



Sheriff Bob Gualtieri

Pinellas County Sheriff's Office

"Leading The Way For A Safer Pinellas"

January 25, 2021

Chief Anthony Holloway
St. Petersburg Police Department
1301 1st Avenue North
St. Petersburg, FL 33705

Dear Chief Holloway:

The following are the results of the Pinellas County Use of Deadly Force Investigative Taskforce investigation regarding an officer-involved shooting by St. Petersburg Police Department (SPPD) officers on December 2, 2020 at approximately 4:15 p.m. This is a redacted version of this letter that protects the identities of the undercover personnel pursuant to Chapter 119, F.S.

On December 2nd at approximately 4:30 p.m, SPPD notified the Pinellas County Sheriff's Office (PCSO) that an officer-involved shooting had just occurred at 1400 18th Avenue South. It was reported that a suspect (Dominque Harris (Harris)) shot and had attempted to murder a SPPD officer. The suspect was shot by return gunfire from six officers and was subsequently transported to a hospital and pronounced deceased.

SPPD notified PCSO pursuant to the Pinellas County Use of Deadly Force Investigative Taskforce Agreement, and SPPD requested PCSO activate the Taskforce to conduct the required investigation. PCSO is the Supervising Agency for this investigation under the Taskforce Agreement, and as Sheriff, I am responsible for supervising the investigation and making determinations. I responded to the scene, conferred with Taskforce investigators, and have personally reviewed the evidence in this case, including forensic evidence, videos, photographs, and witness statements.

The Taskforce assumed responsibility for the investigation after an on-scene briefing by SPPD commanders. Taskforce agencies participating in addition to PCSO were the Clearwater Police Department and the Pinellas Park Police Department. The crime scene and all evidence were processed by the PCSO Forensic Sciences Division. The State Attorney's office responded to the scene and conducted an independent investigation. The State Attorney issued a letter on January 25, 2021 finding that Dominque Harris' death was justifiable homicide pursuant to F.S. 776.012.

During the course of the investigation, Taskforce investigators interviewed multiple witnesses, acquired and reviewed all physical evidence from the scene, obtained documents from SPPD and other sources, and obtained video and audio recordings. The following summarizes the investigation's results. All recordings, transcripts, and documents are either included with this summary or will be subsequently provided to SPPD.

HARRIS' CRIMINAL HISTORY AND POLICE CONTACTS

We begin with an overview of Dominique Harris' (Harris) police contacts and criminal history. Harris had several prior arrests, was a documented gang member, and he was previously monitored by the Pinellas County Habitual Offender Monitoring Enforcement (H.O.M.E.) Unit. The following is not an exhaustive list of all Harris' law enforcement interactions.

Date: 09-24-2014 (Harris age 14)

Report: SPPD 2014-060257

Involvement: Arrested

Harris and a second juvenile suspect requested that Hungry Howie's deliver a pizza to a vacant address so they could commit a robbery and carjacking. When the delivery person arrived, they attacked the pizza delivery person kicking the victim while on the ground. Harris and the other suspect then entered and stole the delivery driver's vehicle. Harris and the other juvenile were later located and arrested. (For disposition of this criminal case, see case below).

Date: 09-29-2014 (Harris age 14)

Report: SPPD 2014-060276

Involvement: Arrested

As a result of the above incident Harris was arrested for leaving the scene of a crash and reckless driving. Harris struck unattended property, described as a fence and a wheelchair ramp, while driving the stolen car. This case and the carjacking were combined during the criminal prosecution. Harris received a withhold of adjudication and was sentenced to six months of probation.

Date: 10-22-2014 (Harris age 14)

Report: SPPD 2014-064559

Involvement: Subject

Less than a month after he robbed the pizza delivery driver described above, a uniformed SPPD officer came into contact with Harris after a dispatched call for service about suspicious persons. While the officers were on the scene of the dispatched call, a Hungry Howie's delivery driver arrived. The address of the pizza delivery was to a vacant address. The other juvenile with Harris was taken to the Pinellas County Juvenile Assessment Center for violation of probation. Harris was taken to the truancy office at Lakewood High School. It appears officers intervened before Harris could commit another robbery.

Date: 10-23-2014 (Harris age 14)
Report: SPPD 2014-064717
Involvement: Truant

Harris walked off campus during the school day with another male juvenile student. The officer made contact with Harris and transported him back to the school. Harris was then transported to the Truancy Center.

Date: 06-14-2016 (Harris age 16)
Report: SPPD 2016-027529
Involvement: Arrested

Harris and a second suspect threw bricks at people and vehicles while standing on the roof of Melrose Elementary School. The suspects both fled upon the sight of police but were subsequently arrested. Harris was charged with shooting/throwing deadly missiles, aggravated assault, trespass on school grounds, and resisting an officer. Harris and the other suspect were both transported to the Pinellas County Juvenile Assessment Center. The court again withheld adjudication and sentenced Harris to DJJ supervised probation.

Date: 12-14-2016 (Harris age 16)
Report: SPPD 2016-058085
Involvement: Arrested

Harris and a second suspect committed a residential burglary and stole a firearm in December 2016. In January 2017, a student observed Harris in the bathroom at Lakewood High School taking pictures with a firearm. Harris was arrested for Armed Burglary and Violation of Probation for the June 2016 shooting/throwing deadly missile arrest. The court adjudicated Harris delinquent in the armed burglary case which violated his probation for the previous charges. The court committed Harris to the Department of Juvenile Justice and DJJ placed him at the Challenge Youth Academy. Upon release Harris was placed on post commitment probation and H.O.M.E. monitoring.

Date: 05-22-2019 (Harris age 19)
Report: SPPD 2019-022025
Involvement: Arrested

Harris committed a vehicle burglary and was identified as a suspect via fingerprint identification. Harris was arrested and admitted that he committed the vehicle burglary. The court withheld adjudication and sentenced Harris to 18 months of probation through the Florida Department of Corrections.

