



**OFFICE OF THE STATE ATTORNEY  
SIXTH JUDICIAL CIRCUIT OF FLORIDA  
PASCO AND PINELLAS COUNTIES**

***BERNIE MCCABE***

*State Attorney*

October 13, 2011

Chief Chuck Harmon  
St. Petersburg Police Department  
1300 1<sup>st</sup> Avenue North  
St. Petersburg, Florida 33705

Re: Shooting incident resulting in the death of Jared Speakman, on September 26, 2011, at approximately 1:52 a.m. at 1695 Park Street North, St. Petersburg, Pinellas County, Florida.

Dear Chief Harmon:

Pursuant to notification by the St. Petersburg Police Department to this office at 2:38 a.m. on September 26, 2011, that a shooting incident had occurred at 1695 Park Street North, St. Petersburg, Pinellas County, Florida, we have conducted an investigation as described herein.

A representative of this office arrived at the scene of the shooting at 3:37 a.m. on September 26, 2011, and spoke to personnel with your department. Representatives then proceeded to the St. Petersburg Police Department to take sworn testimony of persons who were ascertained to have relevant knowledge of the incident. Statements were taken of the following three law enforcement officers and one civilian:

1. Officer Michael Weiskopf
2. Officer Richard Demesmin
3. Officer Ruben DeJesus
4. Andrew Stewart

We have also spoken to representatives of the Medical Examiner's Office and reviewed the autopsy report. In addition, we have reviewed various items of evidence including photographs of the scene and reports from your department.

Based upon the testimony of the witnesses listed above and a review of the evidence, we have determined the facts to be as follows:

At approximately 1:42 a.m. on Monday, September 26, 2011, Officer Michael Weiskopf, an eight year veteran of the St. Petersburg Police Department, was on routine patrol in uniform and in a marked cruiser when he drove through Jungle Prada De Navarez Park, a city park at 1695 Park Street North. A sign at the entrance to the park states that the park is closed from 30 minutes after sunset until 30 minutes before sunrise and Officer Weiskopf drove into the park to make sure no one was there. Inside the park he found a motor vehicle parked in the parking lot and when he looked inside the unoccupied vehicle he saw what appeared to be marijuana on the front driver seat. He called for backup units and then walked into the park area where he found Jared Speakman and Andrew Stewart seated on a park bench with an open can of beer between them. It was very dark and Officer Weiskopf had to use his flashlight to see the two men. He received their names and dates of birth and realized they were both under the age of 21. At about this time his backup officers, Officer Richard Demesmin, a four year veteran, and Officer Ruben DeJesus, a twenty-five year veteran, arrived.

Officer Weiskopf told Stewart and Speakman he wanted to search them for the safety of the officers. Stewart agreed, stood up, and was patted down by Officer Weiskopf. Speakman, who was seated on the bench with a dog in his right arm and with his right arm on his lap, said he did not want to be patted down. Officer Weiskopf asked Speakman several times to consent to a pat down and he continued to refuse. Officer DeJesus moved to the left side of Speakman and told him they were going to pat him down for the safety of the officers and told him to hand the dog to his friend and, after several requests and refusals, Speakman finally did so. At this time both Officers Weiskopf and Demesmin had their flashlights shining on Speakman.

As soon as Speakman handed the dog to Stewart, Officer DeJesus observed the grip and the hammer area of a firearm in Speakman's right pants pocket. Speakman had been able to conceal the firearm from view by the way he had been holding his arm and dog. Officer DeJesus immediately lunged for the firearm while yelling to the other officers that Speakman had a gun and for them to draw their weapons. Both officers drew their weapons and Officer Weiskopf stood by Stewart while Officer Demesmin pointed his weapon and flashlight toward Speakman, but his view of Speakman was blocked by Officer DeJesus. As Officer DeJesus was lunging for Speakman's firearm Speakman grabbed the firearm and Officer DeJesus' hand and stood up from the bench. As the fight continued Officer DeJesus could feel that Speakman had both of his hands on the firearm and was pulling it from his pocket. Seconds later Officer DeJesus and Speakman fell down a small embankment. While falling Officer DeJesus could feel that Speakman still had both hands on the firearm and that he was continuing to pull the firearm from his pocket. Speakman landed on his back and Officer DeJesus fell on top of him but lost his grip on the firearm. It was very dark in the area where they fell and Officer DeJesus could not see Speakman but thought Speakman had gotten the gun out of his pocket and that he would fire at Officer DeJesus. Therefore Officer DeJesus pulled his department issued .40 caliber pistol and fired four shots toward the figure of Speakman. He then pulled out his flashlight and shined the light on Speakman and observed that Speakman still had his right hand on his firearm and that the firearm had

been pulled further out of his pocket such that part of the cylinder was in view. Officer DeJesus grabbed the weapon and threw it to the side.

Rescue personnel responded to the scene and, at approximately 2:03 a.m., pronounced Speakman deceased.

The scene was processed by St. Petersburg Police Department crime scene technicians who recovered four .40 caliber shell casings. They also recovered Speakman's pistol, a .22 caliber, six shot revolver. The revolver was empty but the technicians recovered six shell casings from Speakman's left front pocket.

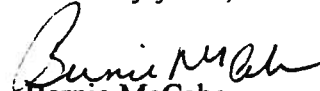
Dr. Dollett T. White, Associate Medical Examiner, conducted an autopsy on Speakman on September 26, 2011, and determined that Speakman had received four gunshot wounds. The gunshot wounds were to his chest, his abdomen, his torso, and his right thigh. Dr. White recovered projectiles from the chest, abdomen, and torso wounds. Her opinion was that the cause of death of Speakman was multiple gunshot wounds. It was also determined that Speakman had a blood alcohol level of .071.

As a result of the investigation conducted by my office, I have determined that Officer Ruben DeJesus was in the performance of his lawful duties when he observed a firearm protruding from Speakman's front pocket and both he and Speakman grabbed for it. A fight ensued and when Officer DeJesus thought that Speakman had pulled his firearm from his pocket and was going to shoot him, Officer DeJesus fired his firearm at Speakman. The actions of Speakman were such that Officer DeJesus had every reason to be justifiably in fear for his own life as well as the lives of his fellow officers.

It is the conclusion of the State Attorney's Office that the death of Jared Speakman was the result of having been shot by Officer DeJesus who was in the performance of his lawful duties, and that said shooting was justifiable homicide pursuant to section 776.012, Florida Statutes.

This letter may be released to the news media or utilized for any other official purpose.

Sincerely yours,

  
Bernie McCabe  
State Attorney

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