

CASE REPORT / CLOSING

CASE NO: 2010-004

DATE: March 31, 2010

INVESTIGATOR: J S. Purdy

SUBJECT: Officer Involved Shooting, Fort Myers Police Department
Officer Christian Reynolds
Dion Akeem Maycock, Survived

On Saturday, January 9th, 2010, Officer Christian Reynolds of the Fort Myers Police Department used deadly force upon Dion Akeem Maycock. The incident occurred near the intersection of Royal Palm Avenue and Canal Street, in Fort Myers, Lee County, Florida.

I have reviewed investigative case package FM-27-0010, compiled by Special Agent Gregory Monk of the Florida Department of Law Enforcement. His report was received February 9, 2010, and additional information provided through March 2, 2010, is representative of a thorough and complete investigation as required for our purpose of a legal review.

In summary, the report indicates that on January 9, 2010, at 5:49 pm uniformed officers with the Fort Myers Police Department responded to a 911 call regarding a man carrying a gun in the area of the aforementioned location. The unidentified caller reported a black male, wearing gloves, blue jeans and a green and black jacket was carrying a "gun"; walking toward Fowler Avenue along Canal Street.

Upon arrival to the area, Officer Christian Reynolds, his trainee John Garcia and Lieutenant Jay Rodriguez, made contact with a black male (later identified as Dion Akeem Maycock), wearing gloves, blue jeans and a green and black jacket with his back to them. Both Reynolds and Rodriguez drew their firearms. Reynolds began issuing verbal commands to the Maycock. Maycock looked over his shoulder but did not comply. Reynolds ordered the Maycock to the ground, but he did not move. Both Reynolds and Rodriguez observed something in the Maycock's hand. Rodriguez advised his first thought was that Maycock was on the phone but was unsure what Maycock was in fact holding. Reynolds believed Maycock was holding a firearm, and when Maycock turned quickly toward him in what appeared to Reynolds as being an aggressive manner, Reynolds discharged his Heckler & Koch GmbH .40 S & W duty weapon (one time) striking Maycock in the left shoulder. Maycock fell to the ground where it was determined that the object (Reynolds believed was a firearm) was in fact a cell phone. After the officers sat Maycock up, he began apologizing to them stating, "I'm sorry. I know you guys were just doing your job. I'm sorry. I'm sorry. I'm sorry."

Officers secured the scene and with the assistance of Emergency Medical Services transported the Maycock to the Lee Memorial Hospital. Medical records indicate the entrance wound was located over Maycock's rear left shoulder tracking toward the spine. Maycock survived his injuries.

Officers, Christian Reynolds, his trainee John Garcia and Lieutenant Jay Rodriguez each provided voluntary non-sworn statements to FDLE describing their actions. All three officers were wearing agency issued blue patrol officer uniforms. The officers described the daylight setting as being near dusk. Garcia advised he was tending to his patrol vehicle and did not see Maycock's hands. Both Rodriguez and Garcia stated they did not fire their weapons. All three officers advised that Reynolds only fired one time. This was verified by the capacity of the magazine and the recovery of only one bullet casing at the scene.

On January 11, 2010, Maycock provided a sworn recorded statement that he did in fact make the 911 call and gave his own description as the person carrying the firearm. Maycock added this was the second time he has made such a call via 911 and did so seeking sympathy from his girlfriend as it would appear to her that the police were harassing him.

The investigation revealed that Maycock was arrested on January 4, 2010, for trespassing. The 911 call on that occasion describes a black male waving a "gun" outside an apartment complex in Fort Myers. Maycock admitted he placed this call due to family issues. The officers from the use of force incident on January 9, 2010, were not involved in this incident.

Based on the contents of this report it is my opinion that Officer Christian Reynolds used deadly force as justified by law.

This case is closed.

J S. Purdy
Investigator IV