Date: 09-17-2019 (Harris age 19)
Report: SPPD 2019-040836
Involvement: Suspect

SPPD detectives identified Harris as a suspect in the murder of 20 year old Marquis Scott. Scott was killed on September 17, 2019, in the area of 1716 Yale Street South in St. Petersburg. Scott had been shot several times. Detectives interviewed Harris on September 18, 2019 after he was developed as a suspect. Harris remained a suspect in Scott's murder on December 2, 2020 and the murder investigation remains open.

Date: 10-25-2019 (Harris age 19)
Report: SO19-342717
Involvement: Arrested

Deputies with the Violent Crimes Task Force attempted to stop a vehicle Harris was driving for a traffic violation. Harris fled from deputies in the vehicle and ultimately exited the vehicle fleeing on foot. During a K9 track, deputies located Harris hiding in a shed at his residence and took him into custody. Harris was charged with Driving While License Suspended/Revoked, Violation of Probation-Burglary, Fleeing to Elude, and Resisting Arrest without Violence. The court adjudicated Harris guilty and sentenced him as a youthful offender to 364 days in the county jail. With credit for time served Harris was released on July 13, 2020.

Date: 10-27-2020 (Harris age 20)
Report: SPPD 2020-038537
Involvement: Suspect

SPPD established probable cause for Harris' arrest on a charge of felony child abuse. The incident occurred on Tuesday, October 27, 2020, at approximately 7:00 p.m., at 2216 27th Street South. The victim was a 15-year-old boy. This criminal charge is what led to SPPD Special Investigations Unit (SIU) to search for Harris on December 2, 2020.

SPPD officers learned of the child abuse incident after receiving a complaint from the victim's father who stated that Harris had punched and hit his son in the ribs. The victim stated he was playing basketball with his cousin and brother; younger children were also present. At some point, a 10-year-old child grabbed the victim around his arms and the victim pushed him off. Harris then ran over and wrapped his arms around the victim, trying several times unsuccessfully to take the victim to the ground. Harris then pushed the victim to the ground and punched him in the ribs. The victim was transported to All Children's Hospital for treatment.

SPPD detectives established probable cause to arrest Harris for child abuse and during their investigation detectives determined that Harris was a member of the Auburn Park Gang and had recently joined an off-shoot gang called Gwala G, or Double G. Because Harris had a history of violence and involvement with firearms, detectives requested SIU assistance to locate and arrest Harris.

SIU ARREST PACKET INFORMATION

In November 2020 detectives investigating the child abuse case presented an arrest information packet regarding Harris to SIU to help them locate Harris. The packet contained Harris' biographical information, criminal history, known associates, and locations that he was known to frequent. On December 2, 2020, SIU detectives reviewed the arrest packet and began their efforts to locate and arrest Harris. It is relevant to establish the packet's contents because it forms the basis of knowledge that SIU detectives had regarding Harris at the time of the shooting, including: Harris' violent criminal history; that he was a gang member; that he was known to carry guns; and that he had a propensity to flee from the police. The packet totaled forty-one (41) pages and contained the following information:

The first page contained the following suspect information:

- Suspect name, date of birth, address, and criminal charge.
- Suspect pattern of life, activities, and his known vehicle. The vehicle is registered to his grandmother, Patricia Reynolds, and described as a silver Chevrolet Cruze with Florida license plate CPUC95.
- Harris was known to frequent the Harbordale and Wildwood areas. Harris was known to usually be armed with a firearm. Harris and associates were known to hide inside a freezer or refrigerator to escape from the police. SIU was told that if Harris was close to his home that he may attempt to run to a shed in the rear to hide his firearm. He was believed to have additional firearms in the residence and shed.
- The briefing packet identified three known associates of Harris' and they were all indicated to carry or be in possession of firearms.

-The second page is Harris' Florida driver's license information.

-The third page is a Suspect Name Detail Report for Harris from the SPPD. It included biographical information and under cautions listed his auto theft history, burglary conviction, guns at residence, and guns on person. The comments section also noted Auburn Park and Gwala G gang member.

-The fourth and fifth pages are Florida driver's license address histories for Harris.

-The sixth page contains biographical details for Harris and caution notes stating that Harris runs from the police and has served jail time. A handwritten note at the bottom read, "not on probation."

-Pages seven to nine contain Florida DHSMV information for Florida tag CPUC95.

-Pages 10 to 13 contain Florida DHSMV information for a person not related to the shooting.

-Pages 14 to 17 contain aerial and street view Google maps of 2216 27th Street South.

-Pages 18 to 35 contain printed records of Harris' criminal history in Florida.

-Page 36 is Florida DHSMV information for a person not related to the shooting.

-Page 37 is a Name Detail Report from SPPD. It included biographical information for a person not related to the shooting and included cautions that the person had assaulted a police officer, has a history of domestic violence, carries guns on his person, and has mental health issues.

-Page 38 is a Florida DHSMV information for a person not related to the shooting.

-Page 39 is a SPPD Name Detail Report for a person not related to the shooting. The bottom of the document indicated that this person was an 8 Hype gang member.

-Page 40 is Florida DHSMV information for a person not related to the shooting.

-Page 41 is a SPPD Name Detail Report for a person not related to the shooting, and under cautions the document states that the person carries guns on his person.

SUMMARY OF FACTS LEADING TO THE SHOOTING

On December 2, 2020, SIU detectives used the information in the arrest packet to begin looking for Harris. SIU personnel involved in the shooting were assigned as follows: Undercover Detective #5 was riding alone in an undercover vehicle; Undercover Detectives #1 and #2 were riding together in an undercover car with Undercover Detective #1 driving; and Detectives #3 and #4 were also riding together in an undercover car with Undercover Detective #3 driving. SIU detectives other than those involved in the shooting were also involved in the effort to apprehend Harris. The SIU detectives were all dressed in plain clothes but carried exposed badges identifying them as police officers.

