

Investigative Memorandum

RE: Arrest of William McNeil, Jr.
CCR 2025-0101868 (dated February 19, 2025)



State Attorney's Office
Fourth Judicial Circuit of Florida
Duval County

August 13, 2025

Table of Contents

I.	Executive Summary.....	1
II.	The Facts	2
A.	Traffic stop of McNeil.....	2
B.	Arrest of McNeil.....	3
C.	Search of McNeil	4
D.	Search of Vehicle.....	4
1.	Knife	4
2.	The Drugs and Drug Paraphernalia	5
E.	The McNeil Video.....	5
F.	Relevant Interviews.....	5
1.	Officer Bowers' Interview regarding Use of Force 1	5
2.	Officer Miller's Interview	7
3.	William McNeil's statements	7
G.	Misinformation	7
III.	The Law	8
IV.	Conclusion	10
	Exhibit A: Photo of McNeil without seatbelt	
	Exhibit B: Photos of marijuana	
	Exhibit C: Photos of Knife	
	Exhibit D: Photo of drug scale	
	Exhibit E: Photo of pipe	
	Exhibit F: Photo of box of sugar	
	Exhibit G: Photo of Use of Force 1	

I. Executive Summary

On February 19, 2025, Officer D. Bowers of the Jacksonville Sheriff's Office saw an SUV parked at a house that was under active surveillance for drug activity. A short time later, he saw the SUV being driven without headlights and by a driver who was not wearing a seatbelt. Officer Bowers initiated a traffic stop.

The driver, William McNeil Jr., opened his door (stating his window was broken) and asked why he was being pulled over. Officer Bowers explained the reasons for the stop and asked for McNeil's license, registration, and proof of insurance. McNeil said, "No," argued the basis for the traffic stop, and told Officer Bowers, "Call your supervisor." When Officer Bowers asked McNeil to step out of the SUV, McNeil again said, "No," and then slammed and locked his door. What started as a routine traffic stop quickly escalated into McNeil's arrest for Resisting an Officer without Violence for failing to follow lawful orders.

Despite being told six times he was under arrest, McNeil refused to get out of the SUV. After four minutes and multiple warnings that he intended to break his window, Officer Bowers broke McNeil's window and ordered him out of the SUV, but McNeil still refused to exit the SUV. While continuing to order McNeil out of the SUV, Officer Bowers struck McNeil in the face with an open hand and told him to show his hands, which McNeil did only after being struck. Officer Bowers then unlocked the SUV door and unbuckled McNeil's seatbelt, which McNeil had buckled *after* he was stopped. Officers pulled McNeil from the SUV, but McNeil actively resisted, continued to argue, and said, "No" multiple times. In the struggle to gain compliance, Officer Bowers punched McNeil in the chin as officers arrested him.

McNeil had drugs in his pocket, drug paraphernalia in the SUV, a large, serrated knife at his feet, *and* was driving on a suspended license—facts not known to Officer Bowers when he pulled McNeil over. The day after his arrest, McNeil pleaded guilty to Resisting an Officer without Violence and Driving While License Suspended.¹

Five months after his arrest and guilty plea, on July 20, 2025, McNeil released a video he recorded of his traffic stop and arrest. This video quickly went viral and has sparked controversy and criticism.² But this video – incomplete in its scope – does not tell the whole

¹ McNeil was arrested for Possession of Cannabis, Resisting an Officer without Violence, Possession of a Controlled Substance Paraphernalia, and Driving While License Suspended.

² Before releasing his video, McNeil did not file a complaint with the JSO.

story of law enforcement's encounter with, and arrest of, McNeil. It is the officers' body-worn camera footage that provides the additional needed context of the circumstances preceding, surrounding, and following McNeil's arrest.

