



*Office of the New York State Attorney General Letitia James*

Office of Special Investigation

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# Report on the Investigation into the Death of Daevon Roberts

## INTRODUCTION

New York Executive Law Section 70-b (Section 70-b) directs the Attorney General's Office of Special Investigation (OSI) to investigate and, if warranted, to prosecute offenses arising from any incident in which the death of a person is caused by a police officer or a peace officer. When, as in this case, OSI does not seek charges against the officer, Section 70-b requires OSI to issue a public report describing its investigation. This is the public report of OSI's investigation of the death of Daevon Roberts, who was shot and killed on July 10, 2024, by an officer of the Buffalo Police Department (BPD) in Erie County. (Note: OSI's Notification of Investigative Findings in this case was published on March 7, 2025, and can be found at this link: [NOIF: Roberts](#))

About midnight on July 9-10, 2024, two BPD officers in a police car pulled over driver Daevon Roberts for speeding. When the officers approached Mr. Roberts's car, they saw a six-year-old child in the front passenger seat, unbuckled. When Mr. Roberts said the only driver's license, he had was an image on his cell phone, Officer Ronald Ammerman went to the police car and spent a few minutes attempting, without success, to verify Mr. Roberts's identity via the onboard computer. When Officer Ammerman came back to Mr. Roberts's side of the car, he told Mr. Roberts to step out and opened the driver's side door. At that point Mr. Roberts put the car in gear and began to drive away at high speed, with the driver's door still open. Officer Ammerman grabbed and held onto the car's frame as the car reached speeds of up to 70 mph. Officer Ammerman yelled at Mr. Roberts to stop and said, "You're going to kill me." Officer Ammerman reached the brake pedal with one foot, and Mr. Roberts tried to push Officer Ammerman off the car. Officer Ammerman drew his pistol and shot Mr. Roberts. Mr. Roberts and Officer Ammerman fell out of the car, and the car eventually rolled to a stop. Mr. Roberts died of his wounds; the child was uninjured.

Having thoroughly investigated the facts, including review of body worn camera (BWC) video, and analyzed the law, OSI concludes a prosecutor would not be able to disprove beyond a reasonable doubt that Officer Ammerman's use of deadly force against Mr. Roberts was justified under New York law, and will not seek charges.

## FACTS

### Car Stop

According to BPD records, BWC video, dispatch logs, and interviews conducted by OSI of Officers Ronald Ammerman and Jonathan Crawford, around midnight on July 9-10, 2024, BPD Officers Ammerman and Crawford were on duty and in uniform and operating BPD vehicle

292, a marked Ford Explorer SUV. Officer Ammerman was driving, and Officer Crawford was in the front passenger seat. Officer Ammerman had nine years of service with the department, and Officer Crawford had three years.

The officers told OSI that, while traveling west on Bailey Avenue in the City of Buffalo, they observed a dark-colored Ford Fusion traveling at a high rate of speed and suspected that the car's window tint was excessively dark and potentially illegal. The officers told OSI they followed the Ford Fusion for several blocks, and that it turned west on Kensington Avenue. The officers activated their BWCs and engaged the patrol car's emergency lights to initiate a traffic stop. Shortly thereafter, the Ford Fusion pulled over to the right side of Kensington Avenue, near Norfolk Avenue.

The officers' BWC videos are here: [\[Ammerman\]](#) and [\[Crawford\]](#).

While the car was pulling over, BWC captured Officer Ammerman saying, "...he just reached over to the right side of the car." Both officers told OSI they observed the driver making reaching motions toward the passenger side before the Ford Fusion came to a stop.

The driver of the Ford Fusion was later identified as 25-year-old Daevon Roberts. Officer Ammerman approached the driver's side of the car and Officer Crawford approached the passenger side. The officers saw a six-year-old child seated in the front passenger seat, unbuckled. As shown on BWC, Mr. Roberts told the officers that he was a resident of Georgia and that the Ford Fusion belonged to his sister. He initially said the child was the son of a friend and that he was taking him for a ride; later he said the child was his nephew. Mr. Roberts did not possess a physical driver's license but presented a screenshot of a Georgia license on his cell phone. When asked if there were any weapons or drugs in the vehicle, Mr. Roberts replied, "No sir." At that point, the child interjected, stating, "You should check in the back, in the trunk." Officer Ammerman told OSI that he noticed a change in Mr. Roberts's facial expression when the child made that statement.

