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No True Bill for OPD Officer Involved in July 2023 Downtown Shooting

ORANGE COUNTY, Fla. – An Orlando Police Department officer involved in a July 2023 shooting that resulted in one man’s death will not be formally charged. The decision comes after a grand jury in Orange County did not believe charges against the officer were legally appropriate.

On July 3, 2023, Orlando Police Department officers were proactively patrolling the downtown area and encountered Derek Diaz as he was sitting in a parked vehicle at Jefferson Street and North Orange Avenue. Diaz failed to comply with the commands officers gave him. Diaz was shot and taken to the hospital where he later died from his injuries.

The Florida Department of Law Enforcement handled the investigation into the shooting immediately after the incident and turned over its investigation to the State Attorney’s Office.

The state attorney’s use of force policy requires all cases where deadly use of force was used by law enforcement officers to be presented to a grand jury to determine whether criminal charges are appropriate.

The grand jury was presented with all relevant evidence in the case and returned a no true bill. The use of force policy allows the grand jury to make a statement regarding policies, procedures and recommendations related to the use of force. The grand jury declined to issue a presentment on the case and chose not to issue a statement on the circumstances surrounding the shooting.

The State Attorney’s Office has now closed this case.

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