Office of the New York State Attorney General Letitia James

Office of Special Investigation

May 19, 2025

Report on the Investigation into the Death of Kent Edwards

OVERVIEW

New York Executive Law Section 70-b (Section 70-b) authorizes 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 peace officer. When, as in this case, OSI does not seek charges, Section 70-b requires issuance of a public report. This is the public report of OSI's investigation of the death of Kent Edwards, who was shot and killed on December 14, 2023, by New York City Police Department (NYPD) Detective Daniel Messia. (The Attorney General previously issued a Notification of Investigative Findings in this case, here.)

On December 14, 2023, NYPD detectives with the Manhattan Warrant Section went to an apartment on Eldridge Street in the Lower East Side neighborhood of New York County, to apprehend Mr. Edwards. Mr. Edwards was a suspect in a shooting that had injured, but did not kill, a person on October 18, 2023, and NYPD tracked his cell phone to the apartment on Eldridge Street. The detectives knocked on the apartment door. Two women, the tenant and her friend, opened the door and said Mr. Edwards was in the apartment with a gun. The women left the apartment and the detectives started talking to Mr. Edwards from the threshold of the apartment door. They directed him to come out, but he refused. The detectives called the NYPD Emergency Services Unit (ESU) to assist them in apprehending Mr. Edwards. Detectives from ESU arrived and maintained contact with Mr. Edwards from the threshold of the apartment for two hours, repeatedly asking him to come out. To get a visual of Mr. Edwards, ESU deployed a series of camera devices into the apartment, but Mr. Edwards defeated each such attempt by throwing clothing over the devices. Two hours after they arrived, ESU detectives moved a few feet farther into the apartment, and Mr. Edwards shot at them four times. ESU Det. Messia discharged his firearm, shooting Mr. Edwards twice. Mr. Edwards was transported to a local hospital and pronounced dead.

Having thoroughly investigated the matter and analyzed the law, OSI concludes that a prosecutor would not be able to disprove beyond a reasonable doubt at trial that the use of deadly force against Mr. Edwards by Det. Messia was justified under New York Law, and will not seek charges in this case.

