



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

Office of Special Investigation

February 5, 2025

# Report on the Investigation into the Death of Caesar Robinson

**INVESTIGATION OF THE DEATH OF CAESAR ROBINSON  
APRIL 13, 2023, KINGS COUNTY**

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**SUMMARY**

New York Executive Law 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 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 Caesar Robinson, who was shot and killed on April 13, 2023, by a member of the New York City Police Department (NYPD), in Kings County.

**OVERVIEW**

As described in more detail below, on April 13, 2023, at 1:12 p.m., Officers Michael Antidormi and Nicholas Prisco responded to 330 Lewis Avenue, Apartment 1D, for a possible burglary in progress. Officer Prisco knocked on the apartment door. Mr. Robinson answered the door with a gun in his hand and began to raise the gun toward the officers. Officers Antidormi and Prisco fired their service weapons multiple times, striking Mr. Robinson six times. Mr. Robinson died of his wounds.

After a full investigation of the facts and analysis of the law, OSI concludes that a prosecutor would not be able to disprove beyond a reasonable doubt at trial that Officers Antidormi and Prisco were justified under New York law when they fired at Mr. Robinson. Therefore, OSI will not present evidence to a grand jury and will close the investigation with the issuance of this report.

**FACTS**

**911 Call**

OSI spoke to J.D., a forty-seven year old man who lived close to Mr. Robinson and knew him for twenty years. (OSI does not publish the names of civilian witnesses.) J.D. said he often helped Mr. Robinson with errands and household tasks. J.D. said that on April 13 he noticed a missed call from Mr. Robinson at 12:59 p.m. He returned the call at 1:04 p.m. and Mr. Robinson said he thought he heard someone trying to break into his apartment. J.D. told Mr. Robinson to hang up the phone and leave the apartment. J.D. got off the phone and immediately called 911.

OSI obtained a recording of the 911 call, which began at 1:07 p.m. In the call, J.D. said his "elderly uncle" had just called him from his apartment, saying he thought someone had just

broken into the house. J.D. said his uncle “needs the police there.” J.D. gave his “uncle’s” address as 330 Lewis Avenue, Apartment 1D.

## Video

OSI obtained recordings of security video from Mr. Robinson’s building. An external camera showed that Officers Antidormi and Prisco arrived together at 1:12 p.m. OSI obtained the body worn camera (BWC) videos of Officers Antidormi and Prisco (links to [PO Antidormi BWC](#) and [PO Prisco BWC](#)), which showed the same arrival time.

The officers’ BWCs showed that they approached the front door of the building, which has a doorbell button for each apartment and an intercom for communication. The officers pressed each doorbell button in quick succession, except for Mr. Robinson’s apartment, 1D. An unidentified person answered the intercom and the officers announced themselves as police officers. The door buzzed and unlocked allowing the officers into the vestibule of the building.

The BWCs showed that Officers Antidormi and Prisco walked up the stairs in the building. They were wearing standard NYPD police uniforms and neither had drawn his gun. Officer Prisco’s BWC showed that he knocked on Mr. Robinson’s door and rang the doorbell at 1:13 p.m. The officers did not announce themselves as police officers. Officer Antidormi’s BWC showed that Officer Prisco stood slightly to the left of the apartment door, and Officer Antidormi stood behind officer Prisco’s right shoulder. Neither officer had drawn a weapon as they waited for a response, and Officer Antidormi was scrolling on his phone (which, he said in an interview, described later in this report, he was doing to obtain details about the 911 call).

Officer Prisco’s BWC showed that 22 seconds after he first knocked on the door, the door opened. Both officers’ BWCs showed that Mr. Robinson was holding a small firearm in his left hand, by his left side. As Mr. Robinson opened the door more, he took a step forward with his right leg, and raised the gun to his own chest level so that it was pointed at the officers. The officers yelled, but their words are unclear in the BWCs’ audio. Mr. Robinson moved forward, gun still raised and pointed, and both officers drew their weapons and fired multiple shots at Mr. Robinson.

