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Randy J. Means
Director of Investigations
and Administration

To: *JA*

July 5, 2012

Orlando Police Department
Attn: Chief Paul Rooney
P.O. Box 913
100 South Hughey Avenue
Orlando, FL 32802-0913



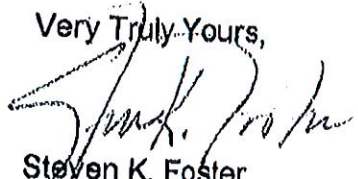
Dear Chief Rooney:

I have reviewed the investigation of the incident involving Officer Scott Rich wherein Javohn Brown was shot on February 19, 2012.

The incident was thoroughly investigated by Special Agent Lloyd Randolph of the Florida Department of Law Enforcement and forwarded to my office. The investigation reveals that Officers Webster and Rich were conducting surveillance on a stolen vehicle at the Village Park Apartments. Two Chevrolet HHRs and a Buick LaCrosse had been stolen the day before, and one of the HHRs was suspected to have been involved in two separate robberies. One of the stolen HHRs was located in the parking lot of the apartment complex. A Buick LaCrosse matching the description of the stolen Buick approached the stolen HHR at approximately 8:30 p.m. One of the occupants of the Buick got into the driver's seat of the stolen HHR and another (Brown) moved to the front passenger seat of the Buick. The decision was made to takedown the occupants of the two vehicles. The Buick and the HHR headed to the exit of the complex where they were stopped by marked patrol cars blocking the exit. Officer Rich positioned himself at the front passenger window of the Buick and Officer Kim went to the driver's window. Both officers began giving commands to the occupants of the Buick to stop the car, show their hands, and get out of the car. The driver of the Buick stopped the car momentarily, but then gave it some gas driving the car toward Officers Fischer and Clarke. Fischer was actually struck by the front of the Buick. Kim and Rich began striking the front windows of the Buick with their ASP batons when their commands were ignored by the occupants. Brown then reached down under the front seat between his legs. Officer Rich, fearing that Brown was reaching for a firearm, fired one shot through the front passenger window into the car striking Brown in the right shoulder.

Taking note of the law enforcement decision not to forward a charging affidavit to the Office of the State Attorney based on their investigation, and after a complete review of the investigative reports, I find that the use of deadly force by Officer Scott Rich was justified and no criminal charges are warranted. This office considers our review of this investigation completed.

Very Truly Yours,



Steven K. Foster
Assistant State Attorney
Chief, Intake Bureau

CC: Joyce Dawley, Special Agent in Charge,
Florida Department of Law Enforcement