified pursuant to Fla. Stat. § 776.012(2) and Fla. Stat. § 776.05.

Laboy had led law enforcement officers on a protracted and high-speed chase which endangered the lives of many individuals. Laboy nearly caused several crashes by driving at high rates of speed through traffic and on the wrong side of roads.

When Laboy reached a dead end, Sergeants Cox and Aguilera positioned their vehicles behind Laboy in an effort to arrest him. Both vehicles displayed blue and red emergency lights. Laboy then armed himself with a firearm and ran directly toward Sergeant Cox as depicted on body-worn camera footage, video captured by the MDSO Aviation Unit, and the testimony of Sergeant Aguilera. These objective facts establish that a reasonable person in Sergeant Cox’s position would have believed that

using deadly force was necessary to prevent imminent death or great bodily harm to Sergeant Cox and/or others.

Because Sergeant Cox was legally justified in using deadly force, no charges should be filed against him.

Prepared by:

/s/ Adam C. Korn

Adam C. Korn
Assistant State Attorney

/s/ Laura Adams

Laura Adams
Assistant State Attorney