



State Attorney

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Ninth Judicial Circuit *Serving Orange and Osceola Counties*

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July 9, 2026

Sheriff John Mina
2500 W. Colonial Drive
Orlando, Florida 32804

RE: Officer-Involved Critical Incident Involving Orange County Sheriff's Office Deputy Gabriel Marrero Rosado, FDLE OR-27-0510, UF26-16

Dear Sheriff Mina,

The Office of the State Attorney for the Ninth Judicial Circuit is responsible for reviewing all investigations into Officer Involved Critical Incidents (OICI) that occur in Orange and Osceola counties. On May 19, 2026, the Office of the State Attorney received all documents from the Florida Department of Law Enforcement detailing their complete investigation into an OICI by **Orange County Sheriff's Office Deputy Gabriel Marrero Rosado** on February 22, 2026.

I am writing to advise you that our review of this investigation is complete and that the Office of the State Attorney has determined that there has been no violation of Florida Law; and therefore, our office will not be filing criminal charges against **Orange County Sheriff's Office Deputy Gabriel Marrero Rosado** for his use of force against Jason Beal.

Please find attached the final report from the State Attorney's Office detailing our review of this OICI. Documents and supporting evidence submitted to this agency are public records under Florida Statute 119 once our investigation has been completed and can be obtained via email request to PublicRecords@sao9.org.

Sincerely,

Monique H. Worrell
State Attorney

Cc: DanielleGill@fdle.state.fl.us - FDLE

Enclosed: SAO OICI Report 2026-UF-16

Officer-Involved Critical Incident
Investigation of
Orange County Sheriff's Office Deputy
Gabriel Marrero Rosado
February 22, 2026



State Attorney's Office
Ninth Judicial Circuit of Florida
Orange and Osceola Counties
June 12, 2026

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I. STATE ATTORNEY ROLE IN OFFICER-INVOLVED CRITICAL INCIDENTS

The State Attorney's Office ("SAO") has the responsibility of reviewing all investigations of Officer Involved Critical Incidents ("OICI") that occur within the Ninth Judicial circuit of Orange and Osceola Counties. The Florida Department of Law Enforcement ("FDLE") acts as an independent law enforcement agency which investigates the OICI. The State Attorney's Office receives the investigation packet from FDLE and conducts its own independent review of FDLE's investigation. The SAO will pursue any supplemental investigation that it believes is necessary. The purpose of this independent review is to determine whether there exists any violation of criminal law. In making that determination, the SAO acknowledges and agrees that OICI resulting in the loss of life or great bodily injury must be handled with a high level of attention, diligence, and transparency.

II. OFFICE POLICY ON OFFICER- INVOLVED CRITICAL INCIDENTS

The SAO understands the importance of an independent, thorough, and transparent investigation of all OICI. As such, please find the SAO's policy on all OICI as EXHIBIT "A"

III. APPLICABLE FLORIDA LAW

Generally speaking, criminal liability is established when the evidence is sufficient to prove all the elements of a crime beyond a reasonable doubt. In addition to proving the elements of a crime, the prosecution must disprove any statutorily recognized justification or defense beyond a reasonable doubt. The use of physical force by law enforcement officers is governed by Florida Statute § 776.05 and provides an affirmative defense to criminal liability as follows:

A law enforcement officer...need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. The officer is justified in the use of any force:

- (1) Which he or she reasonably believes to be necessary to defend himself or herself or another from bodily harm while making the arrest;
- (2) When necessarily committed in retaking felons who have escaped; or
- (3) When necessarily committed in arresting felons fleeing from justice.

However, this subsection shall not constitute a defense in any civil action for damages brought for the wrongful use of deadly force unless the use of deadly force was necessary to prevent the arrest from being defeated by such flight and, when feasible, some warning had been given, and:

- a) The officer reasonably believes that the fleeing felon poses a threat of death or serious physical harm to the officer or others; or
- b) The officer reasonably believes that the fleeing felon has committed a crime involving the infliction or threatened infliction of serious physical harm to another person.

The United States Supreme Court provides the following instruction in assessing the reasonableness of an officer's belief when using physical force:

The “reasonableness” of a particular use of force must be made from the perspective of the law enforcement officer on the scene, rather than with the 20/20 vision of hindsight... The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation. *Graham v. Conner*, 490 U.S. 386 (1989).

In addition to the affirmative defense provided by Florida Statute § 776.05, a law enforcement officer, like any other person, can invoke the protections of Florida Statutes §§ 776.012 and 776.032, commonly referred to as Florida's “Stand Your Ground” law. *See State v. Peraza*, 259 So.3d 728 (Fla. 2018).