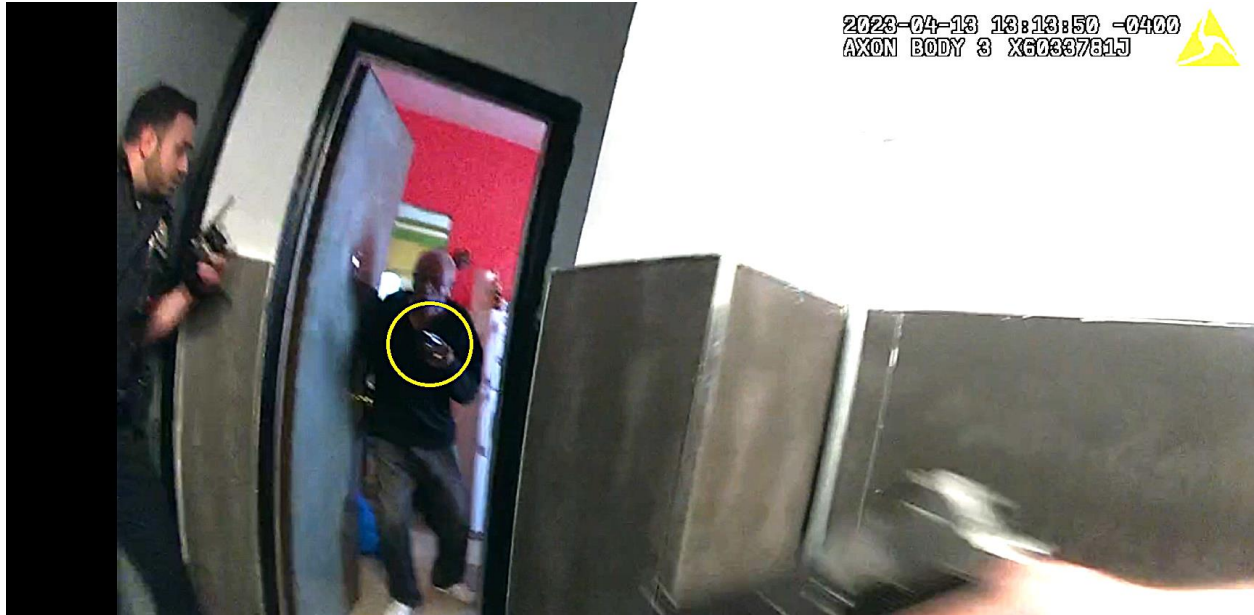
OSI obtained security video of the hallway outside Mr. Robinson’s apartment door, which showed the shooting from an overhead vantage point ([Hallway Video](#)). A slow-motion version of Officer Antidormi’s BWC is at this link: [PO Antidormi Slow Motion BWC](#). Screenshots from the officers’ BWC footage are below:



Still from Officer Antidormi's BWC showing Mr. Robinson opening the door with a gun in his left hand (circled) and Officer Prisco at the door, holding his NYPD radio.



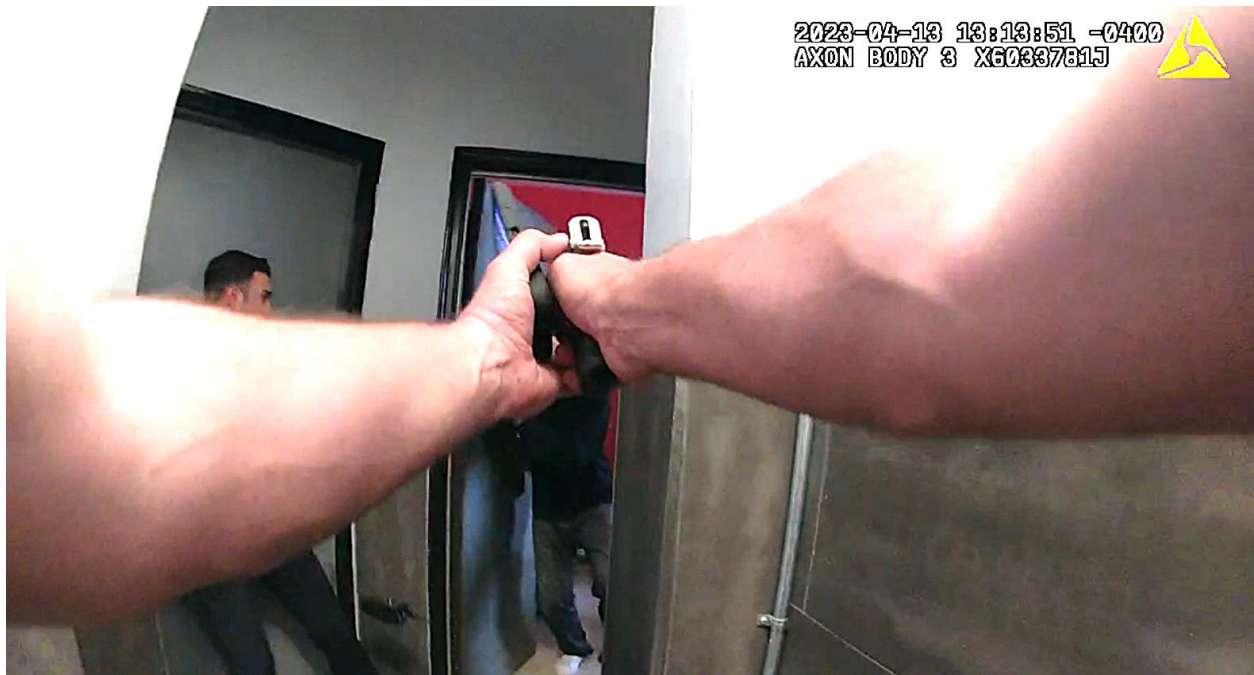
Still from Officer Antidormi's BWC showing Mr. Robinson raising the gun (circled) and Officer Prisco, holding his NYPD radio.