Detectives located Harris at 2216 27th Street South, which was a residence that he was known to frequent. Upon arrival at the location detectives observed a Chevrolet Cruze with Florida license plate CPU- C95 parked at the residence and they observed two black male adults exit the residence and enter the vehicle. Detectives could not positively identify the two subjects who entered the vehicle, but the address, vehicle description, and license plate were consistent with the information provided in the packet SIU received regarding Harris. (The investigation later determined that Harris was driving the car and his passenger was his friend, Khaliq Blackman.)

Harris and Blackman left the residence and detectives followed the car as it travelled to the nearby Food Max store located at 1400 18th Avenue South. Harris and Blackman exited the vehicle and went into the store. Jasmine Bowman, a citizen witness, reported that she observed Harris adjust his clothing as he entered the store and she was able to clearly see a firearm concealed on Harris' right side in his waistband. She described the handle of the firearm as black. Bowman also walked inside the store but did not have enough money for her purchase so she exited and returned to her vehicle.

Harris selected an item to purchase once inside the store and placed it on the counter to pay. Harris lifted his right arm causing his shirt to rise which exposed the gun. Food Max was equipped with interior video cameras. The date was correct on the video as December 2, 2020 and the approximate time was also correct. The video was seized as evidence and will be provided to SPPD as part of this file. The video shows Harris inside the store purchasing a soda. He placed the soda on the counter with his right hand and that motion moved his clothing upward exposing the concealed gun on Harris' right side, consistent with Bowman's observation. The black grip of the

firearm was in plain view for several seconds at that time, as captured by the video. Based on style, color, etc., the concealed gun Harris carried in his waistband appears to be the same gun recovered from Harris car and the same gun Harris used to shoot Undercover Detective #1. (See the enclosed still-frame capture from the video showing the gun in Harris' waistband.)

Blackman, the passenger in Harris' car, later stated, and video evidence confirmed, that he remained inside the store and Harris exited alone. Harris returned to the Chevrolet Cruze and sat in the driver's seat. The SIU detectives were still conducting surveillance and observed Harris exit the store. They were confident that the passenger (Blackman) was not the person they were looking for but they could not definitively determine at that time that the driver was Harris. Undercover Detective #5 decided to have uniformed patrol units contact the driver to positively identify him. Undercover Detective #5 directed the patrol officers via radio to make contact with the driver and confirm his identity.

Patrol Officer Bryan Santiago and patrol Officer Ernest Sbaschnik both responded to the Food Max. Their arrival was captured on the store's exterior video, as well as the video from an adjacent store. Both officers operated marked police cars and both officers were in full uniform. Officer Santiago's overhead emergency lights were activated as he parked behind Harris' car. The officers approached the driver's side of the vehicle where they contacted the occupant and confirmed that he was Dominique Harris. Video evidence establishes that the officers stood next to Harris' driver's side window for approximately 50 seconds. The officers stated that while standing next to the car Harris lowered the window and they directed Harris to exit the vehicle to arrest him on the felony child abuse charge but he refused. Harris then raised the window and put the vehicle in reverse. As a result, Officer Santiago used his baton to break the driver's side window in an effort to apprehend Harris.

Citizen witness Jasmine Bowman (witness who saw Harris carrying the concealed gun) stated that she saw the two SPPD cruisers enter the parking lot and she observed the officers make contact with the occupant on the driver's side (Harris). She observed one of the officers pull on the door and attempt to open it without success. She heard one of the officers say, "Get out of the car." She then observed one of the officers break the driver's side window with a baton. She observed Harris' vehicle reverse and then accelerate forward toward one of the uniformed officers. Harris' car attempted to leave, but was contained within the parking lot by other vehicles.

Jamal Obeid is employed at the Food Max and was working the cash register. He stated that he saw the Chevrolet Cruze park and the occupants enter the store. Obeid did not recognize Harris. He did recognize Blackman as a frequent customer. He observed Blackman remain in the store when Harris exited the store and returned to his vehicle. Obeid observed two marked SPPD cruisers arrive and make contact with Harris as he was seated in the vehicle. He observed the officers on the driver's side of the vehicle. The officers unsuccessfully attempted to open the driver's door before Harris attempted to flee.

Undercover Detective #6 had maintained visual surveillance of the patrol officers' contact with Harris. He radioed to the other SIU detectives that the officers needed assistance and directed them to move into the parking lot. Undercover Detectives #1, #2, #3, #4 and #5 heard over the radio

that Harris was ramming the two patrol officers' cruisers. SIU members moved toward the parking lot.

According to all witnesses and confirmed by video, Harris intentionally reversed the Chevrolet Cruze and backed it into the front passenger side of Officer Sbaschnik's police car. Harris then placed his vehicle in drive and accelerated forward striking a vertical concrete barrier with enough force to tear it out of the ground (this was also witnessed by store employee Jamal Obeid). Harris then reversed again, freeing his vehicle from the concrete pole allowing him to travel east through the parking lot as SIU Detectives arrived. All of this is captured on video.

Video from the exterior of the Food Max shows a blue Nissan sport utility vehicle enter the store's parking lot from the east entrance along 14th Street South. That vehicle was an unmarked SIU car that prevented Harris from exiting to the east. Harris then changed course and headed north where he struck the front of a black Chevrolet Silverado truck driven by Undercover Detective #3 (Undercover Detective #4 was the passenger). The video establishes that Harris then tried to flee north toward 18th Avenue South but was stopped by Undercover Detective #1 before he could reach the roadway.

The video then shows a dark-colored Chevrolet truck traveling north on 14th Street South; it made a westbound turn on 18th Avenue South and then turned south toward the Food Max parking lot. Undercover Detective #5 operated that truck and he placed it directly against the front of Harris' vehicle to contain him in the parking lot as Harris was trying to flee onto 18th Avenue South. Harris unsuccessfully attempted to flee again by accelerating and pushing Undercover Detective #5's truck.

