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2019 OCT 25 A 11:26  
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IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA  
IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA IN AND FOR  
ESCAMBIA COUNTY, FLORIDA  
AT THE SECOND TERM HEREOF,  
IN THE YEAR OF OUR LORD,  
TWO THOUSAND AND NINETEEN

COPY

**REPORT**

WE THE GRAND JURORS OF THE STATE OF FLORIDA, LAWFULLY SELECTED, IMPANELED AND SWORN, INQUIRING IN AND FOR THE BODY OF THE COUNTY OF ESCAMBIA UPON OUR OATHS AS GRAND JURORS, DO PRESENT THE FOLLOWING REPORT.

At the request of the Office of the State Attorney, we have reviewed the facts and circumstances surrounding the officer involved shooting that occurred in the City of Pensacola on July 5, 2019. Two videos of this incident were provided to us. These videos depict what happened prior to the shooting as well as the shooting itself. We viewed these videos multiple times including frame by frame in order to determine what happened. We have also reviewed the policies, procedures and training of the Pensacola Police Department, particularly as it relates to the use of force and the use of deadly force. After a thorough review of the facts and circumstances surrounding this incident, and having been fully advised of the applicable law, we have determined that criminal charges are not appropriate and therefore return a NO TRUE BILL. We do believe that it is important that the citizens of the City of Pensacola and of Escambia County be made aware of our findings and recommendations. For that reason, we issue this Report.

**FACTS**

This incident began on July 5, 2019 at approximately 4:16 p.m. On that date and time, Detectives Daniel Siemen and Zachary Stacy were on routine patrol in an area of West Pensacola just North of Cervantes Street and East of Pace Blvd. According to testimony, that area was known for drug activity. Siemen and Stacy were partners assigned to the narcotics unit. They were both in plain clothes and were wearing what has been described as tactical vests. These vests weigh approximately forty pounds and have POLICE written across them. The vest contains body armor and have various storage pockets. Both detectives had their department issued firearm but neither carried a Taser or other less than lethal weapon. They were driving a clearly marked police vehicle that was fully equipped with lights and sirens. Seimen was driving and Stacy was in the front passenger seat. The testimony was that both of their windows were at least partially open and the air conditioner was set to circulate outside air.

At approximately 4:16 p.m., Siemen and Stacy were approaching the intersection of "C" Street and Brainerd Street where they saw a dark colored Saturn SUV stopped at the intersection. Both officers recognized the driver and sole occupant of that vehicle as Tymar Crawford. Mr. Crawford was known to them because of prior arrests and investigations involving the use and distribution of narcotics. They were also aware that Crawford had previously been arrested for crimes of violence and was reported to carry a weapon. After observing Crawford's vehicle, Siemen

immediately turned his vehicle around and began to follow him. Siemen believed that Crawford's driver's license was suspended or revoked but Stacey was unable to verify that information because of computer problems. Both officers indicated they smelled the odor of fresh marijuana coming from Crawford's vehicle. At this point, they activated their lights and sirens and attempted to make a traffic stop. Crawford failed to stop and continued to drive through the neighborhood at a slow rate of speed. When Crawford did not stop, probable cause existed to arrest him for the felony charge of Fleeing and Attempting to Elude.

Approximately one minute and thirty seconds after the slow speed chase began, two objects were seen being thrown out of the driver's side window of Crawford's vehicle. These objects were eventually recovered by Det. Stacy and Pensacola Police Officer Abdelhadi and later turned into evidence at the Pensacola Police Department. Based on their appearance, these objects were identified as the prescription drug Alprazolam, a controlled substance, crack cocaine, powder cocaine, and a small quantity of marijuana.

After these objects were thrown out of the window of the car, the chase continued for another minute and forty-four seconds, at which point Crawford pulled into the driveway of a house located at 901 W. Brainerd Street. He circled the house and came to a stop in the front yard close to the front porch and steps leading to the porch. Siemen and Stacy were unaware of who lived at this address or their relationship to Crawford. Evidence later indicated that this was the home of Crawford's girlfriend, Kimberly Henderson, and her four children. Testimony also indicated that Tymar Crawford resided at that address.

Siemen followed Crawford's vehicle around the house and stopped his vehicle behind the Saturn SUV. As Siemen exited his vehicle, he initially pulled his service weapon but re-holstered it as he approached Crawford yelling commands. During this time, there may have been at least one child in the yard and a number of people standing on the front porch in close proximity to where the vehicles were parked. Not knowing who these people were or the significance of the residents to Crawford, the detectives were concerned that they may be a danger to law enforcement or the individuals on the porch themselves may have been in danger.

After stopping his car, Siemen jumped out and then moved towards Crawford, yelling commands to "show me your hands" and "get on the ground". People on the porch, including Crawford's girlfriend, Kimberly Henderson were also yelling for him to get on the ground. As Crawford exited his vehicle, he raised both hands and stood between the Saturn and the front porch, with the open driver's side door to his back. Crawford responded "no" to Siemen's commands and did not get on the ground. Siemen then attempted to grab Crawford with an open left hand around the shoulder or neck area. It appeared that Crawford pulled his head back causing it to strike the frame of the Saturn. Crawford then shoved Siemen causing him to go backwards several steps.

A struggle ensued with both Siemen and Stacy trying to get control of Crawford. During this period of time, Crawford ended up back in his car as Siemen and Stacy tried to pull him out. At this point, a third officer, Patrolman Noah Dufour, arrived. As Dufour approached the struggle, he tapped Stacy on the shoulder to let him know he was there. Dufour then deployed his Taser in an attempt to stop Crawford's resistance.

