

IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT, IN
AND FOR LEON COUNTY, FL.
GRAND JURY SPRING TERM, 1997

CASE NO. ST 97-3

IN RE: **Tallahassee Police Department Shooting Death
of Lonnie Causseaux, on May 16, 1997**

CLERK OF COURT
LEON COUNTY, FLORIDA

31 JUL 15 PM 4:44

FILED

PRESENTMENT

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

The Grand Jury has made inquiry into, and reviewed the circumstances surrounding, the shooting death of Lonnie Causseaux of 3419 Laura Street, Tallahassee, Florida. In the course of its inquiry the Grand Jury has heard and evaluated the testimony of various witnesses, including case Investigator Bill Bierbaum, use of force instructor Officer James Fairfield, Officer Robert Clayton, Neighborhood Preservation Inspector Karl Pulvermuller, and a citizen neighbor witness as well as that of the officer involved, Officer Gregory Gibson, who appeared voluntarily without subpoena. The Grand Jury also received the testimony of Mr. Arthur Ayotte.

The decedent had been involved in an ongoing dispute with the City of Tallahassee Code Enforcement Board (Neighborhood Preservation) since a complaint was filed with the board in August of 1996. That complaint resulted in a hearing where his property was found to be in violation. After several letters and notices for compliance, the decision was made to file a formal lawsuit to correct the situation.

On May 16, 1997 Karl Pulvermuller, a supervisor with the Municipal Code Enforcement Board went to Laura Street for the purpose of taking photographs which could be used in Court to demonstrate both the extent, and the persistence, of the problem. Mr. Pulvermuller did not

enter upon the deceased's property, but with the permission of a neighbor took photographs from the neighbor's back yard. Mr. Pulvermuller was cautioned by the neighbor to be careful, that the deceased was home and might react violently to Mr. Pulvermuller's activity.

During the process of leaving, Lonnie Causseaux came out onto his porch armed with a shotgun which he then pointed at Pulvermuller ordering him away or he would be killed.

Mr. Pulvermuller called his office, which in turn notified the Tallahassee Police Department.

Uniformed Tallahassee Police Officers Greg Gibson and Robert Clayton responded, and found Mr. Causseaux walking back and forth in his yard wearing a metal hardhat and brandishing a shotgun in a threatening manner. The officers sought cover, and then Officer Gibson told him repeatedly to put down the gun, but Causseaux refused, returning to his front porch. Other officers were arriving, and stopped a Taltran bus that was enter the area of the armed confrontation initiated by Mr. Causseaux. Officers began, because of the density of the neighborhood and the close proximity of an public middle school, to call for additional officers to try to contain the situation.

According to Officer Clayton, Officer Gibson, and confirmed by two independent citizen witnesses, Mr Causseaux stood, aimed his shotgun directly at Officer Gibson, and appeared to be about to shoot the officer. Officer Robert Clayton, in fear that Gibson was about to be shot, was in the process of squeezing the trigger of his service pistol to shoot Causseaux when Officer Gibson fired his own shotgun. Causseaux was hit and went down, but held control of his shotgun. Additional "tactical team" officers arrived and were able to safely approach and disarm Causseaux. Mr. Causseaux subsequently expired two days later as a result of a wound to his head from a single shotgun pellet.

This Grand Jury finds that the fatal shooting of Lonnie Causseaux was a justifiable homicide, and that Officer Greg Gibson was acting in lawful self defense in firing the shot that resulted in the death of Lonnie Causseaux. The Grand Jury further finds that the actions of Officer Greg Gibson, Officer Robert Clayton and the other responding officers were not only necessary and reasonable, but demonstrated great personal courage in bringing this matter to resolution without further exposing children and other members of the public to risk of death or serious injury. We further commend Mr. Karl Pulvermuller for his professionalism and concern for the safety of others in remaining on the scene until officers arrived.

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

RESPECTFULLY SUBMITTED th

Foreperson