

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



DANA NESSEL
ATTORNEY GENERAL

MEMORANDUM

Warrant Denial Memorandum

11/6/2025

TO: Danielle Hagaman-Clark
Bureau Chief
Criminal Justice Bureau

APPROVED: Danielle Hagaman-Clark 11/12/2025
Bureau Chief Date

Robyn Liddell
Division Chief
Criminal Trials Division

☐ Check here when Division Chief has final approval
authority for the request.

Robyn Liddell
11-10-25

CC: Oronde Patterson
First Assistant

APPROVED: _____
Division Chief Date

FROM: Michael Doby
Assistant Attorney General
Criminal Trials Division

RE: **Request for Authority to Deny Criminal Charges**
Due Date for Response:
People v [REDACTED] (OIS)
AG No. 2025-0432766-A

I. Introduction:

MDART detectives obtained a search warrant to place a GPS tracker on a suspect's car. In the early morning of May 5, 2025, the team went to place the tracker on the car. The detectives believed the car to be empty, but while D/Tpr. [REDACTED] was placing the tracker on the car Martez Britt got out of the car and immediately shot him. D/Tpr. [REDACTED] then shot Mr. Britt, killing him. An investigation by the Detroit Homicide Task force followed. D/Tpr. [REDACTED] gave a statement that he acted in self defense and defense of others. The evidence corroborates that statement.

II. Recommendation:

No charges should be issued against D/Tpr. [REDACTED] for the killing of Martez Britt.

III. Venue

City of Detroit, Wayne County.

IV. Facts

The Metro Detroit Auto Theft Recovery Team (MDART) is a special investigative unit led by the Michigan State Police. MDART pursues high level auto theft rings in the Detroit Metro area. The team at the time consisted of Michigan State Police detectives as well as a detective from the City of Troy Police Department. They operate largely as an undercover unit. MDART obtained a search warrant to place a GPS tracking device on a 2008 Chevy Cobalt suspected of being used to commit a series of vehicle thefts in Oak Park and other jurisdictions in Metro Detroit. While placing the GPS Unit D/Tpr. [REDACTED] was shot by Martez Britt. D/Tpr. [REDACTED] then shot and killed Mr. Britt. This investigation followed.

D/Sgt. [REDACTED] and D/Tpr. [REDACTED] provided signed statements. D/Sgt. [REDACTED] and Det. [REDACTED] were interviewed by investigators while still at the hospital. D/Tpr. [REDACTED] who was shot and seriously injured, did not provide a statement or interview. D/Tpr. [REDACTED] and D/Tpr. [REDACTED] did not have body-worn cameras equipped. D/Sgt. [REDACTED] and Det. [REDACTED] did have body-worn cameras equipped; however, they were not activated. This appears to be consistent with Michigan State Police Official Order 04-20-7 regarding special investigative units and undercover operations. Those body-worn cameras were seized by investigators who checked their contents, but nothing had been recorded during the incident. The team used an undercover vehicle that night, a 2009 Chrysler Town and Country minivan. The vehicle was not equipped with any in-car video. Investigators were later able to recover surveillance video from a homeowner. ShotSpotter data was also obtained. As discussed later, these resources were used to construct a timeline by investigators. The statements, interviews, video, ShotSpotter, and forensic evidence were compared and no material inconsistencies in any of the statements were found.

In April of 2025 a detective from the city of Oak Park reached out to MDART about a string of vehicle thefts that had happened recently. The Oak Park detective had developed a lead on a silver 2008 Chevy Cobalt that was associated with the thefts. The car was registered to Martez Britt. The Oak

Park detective had also tracked an Apple Watch that was in a stolen car to [REDACTED] Murray Hill St. in Detroit, Mr. Britt's home.