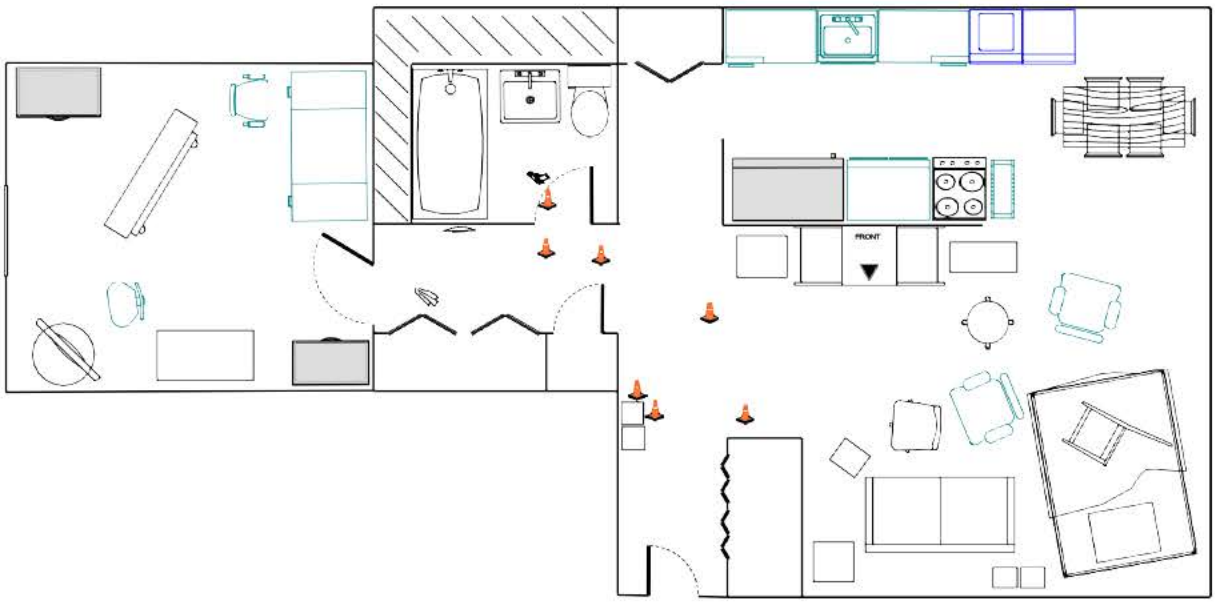
FACTS

Background

Det. Messia joined NYPD on July 9, 2013, and became a detective on February 24, 2023. Prior to December 14, 2023, Det. Messia had never discharged his firearm in the line of duty, apart from training.

This incident occurred in an apartment in a New York City Housing Authority residential building.

Front door entry and hallway of the apartment where the incident occurred.



Crime Scene Unit Diagram of the apartment; orange cones show ballistics evidence, firearm, and ballistic shield. Front door to the apartment is at bottom center.

According to NYPD, Mr. Edwards was a suspect in a shooting on October 18, 2023 in New York County in which a person was injured, but not killed. Separately, Mr. Edwards was the subject of a Special Victims investigation, during which NYPD officers were present when the victim "cold called" him, attempting to get him to admit to certain actions. On December 14, 2023, members of the NYPD Technical Assistance Response Unit (TARU) tracked Mr. Edwards's cell phone to the apartment on Eldridge Street and notified members of the Warrant Section. According to Warrant Section Det. Brendan Bradley's BWC, at 11:46 a.m. Warrant Section detectives knocked on the apartment door. Two women, HA, the tenant, and TG, her friend, (OSI does not publish the names of civilian witnesses) opened the door and said Mr. Edwards had run into the bathroom holding a black gun. Det. Bradley's BWC showed that officers escorted the women from the apartment. Officers stood at the open apartment door, and one yelled, "Come to the door, show us your hands." Mr. Edwards did not come out of the apartment. At 11:50 a.m. the Intergraph Computer Aided Dispatch report showed that a request was made for ESU to assist and, at 12:12 p.m., Det. Bradley's BWC showed that ESU arrived.

The Shooting

Det. Messia's BWC showed that from 12:13 p.m. through 2:09 p.m. NYPD officers remained at the open apartment door negotiating with Mr. Edwards, who was inside the apartment but not visible on BWC. The officers deployed three electronic devices equipped with cameras into the apartment at separate times, attempting to get a visual of Mr. Edwards, but Mr. Edwards either damaged or obstructed the view of each device. As shown by BWC, at 2:09 p.m. Det. Messia and other members of ESU entered the apartment and, as they walked through the apartment hallway, Mr. Edwards emerged from the left end of the hallway and fired four rounds at the officers. Det. Messia discharged his firearm twice, striking Mr. Edwards. Mr. Edwards fell to the floor and a gun was removed from his hand.

Witness Interviews

HA

OSI interviewed HA, the leaseholder of the apartment. She said she knew Mr. Edwards as "Ishmael Sanchez." On December 14, 2023, HA said she was in her apartment with Mr. Edwards and her friend, TG, when NYPD officers knocked on her door. When HA opened the door the officers asked her who was in the apartment and if they could enter. HA said she told the officers to wait outside while she changed her clothes and, when she went back in the apartment, she told Mr. Edwards and TG that police officers were at the door. According to HA, Mr. Edwards went to the bedroom, came out with a gun, and told HA to leave the apartment with TG. HA and TG walked out of the apartment and told the officers that Mr. Edwards was inside with a gun. (HA did not add at this point in the interview that Mr. Edwards had gone into the bathroom with the gun, as she had said on BWC during the incident.) HA said she was escorted out of the building and was not allowed to return until a few days later. When HA returned to her apartment she found some shell casings

and contacted the NYPD to retrieve them.