During this initial exchange, BWC showed that the interaction remained calm and non-confrontational: Mr. Roberts was cooperative, and the conversation did not appear tense. Officer Ammerman told OSI, "Mr. Roberts was nervous but cordial." Officer Ammerman took down the license information from the screenshot in his notebook and returned to the BPD SUV to attempt to verify the information. Officer Crawford remained at the Ford Fusion and continued speaking with Mr. Roberts and the child.

BWC showed Officer Ammerman inside the patrol vehicle attempting to confirm Mr. Roberts's license status via an onboard computer. Although later investigation showed that Mr. Roberts did in fact hold a valid Georgia driver's license, Officer Ammerman was unable to verify it through the in-car system at the time of the traffic stop. After several unsuccessful attempts,

Officer Ammerman returned to the Fusion and informed Mr. Roberts that he had not been able to confirm the license. He asked Mr. Roberts again if he was certain he did not have a physical ID, and Mr. Roberts said he did not. Officer Ammerman asked Mr. Roberts where he was going, and Mr. Roberts gestured towards the corner and replied, "Literally right here. I'm on the phone with his mom," indicating the child. Officer Ammerman told Mr. Roberts that the child's mother could come to the scene if she was nearby. The officers told OSI that at this point they had concerns based on Mr. Roberts's inconsistent accounts regarding the ownership of the vehicle and his relationship to the child, and the absence of a physical piece of identification.

BWC showed that Officer Ammerman reached through the open driver's side window, manually unlocked and opened the door, and asked Mr. Roberts to step out and accompany him to the patrol car to address the license verification issue. Officer Ammerman told OSI he believed Mr. Roberts could not legally operate the vehicle, as the system indicated he was unlicensed, but said he intended to give him the benefit of the doubt on the issue. He also said he wanted to separate Mr. Roberts from the child to obtain more information about the child's identity. Officer Ammerman told OSI that as he was standing in the open doorframe of the Ford Fusion, he observed Mr. Roberts moving his hands in an "unnatural" manner and attempted to secure Mr. Roberts's hands. At that moment, Mr. Roberts placed his phone on the center console, grabbed the gear shift, and shifted the car into drive.