Officer Bowers conducted a lawful traffic stop and gave McNeil 12 individual lawful commands, which McNeil refused to obey. Repeatedly requesting a supervisor and arguing the merits of the traffic stop did not absolve McNeil from following lawful orders. McNeil's refusal to provide his identification, registration, and proof of insurance, followed by his refusal to exit the SUV, show his hands, and obey the officers' orders, created a dangerous situation for all involved.

Officer Bowers's use of a one-time, open-handed strike to McNeil's face had a legitimate tactical purpose — to get McNeil out of the SUV and to show his hands, which McNeil did *after* the strike. Officer Bowers' second strike occurred during McNeil's arrest and was in response to McNeil's physical resistance to the arrest.

The State Attorney's Office has reviewed this matter to determine whether any of Officer Bowers' actions constitute a crime.³ We conclude they do not.⁴

Below follows a factual and legal analysis of McNeil's traffic stop and arrest.

II. The Facts

A. Traffic stop of McNeil

Just after 4 p.m. on February 19, 2025, McNeil was pulled over for traffic violations by Officer Bowers in the 900 block of West Palm Avenue, near Edgewood and Commonwealth Avenues. Officer Bowers observed the vehicle driven by McNeil had just been parked at a residence that was actively being monitored for drug activity.⁵ Officer Bowers observed

³ The SAO reviewed the following information and materials before rendering this memorandum: the McNeil Video; the JSO Incident Report CCR 2025-0101868; JSO Arrest and Booking report CCR 2025-0101868; Officer Bowers' Response to Resistance report CCR 2025-0101868; Officer Miller's Response to Resistance report CCR 2025-0101868; relevant JSO Body Worn Camera (BWC) footage for CCR 2025-0101868; relevant JSO reports related to 858 West Palm Avenue; Integrity interviews of Officers Bowers and Miller of July 21, 2025; relevant JSO Administrative Orders; relevant Florida statutes and federal law; the McNeil press conference July 23, 2025, and various media interviews of McNeil, including [ABC News](#), [News Nation](#) and others; and McNeil's [GoFundMe page](#).

⁴ Some have suggested the SAO cannot reach a legitimate legal conclusion on this matter because Sheriff Waters' wife works at the SAO. Director of Investigations Robin Waters was not involved in the SAO's review of this matter, the SAO's legal analysis, or the SAO's legal determinations.

⁵ In his Integrity interview, when asked why the stop was made, Officer Bowers explained that McNeil was in a known high-narcotics area, and Officer Bowers had observed the vehicle McNeil was driving at a house that was the subject of surveillance for drug activity. (DB Integrity 14:19). The SAO investigation confirmed the fact that there was an active narcotics investigation of 858 West Palm Avenue – the house where Officer Bowers

McNeil was not wearing a seatbelt,⁶ (Exhibit A) nor did he have his headlights activated.⁷ Both are violations of Florida law and provide sufficient basis for a lawful traffic stop. Officer Bowers was in a plainly marked JSO patrol vehicle with activated police lights when he initiated McNeil's traffic stop.

Officer Bowers' interaction with McNeil was captured on his body-worn camera (BWC), found [here](#).

Upon Officer Bowers' initial approach to McNeil's vehicle, McNeil opened his driver's side door, leaned out, and questioned why he was pulled over (DB BWC:43). Officer Bowers advised McNeil of the reason for the stop, and McNeil continued to argue with Officer Bowers. (DB BWC :51). Officer Bowers asked for McNeil's license, registration, and proof of insurance; McNeil refused to provide any of these items and told Officer Bowers, "Call your supervisor." (DB BWC 1:04). Officer Bowers used his radio to call for backup on an uncooperative driver (DB BWC 1:11). As McNeil continued to argue, Officer Bowers ordered McNeil to step out of his vehicle. McNeil again refused, responding, "No." Officer Bowers ordered McNeil to exit his vehicle a second time. In response, McNeil slammed his door and locked it (DB BWC 1:16). McNeil continued to argue about the stop through the closed door and window.⁸ Officer Bowers requested additional responding officers to block McNeil's vehicle to prevent McNeil from fleeing. (DB BWC1:41). Officer Bowers commanded McNeil to keep his hands in view (DB BWC1:50). Officer Bowers is also heard telling McNeil, "My camera is on, too," indicating he was aware that McNeil was recording and that his own body-worn camera was as well (DB BWC1:54).