Det. Brendan Bradley

OSI interviewed Manhattan Warrant Section Det. Bradley in the presence of his attorney. He said that on the morning of December 14, 2023, NYPD traced Mr. Edwards's cell phone to an apartment at the address on Eldridge Street. Det. Bradley said when he and other members of his unit arrived at the apartment door he heard voices from within, a female voice and a male voice, which he recognized to be Mr. Edwards's voice from the recorded "cold call" in the Special Victims investigation. When the officers knocked on the apartment door a woman answered and they showed her a photo of Mr. Edwards. According to Det. Bradley, a second woman inside the apartment approached the door, took the first woman by the arm and walked out of the apartment. Once the women were outside the apartment the second woman said Mr. Edwards was inside the apartment with a gun. Det. Bradley said he and the other officers then spoke into the apartment and identified themselves. Mr. Edwards, who said his name was "Ishmael," told them he wanted to speak with his sister and asked for his medication. Det. Bradley contacted Mr. Edwards's sister by phone; when he offered to put the phone on speaker for Mr. Edwards to speak directly with her, Mr. Edwards refused to speak with her. Det. Bradley did not know what medication Mr. Edwards required but assured Mr. Edwards that the officers would get him his medication at the hospital. When Mr. Edwards refused to come out of the apartment, the officers called for ESU to assist.

Detective Daniel Messia

OSI interviewed ESU Det. Messia in the presence of his attorney. He said he responded to the apartment for a "barricaded perpetrator." He said when he arrived at the apartment building he was briefed by other officers, who said Mr. Edwards was in an apartment with a gun. According to Det. Messia, a member of the Manhattan Warrant Section, "Chris," had a rapport with Mr. Edwards and remained at the open doorway speaking with him, along with Det. Messia and other members of ESU. The NYPD Hostage Negotiation Team (HNT) was on scene but did not speak with Mr. Edwards. Det. Messia explained that three electronic devices were introduced to get a visual of Mr. Edwards, but he disabled all of them. According to Det. Messia, Mr. Edwards seemed agitated and irate, and the negotiations were in a continuous loop with no progress for nearly two hours. Det. Messia said the officers offered Mr. Edwards a bottle of water and placed it near the threshold of the apartment in an attempt to have him come out of the apartment, but Mr. Edwards did not come out to get the water. Det. Messia said the officers entered the apartment to push the water bottle closer to Mr. Edwards and to clear the obstruction from one of the electronic devices to get a visual of Mr. Edwards. The officers entered together, with Det. Messia in front, and when they walked down the hallway Mr. Edwards ran into the hallway and immediately fired at them. Det. Messia discharged his firearm twice before the firearm malfunctioned, rendering it temporarily inoperable. Det. Messia ran to Mr. Edwards, struggled

with him over his gun, and removed it from his hand. Det. Messia said they cut open Mr. Edwards's shirt and rendered first aid. Det. Messia said his six-foot protective shield was struck twice by Mr. Edwards's gunfire, that Officer Librizzi's shield was struck once, and that Officer Brower's protective vest was struck once.

Police Officer Matthew Librizzi

OSI interviewed ESU Officer Librizzi in the presence of his attorney. He said that when he arrived at the building officers informed him of the situation and he remained at the entry door of the apartment, looking down an entry hallway. Officer Librizzi said Mr. Edwards occasionally peered into the hallway from behind a wall on the left-hand side of the hallway but never crossed the hallway from left to right. Officer Librizzi said Mr. Edwards told them he did not have a gun. The officers deployed three electronic devices with cameras into the apartment to get a visual of Mr. Edwards, but he disabled all of them. Officer Librizzi offered Mr. Edwards water, but when Mr. Edwards told them not to enter, the officers threw the bottle of water into the apartment. Officer Librizzi said the water bottle did not reach Mr. Edwards, that Mr. Edwards refused to come into the hallway to get it, and that the officers decided to enter the apartment to move the water bottle closer to him, and to remove the objects he had piled on one of the electronic devices. When they entered the apartment, Officer Librizzi was to the right of Det. Messia and Officer Brower was to the left of Det. Messia. According to Officer Librizzi, as they walked toward the electronic device, Mr. Edwards fired at the officers and Det. Messia returned fire. After the shooting Det. Messia ran to Mr. Edwards, got on top of him, and said that Mr. Edwards was still holding the gun. Det. Messia was struggling with Mr. Edwards over the gun and Officer Librizzi said he helped him take the gun from Mr. Edwards and secure it.

