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Today I am announcing my decision not to pursue any charges involving the death of Adrein Green, which occurred on May 5, 2020, in the City of Sanford. This comes after an extensive investigation by the Sanford Police Department, Seminole County Medical Examiner, and senior prosecutors with my office.

While working towards this decision, I was struck by how the difficult and persistent issues we face as a community and a nation, also contributed to this tragedy. The impact of poverty and homelessness on families and their children; lack of access to mental health resources and intervention programs that could help at risk teens avoid choices that can destroy or even end their lives; and violent and senseless crimes that create fear and insecurity within our communities, our workplaces, and our homes.

There is no question that this incident is a tragedy with heartbreaking consequences that touch not only the Green family, but our community as a whole. No young person should lose their life in such a violent manner and no parent should have to deal with burying their child at 17. Ever.

By all accounts, including previous media reports, Mr. Green had a difficult life and struggled with his family's homelessness and bullying that targeted him as a child and a teenager. But he also had started down a path of criminal behavior, despite the continued efforts of his mother to steer him away from the people and choices moving him dangerously in that direction.

Prior to this incident, Mr. Green had been arrested twice in Volusia County for felony Burglary of a Vehicle. When asked by the deputy in one of those cases why he was breaking into cars, Mr. Green replied he "was looking for a pistol". In fact, Mr. Green's mother in a recorded statement told Sanford investigators on April 29th, just 6 days before his death, that she was very concerned about her son breaking into cars and that she had told Adrein he "will make some innocent person come out there and blow his brains out for you touching their stuff and change their life".

The fact that Mr. Green was committing serious felony crimes in this case is not disputed. Mr. Green entered a completely fenced-in property late at night, which included a closed gate

across the driveway, with the intent to commit a theft. Under well-established Florida law, when the outside property is completely enclosed by a fence, it becomes legally defined as “curtilage” making it an extension of and part of the residence. As a result, Mr. Green’s unlawful entry was a Burglary of a Dwelling, a 2nd degree felony.

Mr. Green then committed a second felony when he attempted to break into one of the locked vehicles parked in the driveway by hitting the front passenger window of a blue Toyota Corolla with a large rock and/or battery that were found by the car. Marks consistent with someone striking the car with the objects were found on the window and rear passenger door and is consistent with the loud banging noises heard by the residents that caused them such concern in the first place. There was a wallet in the front passenger seat wedged between the seat and the console and visible to anyone standing outside the window and likely the aim of Mr. Green’s actions.

Upon hearing Mr. Green attempting to break into the car, the resident (*we are not naming the residents due to their request for anonymity under Marsy’s Law) armed himself with a handgun and told his wife to call 911 as he went to investigate the noises. I think it is important to note that the 24-year-old resident has no prior criminal record, owns a Florida concealed weapons permit, and was lawfully permitted to arm himself and investigate the suspected felony criminal activity taking place on his property. As you recall, a serious felony had already been committed by Mr. Green by entering the enclosed property and the residents were alarmed by the suspicious noises and loud banging coming from the carport area.

As the resident opened the front door, he turned on the outside light and yelled “hey” at the person he saw by the passenger side of his car, approximately 15 feet from the front door. The car was parked on the driveway facing the house which would place it to the resident’s left as he stood at the front door. The resident claimed Mr. Green then made a sudden movement from the front passenger side of the car and he believed Mr. Green was coming towards him and his wife who was standing behind him holding their newborn baby.

In response, the resident fired 2 shots in quick succession from the doorway and closed the door. You can hear the 2 shots on the 911 call which confirms the quick succession of the shots. One of those shots struck the passenger side of the front windshield of the car. The other shot struck Mr. Green in the left back area and traveled in an upwards trajectory from left to right to his neck. There is no way to confirm which shot occurred first.

Due to the fact that one of the shots hit the front windshield of the car and from the quick succession of the shots, we know Mr. Green’s position was on the passenger side of the car in front of the windshield pillar when he was struck. Had Mr. Green been further back towards the rear of the car, he could not have been hit without the bullet hitting the car first. This is also consistent with the fact that Mr. Green was attempting to break into the front passenger window of the car when confronted by the resident and corroborates the resident’s statement regarding his perception that Mr. Green had made a movement towards the front door where he was located.

Mr. Green was shot in the back, which is a concern in any case. But this alone cannot be the basis for a finding of unlawful use of deadly force as some have speculated. Having established his position on the passenger side of the car, it is likely that Mr. Green, upon being confronted by the resident and front porch light, moved forward for whatever reason and then as he saw the firearm held by the resident or after the first shot, began to turn away to his right and downward. In this position the bullet would enter his left back and travel up from left to right. This is consistent with the resident's statement, medical examiner's report and the crime scene forensics.

Our criminal justice system is designed to protect the constitutional rights of every person, while providing a structured defined process for holding those that do commit a crime responsible for their actions; a process that requires strict standards of proof that must be met at each step before a person can be brought before the court, and ultimately, a jury. It is the sworn duty and ethical responsibility of every State Attorney to apply the law in a fair and unbiased manner, ignoring the heated public discourse that seeks agenda over justice; and with a clear understanding that every life has value and should never be taken without a lawful justification.

A complete and thorough investigation was conducted by the Sanford Police Department, led by Chief Cecil Smith, who is highly respected and has done an incredible job working with the Sanford community to build lasting partnerships. From day one Chief Smith and his team were in constant communication with the Green family. To reduce misinformation and provide an understanding for the community, Chief Smith and his team conducted a press conference within hours of the incident to announce their preliminary findings. No one can claim that the Sanford Police Department was anything other than transparent and professional.


This was not a case of using deadly force to prevent the theft of property as some have continued to claim. The relevant facts are undisputed and the law in Florida is well-established. To justify the use of deadly force a person must have a reasonable belief, based on the circumstances before them, that either themselves or another are facing imminent death or great bodily harm or to prevent a forcible felony. The resident, lawfully armed and lawfully permitted to investigate the criminal activity occurring on his property, believed after confronting Mr. Green that Mr. Green was moving towards him and his family. Remember, he was only 15 feet away from Mr. Green, who at 17 was 6'3" and 269lbs and was an intimidating figure. The resident stated he was scared and concerned about his safety and the safety of his wife and newborn child. I don't doubt that anyone would be reasonably scared under the same circumstances.

This does not mean that I don't wish that the resident had chosen a different response to this situation. Could he have stayed inside and waited for the police to respond? Absolutely. The resident himself has expressed deep remorse to the investigators that his actions ended a young man's life. I'm certain he would make a different choice if he had it to do over. But the fact that he had other choices does not mean that the choice he made was an unlawful one. The law supports his ultimate decision and we cannot disprove his right to the use of deadly force.

Because the facts are clear and the law well established, I do not believe a presentation to the Grand Jury is necessary or warranted. I was elected to make these tough decisions. I

believe, and it has been my belief since being elected 8 years ago, that Grand Juries should be reserved for those cases where you seek their guidance to evaluate uncertainty as to the available evidence, the application of the law or the credibility of the testifying witnesses. That is not the case here.

Again, this was a tragedy and there are no victors in this outcome. But this tragedy serves to remind us that by deciding to commit any criminal act, a person must understand there are always consequences, including the potential for a fatal one. Just as it was predicted.

Sincerely,

Phil Archer