B. Arrest of McNeil

As a result of refusing to comply with Officer Bowers' lawful orders, Officer Bowers told McNeil he was under arrest for Resisting an Officer without Violence.⁹ (DB BWC 2:01). A second officer, Officer D. Miller, arrived on scene (DB BWC 2:22) and parked in front of

observed the vehicle McNeil was driving. Law enforcement conducted two controlled buys from the house in the days leading up to the traffic stop.

The SAO also learned that since 2019, the house has twice been the subject of narcotics search warrants and since 2023, the subject of six formal civilian complaints for drug activity. This year, there have been at least three buy-bust arrests related to this house.

While this information is not relevant to the SAO analysis of Officer Bowers' use of force, it provides broader context to law enforcement action and refutes the assertion that this traffic stop was based on race.

⁶ [Florida Statute 316.614](#) Officer Bowers' BWC footage captures McNeil without his seatbelt.

⁷ [Florida Statute 316.217](#) Officer Bowers' BWC footage shows rain on McNeil's SUV.

⁸ McNeil opened the driver's side door when Officer Bowers first approached. McNeil told Officer Bowers that his window would not roll down and that is why he had his door open. We do not know whether this is true.

⁹ [Florida Statute 843.02](#)

McNeil's vehicle. Officer Bowers warned McNeil that if he did not open his door and exit the vehicle, he intended to break the driver's side window (DB BWC 2:34). Officer Bowers repeated this warning two more times (DB BWC 2:40, 2:44.) Officer Bowers then repeated — for a third, fourth, fifth, and sixth time — to McNeil that he was under arrest for resisting (DB BWC 2:58). McNeil did not comply with any of Officer Bowers' orders.

After Officer Bowers' repeated commands, Officer Miller walked to the passenger side of the vehicle (DM BWC 1:10) and asked McNeil to unlock the door and step out of the vehicle. McNeil refused Officer Miller's request and continued to argue about the traffic stop and ask for a supervisor.

Officer Miller's interaction with McNeil was captured on Officer Miller's body-worn camera, found [here](#).

As additional responding officers arrived on scene, Officer Bowers (DB BWC 4:18) told Officer Miller that he planned to break McNeil's window (DB BWC 4:23). Using a window punch tool, Officer Bowers then broke the window (DB BWC 4:26) and twice commanded McNeil to exit the vehicle and show his hands (DB BWC 4:28). McNeil did not comply.¹⁰ Officer Bowers struck McNeil in the face with an open hand (DM BWC 2:12) and unlocked the door through the broken window (DB BWC 4:38). McNeil was pulled from the vehicle by another officer (DB BWC 4:45); McNeil continued arguing with the officers, said, "No," and actively resisted. Officers then took McNeil to the ground (DB BWC 4:49), secured his hands behind his back, and gained compliance in about five seconds.

C. Search of McNeil

Once handcuffed, officers searched McNeil and found marijuana in his pocket (DB BWC 5:32; Exhibit B). McNeil was then placed in the back of a police vehicle.

D. Search of Vehicle

1. Knife

Officers searched McNeil's vehicle and found a large, serrated, sporting knife¹¹ located at McNeil's feet on the floorboard (Exhibit C).¹²

¹⁰ See the JSO interview of Officer Bowers as to what Officer Bowers described he could and could not see during the moments leading up to the window break, including that McNeil's hands were moving in and out of Officer Bowers' sight.