Police Officer Robert Brower

OSI interviewed ESU Officer Brower in the presence of his attorney. He said that during the negotiations, Mr. Edwards disabled all of the devices that were introduced into the apartment, and the officers were unable to get a visual of him. Officer Brower said the officers tossed a water bottle into the apartment in an attempt to get Mr. Edwards to move closer to them. The officers then entered the apartment to access one of the disabled devices; Det. Messia was in front, Officer Librizzi was behind him, and Officer Brower was to the left of Officer Librizzi. According to Officer Brower, as they removed the items that were covering one of the electronic devices, Mr. Edwards jumped out from the end of the hallway and shot at the officers. Officer Brower said he did not discharge his firearm. Officer Brower recalled ordering Mr. Edwards to drop his gun, but Mr. Edwards did not release the gun and the officers had to struggle with him for it. After Officer Brower left the apartment he noticed that his protective vest had been hit by gunfire.

Lieutenant Steven Caraballo

OSI interviewed ESU Lt. Caraballo in the presence of his attorney. He said when he arrived he was informed that Mr. Edwards was inside the apartment with a gun. Lt. Caraballo said several devices with cameras were introduced to obtain a visual of Mr. Edwards, but that Mr. Edwards disabled all of them by either damaging them or covering them with articles of clothing. When the shooting occurred Lt. Caraballo was in the hallway outside the apartment. Lt. Caraballo said he called for the paramedics, checked on the status of all the involved officers, and saw Mr. Edwards on the floor with a gunshot wound.

Det. Messia's Body Worn Camera (BWC) Video

Det. Messia activated his BWC at 12:14:02 p.m.; the BWC pre-event buffer preserved video without audio for 60 seconds prior to activation. At 12:13:20 p.m. the BWC showed that Det. Messia arrived at the apartment and met with several officers; the apartment door was open and officers outside the apartment were communicating with Mr. Edwards, who was inside the apartment. From 12:13 p.m. through 2:09 p.m., officers spoke with Mr. Edwards from the open apartment door. Mr. Edwards was in the apartment the entire time and never visible on BWC. During the negotiations Mr. Edwards told the officers his name was Ishmael, repeatedly said he did not have any weapons, frequently asked for his medication and for a phone so he could call his sister, and continually said he would not come out of the apartment because the officers wanted to shoot and kill him. According to the BWC audio, the officers told Mr. Edwards that an ambulance was outside and that the paramedics would take him to the hospital to get his medication once he came out of the apartment, and they repeated several times that they did not want to shoot or kill him. The officers told Mr. Edwards they could not give him their phones to call his sister and instead offered to call her on speaker phone, but Mr. Edwards did not provide them with a phone number. When the officers mentioned the name of his sister, Mr. Edwards told them they had the wrong sister and that they should not call her because they would frighten her.