At approximately 4:15 p.m., Undercover Detective #1's vehicle was next to Undercover Detective #5's vehicle and Undercover Detective #1 exited the driver's side door of his SUV within feet of Harris' driver's side door. Harris then pointed his gun through the driver's side window of his car and fired multiple times at Undercover Detective #1. Harris shot Undercover Detective #1 and Undercover Detective #1 returned fire.

In response to Harris' shooting and attempting to kill Undercover Detective #1, Undercover Detectives #1, #2, #3, #4, and #5 returned fire. Patrol Officer Richard McKee arrived on the scene shortly after the SIU detectives and he parked just west of Harris' vehicle. Officer McKee was alone operating a marked police car. Officer McKee took a position near a power pole just west of Harris' driver's side car door. Harris raised his gun and pointed it at Officer McKee, who fired four times at Harris in response to the threat. Officer McKee described his shots as two separate "double taps." These shots can be heard in a Facebook video described below that was captured by a witness. Officer McKee reported that after he fired four shots he saw Harris raise his arm with the gun again. Officer McKee was going to shoot again but Harris' arm went back down. Once Officer McKee's four shots are heard in the Facebook video, three additional gunshots are heard. Officers and Detectives then moved in to remove Harris from the car and they began rendering first-aid. Detectives provided first-aid until paramedics arrived and transported Harris to the hospital. When Officer Santiago opened the door to remove Harris from the car he saw the gun, later recovered from inside the car, in Harris' right hand. The gun fell to the floorboard when they removed Harris from the car.

The officers initially fired at Harris while he had his gun in his hand and was seated in the front seat of his vehicle. As detectives shot at Harris he laid down across the front seat. Harris continued to pose a threat to the officers because he raised up with his firearm and then laid back down several times. The officers continued to fire because Harris was not incapacitated, was pointing his gun at them, and he remained a threat.

After Harris shot Undercover Detective #1 he was transported to Bayfront Health St. Petersburg via a police cruiser. He underwent emergency surgery and had three through-and-through wounds. Undercover Detective #4 injured her knee (not from gun fire) and was also transported to Bayfront Health. Both detectives are recovering.

Citizen witness Jasmine Bowman, who initially saw Harris carrying the concealed gun, also heard gunfire, then a short break, and then additional gunfire. She did hear officers yelling but could not remember exactly what they said. Jamal Obeid the store employee saw the SIU vehicles block Harris' vehicle and then heard gunshots.

Citizen Michael Hazelwood posted video, with audio of the shooting to Facebook. The video starts after the shooting had already begun and due to the video being recorded from a phone within the Food Max, certain parts of the shooting are not captured. Further, due to the position of the recording there are other objects blocking the camera's view besides the door, such as people and vehicles. When Hazelwood started the video, shooting can be heard until approximately the 19 second mark. There were no shots for approximately 15 seconds. Shooting momentarily resumed at approximately 34 seconds and stopped again at about 37 seconds. The final rounds were fired between approximately 39 and 45 seconds. Uniformed officers and plain clothes detectives are then seen on the video approaching the passenger side of Harris' car. The video then becomes pixilated and blurry. The significant majority of the rounds were fired during the first 19 seconds.

The six officers shot at Harris 48 times. Because the autopsy report is not yet available from the medical examiner's officer it is undetermined exactly how many times officers shot Harris. While officers fired a number of rounds, the entire shooting occurred over a short period of approximately 45 seconds, with the majority of the rounds fired during the first 19 seconds. Harris remained an active threat during the entire time the officers were shooting. The break in the shooting is consistent with the officers' statements that they shot after being shot at by Harris, assessed the threat, and saw that Harris still had the gun in his hand and was moving about inside the car before they fired again. When Harris stopped shooting and was no longer a threat to the officers, the officers ceased firing.

OFFICER AND DETECTIVE STATEMENTS

The following is a summary of the statements by officers directly involved in the incident, including all officers who returned fire after Harris began shooting:

Officer Bryan Santiago

Officer Santiago is a SPPD uniformed patrol officer who was operating a marked police car. He heard SIU request assistance in identifying a person in the Food Max parking lot and he responded to assist. Officer Santiago was directed to identify a male seated in a sedan. He approached the vehicle, asked the sole occupant for identification and confirmed it was Harris in the car.

Officer Santiago directed Harris to exit the vehicle to effect the arrest. Harris refused, raised the driver's side window, and reached toward the center console of the vehicle. Officer Santiago then used his baton to break the driver's side vehicle window and he unsuccessfully attempted to remove Harris from the car. Harris reversed his car and struck Officer Santiago's marked police vehicle. Harris then accelerated forward and struck the concrete pole with the front of his car. Officer Santiago saw the wheels of Harris' vehicle turn toward him and he believed that Harris was moving toward him; however, Harris made a U-turn in an attempt to flee the parking lot.

Officer Santiago saw Harris with a firearm in his hands once his car was boxed in on the north side of the parking lot. Officer Santiago did not fire but covered the vehicle. When the shooting ceased Officer Santiago removed Harris from the vehicle. He observed a gun in Harris' right hand before he removed Harris from the car. Officer Santiago assisted with lifesaving efforts until relieved by paramedics.

Officer Ernest Sbaschnik

Officer Sbaschnik is an SPPD uniformed K9 handler. He was operating a marked police car. He responded to assist Officer Santiago in identifying Harris. While enroute to the Food Max, Officer Sbaschnik learned from SIU detectives that Harris was known to flee from the police and carry firearms.

Officer Sbaschnik approached on the driver's side of the vehicle with Officer Santiago. They confirmed that Harris was the sole occupant of the vehicle and asked him to step out of the car to effect the arrest. Harris refused and Officer Santiago broke out the window with his baton. Officer Sbaschnik unsuccessfully attempted to reach into the vehicle to remove Harris. He received a cut on his hand from the broken glass. He moved out of the way of Harris' vehicle and took cover during the shooting. He did not fire his weapon. He observed Khaliq Blackman exit the store and kept him back from the scene.