## **The Shooting**

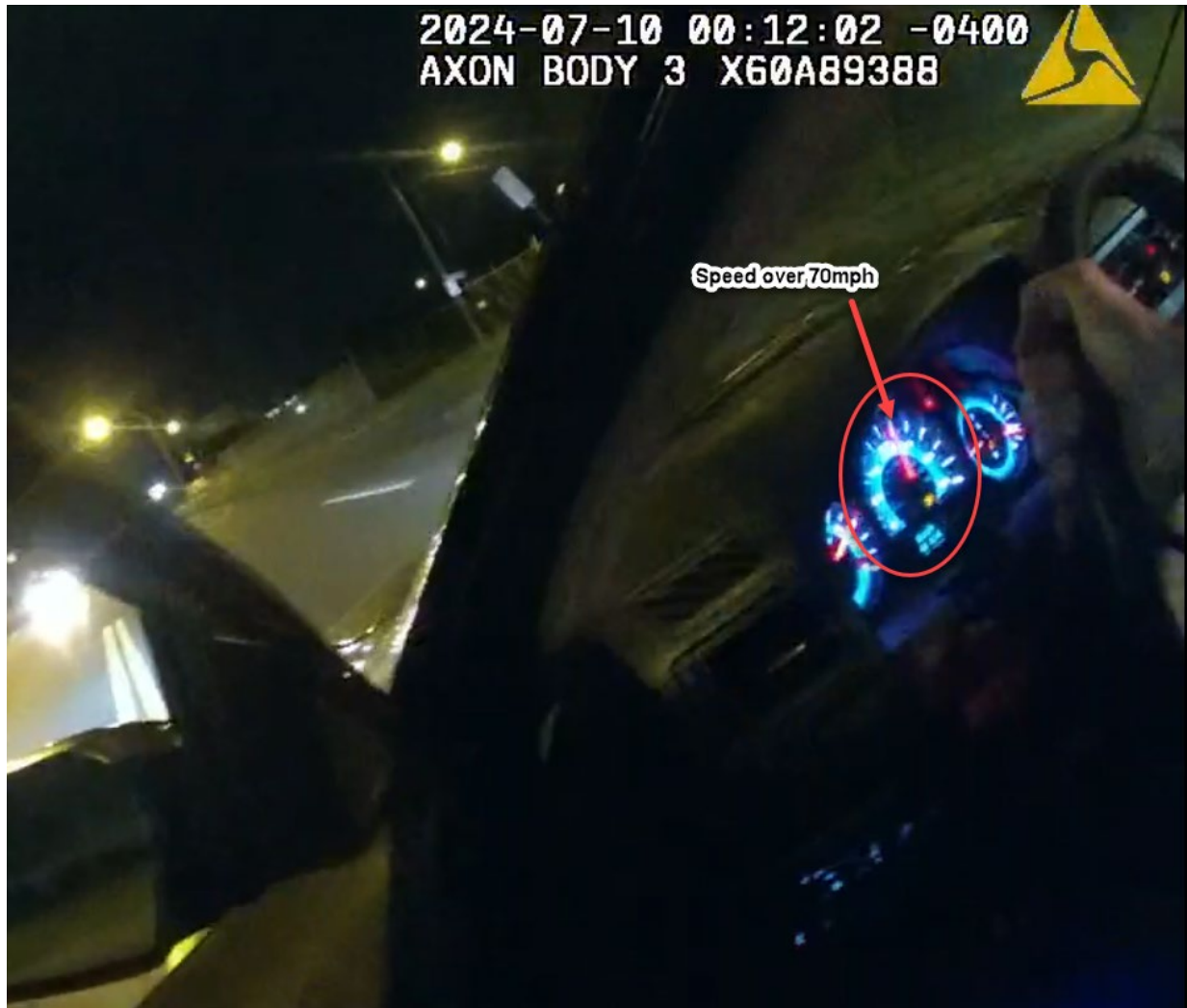
Officer Ammerman told OSI that as the car began to move his left hand was gripping the door frame, his right hand was on the roof, his right foot rested on the door sill, and his left foot was suspended in the air; as the car accelerated, his left foot and leg dragged along the pavement. This was consistent with Officer Ammerman's BWC video, and later investigation showed damage to Officer Ammerman's left boot and the left leg of his uniform pants. As the Ford Fusion accelerated, Officer Ammerman's BWC captured a visual of the instrument cluster, showing that the car was traveling at least 70 mph.



*Damage to Officer Ammerman's left boot and left pant leg.*

According to both Officer Ammerman and the BWC video, he immediately shouted, "You're gonna kill me, bro." The video showed the Ford Fusion crossing the centerline and striking a curb on the opposite side of the road as it continued to accelerate. Officer Ammerman told OSI the car felt like it was traveling closer to 100 mph.

BWC recorded Officer Ammerman shouting, "You're going to kill me," five times, and yelling "Stop!" repeatedly, followed by "I'll get out." Mr. Roberts shouted, "Get out," and Officer Ammerman replied, "I can't—I'll die!" He then continued to yell "Stop!" According to Officer Ammerman, Mr. Roberts was using his left arm in an attempt to push him off the moving car.



*BWC video still of speedometer showing 70 mph.*

Officer Ammerman told OSI that at one point he managed to get his right foot inside the driver's compartment and press the brake pedal but that, as he did so, Mr. Roberts kicked at his leg and foot. Simultaneously, the BWC video captured the voice of the child screaming in the background.

