

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT

IN AND FOR ORANGE COUNTY, FLORIDA

SPRING TERM, 2024

IN RE: PRESENTMENT OF THE GRAND JURY

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA

The Grand Jurors of the State of Florida, impaneled and sworn to inquire and true presentment make, in and for the County of Orange do present the results of our review of the tragic circumstances surrounding the shooting death of Rachel Anne Marie Ellis. The Grand Jury, on April 25, May 22, and June 26, 2024, heard evidence on this matter both as to the immediate circumstances surrounding the shooting and certain policies, practices, and training of the Orlando Police Department. We have considered the results of a thorough investigation by the Florida Department of Law Enforcement and the State Attorney of the Ninth Judicial Circuit. We issue this report to respectfully suggest that the City of Orlando consider making some changes to the Orlando Police Department’s Community Response Team (“CRT”).

FACTUAL REVIEW

On July 14, 2023, just after 12:00 p.m., members of the Orlando Police Department were dispatched to a 911 caller who was reportedly intoxicated by alcohol, armed with a knife, and threatening to harm herself or any police officer that was sent to intervene. This ultimately resulted in her being shot and killed when she left her apartment armed with a knife in each hand and charged at patrol officers who were staged down the hallway from her apartment. The person who

was in communication with Ms. Ellis at the time of this incident was a patrol sergeant from the Orlando Police Department. This sergeant had been through crisis negotiation training.

After having gone through several use of force scenarios in the video simulator at Valencia College, the same ones recruits and sworn law enforcement officers go through, on April 25, 2024, and hearing testimony on May 22, 2024 regarding the incident, we returned No True Bills regarding the two officers who used deadly force against Ms. Ellis. However, we requested to hear testimony about the Orlando Police Department's CRT, and we were presented that testimony on June 26, 2024. On that date we heard both from Deputy Chief Quinn-Henry from the Orlando Police Department and Latashia Stephens from the CRT.

The CRT currently uses mental health clinicians working as contractors with the City rather than having those clinicians work as city employees like members of the Orlando Police Department do. The CRT does not currently have the staff needed to provide the citizens of the City of Orlando "24/7" availability to this important resource. This resource issue that limits the number of team members available to field and respond to calls, coupled with the very large area the city encompasses, can result in response times that are less than desirable for addressing our fellow citizens experiencing a crisis.

FINDINGS

Some scenarios, including the one Ms. Ellis presented, would be too dangerous for unarmed civilians, such as members of the CRT, to respond to alone. The potential for "co-responding" with officers seems to be an option worth exploring after hearing the testimony. This way, sworn, armed law enforcement officers could more safely neutralize any threat of violence, while civilian team members could help prevent such a scenario from ever unfolding.

Paradoxically, the mere presence of the best people to protect the public from unwanted violence can unintentionally be a catalyst for violence. Therefore, other options that may dampen the effects a “police presence” can unintentionally cause are using plain clothes officers and unmarked cars. Sometimes the mere sight of a uniform carries the connotation that the person in crisis will be punished rather than assisted; likewise, the thought of having friends and neighbors see the person in crisis being driven away in a marked car rather than an unmarked car may aggravate the situation as well. We do understand that these unmarked vehicles would have to be fitted for securely transporting someone and that not any unmarked vehicle would suffice.

CONCLUSION

We understand that law enforcement is a very dangerous profession. In recent years, our community has lost several law enforcement officers—and we hope only to keep this number as low as possible. We understand and appreciate that these dedicated public servants put their lives on the line every day to keep this community safe. It is this appreciation that drives us to make these recommendations in the hopes that needless risk to the safety of the officers and the public can be avoided in the future.

We are grateful for the participation and cooperation of the Orlando Police Department and wish only for a community that is safer for both its citizens and its members of law enforcement. It is highly commendable that the Orlando Police Department researched and developed the CRT to address the mental health crises law enforcement encounter everyday. We hope that the City of Orlando considers our suggestions and explores ways to improve, and perhaps expand, the CRT to meet the rising needs of our community in dealing with mental health crises. We hope that City leaders consider expanding the CRT and consider the wisdom of bringing them “in house” as City

employees. We also hope that City leaders consider the options of “co-responding,” officers responding in plain clothes, and unmarked cars if they believe these changes would be useful. Finally, we hope City leaders will consider providing the additional financial resources to fully staff the CRT at the times and hours its citizens need.

Respectfully submitted this 31st day of July, 2024.

Renee Adkins
Foreperson of the Grand Jury

As authorized and required by law, I have advised the Grand Jury returning this Presentment.

Andrew Bain
Andrew Bain, State Attorney
In and for Orange County *FBW 07/29/24*