2023-04-18 18:18:50 -04:00  
AXON BODY 3 X6063781J



*Still from Officer Antidormi's BWC showing Mr. Robinson raising the gun to chest height (circled), Officer Prisco at the door, holding his NYPD radio, and Officer Antidormi's right hand coming into the frame, with his gun.*



2023-04-18 18:18:51 -04:00  
AXON BODY 3 X6063781J



*Still from Officer Antidormi's BWC at the moment the officers fired.*



Still from Officer Prisco's BWC after Mr. Robinson opened the door showing the raised gun (circled) in Mr. Robinson's hand, and Officer Prisco, holding his police radio with his left hand.



Still from Officer Prisco's BWC showing Mr. Robinson's gun at chest height (circled) and Officer Antidormi raising his gun.



*Still from Officer Prisco's BWC showing Officer Antidormi raising his gun and preparing to fire.*

The BWCs showed that Officer Antidormi and Officer Prisco fell to the floor when they fired, and when the firing had stopped Officer Antidormi got up and went to Officer Prisco and Mr. Robinson, who were on the floor by the apartment door. Officer Antidormi saw that Officer Prisco had no apparent injuries and saw that Mr. Robinson was bleeding. Officer Antidormi radioed for medical assistance and additional police officers, and Officer Prisco tended to Mr. Robinson. Paramedics arrived and transported Mr. Robinson to the hospital. Mr. Robinson was pronounced dead at 1:50 p.m. by Dr. Anthony Gomez in the Emergency Department of Woodhull Hospital.

OSI obtained recordings of security video showing the front door of Mr. Robinson's building and the staircases and hallway outside his apartment door. The recordings show that Mr. Robinson left his apartment by himself at 11:59 a.m. and returned by himself at 12:52 p.m. The recordings do not show any other persons entering or leaving Mr. Robinson's apartment the day of the shooting.

### **Officer Interviews**

OSI conducted interviews of Officers Prisco and Antidormi in the presence of each officer's attorney and pursuant to OSI's standard proffer agreement, which provides that OSI will not use the witness's statements from the interview as evidence in its case in chief if OSI prosecutes the witness.

### Officer Prisco

Officer Prisco said he and Officer Antidormi were traveling in the same NYPD car when they accepted the assignment to investigate the potential burglary in progress at Mr. Robinson's apartment. Officer Prisco said that as they approached the apartment building front door, he verified the apartment number on his police radio. Officer Prisco said he rang each apartment doorbell except for Mr. Robinson's apartment because he did not want to alert a potential perpetrator of police presence. Officer Prisco said he had never met Mr. Robinson before. Officer Prisco explained he did not approach the building with his gun drawn because he did not believe there was a violent threat inside the apartment given the nature and context of the 911 call. Officer Prisco stated he knocked on Mr. Robinson's door and rang the bell but did not announce himself as a police officer because he did not want to alert potential perpetrators of police presence, as it could have increased the potential for violence. Officer Prisco said when Mr. Robinson opened the door he did not immediately see the gun, but, as Mr. Robinson opened the door more, he saw Mr. Robinson take a step toward him and then saw the gun in Mr. Robinson's hand. Officer Prisco did not know what kind of gun Mr. Robinson was holding. Officer Prisco said Mr. Robinson did not drop the weapon when the officers were fully visible to him, but continued toward them with the gun pointed at them. Therefore, Officer Prisco drew his gun and shot Mr. Robinson. Officer Prisco said at first he did not know whether he was shot himself because he was in a state of shock. Officer Prisco knelt down and saw Mr. Robinson was bleeding. Officer Prisco did not know where Mr. Robinson was struck but saw a significant amount of blood. Officer Prisco said he focused on keeping Mr. Robinson awake until the paramedics arrived. Officer Prisco explained that he did not treat Mr. Robinson's injuries because he could not see the wounds and he did not want to manipulate Mr. Robinson's body in fear that he could inadvertently worsen Mr. Robinson's condition.