The MDART detectives reviewed the Oak Park police reports, FLOCK video, other information about the vehicles stolen, and about the suspect, Martez Britt. The team also went to the [REDACTED] Murray Hill location twice and found the 2008 Chevy Cobalt parked on the street near the house. MDART detectives then sought a search warrant to place a GPS tracker on the Chevy Cobalt. On May 2, 2025, a search warrant was issued by the Hon. Todd Fox of the 51st District Court which ordered law enforcement to do the following:

[Y]ou are commanded to install, maintain, and remove a mobile tracking device in, or on, the subject property or vehicle; to enter onto private property to effect the installation, maintenance, and removal; to surreptitiously enter the property or vehicle to effect said installation, maintenance, and removal; and to monitor the signals from the tracking device, for a period of 90 days following the issuance of the Court's order, including signals produced from inside private buildings, garages and other structures of locations not open to the public or visual surveillance within the State of Michigan.

At 4:00am on May 5, 2025, The MDART detectives met in the parking lot of Costco at 21110 Northwestern Highway in Southfield. This is less than a mile from the [REDACTED] Murray Hill St. address. D/Sgt. [REDACTED] [REDACTED] had driven past that house on the way to the meeting and the target Chevy Cobalt was not there. D/Sgt. [REDACTED] ran the target vehicle in Flock and there was a recent hit near the address. D/Tpr. [REDACTED] [REDACTED] drove by the house again and the target vehicle was now there. At Costco, the team, consisting of D/Sgt. [REDACTED] D/Tpr. [REDACTED] D/Tpr. [REDACTED] [REDACTED] and Troy Police Detective [REDACTED] [REDACTED] got into the undercover minivan. They drove to the [REDACTED] Murray Hill address and found the target car parked on Trojan Ave. [REDACTED] Murray Hill St. is on the northeast corner of Murray Hill and Trojan Ave. The garage and driveway for [REDACTED] Murray Hill are on Trojan Ave. *Exhibit 1*. The target car was parked on the north side of Trojan Ave. facing west. *Exhibit 2*. The team parked east of the target car on Trojan Ave. They observed the car for at least 10 minutes. All four members of the team were in plain clothes with only their vests marking them as police officers.

The team saw that the target car was off, they saw no movement around it, or anywhere else on the street. The neighborhood was quiet. D/Sgt. [REDACTED] the driver, pulled the undercover minivan up to the corner of St. Mary St. and Trojan Ave. D/Tpr. [REDACTED] and D/Tpr. [REDACTED] exited the minivan to attach the

tracker. D/Sgt. [REDACTED] and Det. [REDACTED] stayed in the minivan as the cover/response team. D/Tpr. [REDACTED] and D/Tpr. [REDACTED] approached the target car from the rear. D/Tpr. [REDACTED] noted that the car had heavily tinted windows and he could not see inside it. He saw no movement in the area or changes since their initial observation. D/Tpr. [REDACTED] got on the ground under the rear driver's side of the target car. D/Tpr. [REDACTED] stood near the rear passenger side of the target car and watched the house and the street.

D/Tpr. [REDACTED] finished placing the tracker and began getting out from under the car. D/Tpr. [REDACTED] then turned around and started to head back to the minivan. From the minivan D/Sgt. [REDACTED] and Det. [REDACTED] saw a man open the driver's door of the target car and immediately fire a shot at D/Tpr. [REDACTED]. D/Sgt. [REDACTED] saw the muzzle flash and heard the gunshot. D/Tpr. [REDACTED] recounted the events in his signed statement:

I suddenly heard one gunshot behind me. There was no warning or other sound. This next series of events occurred extremely quickly. Tpr. [REDACTED] yelled "I'm shot!". As I turned around, I saw Tpr. [REDACTED] falling on the ground. As I moved my gaze up from Tpr. [REDACTED] looking for the source of the gunshot, I observed a subject wearing all black standing directly next to the driver's side door of the suspect vehicle with a black handgun in his right hand pointed down at Tpr. [REDACTED]. I had no idea where this subject came from, as I was watching the house and street and never saw anybody approach us. It was as if he suddenly appeared there.