BPD Investigators recovered surveillance videos from Safetec of America at 887 Kensington Avenue and Eight Days of Hope Ministry at 852 Kensington Avenue, which showed the Ford Fusion traveling at a high rate of speed. The Eight Days of Hope video captured the Ford Fusion careening into the curb. The Safetec video captured the Ford Fusion speeding west on Kensington Avenue, and showed the moment Officer Ammerman pressed the brake, as indicated by the activation of the brake lights and a noticeable reduction in speed.

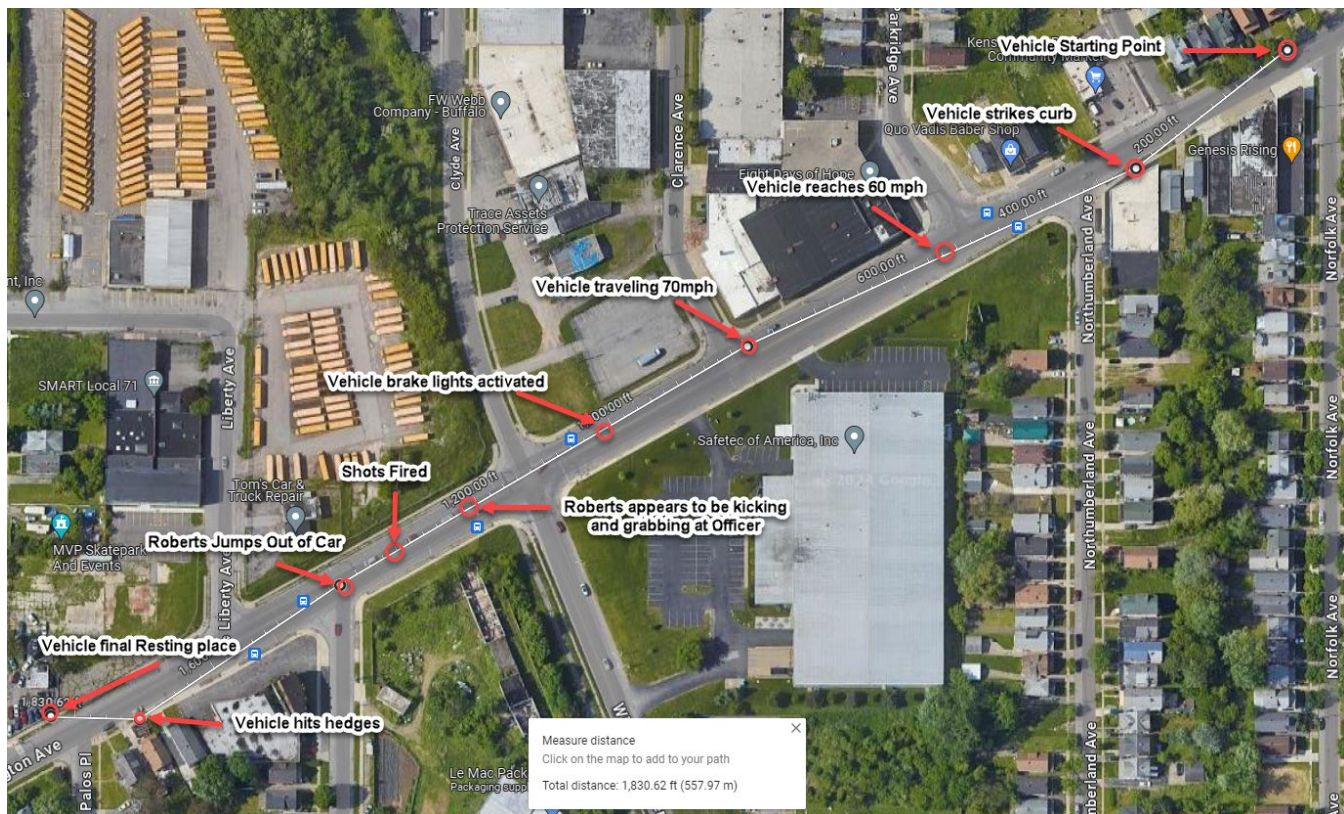
Officer Ammerman told OSI that he initially could not reach his firearm because he needed both hands to hold onto the vehicle. He said he looked for a safe opportunity to jump off, but



the speed made it too dangerous. He said he did not want to shoot Mr. Roberts but, given the car's high speed, Mr. Roberts's refusal to stop, and the presence of a screaming child, he felt compelled to act. He said he feared Mr. Roberts would not stop until he fell from the car, which he believed would result in his death.



