

Close-out Memorandum of the
Investigation Regarding
Donald Lenard Armstrong
March 7, 2024



State Attorney's Office
Eleventh Judicial Circuit
Miami-Dade County
May 14, 2025

OFFICE OF THE STATE ATTORNEY
ELEVENTH JUDICIAL CIRCUIT

KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY



INTEROFFICE MEMORANDUM

TO: KATHERINE FERNANDEZ RUNDLE
State Attorney

DATE: May 13, 2025

FROM: STAFFING/REVIEW TEAM

RE: SAO Case #: 62/24/03/07/001
Injured: Donald Lenard Armstrong

Based on the information obtained and reviewed during the course of the investigation, the conclusion of the staffing/review team is the following:

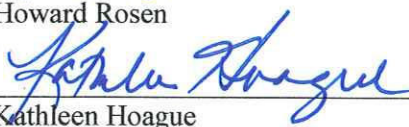
On March 7, 2024, at about 2:04 P.M., City of Miami received a 911 call from of Donald Armstrong indicating was outside the home on drugs disturbing the peace. A second 911 call followed from an anonymous caller indicating an individual was harassing a female and acting aggressively. Police arrived on the scene, and Officer Olmedo, activated her body worn camera, which captured Armstrong waiving an unknown sharp object above his head. Officers gave repeated commands for Armstrong to drop the object, and instead he stepped toward the officers. Armstrong's mother unsuccessfully tried to disarm him, and police deployed a taser which struck him in the torso. The taser had no effect, and a second taser was deployed with instructions to drop the sharp object. Armstrong did not drop his weapon, moved forward, and Officer Mercado discharged her weapon striking him several times. Armstrong was transported to the hospital and successfully treated for the gunshot wounds. Based on a review of the facts and evidence in this investigation, and pursuant to Florida Statutes 776.012 and 776.05, the use of deadly force by Officer Mercado 01-43614 City of Miami in discharging her weapon was legally justified.

The members of the staffing/review team for this case are:


Howard Rosen


Deisy Hernandez


Stephen K. Palpins


Kathleen Hoague


Nilo Cuervo


Jose Arrojo


Marie Jo Toussaint

Approved by State Attorney on this 14 day of May, 2025.


KATHERINE FERNANDEZ RUNDLE
State Attorney



INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM

DATE: May 12, 2025

FROM: SARA IMM
ASSISTANT STATE ATTORNEY

RE: POLICE SHOOTING CLOSEOUT MEMO
SAO Case # 62/24/03/07/001

SANTIAGO AROCA
ASSISTANT STATE ATTORNEY

OFFICER INVOLVED:	Officer Kassandra Mercado 01-43614 City of Miami
INJURED:	Donald Lenard Armstrong
DATE & TIME:	March 7, 2024 at approximately 2:36 P.M.
LOCATION:	5703 NW 7 Court, Miami, FL 33127 (City of Miami)
WEAPONS:	SHARP HOMEMADE WEAPON (Donald Armstrong) Glock 17, Gen5, S/N 9MIA4155 (Officer Mercado)
LEAD/REPORTS:	Agent Luis Alvarez / Reports Received January 15, 2025
CASE #:	FDLE MI-27-0247
SAO CASE #:	62/24/03/07/001

SUMMARY OF FACTS

On Thursday, March 7, 2024, at approximately 2:04 P.M., the City of Miami Police Department received a 911 call reporting that a black male with red pants and a colorful shirt, later identified as Donald Lenard Armstrong, was outside of 5703 NW 7th Court, on drugs and disturbing the peace. The first caller was D A requesting police response to assist

. At 2:20 P.M., an anonymous person called 911 and reported the same black male with a colorful shirt was harassing another female and acting aggressive in the street, possibly on drugs. City of Miami Police officers were dispatched to 5703 NW 7th Court, where they made contact with Donald Armstrong.

