

Body camera footage confirms unarmed Orlando, Florida father was murdered by police while sitting in legally parked car

Jacob Crosse
13 July 2023

After over a week of protest from the family and their supporters, on July 12, the Orlando Police Department (OPD) in Orlando, Florida, publicly released the body camera footage from the July 3 police murder of 26-year-old Derek Diaz. The footage confirms that Diaz was unarmed, legally parked, and sitting in his car listening to music, when he was shot at least once by Orlando police officer Jose Velez.

OPD confirmed that Velez has been with the department for three years and is currently on paid administrative leave pending the completion of an “investigation” by the Florida Department of Law Enforcement.

Body camera footage shows multiple cops riding bicycles in a well-lit area of downtown Orlando at approximately 1:50 a.m. on July 3. For reasons unknown, one of the bicycle cops approached Diaz’s parked car from the passenger side and shone his flashlight inside, while another cop, Velez, approached from the drivers side.

Velez immediately began issuing commands to Diaz, ordering him turn off his car, and his music, followed by demands to hand over what appears to be tin foil and a small plastic bag. Velez then ordered Diaz to put his hands on the steering wheel, which he did. Throughout the interaction, Diaz was constantly apologizing to Velez, saying, “My bad. I’m sorry.”

After ordering Diaz not to move, one of the cops opened the driver’s side door. As the cop opened the door, Diaz took his right hand off the steering wheel and opened the center console. Velez screams

frantically, “Put your hands on the steering wheel! PUT YOUR HANDS ON THE STEERING WHEEL!!” and immediately pulled out his pistol and fired at least one shot at Diaz while backing away.

Diaz was struck by the bullet and remained in an upright position in the front seat. The gun shot appears to have narrowly missed another cop and passed through Diaz’s back and chest. Diaz immediately began moaning in pain; “Did you shoot?” one cop asks, “I did” another replies.

Turning their attention back to the dying Diaz police issued more commands, “Hands! Show me your hands!” After waiting over 30 seconds, police began to move back towards the car to administer first aid to Diaz. After a minute police finally pulled Diaz from the vehicle and began CPR.

More than ten days after the shooting, police have yet to claim that any weapon was found on Diaz’s person or in his car. Seeking to justify their extrajudicial execution of the unarmed and apologetic Diaz, the police released an edited version of their body camera footage which zoomed in and slowed down on an object police allege Diaz threw from the car as he was being shot. They have claimed that this object was a “narcotic.”

Lawyers for the Diaz family have confirmed that Diaz, a father to a five-year-old girl, had a medical marijuana prescription for anxiety.

In an emotional press conference held Wednesday after the release of the video, the family of Diaz, including the mother of his child, Sonja Nava,

denounced not only the murderous actions of the police but the ongoing cover-up of the killing.

“All we know from that video is that Derek was sitting in his car. He was not doing anything wrong,” Nava said. She confirmed that police did not allow the family to view the video more than once before releasing it to the public. The cops have so far also refused to provide the family with the police report from the incident, or answer any questions from the family as to why police engaged with Diaz in the first place.

“They wouldn’t let us rewatch it. They said we had to leave and that was it,” Nava said.

“The video was so sickening to watch,” she added. “I threw up while watching it.” Speaking on the impact of the police murder on their daughter, Nava said, “She was upset, she did cry. She is five years old, I think she is taking it a little bit better than the adults. I want to get her counseling.”

According to Mapping Police Violence, Diaz is one of at least 602 people that have been killed by police so far this year. While this figure is slightly below the 646 people killed by police at this time last year, it is still on pace to exceed 1,000 killings, or roughly three a day. As of this writing, Mapping Police Violence has recorded only 11 days in 2023 in which police have not killed someone in America.

In a statement released after the body camera footage, Orlando Police Chief Eric Smith claimed the officers who killed Diaz had been “proactively” on patrol. Smith said these “proactive” patrols, like the murderous SCORPION unit responsible for murdering Tyre Nichols in Memphis, Tennessee, earlier this year, were deployed to “high crime areas” to “remove illegal drugs and crime guns off our streets.”

As in the killing of Nichols, an African-American, it appears that the officer that shot and killed Diaz, Velez, was also Hispanic, again refuting racialist explanations proffered by Democratic Party-aligned liberals that police violence is an expression of “white supremacy” that can be “reformed” through “training” and “funding.”

In a June 2023 article on police recruitment from Spectrum News, OPD Recruitment Sergeant Yong Hall boasted that “diversity” within the department had grown “tremendously” since he started in 2007. According to OPD figures provided by Spectrum News, as of May 2023 the department had nearly 900 police officers, with just under half, 448, identifying as “white” while nearly a quarter, 214, were “Hispanic or Latino” and 112 were “African American.”

In 2022, the budget for the Orlando Police Department increased by 7.5 percent, to \$210 million, representing 30.5 percent of the general fund expenditures for the entire city. The 2022 budget for the Orlando police is nearly 10 percent more than that of the fire department and over 150 times more than the 0.2 percent allocated for “housing and community development.”

Aggressive “proactive” patrols are not limited to large police departments in Memphis and Orlando. This past June, audio recordings of police radio transmission in Canton, Ohio, revealed police boasting about “terrorizing” the city after a cop was injured on the job.

On the recording, posted by @ServeThePeopleAkron, a male cop is heard saying, “I guess what I’m trying to say is, you know obviously they shot Herrera, so I’ll bring 50 bodies and we can, we can terrorize the city if that’s what they want ...”

The police do not exist to “serve and protect” the majority of the population, but to protect the wealthy and their private property. In order to end police terror, workers and youth must take up the fight for socialism and build a mass movement which will end the capitalist system, the source of police terror.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact