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August 11, 2022

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Family of Nicolas Morales Sues Collier County Sheriff, Sheriff's Officers for Unjustified Shooting Death and Sham Investigations

Lawsuit Also Targets Systemic Pattern of Violence, Lack of Discipline for Officers Within Collier County Sheriff's Office

IMMOKALEE, FLORIDA – On Thursday, the family of Nicolas Morales will file a federal lawsuit in Fort Myers against the three Collier County Sheriff's Office (CCSO) officers — Corporal Pierre Jean, Corporal Nathan Kirk, and Deputy Brian Tarazona — who were involved in the 2020 shooting death and K-9 dog mauling of Mr. Morales. The family seeks justice for Mr. Morales, a 37-year old Immokalee, Florida, resident, farmworker and loving father at the time of his death. His young son has been left an orphan as a result of the horrific shooting.

"We need more transparency about what happened to Nicolas," Jesse Andrade, Nicolas Morales' step-son and the plaintiff in the lawsuit said. "The Sheriff's Office is trying to sweep this case under the rug but for us, what happened to Nicolas two years ago feels like it just happened yesterday. We are here and we are still fighting for justice from one of the richest counties in Florida. They have to answer to the people for killing a member of our family. Farmworkers are human beings and we demand to be treated like human beings."

In addition to suing the officers, the family also named Collier County Sheriff Kevin Rambosk in the lawsuit, alleging he has perpetuated a culture of violence and impunity within the CCSO, failing to discipline officers who needlessly beat, tase and shoot civilians. The complaint also alleges the Sheriff promoted Cpl. Jean, the officer who shot Mr. Morales, despite him being denied employment by neighboring Lee County Sheriff's Office, initially failing out of the Collier County Law Enforcement Officer Academy and having a long, documented history of poor

performance, failing to operate well under stressful conditions and repeatedly being unable to state the CCSO's lethal force policy. Despite his deficiencies, Cpl. Jean was promoted by the Sheriff to a full-time law enforcement officer just months before he shot Nicolas Morales.

"The person who has been most impacted is Nicolas' son, Nick Jr.," Marisol Andrade, Nicolas Morales' step-daughter and guardian to Nicolas' son, Nick Jr. said. "It has been so hard for Nick knowing this horrible thing happened and that there has been no justice for his dad. Nothing has happened to the officer who took his father away from him. The Sheriff's office is trying to act like Nicolas' life didn't matter. Nick Jr. wants accountability for the Sheriff's officers. The officers have to learn how to treat people with mental health needs instead of shooting someone who is in a mental health crisis."

In the early morning of September 17, 2020, Mr. Morales was suffering from a mental health crisis and desperately wandering around his neighborhood looking for help when a neighbor called 911. Within 21 seconds of the Sheriff's Officers arrival on the scene, Cpl. Jean shot Mr. Morales three times. Cpl. Kirk then unleashed his K-9 German Shepherd who mauled Mr. Morales while he was already gravely injured on the ground and calling for his mother. Mr. Morales ultimately died from his injuries shortly after arriving at the hospital.

"Mr. Morales' death was a preventable tragedy. He was not committing a violent crime, nor did he pose a threat to the officers who took his life. There were no efforts whatsoever by the officers to de-escalate the situation before using deadly force. These officers violated Collier County Sheriff's Office policies and violated the law," Chris Lomax, of LomaxLegal, Plaintiff for counsel, said.

The Complaint alleges that the Officers used excessive force and also failed to follow clear CCSO policies governing the need to de-escalate and treat people in mental health crises with special care. The CCSO subsequently failed to conduct a real investigation into the shooting incident, exonerating each officer in contravention of the evidence and allowing them back on the streets within weeks. The State's Attorney relied on the CCSO's sham criminal investigation in deciding not to press charges against either Jean or Kirk. To this day, no one has faced any consequences for Mr. Morales' shooting death.

"It's time to hold law enforcement responsible for the gross violation of rights of everyday people that has become an all too common occurrence in Collier County by deputies of the CCSO," Brent Probinsky, counsel for the Plaintiff said.

Under Sheriff Rambosk's leadership, the unlawful shooting of Mr. Morales and the subsequent lack of accountability within the CCSO was not an outlier but part of a larger pattern of violence and impunity. Based on available information, the CCSO appears to have never found an officer to have engaged in unlawful physical force against a civilian. The lawsuit outlines 11 incidents since 2009 of unwarranted police violence against civilians that did not result in legal or administrative action against the officers involved.

"Officers in the CCSO have a longstanding practice of using tasers, fists, dogs, and guns to terrify and abuse members of the community. Over and over again, Sheriff Rambosk's officers have harmed civilians without justification," Alexa Van Brunt, Director of the Illinois Office of the MacArthur Justice Center and one of the lead counsel for the plaintiff, said.

This is what happened to Nicolas Morales, when he was brutally shot and mauled while he was in the middle of a mental health crisis. The CCSO's pattern of abuse and impunity must stop. To protect the community, officers have to be held accountable for violating the law."

The plaintiff is represented by Alexa Van Brunt, Noor Tarabishy, and Danielle Berkowsky of the Roderick and Solange MacArthur Justice Center in Chicago, IL; Chris Lomax of Lomax Legal in Miami, FL; and Brent Probinsky of Probinsky & Cole in Sarasota, FL.