At 2:08:16 p.m., when Det. Messia was partway into the hallway of the apartment and his BWC's view was partially blocked by his ballistic shield, Mr. Edwards told the officers to "back it up," that he was "scared," and, at 2:09:16 p.m., Mr. Edwards said, "Back the fuck up!" At 2:09:17 p.m. the BWC showed that Det. Messia, holding a ballistic shield with his left hand and a firearm with his right, moved a few feet farther into the apartment with other officers behind him, and at 2:09:20 p.m., BWC audio captured the sound of gunfire. The BWC showed that Det. Messia dropped his ballistic shield and appeared to straddle and strike Mr. Edwards with his (Det. Messia's) gun as he was on the floor; at this point it appeared that Det. Messia's BWC had fallen off its mount and was face up on the floor, filming Det. Messia and other officers from below. At 2:09:52 p.m. Det. Messia said, "I got the gun in my left hand, his hand is on the gun," and at 2:10:01 p.m. he said, "I got the gun." At 2:10:27 p.m. the BWC audio captured an officer saying, "He's hit, let's get EMS." At 02:10:41 p.m. the BWC showed that EMS arrived in the apartment

and assumed medical care for Mr. Edwards. Officer Messia's BWC footage from 2:05 p.m. to 2:10 p.m., redacted according to the Attorney General's video release policy, can be accessed here.

Evidence Collected from the Scene

NYPD's Crime Scene Unit (CSU) collected evidence and took photographs. A black defaced Hi-Point CF380 .380 caliber gun was taken from Mr. Edwards's hand after he was shot. CSU Det. Bhagan inspected the state of load: the gun had a capacity of nine rounds (eight in the magazine and one in the firing chamber), and upon inspection contained one live cartridge in the firing chamber and no cartridges in the inserted magazine. The gun had "stovepiped," meaning it had malfunctioned when a spent cartridge casing failed to clear the ejection port, remained lodged in the slide, and prevented the slide from fully closing. A gun with a stovepipe malfunction will not fire until the obstruction is cleared.

NYPD's Firearms Analysis Section (FAS) conducted an operability test on the recovered gun and, after clearing the malfunction, found it to be operable.

ESU Lt. Steven Caraballo inspected the state of the load of Det. Messia's department-issued firearm, a Glock 19 9mm gun with a capacity of 16 rounds (15 in the magazine and one in the firing chamber). The gun had one live round in the chamber and 14 live rounds in the inserted magazine, which was consistent with Det. Messia's having fired two rounds. Det. Messia's firearm also had a stovepipe malfunction.

Inside the apartment, CSU recovered two discharged 9mm Luger +P Speer shell casings (consistent with NYPD issued ammunition), four discharged GFL .380 Auto shell casings (not consistent with NYPD issued ammunition), two deformed fired bullets, and two .380 caliber live cartridges (one was recovered on the floor outside the bathroom, and the second was lodged in the ejection port of the Hi-Point CF 380 gun as a result of a malfunction). FAS microscopically compared the shell casings and fired bullets with test fires from Det. Messia's department-issued firearm and the Hi-Point CF380 .380 caliber gun recovered from Mr. Edwards and concluded the following:

- Four GFL .380 Auto caliber shell casings were discharged from the Hi-Point CF 380;
- Two Speer +P 9mm Luger caliber shell casings were discharged from Det. Messia's firearm;
- The results for the deformed bullets were inconclusive.

(The two shell casings found later by the tenant, HA, when she returned to the apartment, were also tested by FAS and found to have been discharged from Mr. Edwards's gun.)

The Hi-Point CF 380 gun recovered from Mr. Edwards and its magazine were examined for potential fingerprint evidence. The NYPD laboratory report said there were "no latent prints/friction ridge detail suitable for capture/identification" on either item.