¹¹ While the make and model of the knife was not documented by the evidence storage unit, a reverse Google image search matching the serrated curves and wooden carved handle show this knife to match a 17" Frost Cutlery 16-709CW Arcadius Stainless Steel Blade Wood Handled Knife.

¹² Officers Bowers and Miller's accounts that McNeil continued to move his hands below the steering wheel are corroborated by the BWC footage. During Officer Bowers' initial interaction with McNeil following the stop,

2. The Drugs and Drug Paraphernalia

In the center console, officers located and collected drug paraphernalia (a scale and pipe with drug residue) and a box of sugar¹³(Exhibits D, E, & F).

E. The McNeil Video

On July 20, 2025, McNeil posted a video of his interaction with police on social media (“McNeil Video”). The video was shot from the perspective of the dashboard looking back at the driver’s seat and the driver’s window. The McNeil Video begins 30 seconds before Officer Bowers breaks McNeil’s window and captures a portion of his interaction with police. It does not include the circumstances giving rise to his arrest or removal from the vehicle. Nor does it capture Officer Bowers’ commands for McNeil to show his license, registration, and proof of insurance; Officer Bowers’ repeated commands to exit the vehicle to be placed under arrest; or McNeil’s refusals to comply with Officer Bowers’ orders. Also notable in the McNeil Video is the fact that McNeil put on his seatbelt before filming (DB BWC :56), and after being advised by Officer Bowers he had been stopped for failure to wear a seatbelt.

After Officer Bowers broke the window, he again ordered McNeil to exit the vehicle; McNeil did not move. On his second command, Officer Bowers struck McNeil in the face with an open hand. (“Use of Force 1”). Officer Bowers then told McNeil to show his hands; McNeil complied. The McNeil Video then shows McNeil being pulled from the vehicle by officers. Though ordered to get on the ground, McNeil again refused, yelling, “No” while resisting the officers. Officer Bowers delivered a close-fisted punch to McNeil’s chin (“Use of Force 2”) during the takedown. The takedown lasted between five and six seconds.

The remainder of the interaction is obscured from McNeil’s camera but observed through Officer Bowers’ and other officers’ body-worn cameras.

F. Relevant Interviews

1. Officer Bowers’ Interview regarding Use of Force 1

Officer Bowers was interviewed on July 21, 2025, by JSO Integrity detectives. (“Bowers Interview”). The Integrity Unit is a specialized unit within JSO that investigates criminal conduct by JSO personnel. He was accompanied by legal counsel and read his *Miranda*

McNeil can be seen with his right hand dangling between his legs near the driver’s side floorboard. (DB BWC 1:04).

¹³ Scales are routinely used by drug sellers to weigh drugs before sale. Sugar is commonly used as a cutting agent by drug sellers to increase the volume of product and maximize profit.

rights.¹⁴ Officer Bowers explained that after McNeil locked himself in his vehicle, he could not maintain sight of McNeil's hands. Officer Bowers said he saw McNeil reach for his center console¹⁵ at some point during the time he was instructing McNeil that he was under arrest. Officer Bowers explained he did not know if McNeil had a weapon, did not know McNeil's intentions, and could not see McNeil's hands.¹⁶ Officer Bowers said he believed he was at a tactical disadvantage because McNeil had "essentially barricaded himself in his car."

Officer Bowers told investigators that after he broke the window, he delivered a "distractionary" blow¹⁷ to McNeil (Exhibit G). Officer Bowers described the distraction strike as a tactic he was taught during his time as a narcotics officer when conducting the arrest of a vehicle's occupant. Officer Bowers explained that when evaluating how they would remove McNeil from the vehicle, he knew he would need to both unlock the door from the inside and unbuckle McNeil's seat belt. Officer Bowers stated his intended purpose in using this tactic was not to injure McNeil, but to distract him so that they could take control of McNeil.

When asked why he did not report Use of Force 1 in his Response to Resistance report, Officer Bowers explained he considered his use of the distraction strike as a tool and did not consider it as the deployment of force. Officer Bowers' explanation is credible considering his stated training and the fact that he wrote a Response to Resistance report memorializing his closed fist punch to McNeil.

