STATE ATTORNEY REVIEW
JUSTIFIABLE USE OF DEADLY FORCE BY A LAW ENFORCEMENT OFFICER
Florida Statute 776 and Florida Statute 782.02

Date of shooting: August 23, 2015
S.A. Number: 15-53686

In re investigation of the death or injury to:
Name: Richard Francis Compo
D.O. B.: 09/21/78

SUMMARY OF THE FACTS:

1. On the early afternoon of Sunday, August 23, 2015, Sergeant R. Adams, an 18-year-veteran with the Jacksonville Sheriff’s Office (JSO), and Deputy C. Wilkie, a 23-year-veteran with JSO, shot and killed Richard Francis Compo immediately after Compo raised an assault rifle in the direction of Deputy Wilkie. The shooting occurred on the front porch of Compo’s residence at 9452 Old Plank Road, Jacksonville, Florida. Mr. Compo’s residence is a single-family dwelling that rests on roughly two acres of land. For the reasons outlined below, the State Attorney’s Office has concluded that Sgt. Adams and Deputy Wilkie were justified in the use of deadly force against Compo.

2. At approximately 11:45 a.m. on August 23, 2015, JSO deputies responded to a domestic violence dispatch at Compo’s residence. The call originated when Compo’s wife, Ileen Compo, called 911 and told the operator that Compo had tried to kill her, that he was armed with a gun, and that he was under the influence of methamphetamine. Mrs. Compo further stated that she fled the residence and was currently at a nearby church. Mrs. Compo explained to the 911 operator that Compo had just told another occupant of the residence (a male friend of Compo’s) that he was going to kill her (Mrs. Compo) and then kill himself. Mrs. Compo also said that Compo was strung out on “meth” and hadn’t slept in days. (Mrs. Compo later explained to JSO detectives that before fleeing her residence by jumping out a window, Compo had battered her multiple times, threatened to kill her, prevented her from leaving the residence, and held her face on the floor with his foot.)

3. Patrol deputies arrived at the scene at approximately 11:49 a.m. Shortly thereafter, JSO’s K-9 unit was called to the scene. Among the K-9 officers that responded were
Sgt. Adams and Deputy Wilkie. When Sgt. Adams arrived he spoke to Mrs. Compo in person. Sgt. Adams observed fresh injuries to Mrs. Compo’s face and neck. In addition to the information she provided to the 911 dispatcher, Mrs. Compo told Sgt. Adams that Compo had multiple rifles in the residence. Sgt. Adams was then approached by a male (Matthew Wasdin), who had just left Compo’s residence. Mr. Wasdin told Sgt. Adams that Compo had hit him in the face with a pistol. Mr. Wasdin further explained that Compo also had an AK-47 rifle in the residence. Sgt. Adams observed that Mr. Wasdin had a cut lip and a red face.

4. After arriving at the scene, Deputy Wilkie was advised of the aggravated battery with a firearm that Compo had committed on Mr. Wasdin and that Compo had said that he would kill any officer that arrived. Deputy Wilkie was also told that Compo was known to have several firearms, including an AK-47-type assault rifle. It should be noted that Sgt. Adams, Deputy Wilkie and the other JSO K-9 officers present were all dressed in standard black JSO “K-9” uniforms with a tactical vest that includes the words “POLICE K9” clearly marked on the front and back, as well as a JSO badge on the front.

5. After coordinating with other officers at the scene, Sgt. Adams, Deputy Wilkie and two other K-9 officers set up a perimeter around Compo’s residence. While getting in position Deputy Wilkie was told by a neighbor that Compo had multiple firearms, including large-caliber assault rifles. After JSO set up a perimeter, a JSO patrol deputy made contact with Compo via cell phone. Compo told the deputy that he was going to burn the place down “like Waco”. This information was relayed to Sgt. Adams and Deputy Wilkie. A short time later, and without warning, Compo fired several gunshots from the back of his residence in the direction of another JSO K-9 officer, Deputy M. Summers. Deputy Summers was behind a tree, but he could hear the bullets passing through the nearby trees and branches. Soon thereafter, Compo walked onto the front porch of his residence with a cell phone in one hand and an assault rifle in the other.