The Hi-Point CF 380 gun was swabbed for DNA. The Office of Chief Medical Examiner's (OCME's) Department of Forensic Biology tested the following samples and made the following conclusions:

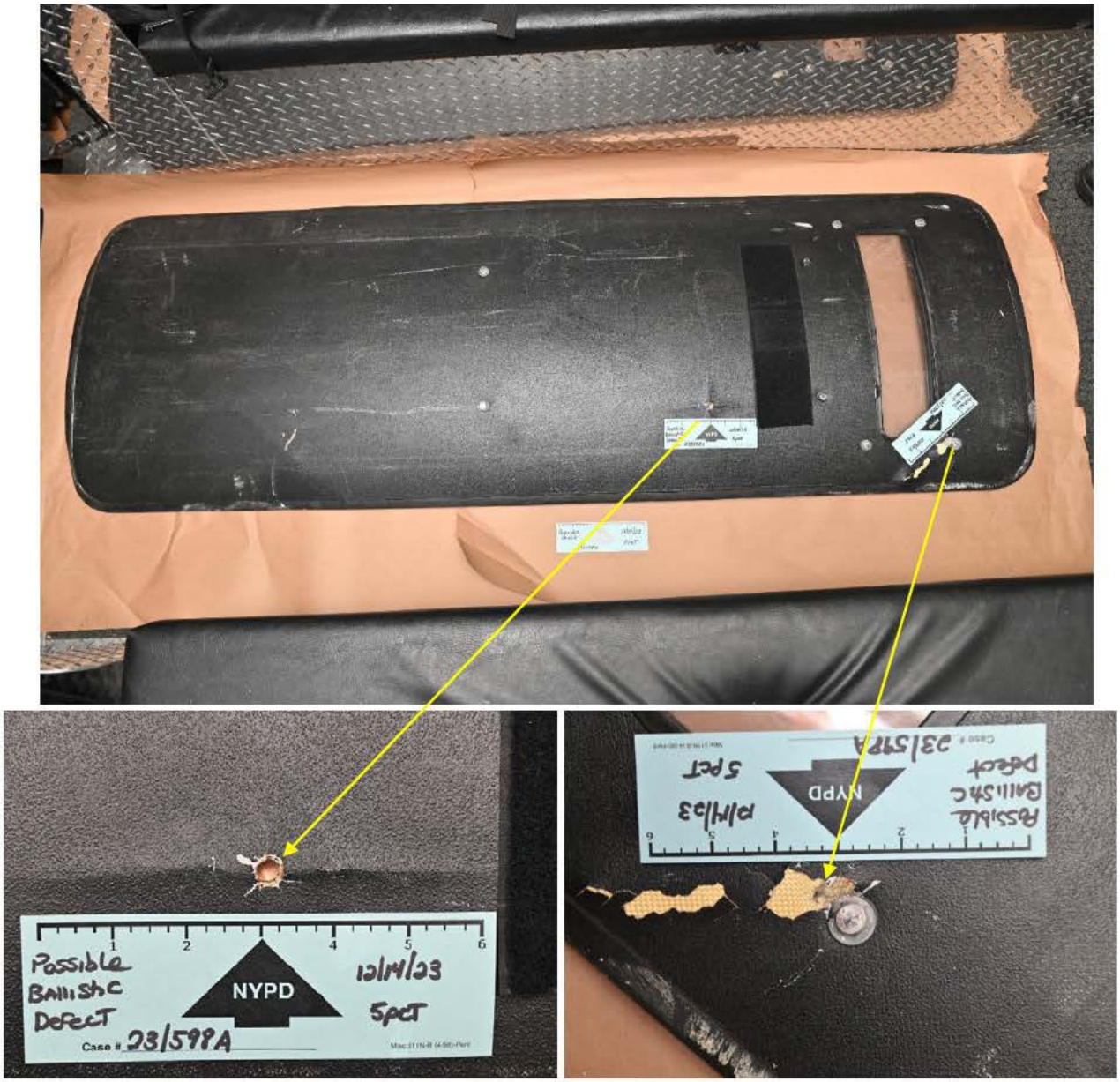
- The swab from the "trigger and trigger guard" showed two DNA contributors, Kent Edwards was a contributor to the DNA sample, and his DNA was **98.81%** of the mixture.

- The swab from the "textured grips" showed three DNA contributors, the DNA profiles of the individual contributors to the mixture could not be determined, but "the DNA mixture found on the swab from 'textured grips' is estimated to be 24.5 billion times more probable if the sample originated from Kent Edwards and two unknown persons than if it originated from three unknown persons."