¹⁴ Counsel for Officer Bowers limited the scope of the interview to the circumstances giving rise to Officer Bowers' Use of Force 1. Counsel indicated that Officer Bowers' written report spoke to Use of Force 2 and, accordingly, would serve as Officer Bowers' official statement regarding Use of Force 2.

¹⁵ The center console is where various drug paraphernalia was found during a vehicle search.

¹⁶ Officer Bowers' assertion that he was unable to see McNeil's hands was corroborated by Officer Miller, who, when interviewed, also stated that McNeil's hands were dipping below the steering wheel (see Officer Miller Interview 11:40). The real time BWC footage also supports Bowers' and Miller's accounts that McNeil's hands were moving before he was struck. Upon discovering the knife on the floorboard, Officer J. Belgard is heard asking Officer Bowers "You saw that knife, right?" to which Officer Bowers replied, "that's what he kept reaching for." (JB BWC 3:13). Officer Belgard's interaction with McNeil was captured on his body-worn camera, found [here](#).

¹⁷ A distraction strike is a technique where an officer delivers a quick, targeted strike to create a brief distraction, allowing the officer to gain control of a subject or create an opportunity for another action, like taking a suspect into custody. <https://www.officer.com/training-careers/article/12072303/training-the-distractive-strike> The primary goal of a distraction strike is not to cause injury but to momentarily disrupt a subject's focus and attention. *Id.* The SAO Investigation confirmed this technique is taught in the Defensive Tactics curriculum taught at the Northeast Florida Criminal Justice Training and Education Center (also known as the Academy). "Distraction is a technique that interrupts the subject's concentration so that energy is redirected from the current focus. Distraction techniques can be used to gain space when you are held in a close-quarter body hold and can assist in applying other defensive tactics such as takedowns and transporters." Florida Basic Recruit Training Program High Liability Volume 2, CMS Criminal Justice Defensive Tactics, Chapter 4.

2. Officer Miller's Interview

Officer Miller was interviewed on July 21, 2025, by JSO Integrity detectives. Officer Miller confirmed that he, too, observed McNeil's hands repeatedly moving down below the steering wheel and out of his sight.

3. William McNeil's statements

The SAO did not interview McNeil. The physical interaction between McNeil, Officer Bowers, and the other officers giving rise to McNeil's claim is captured on BWC and McNeil's video. These videos provide a sufficient basis to evaluate the force exercised that day.

McNeil created a GoFundMe, on which he included a lengthy statement detailing his version of the encounter with the police. ([GoFundMe](#)). McNeil was present and spoke at two recent press conferences on July 23 and July 29.

G. Misinformation

At the July 23 and July 29 press conferences, false statements were made, and critical facts were omitted. Specifically, it was stated that officers held McNeil at gunpoint for a mere traffic infraction.¹⁸ This is false. It was *after* McNeil was under arrest and *while officers were attempting to take him into custody*, that an officer drew his firearm to provide lethal cover for the other officers.

It was announced that McNeil provided police "his documentation."¹⁹ This is false. It was exactly because McNeil refused to provide his license, proof of insurance, or registration that he was arrested.

It was asserted that Officer Bowers made up a reason to justify McNeil's arrest after he deployed force.²⁰ This is false. Officer Bowers had already placed McNeil under arrest for Resisting an Officer without Violence before removing McNeil from the vehicle. It was also claimed, "There was no evidence found in his car."²¹ This, too, is false as outlined above.

It was also asserted that police, not McNeil, "were the ones escalating the matter,"²² but failed to mention that McNeil refused 12 individual and lawful commands from law enforcement. It was further omitted that McNeil was driving on a suspended driver's license

¹⁸ Press conference July 29, 2025: "But to be held at gunpoint... to be held at gunpoint for a civil infraction. That's an infraction where you only pay a fine - \$15 at most - to be held at gunpoint."