In charging any individual with a crime, it is important to remember that the defendant does not have to present evidence or prove anything. Instead, at a pre-trial Stand Your Ground hearing, the State of Florida is required to prove by clear and convincing evidence that the person is not entitled to self-defense immunity. If the prosecution is successful at the hearing, the State still must prove beyond a reasonable doubt to a unanimous jury that the force was not justified.

IV. THE FACTS OF THIS OFFICER INVOLVED USE OF FORCE

FDLE was tasked with investigating this officer involved use of force. All reports, audio files, video files, and photographs referenced in their 106-page report were reviewed by the State Attorney's Office. At the time of this officer use of force, there was a policy in place for an Assistant State Attorney and State Attorney Investigator to respond to the scene—Assistant State Attorney William Jay responded to the scene. The State Attorney's Office received this FDLE investigation on May 19, 2026.

V. KEY EVIDENCE REVIEWED

The key evidence to this officer involved use of force includes:

1. Body worn camera footage from Deputy Gabriel Marrero Rosado (File ending 6590)
2. Electrical weapon (Taser) analysis
3. Orange County Sheriff's Office radio traffic
4. Orange County Sheriff's Office CAD report
5. Interview of Deputy Janeen Jeffra
6. Interview of Deputy Angulo Nieves
7. Interview of Deputy Rashad Smith
8. Interview of Deputy Bradford Hunter

VI. LEGAL FINDINGS

On February 22, 2026, at approximately 8:30 p.m., the Orange County Sheriff's Office received a 911 call from Alexander Perez, who worked as a loss prevention officer at the Walmart at 11250 East Colonial Drive in Orange County, Florida. Details of the 911 call were relayed to deputies over the radio. The radio traffic from 0:47 in the no dead air file is captured on Deputy Garbiel Marrero Rosado's body worn camera ("BWC") starting at 0:25 in the BWC footage. Deputy Rosado was aware that the call involved a man armed with a knife, possible a firearm, threatening the staff at the Walmart, who told the man he could take whatever he wanted before he left the store. The man was also said to be speaking about "martial law." The people in the store saw the knife but the man was making references to having a gun. The radio traffic kept Deputy Rosado updated on where the man was heading. The man was described as wearing all black and a mask.

At 2:30 into his BWC footage, Deputy Rosado arrived at Lake Berge Road and Colonial Drive—he called his arrival in on the radio and got out and challenged the man, Jason Beal ("Beal") at gunpoint. Despite many warnings, including that he would be shot, Beal ignored Deputy Rosado and continued pulling his shopping cart filled with merchandise westbound down the southern sidewalk alongside Colonial Drive—while walking a dog on a leash. Deputy Rosado tried to tase Beal several times, but the records do not show a good connection was ever made. The BWC footage corroborates that Beal does not appear to be phased by the Taser's prongs either—he was wearing clothing appropriate for the cold weather that evening.

At 3:30 into the BWC footage, Deputy Rosado suddenly cries out "Hey, don't reach!" and quickly switches from holding his Taser to drawing his service firearm. Due to the camera angle and the darkness, Beal's reaching is not captured on the BWC. Deputy Rosado calls out again "Do not reach" two more times and then discharges his service firearm six times while yelling "Drop it!" It should be noted that two knives were found in the area where Beal was shot. Beal was then taken into custody with the assistance of several deputies. Beal survived his injuries and

is being prosecuted by the State Attorney's Office in 48-2026-CF-002559-A-O for Robbery with a Deadly Weapon, Resisting without Violence, and Grand Theft.

Under Florida Statute § 776.012, officers are permitted to defend themselves and others just as any other citizen is allowed to do. *State v. Peraza*, 259 So. 3d 728 (Fla. 2018). Deputy Rosado heard the radio traffic that Beal was armed with a knife, claiming to Walmart employees that he also had a firearm, that Beal was threatening the store workers, and speaking about "martial law." Deputy Rosado challenged Beal at the intersection of Lake Berge Road and Colonial Drive and Beal ignored him. Deputy Rosado attempted to use non-deadly force (Taser) to stop Beal but was unsuccessful. Then, while Beal was in the darkness to the south side of the shopping carriage he was pushing on the sidewalk south of Colonial Drive, Deputy Rosado cried out for Beal to stop reaching several times before Deputy Rosado discharged his service firearm toward Beal, injuring but not killing Beal. In the totality of these circumstances, it cannot be proven beyond a reasonable doubt that Deputy Rosado's actions were not reasonable. Additionally, under Florida Statute § 776.05, Deputy Rosado was permitted to use deadly force to take Beal, suspected of Robbery with a Deadly Weapon, into custody.

VII. CONCLUSION

The State Attorney's Office's role is to, evaluate, independently review, and pursue criminal charges when the use of force is not justified. After a thorough review of the evidence in this matter and our review of applicable Florida law, it cannot be proven beyond a reasonable doubt that Deputy Rosado's use of force violated any laws of the State of Florida. We will take no further action in this matter.