*Safetec video showing brake lights activated.*



*Annotated overhead path of travel on Kensington Avenue.*

Officer Ammerman said he was able to draw his weapon after successfully pressing the brake pedal, which slowed the Ford Fusion somewhat. This moment was captured on the BWC video, when Mr. Roberts can be seen reaching for the weapon. The BWC also showed the muzzle flash from the first shot.



*Muzzle flash of first shot.*



After the first shot, BWC showed that Mr. Roberts continued to reach for Officer Ammerman's gun. Officer Ammerman told OSI that following the initial shot, there was a brief pause as Mr. Roberts recoiled, but then he reached for the gun again. BWC showed that Officer Ammerman fired four more times.



*Mr. Roberts reaching after the first shot.*

After the fifth shot, Mr. Roberts fell or jumped out of the Ford Fusion; Officer Ammerman also fell from the car. The child remained in the front passenger seat as the car continued to roll down Kensington Avenue. Officer Ammerman radioed shots fired and then pursued the Ford Fusion on foot. The car struck a row of hedges and came to a stop after hitting a fence at the intersection of Kensington Avenue and Palos Place, over a block away from where the two men fell from the car. BWC showed that Officer Ammerman ran to it and took the child out, who was unharmed.

The time that elapsed from when Mr. Roberts put the Ford Fusion in drive to the moment both he and Officer Ammerman fell from the moving car was 30 seconds. During this time, Officer Ammerman fired five shots, all of which struck Mr. Roberts. According to the timestamp on the BWC, the incident, from when Mr. Roberts pulled away to when Officer Ammerman radioed shots fired, occurred between 12:11:50 and 12:12:18 a.m.

### **After the Shooting**

When Mr. Roberts took off, Officer Crawford ran back to the police SUV and gave chase. He arrived to find Mr. Roberts lying in the road at the intersection of Kensington Avenue and Wyoming Avenue.

According to records obtained during the investigation, emergency medical services (EMS) were notified at 12:14 a.m. The American Medical Response (AMR) ambulance arrived at 12:17 a.m., and treatment of Mr. Roberts began. EMS worked on him for 10 minutes before transporting him, due to his fluctuating pulse, at 12:27 a.m. to Erie County Medical Center (ECMC), a Level 1 trauma center, located less than a mile from the scene. The ambulance arrived at ECMC at 12:29 a.m., where Mr. Roberts was pronounced dead shortly after arrival.

### **Medical Examiner's Report**

Medical Examiner Alexandra Hart, MD, performed the autopsy on July 10, 2024, at the Erie County Medical Examiner's Office. The autopsy revealed that Mr. Roberts had been shot 5 times. The cause of death was listed as "GUNSHOT WOUNDS OF THE TORSO".

### **Additional Investigation**

Later investigation determined that at the time of the traffic stop Mr. Roberts was under indictment in Erie County for Attempted Assault in the First Degree and Criminal Possession of a Weapon in the Second Degree and other charges. The indictment alleged that Mr. Roberts had fired multiple gunshots at an occupied vehicle. No firearm had been recovered at the time of that alleged offense. He had been arraigned on June 4, 2024, and released on bail. Officers Ammerman and Crawford were unaware of this at the time of the car stop.

Following the incident, officers searched the Ford Fusion and recovered a loaded and operable Taurus 9mm handgun from beneath the driver's seat. A National Crime Information Center (NCIC) check revealed that the firearm had been reported stolen on May 6, 2020, in Greensboro, North Carolina. Forensic testing conducted by the Erie County Central Police Services (CPS) Forensic Laboratory determined that Mr. Roberts could not be excluded as a contributor to the DNA found on the firearm, saying that it was 62.5 billion times more likely that Mr. Roberts contributed DNA found on the weapon than a random individual. Ballistic testing linked the firearm to the shooting incident for which Mr. Roberts was under indictment.