¹⁹ Press Conference July 29: "He showed his hands. He gave his documentation."

²⁰ Press Conference July 29: "So if you got these terrible injuries, we got to come up with a reason to justify why we brutalized you. And so, then they say you resisted arrest without violence. Anytime you hear that, anytime you hear that conviction, you know they are grabbing at straws."

²¹ Press Conference July 29.

²² Press Conference July 23, 2025.

and was in possession of both illegal drugs and drug paraphernalia when he was stopped. These omissions are noteworthy because they provide insight into McNeil's likely motivation for stalling the police.

III. The Law

The SAO reviewed this matter to determine whether the force used by Officer Bowers in either Use of Force 1 or Use of Force 2 is subject to criminal prosecution. We have concluded it is not.

Officer Bowers conducted a lawful traffic stop and gave McNeil 12 individual lawful commands, which McNeil disobeyed. As a general rule, "the decision to stop an automobile is reasonable where the police have probable cause to believe that a traffic violation has occurred." *Whren v. United States*, 517 U.S. 806, 813 (1996). The actual subjective motivation of the individual officer involved is irrelevant and should not factor into an ordinary, probable-cause Fourth Amendment analysis. *Id.* Instead, an objective test is used to determine the reasonableness of a stop. *Holland v State*, 696 So.2d 757, 760 (Fla. 1997). Here, there was a lawful basis for the stop. Some have criticized the *de minimis* nature or "pretextual" nature of the stop, but they fail to understand the applicable law as it relates to traffic stops, particularly in this case.²³

Upon his initial encounter with Officer Bowers, McNeil was required to provide his driver's license, vehicle registration, and proof of insurance to Officer Bowers by virtue of Florida Statute 322.15.²⁴ His refusal to comply with this order coupled with his refusal to exit his vehicle gave Officer Bowers probable cause to arrest him for Resisting an Officer without Violence. In *Maryland v. Wilson*, 519 U.S. 408 (1997), the United States Supreme Court

²³ Operating a motor vehicle in Florida is a privilege, not an absolute right. See *Thornhill v. Kirkman*, 62 So.2d 740, 742 (Fla.1953) ("We think there is ample warrant for the legislature to treat a driver's license as privilege, subject to suspension or revocation for cause."); *City of Miami v. Aronovitz*, 114 So.2d 784, 787 (Fla.1959) ("The owner of such a license exercises the privilege granted by it subject to reasonable regulations in the use of the highways common to all citizens."). There is also no corresponding "right" to argue the legitimacy or lawfulness of traffic ticket with the issuing officer on the side of the road. Law enforcement officers issue traffic citations, they do not adjudicate traffic citations. Absent limited exceptions, Florida law requires that every person issued a noncriminal traffic infraction pursuant to Chapter 316 appear before a trier of fact such as a judge, magistrate, or administrative hearing officer. Section 318.14(1) provides that, "Except as provided in ss. 318.17 and 320.07(3)(c), any person cited for a violation of chapter 316, s. 320.0605, s. 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s. 322.16(2) or (3), s. 322.1615, s. 322.19, or s. 1006.66(3) is charged with a noncriminal infraction and must be cited for such an infraction and cited to appear before an official."

²⁴ Section 322.15 provides in relevant part, "Every licensee shall have his or her driver license, which must be fully legible with no portion of such license faded, altered, mutilated, or defaced, in his or her immediate possession at all times when operating a motor vehicle and shall present or submit the same upon the demand of a law enforcement officer or an authorized representative of the department." Notably, McNeil did not contest the legality of the stop in court, as he had the right to do, nor did he complain to JSO about the stop upon his release from jail.

affirmed that “a police officer may as a matter of course order the driver of a lawfully stopped car to exit his vehicle.” Florida’s Fifth District Court of Appeal also addressed this issue in *State v. Benjamin*, 229 So.3d 442 (Fla. 5th DCA 2017), where the Court held that a police officer was permitted to order a defendant to exit his vehicle during valid traffic stop without violating Fourth Amendment’s proscription of unreasonable searches and seizures, even if the officer did not have a particularized basis to believe that defendant was a threat to the officer’s safety, since the defendant was lawfully detained. Officer Bowers lawfully requested McNeil to exit his vehicle, and McNeil refused.