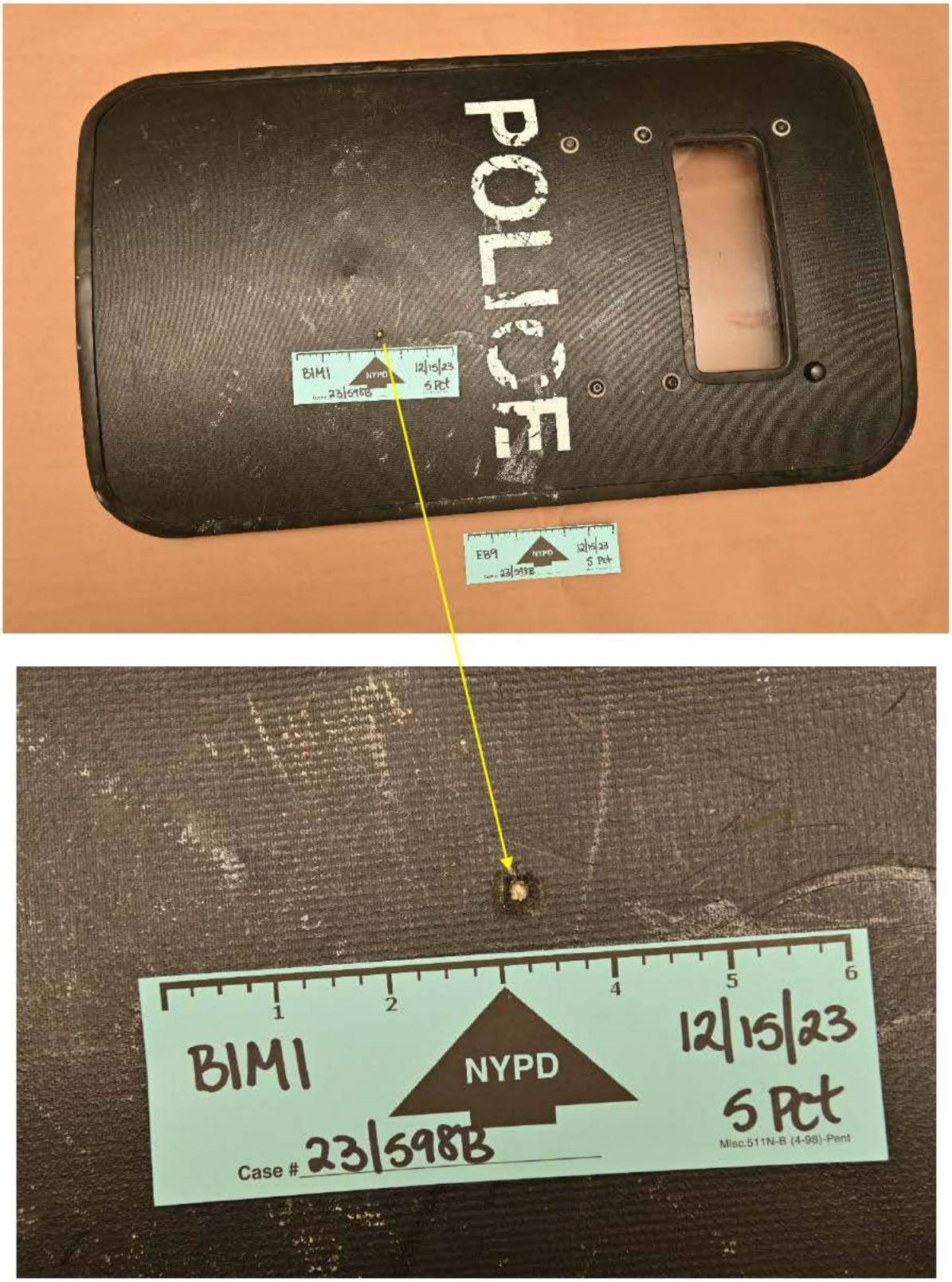
Crime Scene Unit photo of Mr. Edwards's gun, showing bullet lodged in the slide's ejection port.