Undercover Detective #1

Undercover Detective #1 is the SIU liaison to the SPPD Major Case Unit (MCU). The MCU had conducted the child abuse investigation in which Harris was the suspect. Undercover Detective #1 received MCU's request for help in locating and arresting Harris. Undercover Detective #1 consulted with his supervisor to develop an operational plan based on the information received and he then briefed other SIU detectives with the case information. The operational plan was to conduct surveillance in an effort to locate Harris and then arrest him based on the probable cause for the child abuse charge.

Detectives investigating the child abuse case provided Undercover Detective #1 with a 41 page packet of information regarding Harris that included Harris' history of committing violent crime; that he was known to flee from the police; and that he carried guns. Undercover Detective #1 also learned that Harris was a suspect in a 2019 murder (Scott). Undercover Detective #1 shared this information with other SIU detectives.

Upon surveilling Harris to the Food Max, Undercover Detective #1 maintained a perimeter position to the east and he could not see Harris' car in the parking lot. Undercover Detective #1 learned via radio that uniformed officers confirmed Harris was inside the vehicle and that he was attempting to flee by ramming the officers' cruisers. Undercover Detective #1 proceeded to the Food Max to assist and as he arrived he saw Harris using his vehicle in an effort to ram his way out of the parking lot and escape. Undercover Detective #1 moved to help box-in Harris' vehicle and in doing so Harris' vehicle struck the front driver's side fender of Undercover Detective #1's vehicle. At the same time Undercover Detective #5 used his vehicle to block Harris from escaping.

As Harris was boxed-in, the front of his vehicle faced northeast. The driver's side door of Undercover Detective #1's vehicle was next to Harris' vehicle as Undercover Detective #1's car faced southwest. Undercover Detective #1 could see Harris looking around for an exit. Undercover Detective #1 opened his driver's side door and Harris immediately opened fire on Undercover Detective #1 shooting him in the midsection. Undercover Detective #1 stated that Harris was seated in the driver's seat and he turned his upper body toward Undercover Detective #1 as he held the firearm with both hands and fired directly at Undercover Detective #1. Undercover Detective #1 knew he had been shot when he returned fire.

Undercover Detective #1 saw Harris move within the driver's seat after he had returned fire. Undercover Detective #1 said he sat back down and quickly assessed his injuries. He then moved around the front of his vehicle and to the west on foot. Other officers put Undercover Detective #1 in a police cruiser and transported him to the hospital. Both rounds traveled through his body. Surgery was required to repair the wounds and no projectiles were recovered during surgery.

Undercover Detective #1 was wearing a concealed bullet-resistant vest on the day of the shooting. The rounds struck him below the protected area. Undercover Detective #1 was armed with a Glock, Model 21, .45 caliber pistol. Undercover Detective #1 carried it with the magazine full (13 rounds) and one round in the chamber for a total of 14 rounds. Undercover Detective #1 fired 12 rounds.

Undercover Detective #2

Undercover Detective #2 was assigned with Undercover Detective #1 and was the front seat passenger in Undercover Detective #1's vehicle. He had reviewed the SIU packet containing information about Harris' criminal history, etc. and knew there was probable cause to arrest Harris on a felony child abuse charge.

After surveilling Harris to the Food Max and hearing the patrol officers' request for help, detectives moved into the parking lot. Undercover Detective #2 saw Harris ram cars in an effort to escape and he struck their car operated by Undercover Detective #1. Undercover Detective #2 saw Undercover Detective #5's vehicle prevent Harris' vehicle from leaving the parking lot.

Undercover Detective #2 exited his car on the passenger side and intended to get in position to arrest Harris. As he moved around the front of his vehicle he heard gunfire. Undercover Detective #2 heard Undercover Detective #1 scream and knew that he had been shot. Undercover Detective #2 saw Harris seated in the driver's side of the silver Chevrolet Cruze with a gun and knew he was shooting at Undercover Detective #1. Because Harris was shooting at officers, Undercover Detective #2 returned fire at Harris.

Undercover Detective #2 observed Undercover Detective #1 slump back into the driver's seat of his vehicle and it was obvious he had been injured by Harris' gunfire. He and another officer took Undercover Detective #1 west of the Food Max to a patrol vehicle where Undercover Detective #1 was transported to the hospital.

Undercover Detective #2 was armed with a Glock, 43X, 9 mm, loaded with 10 rounds in the magazine and one in the chamber for a total of 11 rounds. Undercover Detective #2 fired eight rounds.

Undercover Detective #3

Undercover Detective #3 was partnered with Undercover Detective #4 on the day of the shooting. Undercover Detective #3 had reviewed the SIU packet regarding Harris and was aware of his criminal history and that Harris was known to carry a gun. After arriving at the Food Max, Undercover Detective #3 established a surveillance position and then heard via radio that Harris was ramming officers' vehicles. Undercover Detective #3 traveled toward the Food Max and as he entered the parking lot he collided with Harris' vehicle. The airbags deployed and Undercover Detective #3's driver door was stuck and he could not open it.

Undercover Detective #3 heard gunfire and realized his vehicle was being struck by rounds (physical evidence later confirmed his vehicle was struck by gunfire). Because he could not open his car door, Undercover Detective #3 climbed out of the driver's side window onto the hood of his vehicle. Undercover Detective #3 eventually moved to the roof of his vehicle because it provided him with a better vantage point to see into Harris' car.

Undercover Detective #3 saw that Harris had a gun in his hand and it was pointed out of the driver's side window firing directly at Undercover Detective #1. Harris was alone in the car. Because Harris was shooting at Undercover Detective #1, Undercover Detective #3 shot at Harris. Undercover Detective #3 reloaded his gun and saw Harris' arm move up again toward Undercover Detective #1. Undercover Detective #3 issued commands to Harris but saw the firearm still moving within the vehicle. Undercover Detective #3 yelled to other officers not to approach the car because Harris still had the gun in his hand and was moving about inside the car.