6. As soon as he got onto the front porch, Compo yelled, “The only way you will get me is with a police sniper.” Soon thereafter, Compo raised his assault rifle (pictured below) in the direction of Sgt. Adams and another JSO K-9 officer. Fearing for their lives and the lives of others in the area, Deputy Wilkie fired one shot from his service rifle in the direction of Compo. The shot missed Compo, and Compo yelled back defiantly, “You missed me mother-fucker”. Compo then raised his assault rifle in the direction of Deputy Wilkie, and both Sgt. Adams and Deputy Wilkie fired a single shot at Compo. Compo was hit one time in the chest and dropped to the porch deck. A forensic examination of the bullet removed from Compo’s body failed to demonstrate which officer – Sgt. Adams or Deputy Wilkie – fired the fatal shot.

7. After the shooting, Sgt. Adams and another JSO K-9 officer approached Compo and discovered that he had been shot. Rescue was called immediately, but Compo was pronounced dead by rescue personnel when they arrived. The rifle Compo used is a Smith and Wesson M&P 15. The rifle had one live round in the chamber and 29 live rounds in the attached magazine. Compo’s rifle also had a night scope attached.
8. A subsequent search of Compo's residence revealed several firearms, including a loaded "7.62x39mm" Century assault rifle and seven spent "7.62x39mm" shell casings. (Note: Compo is a convicted felon and therefore should not have been in possession of any firearm.)

9. The autopsy of Compo confirmed that he had been shot only one time. The single gunshot entered Compo's left chest and traveled from front to back. A toxicological examination revealed that Compo had the following drugs in his system at the time of his death: methamphetamine, diazepam, butalbital and marijuana. The medical examiner reported that the blood methamphetamine level was within the reported range for violent and irrational behavior and the blood butalbital level was within the reported range for driving under the influence.

LEGAL ANALYSIS:

1. Florida Statute 776.012 provides, in part, that a person is justified in the use of deadly force and does not have a duty to retreat if that person reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself or another, or to prevent the imminent commission of a forcible felony. Additionally, Florida Statute 782.02 provides in part, that the use of deadly force is justifiable when a person is resisting any attempt to murder such person or to commit any felony upon him or her.

2. Florida Statute 776.05 provides, in part, that a law enforcement officer is justified in the use of any force which he or she reasonably believes is necessary to defend himself or herself or another from bodily harm while making an arrest.

3. At the time Sgt. Adams and Deputy Wilkie discharged their firearms:

   (1) Compo had just committed multiple violent felonies;
   (2) Compo had verbally threatened to burn down his residence;
   (3) Compo had fired multiple shots in the direction of a uniformed JSO
Deputy Sheriff; and
(4) Compo had raised a loaded assault rifle twice in the direction of other
uniformed JSO Deputies.

CONCLUSION:

THEREFORE, it is the opinion of the undersigned Assistant State Attorney that
the use of deadly force in this case by Sgt. Adams and Deputy Wilkie was justifiable
pursuant to Florida Statutes, Chapters 776 and 782.02, the Florida Standard Jury
Instructions and applicable case law.

John I. Guy
Assistant State Attorney
Director-Homicide Major Crimes Unit

I have reviewed the findings presented and concur in the opinion that the use of
deadly force in this case was justifiable.

Angela B. Corey
State Attorney
CRIMINAL HISTORY OF RICHARD FRANCIS COMPO

CRIMINAL HISTORY

12/05/2007: Possession of Controlled Substance Paraphernalia: WH; Court Costs (4th Circuit)
10/25/2004: Possession of Controlled Substance: AG; 1 year FSP (3rd Circuit)
10/25/2004: Possession of Methamphetamine: AG; 1 year FSP (3rd Circuit)
10/25/2004: Possession of Listed Chemicals: AG; 1 year FSP (3rd Circuit)
07/18/1997: Domestic Battery: AG; 6 mo. Probation (3rd Circuit)

NOTIFICATION OF INVOLVED PARTIES

Police Notification:
- Name/ID/Department: Sgt. R. Adams, 5924 JSO; Deputy C. Wilkie, 6052 JSO
- Contact Method: via FOP attorney, Phil Vogelsang
- Date/Time: December 22, 2015

Investigating Agency Notification:
- Name/ID/Department: Det. D. Sullivan, 5231 JSO
- Contact Method: via e-mail
- Date/Time: December 22, 2015

Deceased-Next of Kin Notification:
- Person's Name: Ilene Compo (deceased's wife)
- Contact Method: via phone
- Date/Time: December 22, 2015