In light of the aforementioned facts, including that (1) Officer Bowers was trained to use the distraction strike, (2) he used it in a manner consistent with his training, (3) and he used it for the purpose of providing a targeted disruption to allow officers to take McNeil into custody, Use of Force 1 does not constitute a criminal act.

Officer Bowers’ Use of Force 2 on McNeil occurred while McNeil was actively physically resisting arrest and while officers were trying to take him into custody. It took officers between five and six seconds from the moment McNeil was pulled from the driver’s seat of the vehicle until he was face down on the ground. During this almost singular and fluid movement, several officers attempted to gain control of McNeil from the door of the vehicle until McNeil was on the ground. Officer Bowers stated in his Response to Resistance report he struck McNeil in the face with his fist to gain compliance. The report is consistent with the video footage and with what Officer Bowers stated in his report regarding McNeil’s arrest.

It is well established in Florida that a person is not entitled to use physical force to contest even an illegal arrest. *State v. Freeney*, 613 So.2d 523 (2nd DCA 1993) (citing *Meeks v. State*, 369 So.2d 109 (Fla. 1st DCA 1979)).²⁵ Section 776.051 F.S. provides that a person is not justified in the use or threatened use of force to resist an arrest by a law enforcement officer, or to resist a law enforcement officer who is engaged in the execution of a legal duty, if the law enforcement officer was acting in good faith and he or she is known, or reasonably appears, to be a law enforcement officer. McNeil used physical force to actively resist his arrest contrary to Florida law. Officer Bowers met McNeil’s resistance with a fist strike.²⁶

²⁵ Although McNeil did not flee in this instance, the following case is instructive. A driver on the road does not have the right to flee an officer even if the officer is not initially making a lawful traffic stop. *State v. Kirer*, 120 So3d 60 (Fla. 4th DCA 2013) (holding that offense of fleeing and eluding did not require that the precipitating police action be lawful). To follow otherwise would mean that any vehicle signaled to stop by the police, where the vehicle’s driver believes, rightfully or wrongfully, that the stop is improper, would feel justified in not stopping and ignoring a lawful command from law enforcement.

²⁶ JSO General Order 551 “Response to Resistance” April 2024, speaks to less-lethal force similar to what was used in this case and authorizes less-lethal force to the degree needed to effect a lawful arrest and overcome resistance.

Use of Force 2 does not constitute a criminal act in the context of the facts and circumstances surrounding McNeil's arrest.

IV. Conclusion

When Officer Bowers stopped the vehicle McNeil was driving, he had no idea who was driving the vehicle. He knew McNeil had just been at a house under surveillance for narcotics. And he quickly learned he was dealing with a noncompliant driver. Officer Bowers did not know what was going through McNeil's mind or what McNeil's intentions may be.

McNeil, on the other hand, knew he was driving on a suspended license. He knew he had drugs in his pocket and drug paraphernalia in the vehicle. He knew he had a large, serrated knife at his feet.²⁷ And for these reasons, McNeil also knew he would likely be arrested.

This past term, United States Supreme Court Justice Kavanaugh, in his concurring opinion, discussed the extreme dangers law enforcement officers face during routine traffic stops.