### Officer Antidormi

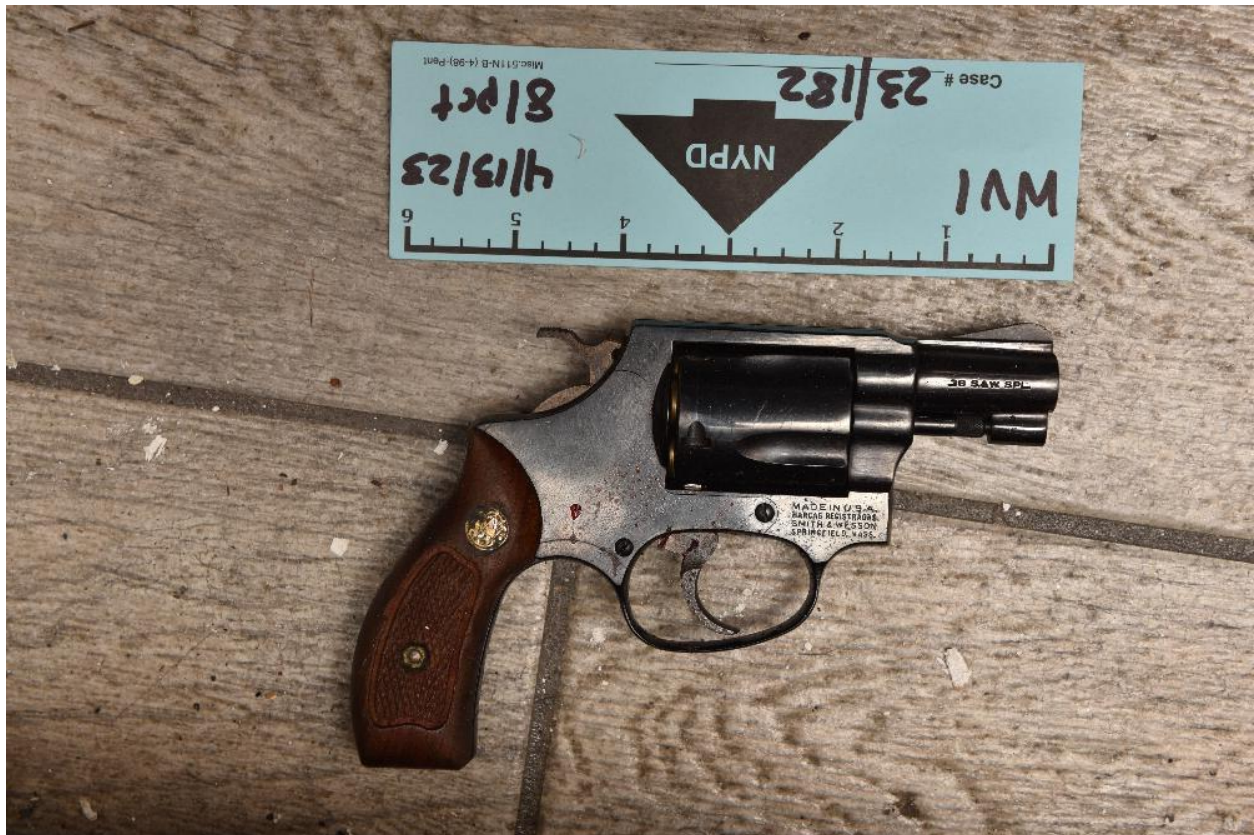
Officer Antidormi said he was working with Officer Prisco when they were assigned to Mr. Robinson's apartment for investigation. Officer Antidormi said they entered the building and went upstairs to locate apartment number 1D. Officer Antidormi said he approached the door with caution, but also with a feeling that there was not an actual burglary in progress based on the tenor of the 911 call. Officer Antidormi said Officer Prisco knocked on Mr. Robinson's door, and he stood behind Officer Prisco for tactical purposes, to cover Officer Prisco if anything occurred. Officer Antidormi took his phone out and accessed the NYPD system to look up additional details about the 911 call and the apartment building as they waited for Mr. Robinson to answer. Officer Antidormi said when Mr. Robinson answered the door, he did not see Mr. Robinson's gun at first. But soon, as the door opened more, Officer Antidormi saw Mr. Robinson raise a gun and point the barrel of the gun toward Officer Prisco. Officer Antidormi said he yelled at Mr. Robinson to drop the gun, but Mr. Robinson did not. Officer Antidormi said he believed he had to fire at Mr. Robinson because at any moment Mr. Robinson could shoot and kill Officer Prisco or himself.