## **LEGAL ANALYSIS**

Article 35 of the New York Penal Law defines the circumstances under which a person may be justified in using deadly force against another. Justification is a defense, not an affirmative defense, Penal Law Section (PL) 35.00. To obtain a conviction at trial, a prosecutor must disprove a defense beyond a reasonable doubt, PL 25.00(1). As detailed below, based on the evidence in this investigation, OSI concludes that a prosecutor would be unable to disprove beyond a reasonable doubt that the use of deadly physical force by Officer Ammerman was justified.

In this case, Officer Ammerman used deadly physical force. Under PL 10.00(1) deadly physical force is "physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury." Under PL 10.00(10) serious physical injury is "physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ."

PL 35.30 is the provision defining justification when a police officer or peace officer uses force to effect or attempt to effect an arrest.

PL 35.30(1) provides:

"A police officer or a peace officer, in the course of effecting or attempting to effect an arrest ... of a person whom he or she reasonably believes to have committed an offense, may use physical force when and to the extent he or she reasonably believes such to be necessary to effect the arrest ... or in self-defense or to defend a third person from what he or she reasonably believes to be the use or imminent use of physical force; except that deadly physical force may be used for such purposes only when he or she reasonably believes that ... (c) regardless of the particular offense which is the subject of the arrest ... the use of deadly physical force is necessary to defend the police officer or

peace officer or another person from what the officer reasonably believes to be the use or imminent use of deadly physical force.”

Under the law, therefore, deadly physical force by a police officer is justified when the officer reasonably believes deadly force is necessary to defend the officer or another against the imminent use of deadly physical force. Police officers using deadly force pursuant to PL 35.30(1) are under no duty to retreat when threatened with deadly physical force, according to PL 35.15(2)(a)(ii).

In *People v Jairo Castillo*, 42 NY3d 628, 631 (2024), the New York Court of Appeals stated:

“The defense of justification provides that a person may use physical force to defend himself against an assailant’s ‘imminent use of unlawful physical force,’ but does not authorize the use of ‘deadly physical force . . . unless . . . [the person] reasonably believes that [the assailant] . . . is using or about to use deadly physical force’ (Penal Law § 35.15). When considering a request for a justification charge, courts examine the evidence in the light most favorable to the defendant and must provide the instruction if there is any reasonable view of the evidence that defendant was justified in his actions (see *People v Heiserman*, 39 NY3d 988, 990 [2022]). Justification has both a subjective requirement, that ‘defendant . . . actually believed . . . he [was] . . . threatened with the imminent use of deadly physical force,’ and an objective requirement, that defendant’s ‘reactions were . . . those of a reasonable man acting in self-defense’ (*People v Collice*, 41 NY2d 906, 907 [1977]).” (Ellipses and square brackets in original.)

Therefore, before using deadly force in self-defense, a person must honestly and in good faith believe that deadly force was about to be used against them or another and that deadly force was necessary for self-defense, and a reasonable person under the same circumstances could have believed the same.

Here, during a routine traffic stop, Officer Ammerman was addressing a license issue with Mr. Roberts when Mr. Roberts put his car in drive and sped off. Officer Ammerman grabbed the car and held on. BWC video captured him pleading with Mr. Roberts to stop, saying he could be killed as the car reached speeds of up to 70 mph. Mr. Roberts did not stop. Believing he would be killed if Mr. Roberts did not stop, Officer Ammerman reached for his gun. Mr. Roberts tried to kick and push Officer Ammerman off the moving car and took his hands off the steering wheel and tried to grab the gun in Officer Ammerman’s hand. As he did this, Officer Ammerman fired five times at Mr. Roberts, killing him.



Based on the law and the evidence, OSI concludes a prosecutor would not be able to disprove beyond a reasonable doubt that Officer Ammerman's use of deadly force against Mr. Roberts was justified under New York law. As a result, OSI will not seek charges and closes the matter with this report.

Dated: August 27, 2025