Officer Rebecca Olmedo advised "1111 arrival, making contact" at approximately 2:23 P.M. Officer Rebecca Olmedo had her body worn camera (BWC) activated. Officer Olmedo's camera shows Donald Armstrong walking in the middle of the street, waiving his arms in the air, and singing or yelling loudly directed at no one in particular. At approximately 2:32 P.M., Officer Olmedo advised, "1111 he has a sharp object in his hand." The unknown sharp object is clearly visible on the camera being held in the air above Donald Armstrong's head. This object is later identified to be some kind of makeshift metal homemade weapon that appeared to be constructed from a screwdriver. The sharp homemade weapon was 13.5 inches in length (see photos below).



After City of Miami Police arrival, Donald Armstrong walked away from Officer Olmedo on 7th Court towards the outside of the residence at 5703 NW 7th Court. Officers can be heard on BWC giving repeated loud verbal commands for him to drop what he was holding in his hands. He did not comply

with commands and remained with the sharp homemade weapon in his hand. Officers approached the residence from multiple sides and formed a semi-circle in the roadway facing the front porch where Donald Armstrong was standing. The officers present were Officer Kassandra Mercado, Officer Carlos Moreno, Sergeant Jeffrey Nicolas, Officer John Gonzalez, Officer Jason Maurisseau, Officer Hiram Santana, Officer Chad Cabrera, Officer Monica Delgado, and Officer Gerald Llovet. Officers were all wearing clearly marked short sleeve blue "Class B" City of Miami Police uniforms. Several marked patrol units with lights activated were parked in the roadway in close proximity to the residence. Officer Mercado also was wearing a long sleeve marked embroidered City of Miami Police jacket. Officers all have either their service pistols or department issued tasers drawn and pointed in the direction of Donald Armstrong.

Officers Olmedo, Gonzalez, Maurisseau, Santana, Cabrera, Delgado, and Lovett had active BWCs that captured the incident from various angles. Officer Moreno and Sergeant Nicolas were not wearing body worn camera at the time, and Officer Mercado did not have her camera activated. There was no other surveillance video collected that documented the incident outside of the BWC. The officers' statements are generally consistent with what is depicted on the cameras and reflected on the dispatch records.

Donald Armstrong stood on the porch near the doorway facing out towards the officers. Multiple officers continued to give verbal commands for Donald Armstrong to drop what was in his hands. Rather than complying with commands, Donald Armstrong actually initially stepped down off of the porch and moved closer to the gathered officers, forcing them to take several steps back. Officer's also repeatedly directed civilians, Denise Armstrong and Lonnie Armstrong, Jr., who were also on the porch at the time and trying to get Donald Armstrong to comply with officers, to move away. At approximately 2:35 P.M. Donald Armstrong returned to standing on the edge of the front porch and can be seen clearly brandishing the sharp homemade weapon in his right hand. Denise Armstrong attempted several times to physically remove the sharp homemade weapon from his person but was not successful. In fact, Donald Armstrong can be heard on BWC repeatedly yelling "no!" in response to his mother's efforts. He also stated, "shoot in the heart." At approximately 2:35:14, Officer Olmedo physically pulled Lonnie Armstrong, Jr. back away from Donald Armstrong and out of view to the side of the residence.

Donald Armstrong continued to act erratic and maintained the sharp homemade weapon in his right hand. At approximately 2:35:26 Donald Armstrong pulled up his shirt exposing his torso and raised

his hands up behind his head. The sharp homemade weapon remained in his right hand. Officer Carlos Moreno then discharged his department issued taser, striking Donald Armstrong in the torso. Donald Armstrong did not appear impacted by the taser strike, yelled "I am God!" and was able to successfully remove the prongs from his person. After the taser was deployed, Denise Armstrong, at the direction of one of the officers, ultimately stepped away and into the residence, standing in the doorway but behind the closed metal screen door. About eleven seconds after the first deployment, Officer Moreno again discharged his taser, striking Donald Armstrong. Around this time, Officer Mercado can be clearly seen and heard on body worn camera again directing Donald Armstrong to drop it (referring to the sharp homemade weapon).

