

IN THE CIRCUIT COURT OF THE SECOND
JUDICIAL CIRCUIT IN AND FOR
LEON COUNTY, FLORIDA
GRAND JURY, SPRING TERM, 1995

IN RE: Tallahassee Police Department
Shooting Death of Gerome Griffin
on October 11, 1995

Case ST95-10

DAVE LAHIG
CLERK CIRCUIT COURT
LEON COUNTY, FLORIDA

95 NOV 15 AM 11:29

FILED

PRESENTMENT

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

THIS CAUSE came before the grand jury to review the facts and circumstances of the death of Gerome Griffin who was shot to death by City of Tallahassee Police Officers Scott Westbrook and Jay Draisin on October 11, 1995, while they were investigating a complaint of a domestic disturbance at his apartment. Having heard the sworn testimony of the material witnesses we find this was a lawful justifiable use of deadly force.

Section 776.012, Florida Statutes, states a person is justified in the use of deadly force only if he reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself or another or to prevent the imminent commission of a "forcible felony" which includes aggravated assault, aggravated battery, murder, or any other felony involving the use or threat of physical force or violence. In deciding whether a person was justified in the use of deadly force, we must judge him by the circumstances by which he was surrounded at the time the force was used. Officers fired multiple shots when Gerome Griffin approached with a double barrel shotgun, ignored their commands to drop the gun, and pointed it towards an officer. One shell was fired from Griffin's shotgun nearly striking an officer and a live shell remained when officers were able to retrieve and secure his gun.

THEREFORE we find this homicide is within the provisions of Florida Statutes defining justifiable use of deadly force.

RESPECTFULLY SUBMITTED this 15th day of November, 1995.



Forewoman

Attest: *ew Gordon*
Assistant State Attorney