ESU recovered Det. Messia's and Officer Librizzi's ballistic shields, and Officer Brower's ballistic vest, each with apparent ballistic damage.

Crime Scene Unit photo of Officer Brower's ballistic vest, showing damage from gunfire.



Three Crime Scene Unit photos of Det. Messia's ballistic shield, showing damage from gunfire.



Two Crime Scene Unit photos of Officer Librizzi's ballistic shield, showing damage from gunfire.

Autopsy

After the shooting, Mr. Edwards was transported to Bellevue Hospital and at 2:55 p.m. Dr. Sana Maheshwari pronounced him dead.

On December 15, 2023, Dr. Cynthia Harris of OCME performed the autopsy of Mr. Edwards and concluded that the cause of his death was "gunshot wounds of torso" and deemed the manner of death to be "homicide (shot by police)." Dr. Harris's report said Mr. Edwards was shot twice in the left side of the abdomen. The autopsy report notes that two bullets were recovered from Mr. Edwards's body, one from a right rib and the other from a lumbar vertebra. Microscopic analyses of the recovered bullets were inconclusive to either identify or eliminate them as having been discharged from the same gun, or from Det. Messia's gun; microscopic analysis eliminated the bullets as having been fired from Mr. Edwards's gun.

LEGAL ANALYSIS

Article 35 of the New York Penal Law governs 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 the Court of Appeals recently stated in *People v Jairo Castillo,* 42 NY3d 628, 631 (2024):

> "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])." (Square brackets and ellipses in the original.)

Article 35 contains a provision, PL 35.30, defining justification when a police officer uses deadly force while effecting or attempting to effect an arrest for an offense. Based on the investigation, Det. Messia reasonably believed that Mr. Edwards was in possession of a gun, that he had recently used a gun to shoot and injure a man, and that he therefore could be arrested for offenses including Attempted Murder in the Second Degree, PL 110/125.25 (1).

When attempting to effect an arrest, and confronting the use or imminent use of deadly physical force, a police officer need not retreat before using deadly force to defend him/herself or others, PL 35.15(2)(a)(ii)

PL 35.30(1) provides, in pertinent part:

> "A police officer or a peace officer, in the course of effecting or attempting to effect an arrest, or of preventing or attempting to prevent the escape from custody, 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 to prevent the escape from custody, 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 another person from what the officer reasonably believes to be the use or imminent use of deadly physical force."

Deadly physical force is defined as "physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury." PL 10.00(11). Serious physical injury means "impairment of a person's physical condition 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 10.00(10). The Penal Law defines a deadly weapon as "any loaded weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged…." PL 10.00(12).

In this case, the warrant squad officers had been informed that Mr. Edwards was a suspect in the shooting of a person eight weeks prior to the incident, and the ESU officers were informed that Mr. Edwards was barricaded in the apartment and had a gun. The officers interviewed by OSI said, and BWC showed, that officers at the apartment attempted to negotiate with Mr. Edwards for almost two hours before entering, and that after they entered Mr. Edwards fired multiple gunshots at them. Det. Messia then fired at Mr. Edwards. The officers' accounts are corroborated by BWC footage and by forensic examination of the gun recovered from Mr. Edwards and the shell casings recovered in the apartment, by the DNA results showing Mr. Edwards's DNA on the gun, and the ballistic damage to Det. Messia's, Officer Librizzi's, and Officer Brower's ballistic shields and vest.

In sum, based on the evidence in this investigation, OSI concludes that a prosecutor would be unable to disprove beyond a reasonable doubt that Det. Messia's use of deadly physical force

was justified under the law and will close the matter with the issuance of this report.

Dated: May 19, 2025