Undercover Detective #3 stated that to have the best tactical advantage he moved between the roof and hood of his truck as he fired. He believed he fired 18 to 19 rounds in total. Undercover Detective #3 helped other officers and detectives remove Harris from the car.

Undercover Detective #3 was armed with a Glock 43X, 9 mm. The magazine holds 10 rounds and one in the chamber for a total of 11 rounds. He had one extra magazine on his person, which also was loaded with 10 rounds. During the scene walk-through, Undercover Detective #3 stated that he believed he ejected a live round during his reload. During the scene processing, a live round was found near where he was firing. Undercover Detective #3 fired 18 rounds.

Undercover Detective #4

Undercover Detective #4 was partnered with Undercover Detective #3 and was a passenger in his vehicle. She received an injury to her left knee during the incident. It was not from gunfire and she is unsure whether the injury occurred when Harris' vehicle struck her car or while she was moving on foot during the shooting.

Undercover Detective #4 had received the information packet about Harris earlier that day. She knew Harris was wanted for felony child abuse. She did not recognize Harris or the associated addresses from prior investigations. Undercover Detective #4 stated that they located Harris' vehicle at an address in the packet and then surveilled Harris to the Food Max.

After establishing stationary surveillance with Undercover Detective #3 at the store, they heard via radio that patrol officers needed help and they entered the parking lot where they were immediately struck by Harris vehicle. The airbags deployed and Undercover Detective #4 heard gunfire before she exited the passenger side of her vehicle. Upon exiting, Undercover Detective #4 used the front of her vehicle for cover and she established a tactical position covering the passenger side of Harris' vehicle. Undercover Detective #3 had climbed on the roof of his truck and was calling out what he could see to other detectives, stating "He has a gun!" Undercover Detective #3 yelled commands to Harris. Undercover Detective #4 also heard Undercover Detective #1 yell commands at Harris. Undercover Detective #4 observed that Undercover Detective #1 was bleeding near his leg and she could see blood on his pants.

Undercover Detective #4 still heard gunfire after Undercover Detective #1 was shot and saw Harris moving to the passenger side of the vehicle. Because Harris was still armed and posed a threat, Undercover Detective #4 fired twice at Harris. She was unsure whether her rounds had an effect because Undercover Detective #3 was yelling after she fired that Harris was still moving inside the car. Undercover Detective #4 then realized her weapon had jammed so she took a further position of cover and cleared the jam. Undercover Detective #4 did not fire again. She saw a person exit the store, but another officer had detained that person. She returned to her position and continued to cover the suspect vehicle.

Undercover Detective #5 then came up behind Undercover Detective #4 and told her to let Undercover Detective #3 call commands. She observed Officer Santiago, Officer McKee, and Undercover Detective #5 approach the passenger side of Harris' vehicle. The door was locked, and Officer Santiago used his baton to break the front passenger-side vehicle window. They unlocked the door from the inside and removed Harris.

Undercover Detective #4 was armed with a Glock 43, 9 mm. She had six rounds in the magazine and one in the chamber for a total of seven rounds. Undercover Detective #4 had one extra magazine on her person, which also was loaded with six rounds. Undercover Detective #4 fired two rounds.

Officer Richard McKee

Officer Richard McKee is a patrol officer assigned to SPPD District I and he works the 7:00 a.m. to 3:00 p.m. shift. Officer McKee was working a traffic detail near the Food Max after his regular shift on the day of shooting. Officer McKee operated a marked patrol vehicle and was in full uniform.

Officer McKee heard an SIU detective on the main patrol channel request a cruiser to the area of Food Max to assist with an identification. Officer McKee remained on his detail as he heard an on-duty officer volunteer to assist. Officer McKee had his window down and was stopped at the traffic light on 16th Street at 18th Avenue South when he heard a crashing sound and tires squealing. Officer McKee knew SIU was in the area so he started to travel east on 18th Avenue South. While driving towards the scene, he heard gunshots and then someone on the radio stated that shots had been fired. Officer McKee parked on the north side of the Food Max parking lot facing east. He heard additional gunfire and advised via radio that shots had been fired and that an officer had been hit.

Officer McKee took a position by a telephone pole west of Harris' car and could see Harris laying down in the front driver's seat. The driver's window and the rear window were already broken out from gunfire. Officer McKee observed Undercover Detective #3 on the roof of his truck and he heard Undercover Detective #3 yell that Harris was raising his hand. Officer McKee could see Harris in the car and he observed a silver and black firearm in Harris' left hand. Officer McKee feared for his life upon seeing the gun in Harris' hand and Undercover Detective #3's statement that Harris was raising his arm so he fired four shots at Harris. Officer McKee described his shots as two "double taps."

After he fired, Officer McKee saw Harris' arm fall. Harris started to raise the gun again but then his arm dropped back down. Officer McKee covered Harris and he yelled "hold" to other officers/detectives. He then observed Officer Santiago approach the passenger side of Harris' vehicle. Officer Santiago used his baton and broke the front passenger side window. Officer McKee and Officer Santiago removed Harris from the vehicle and placed him on the ground where they rendered first-aid.

Officer McKee later saw Harris' gun on the floor inside the vehicle.

Officer McKee was armed with a Glock 21, .45 cal. with a 13 round magazine. He carried two extra magazines on his duty belt loaded with 13 rounds each. Officer McKee fired 4 rounds.

Undercover Detective #5

Undercover Detective #5 is a supervisor assigned to the SIU. He reviewed the SIU information packet regarding Harris and was aware of Harris' criminal history and that he carried a firearm. Undercover Detective #5 knew that Harris was a suspect in the 2019 Scott homicide. SIU received the request to locate Harris approximately two weeks earlier but this was the first day they actively began to search for Harris.