## Investigation Following the Shooting

NYPD investigators secured and tested the guns and gun belts of Officer Antidormi and Officer Prisco.

Each officer had a 9mm semiautomatic firearm with capacity of 16 rounds (15 in the magazine and one in the firing chamber). Examination showed Officer Antidormi's firearm was operable and still had 12 live rounds (indicating he had fired four times), and showed that Officer Prisco's firearm was operable and still had 13 live rounds (indicating he had fired three times), with one deformed shell casing jammed in the gun.



*Crime Scene photo of Mr. Robinson's gun.*

NYPD's Crime Scene Unit searched the apartment after Mr. Robinson was taken to the hospital. They found Mr. Robinson's gun by the apartment door. Examination by NYPD's Firearms Analysis Section showed it was a .38 caliber Smith and Wesson revolver, Model 36, had a capacity of five rounds, and was fully loaded, indicating Mr. Robinson had not fired. Detective Derek Almeida tested the gun and found it to be fully operable.

## Autopsy

Dr. Julian Samuel of the Office of Chief Medical Examiner, City of New York, performed an autopsy of Mr. Robinson and submitted a report of his findings. Dr. Samuel determined that

the cause of death was gunshot wounds of torso and extremities. Dr. Samuel determined that Mr. Robinson sustained six gunshot wounds. The entrance wounds were located, in no specific order, in the areas of the left upper arm, right torso, right thigh, and right hand. Toxicology testing of Mr. Robinson was positive for alcohol, cocaine, and THC.

### LEGAL ANALYSIS

New York Penal Law Article 35 sets forth the defense of justification to crimes involving the use of physical force. Justification is a defense, not an affirmative defense, Penal Law Section (PL) 35.00. If a defense is raised at trial, the burden is on the prosecutor to disprove it beyond a reasonable doubt, PL 25.00(1). The defendant is entitled to have the jury instructed on the defense of justification even if the defendant does not offer evidence, as long as the defense is implied by the prosecutor's evidence. *People v Steele*, 26 NY2d 526 (1970).

In this case, Officer Prisco and Officer Antidormi 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."

Under PL 35.15, the person who uses deadly physical force is justified when the person reasonably believes deadly force is necessary to defend the person or another against the imminent use of deadly force. "Reasonable belief" means that a person actually believed, "honestly and in good faith," that physical force was about to be used against him and that physical force was necessary for self-defense (subjective component), and it means that a "reasonable person" under the same "circumstances" could have believed the same (objective component). *People v Goetz*, 68 NY2d 96 (1986); *People v Wesley*, 76 NY2d 555 (1990). Therefore, before using deadly force in self-defense, (a) a person must honestly and in good faith believe deadly force was about to be used against them or another person and that deadly force is necessary for self-defense, and (b) a reasonable person under the same circumstances could believe the same.

Based on the evidence in this investigation, OSI concludes that a prosecutor would not be able to disprove beyond a reasonable doubt at trial that the officers' use of deadly physical force was justified under the law. At the time Officer Prisco and Officer Antidormi drew their firearms and fired, Mr. Robinson was pointing a firearm at the officers and moving toward them. Under the law, a person does not have to wait to be fired upon to defend themselves, as deadly physical force is justified when a person reasonably believes the use of deadly force against them is "imminent." In this case, Mr. Robinson's raising the gun toward the officers placed the officers in reasonable belief of the imminent use of deadly force.

OSI therefore concludes that a prosecutor would not be able to disprove beyond a reasonable doubt that Officer Prisco and Officer Antidormi reasonably believed it was necessary to use deadly force to defend themselves and each other. Therefore, OSI will not seek charges and closes the investigation with this report.

Dated February 5, 2025