An "inordinate risk confront[s] an officer as he approaches a person seated in an automobile." *Pennsylvania v. Mimms*, 434 U. S. 106, 110 (1977) (per curiam). That is in part because officers operate at a "tactical disadvantage" when "approaching an unknown vehicle, with limited visibility and unpredictable threats." Brief for National Fraternal Order of Police as Amicus Curiae 4. As this Court noted nearly 50 years ago, "a significant percentage of murders of police officers occurs when the officers are making traffic stops." *Mimms*, 434 U. S., at 110 (quoting *United States v. Robinson*, 414 U. S. 218, 234, n. 5 (1973)).... Officers cannot let their guard down and assume that any particular traffic stop will be safe—even if a driver is pulled over for nothing more than a speeding violation, a broken taillight, or the like.

* *

In analyzing the reasonableness of an officer's conduct at a traffic stop, particularly traffic stops where the driver has suddenly pulled away, courts must appreciate the extraordinary dangers and risks facing police officers and the community at large.

Barnes v. Felix, 605 U.S. ----, 145 S.Ct. 1353, 1360-61 (2025).

McNeil was given 12 lawful orders, which he refused to obey. He created a dangerous situation for himself and law enforcement. Officer Bower's Use of Force 1 and 2 were lawful and not subject to criminal prosecution. Accordingly, this office will take no further action.

²⁷ The knife at McNeil's feet could have given rise to a Carrying Concealed Weapon charge.

Exhibit A



Exhibit B



Exhibit C

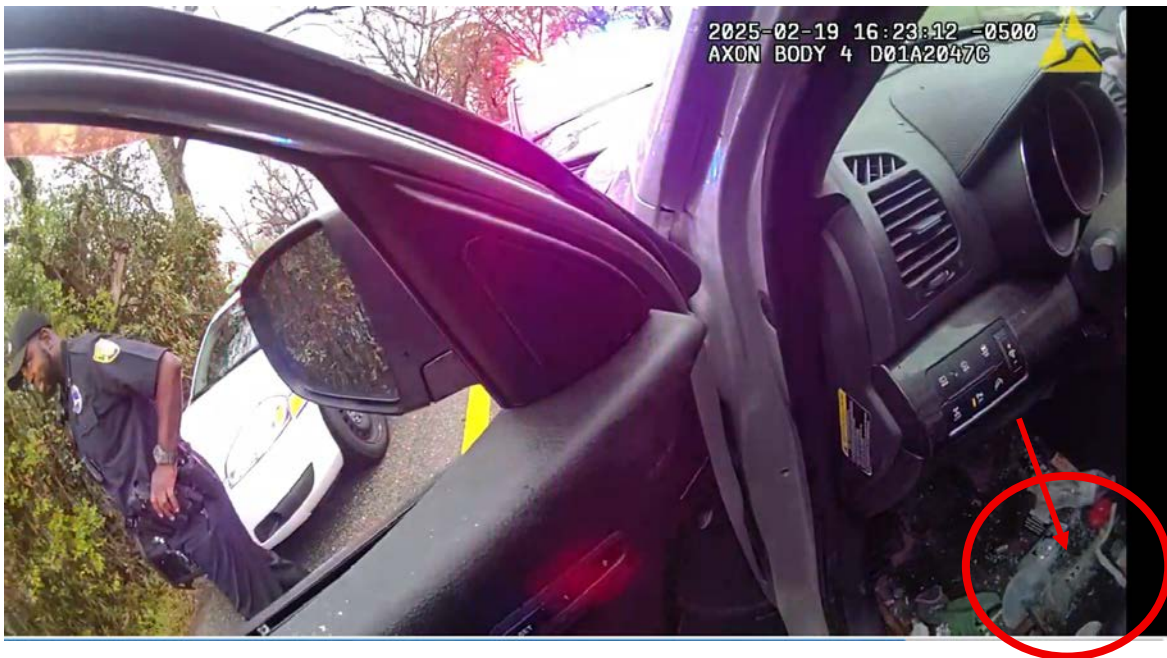


Exhibit D



Exhibit E



Exhibit F



Exhibit G