However, upon being struck a second time with the taser, Donald Armstrong still did not drop the sharp homemade weapon, and instead began moving forward towards the officers with the sharp homemade weapon held above his head. Donald Armstrong stepped forward off of the front porch, advancing directly towards Officer Mercado and swinging his arms wildly in the air. At this time, Officer Mercado discharged her issued Glock, .9mm pistol, shooting ten consecutive rounds and striking Donald Armstrong multiple times and causing him to fall to the ground. As he fell, the sharp homemade weapon flew in the air and landed several feet away from him in the middle of the roadway. "Shots fired" was advised on the radio and aid was immediately rendered to Donald Armstrong. City of Miami Fire Rescue transported Donald Armstrong to Jackson Memorial Ryder Trauma center for additional treatment. Three (3) projectiles and one (1) projectile fragment were recovered from Donald Armstrong's body during surgery. Medical personnel advised that Donald Armstrong was expected to survive the gunshot wound injuries and make a full recovery.

Crime scene collected ten (10) ten spent .9mm casings from the roadway in front of the residence. The firearms evidence was analyzed by Criminalist Angela Garvin from the Miami Dade Sheriff's Office Crime Laboratory. All ten casings were determined to have been fired from Officer Mercado's service weapon (Glock, Model 17 Gen5, .9mm, Serial #9MIA4155). The three projectiles recovered at the hospital could have been fired by the same weapon, but the quality of the evidence precludes a more definitive finding. The projectile fragment had no evidentiary value. Round count inspection at the scene revealed that Officer Mercado's 17-round capacity magazine contained seven (7) live .9mm cartridges.

Round counts were conducted with all other officers present at the time of the shooting, and all had fully loaded firearms, consistent with them not having discharged their firearms. Two taser prongs and one taser wire were also collected, consistent with Officer Moreno having deployed his department issued taser device.

CONCLUSION

The role of the State Attorney in this investigation and in conducting this review is limited to determining whether a criminal violation of Florida law has occurred, whether any person may be held criminally responsible, and whether such criminal responsibility can be proven beyond a reasonable doubt in a court of law. The State Attorney does not establish agency policy, procedures, and training requirements. Nor does the State Attorney have any responsibility for determining disciplinary action or pursuing civil litigation in these matters. In other words, given the applicable law, the State Attorney's role is to determine whether the actions of Officer Kassandra Mercado constitute a criminal act that can be proven beyond and to the exclusion of every reasonable doubt.

The undersigned attorneys have reviewed the Florida Department of Law Enforcement case file regarding this incident, including the sworn statements, 911 calls, crime scene photos, body worn camera footage, dispatch reports, and other evidence gathered in this investigation. We find the FDLE file to be complete and thorough, and incorporate them into this memorandum and offer our conclusion based on the results of our independent review of the evidence.

Florida Statute 776.012 permits the use of deadly force when a person believes such a force is necessary to prevent imminent death or great bodily harm to himself or another or to prevent the commission of a forcible felony. Further, Florida Statute 776.05 permits a law enforcement officer to use any force that he or she believes is necessary to defend himself or herself or another from bodily harm while making an arrest.

Based on a review of the law and evidence, Donald Armstrong was armed with an object that could have been used to cause serious bodily harm to the responding officers or other civilians present at the scene. Donald Armstrong did not respond to repeated verbal commands to drop the weapon even after being struck by a taser twice. At the time that Officer Mercado discharged her firearm, Donald Armstrong was moving in her direction, and was in close proximity (several feet), still armed and

gesturing wildly. At the time, responding officers were aware that Donald Armstrong was under the influence of drugs and had observed him acting erratically. Accordingly, Officer Mercado could have reasonably believed that discharge of her firearm was necessary to prevent serious bodily harm to herself or others present at the time. Officer Mercado's shooting of Donald Armstrong was legally justified.

Prepared by:

/s/ *Sara Imm*

Assistant State Attorney

/s/ *Santiago Aroca*

Assistant State Attorney