After locating Harris and surveilling him to the Food Max, Undercover Detective #5 requested that uniformed officers respond to the Food Max to positively identify Harris. Undercover Detective #5 established a surveillance position near the store. Undercover Detective #5 heard on the radio that the patrol officers needed help and he proceeded to the store's parking lot where he saw Harris' vehicle attempt to exit north onto 18th Avenue South. Harris then crashed into a citizen's car. Undercover Detective #5 made a wide turn onto 18th Avenue South and squared the front of his unmarked truck to the front of Harris' car. He felt Harris accelerate and push into his vehicle. Undercover Detective #5 accelerated and used the brake to force Harris' vehicle to remain in the parking lot and prevent Harris' escape.

Undercover Detective #5 stated that typically in these situations one of the detectives would pin the driver's door shut, but in this case the vehicles were not positioned in a manner to accomplish that. Undercover Detective #5 saw Undercover Detective #1 exit his vehicle and the space between his unmarked car and Harris' vehicle was very tight. Undercover Detective #5 observed Harris' hands go down beneath his vision. Harris then produced a semiautomatic handgun, pointed it toward Undercover Detective #1 and fired. Undercover Detective #5 remained in his driver's seat and fired through his own vehicle's windshield at Harris. He could not tell if his rounds were effective because Harris dipped down from his sight.

Undercover Detective #5 exited his vehicle to the east due to cross fire concern and he observed a citizen's car in the parking lot. It was the same vehicle that Harris had crashed into. Undercover Detective #5 moved toward Undercover Detective #3's vehicle and saw him standing on the hood. He heard someone yell that a female was still inside the citizen's car. Undercover Detective #5 holstered his firearm and approached the car where he removed a woman who was laying on the front seat.

Undercover Detective #5 then returned to Undercover Detective #3's vehicle where he still heard shooting. Undercover Detective #3 said that Harris was down in the passenger seat. Undercover Detective #5 and two uniformed officers approached the passenger side of Harris' vehicle and removed him from the car. When they pulled Harris out, Undercover Detective #5 observed a firearm on the floorboard of the vehicle.

Undercover Detective #5 was armed with a Glock 19, 9 mm. He had 15 rounds in the magazine and one in the chamber for a total of 16 rounds. Undercover Detective #5 had had one extra magazine loaded with 15 rounds. Undercover Detective #5 fired four rounds.

Undercover Detective #6

Undercover Detective #6 was partnered with Undercover Detective #7. Undercover Detective #6 received the briefing packet regarding Harris earlier that day and knew probable cause existed for Harris' arrest on a charge of felony child abuse. He was also aware Harris was a suspect in an unsolved homicide.

Undercover Detective #6 and Undercover Detective #7 established direct visual surveillance of Harris' vehicle at the Food Max parking lot while other SIU units established perimeter positions. They were positioned to the north looking south at the parking lot. Undercover Detective #6 observed Officer Santiago and K9 Officer Sbaschnik make contact with Harris' vehicle. As the officers approached the vehicle, Undercover Detective #6 informed them via radio that the passenger was still inside the Food Max. Undercover Detective #6 saw Harris provide the officers his identification and a few seconds later the officers confirmed over the radio that Harris was the subject in the vehicle.

The patrol officers then attempted to remove Harris from the vehicle by breaking the front passenger window with a baton. Harris reversed his vehicle and struck Officer Santiago's cruiser. Harris then drove forward towards the Food Max striking a pole in the parking lot. It was at that point that Undercover Detective #6 announced over the radio that the officers needed assistance.

Undercover Detective #6 moved toward 14th Street South, which was east of the Food Max, anticipating that Harris was going to exit the parking lot eastbound. However, Harris continued to travel through the parking lot northbound towards 18th Avenue South where he struck a citizen's vehicle. Harris was boxed-in by the other SIU vehicles so Undercover Detective #6 traveled westbound on 18th Avenue South behind the SIU vehicles, where he began hearing multiple gun shots. Undercover Detective #6 exited his car and began running westbound. He took a position of cover and assessed for crossfire. When the gunshots stopped, he ran back eastbound on 18th Avenue South and noticed Undercover Detective #1 approaching him saying he had been shot. Undercover Detective #6 and Undercover Detective #7 assisted Undercover Detective #1 to a nearby patrol car and placed him in the backseat where the patrol officer transported Undercover Detective #1 to the hospital.

Undercover Detective #6 ran back towards the parking lot and continued hearing gunshots. He took a position of cover behind Undercover Detective #3's vehicle. Undercover Detective #6 did not discharge his firearm due to concerns of crossfire based on his positioning.

EXTERIOR VIDEO TIMELINE

Food Max was equipped with exterior video cameras. The video cameras pointed northeast and covered the entire parking lot of the Food Max and 18th Avenue South. The date stamp on the video was incorrect and indicated that the date was December 3, 2020 instead of the correct date of December 2, 2020. The time stamp was also incorrect as it was set one hour faster than the correct time.

This exterior Food Max video captured Harris exit the store alone and enter the driver's seat of his vehicle. The video does not contain audio. The video captured Officers Santiago and Sbaschnik make contact with Harris as he was seated in the driver's seat of the silver Chevrolet Cruze. The video captured Harris crash into the marked patrol vehicle, partially captured him strike the pole, and then strike a citizen's car before colliding with Undercover Detective #3's truck. The video then shows Harris' car being surrounded by SIU detectives' vehicles.

The following is a timeline of the significant events as recorded by the Food Max exterior video. The time is the actual time but as indicated above the time on the video itself is off by one hour.

16:07:02 Harris and Blackman exited the parked Chevrolet Cruz and walked west along the front of the business.

16:08:53 Harris was alone on foot and reentered the driver's side door of the parked Chevrolet Cruz. Blackman remained inside the store.

16:09:09 Officer Bryan Santiago traveled west on 18th Avenue South and turned into the north entrance of the Food Max parking lot.