Tasers are designed to be used in two ways. The first is by firing two probes connected to the Taser by wires. When the Taser is pulled, an electrical current passes between the probes causing

an individual to be physically incapacitated. The second is by removing the cartridge and holding the muzzle end of the Taser against an individual while the trigger is pulled. This method only inflicts pain and will not generally cause someone to be incapacitated. In this incident, Dufour removed the cartridge and attempted to administer a contact stun. Dufour continued to hold the detached cartridge in his left hand throughout the remaining struggle.

Once Dufour deployed his Taser, he yelled "Taser, Taser, Taser," and attempted to tase Crawford while he was in the car. Crawford grabbed the Taser with both hands as he came out of the vehicle. A fourth officer, Det. Marcus Savage, arrived on the scene and saw the struggle over the Taser. He moved around and attempted to pull Crawford's hands off the Taser with no success. Dufour, believing he was losing control of the Taser, yelled "He's got my Taser, He's got my Taser". After those statements were made, Siemen pulled his weapon, placed it next to Crawford's abdomen and fired two shots. As Crawford was falling towards the Saturn, Siemen then fired five more shots. The physical struggle between the officers and Mr. Crawford lasted approximately thirty seconds. Despite reports to the contrary, Mr. Crawford was standing up at the time the first shots were fired.

After the shots were fired, Mr. Crawford was pulled away from the Saturn and handcuffed. Officer Dufour and other officers then attempted to administer first aid. Det. Savage immediately radioed for backup and EMS. Despite reports to the contrary, Pensacola Fire Department arrived approximately seven minutes after the shooting with Escambia County EMS arriving two minutes later. Mr. Crawford was transported to Baptist Hospital where he was pronounced dead.

An autopsy was performed the following day that indicated Mr. Crawford died as a result of multiple gunshot wounds to the chest and abdomen. The Toxicology report indicated that he had a small amount of alcohol in his system and was positive for THC, the active ingredient in marijuana. The level of THC in Mr. Crawford's system indicated that he had used marijuana shortly before he died.

## **FINDINGS AND RECOMMENDATIONS**

Based on the testimony we have heard and the evidence we have reviewed, we make the following findings and recommendations:

### **EQUIPMENT**

1. All detectives, when not working in an undercover or office setting, should wear body cams.
2. More complete medical supplies should be available to law enforcement officers. In this case, a green towel in Officer Dufour's vehicle was initially used to render aid. While Officer Dufour should be complimented on how quickly he acted, more appropriate supplies should have been available.
3. Tasers or other less than lethal options should be available to all officers. It appears that officers have a choice not to carry a Taser. This should be a decision made by the Department and not by each individual officer. All detectives, when not working

undercover or in the office, should carry Tasers or other than less lethal weapon. We are aware of the concern detectives have in carrying additional equipment. Research should be done regarding compact Tasers or better ways to secure equipment.

## **TRAINING**

1. We recommend that all officers receive immediate retraining in areas of Use of Force, Use of Deadly Force and Tasers.
2. We recommend that Taser training be improved regarding the tactical use of Tasers and how to secure Tasers. This case escalated because of the concern that Mr. Crawford would take control of the Taser. Better training may have prevented this.
3. Greater emphasis needs to be placed on situational control during training. In this case, no one took control of what was happening which resulted in the officers working against each other. If they had worked together, they may have been able to apprehend Mr. Crawford without the use of deadly force.
4. Close quarter training should also be emphasized. There were five large men struggling in a very small area. This clearly made it difficult for the officers to take control of the situation.
5. Emergency medical training needs to be improved.

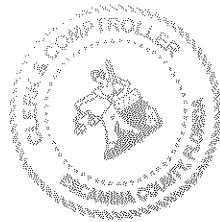
## **POLICIES AND PROCEDURES**

1. Policies need to be amended to include scene control.
2. Communication between officers needs to be improved. Dufour let Stacy know he was on the scene by touching Stacy on the shoulder or back. Siemen was never aware that Savage had arrived and was involved in the struggle. This poor communication may have resulted in injury to the officers.
3. The videos in this matter, both dash cameras and body cameras, should be used in future training to help avoid a similar outcome.
4. The Pensacola Police Department should look into ways to improve relationships and communications with the communities they serve. Citizen Advisory Groups should be considered.

5. In cases involving law enforcement shootings, Internal Affairs Investigation should not be completed or published before the State Attorney or Grand Jury has the opportunity to complete their review. The State Attorney and Grand Jury should be allowed to perform their duties without comments by the involved agencies.
6. Siemen indicated that he was hit in the head and almost lost consciousness but was only briefly checked by medical personnel. Policy should require that whenever there is a suspected head injury, a full medical evaluation should be performed.
7. From the information provided to us it appears that officers are promoted to detective after a relatively short period of time. While aware of manpower issues facing law enforcement, more experience may be helpful before officers are promoted.
8. It appears that the involved officers as well as other individuals viewed the videos that were evidence in this case prior to the Grand Jury proceedings. Witnesses should only be allowed to view videos that depict the scene from their perspective during the incident. By viewing videos from different directions, their testimony may be affected by seeing things that unaware of during the actual event.

10/25/2019  
DATE

*John V. Man*  
FOREPERSON



CERTIFIED TO BE A TRUE COPY OF THE  
ORIGINAL ON FILE IN THIS OFFICE  
WITNESS MY HAND AND OFFICIAL SEAL  
PAM CHILDERS  
CLERK OF THE CIRCUIT COURT & COMPTROLLER  
ESCAMBIA COUNTY, FLORIDA  
BY: *Pam Childers* D.C.  
DATE: 10/25/2019