16:09:59 The second marked SPPD cruiser arrived from out of frame (westbound on 18th Avenue South) into the Food Max parking lot.

16:10:05 Officer Santiago and Officer Sbaschnik approached the driver's side of the Chevrolet Cruz. They appear to have a conversation with Harris.

16:10:50 Officer Santiago drew his baton and used it to strike and break the driver's side window of Harris' car.

16:11:05 Harris reversed his car and struck the passenger side front of Officer Sbaschnik's parked patrol vehicle.

16:11:10 Harris accelerated forward, struck a pole in the ground and tore it out of the ground. The officers both jumped out of the way of Harris' vehicle.

16:11:15 Harris completed a three point turn and then accelerated northeast through the parking lot of the Food Max.

16:11:17 A dark blue Nissan SUV (unmarked SPPD vehicle) entered the parking lot from the east entrance on 14th Street South and Harris changed course because that exit was blocked for his escape.

16:11:18 Harris turned northwest and collided with the black Chevrolet Silverado operated by Undercover Detective #3.

16:11:25 Undercover Detective #1 operated a dark blue Kia and blocked Harris from fleeing across the grass and exiting onto 18th Avenue South.

16:11:27 Undercover Detective #5 traveled north on 14th Street South and then west onto 18th Avenue South. He used his truck to block Harris' vehicle and keep it contained in the parking lot.

16:11:27 Undercover Detective #4 exited the passenger side of the black truck driven by Undercover Detective #3. She drew her firearm and used the detective vehicle as cover.

16:11:29 The driver's side door to Undercover Detective #1's vehicle opened.

16:11:33 Undercover Detective #1 exited his vehicle and stood up facing Harris' vehicle.

16:11:34 White smoke emitted from Harris' driver's side window. The complete view is blocked by Undercover Detective #3's truck.

16:11:34 Undercover Detective #3's driver side door cannot be opened from the impact and he climbed out of his driver's side window and onto the roof of his truck.

16:11:35 Undercover Detective #2 drew his firearm and then jumped backwards reacting to Harris shooting at Undercover Detective #1.

16:11:37 Undercover Detective #5's truck windshield was damaged on the driver's side as he fired through the windshield at Harris' vehicle.

16:11:47 Officer McKee arrived in a marked cruiser. He parked facing east in the north parking lot.

16:11:51 Undercover Detective #1 moved westbound on 18th Avenue South and was assisted by other detectives.

16:12:40 Officer McKee was at the rear of his cruiser and appeared to use his left hand to transmit on the police radio.

16:13:00 Additional uniformed and plainclothes officers/detective approached and maintained cover on Harris' vehicle

16:14:10 The view was partially obstructed by Undercover Detective #3's truck, but officers/detectives are seen approaching the passenger side of Harris' vehicle

16:14:40 Undercover Detective #4 was escorted by a uniformed officer out of frame to the west.

16:14:59 Undercover Detective #3 climbed down from the roof of his vehicle.

NIBIN SEARCH OF DOMINIQUE HARRIS' FIREARM

Several shell casings were recovered from the scene, including casings from within Harris' car, and one casing was recovered from the car's exterior windshield. More specifically, the exterior

casing was found near the hood and beneath windshield wipers. We submitted Harris gun and the casings to FDLE for a National Integrated Ballistic Network (NIBIN) search. The search revealed that the shell casing located on the exterior front windshield of Harris' car matches a shell casing found at the scene of the 2019 murder of Marquis Scott, in which Harris was a suspect. Despite the shell casing from Harris' car matching a casing at the Scott murder scene, the gun recovered from Harris' car was not used to fire the shell casing found on the exterior windshield.

FDLE's analysis determined that three shell casings found inside Harris' car and one found on the ground just outside the passenger door were fired from the gun found in Harris' car.

PINELLAS COUNTY FORENSIC LABORATORY DNA RESULT

We processed the gun found in Harris' car for DNA. According to the Pinellas County Forensic Laboratory, DNA on the gun belonged to Harris. Specifically, a swab from the grip, trigger and sights of the gun determined the "major" DNA profile to be that of Dominique Harris. A swab of the magazine and ammunition from the gun determined that the major DNA contributor was Harris. The statistical calculations are all based on 21 of 21 STR loci. Because the rarity of this profile exceeds 330 billion it is unreasonable to conclude that the DNA belonged to anyone other Dominique Harris.

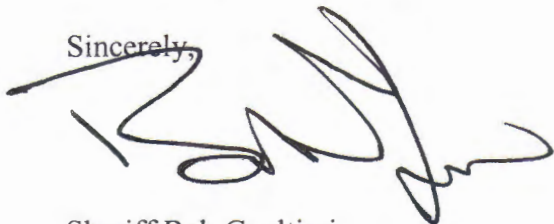
The evidence establishes that the gun carried and used by Dominique Harris was the gun used to shoot Undercover Detective #1.

CONCLUSION

Based on the Taskforce investigation, including witness statements, forensic and other evidence, and video and audio recordings, Dominique Harris resisted arrest on a felony child abuse charge and committed several felonies, including attempted murder of a police officer, while trying to flee from SPPD officers on December 2, 2020. Harris shot and tried to murder Undercover Detective #1 and in justifiable fear for their lives and the lives of others, Officer McKee and Undercover Detectives #1, #2, #3, #4, and #5 properly and lawfully shot and killed Dominique Harris while in the lawful performance of their duties pursuant to F.S. 776.012.

The Taskforce investigation is closed and this matter is referred to you for any further review you deem appropriate.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Gaultieri', written over the word 'Sincerely,'.

Sheriff Bob Gaultieri
Pinellas County, Florida

BG/sj
Enclosure

Captured on interior surveillance video
of Food Maxx



Actual firearm removed from Harris'
vehicle



Harris' Firearm- Sccy CPX-2 9mm



Harris' Firearm- Sccy CPX-2 9mm