At this moment I believed that this suspect had shot Tpr. [REDACTED] and that Tpr. [REDACTED] was either dead or dying. It appeared to me he was going to shoot Tpr. [REDACTED] again. I thought this subject was going to shoot me next. I immediately drew my firearm, pointed it at the suspect, and fired multiple rounds at him. During this shooting, I observed the suspect move away from his vehicle into the center of the street and fall down. Once the suspect was on the ground and I ceased fire, I observed that he was not moving. I yelled "STATE POLICE" and immediately began giving the suspect verbal commands to show me his hands. The suspect was not moving and did not react at all to my verbal commands.

D/Sgt. [REDACTED] pulled the minivan up to the scene. He and Det. [REDACTED] immediately exited. D/Sgt. [REDACTED] saw Mr. Britt on the ground. He was not moving. D/Sgt. [REDACTED] kicked the handgun away from Mr. Britt and then

joined Det. [REDACTED] in giving first aid to D/Tpr. [REDACTED]. They applied a tourniquet to D/Tpr. [REDACTED] right leg. D/Tpr. [REDACTED] retrieved his radio from the minivan and contacted dispatch. Det. [REDACTED] and D/Sgt. [REDACTED] loaded D/Tpr. [REDACTED] into the minivan. D/Tpr. [REDACTED] picked up the handgun and cellphone that had dropped from Mr. Britt's hands. This Glock 19 Pistol was registered to [REDACTED], Martez Britt's brother and fellow resident of [REDACTED] Murray Hill St. Mr. [REDACTED] came out of his house, and so did some neighbors. The team yelled that they were police and to stay inside. D/Tpr. [REDACTED] unloaded the handgun and placed it in the back of the minivan. He then drove the minivan directly to [REDACTED] Hospital. He continued to provide information to dispatch as they had left the scene before any other police had arrived. In addition to the gunshot wound in his right thigh D/Tpr. [REDACTED] had been shot in the back, but the bullet was stopped by his vest.

Detroit Police and Michigan State Police units arrived on the scene approximately 8 minutes after the first shot was fired. Emergency Medical Services arrived one minute later. Martez Britt was pronounced dead at the scene. The Medical Examiner later determined the cause of death to be a single gunshot wound to the chest. That bullet was recovered and analysis by the MSP Lab showed that it was fired by D/Tpr. [REDACTED] service weapon. A bullet was recovered from D/Tpr. [REDACTED] ballistic vest. Analysis of that bullet eliminated D/Tpr. [REDACTED] service weapon but was inconclusive regarding Mr. Britt's weapon because "it shares agreement of class characteristics with some agreement of the individual characteristics" but it was insufficient to meet the lab's standards for identification.

The subsequent investigation was conducted by the Detroit Homicide Task Force (HTF) and was led by Sergeant Jamaire McEntire of the Detroit Police Department. Investigation at the scene included collecting physical evidence, photography, measurement, canvassing the neighborhood, securing surveillance footage from neighbors, interviews, and drone photography. No additional eyewitnesses to the shooting were found. Several neighbors heard gunshots and then yelling, but their perception of the number of shots varied widely.

Pursuant to a search warrant, investigators later seized a DVR containing surveillance video from [REDACTED] Murray Hill. That home is directly south of [REDACTED] Murray Hill on the other side of Trojan Ave. The home had a camera outside of the back door facing north towards Trojan Ave. Unfortunately, there is an overhead porch light on during the incident and the view across the street to where the shooting took place is obscured in darkness. *Exhibit 3*. The camera did have audio capability and that recording is clear.

On the surveillance video a car door opening can be heard followed immediately by a single gunshot. D/Tpr. [REDACTED] can then be heard saying, "I'm shot." There appears to be movement on the driver's side of the target car at that time, but it is not clear what is happening from the video. After D/Tpr. [REDACTED] says that he is shot there are multiple overlapping gunshots. D/Tpr. [REDACTED] can then be heard yelling "show me your hands right now!" The undercover minivan then pulled up and D/Sgt. [REDACTED] and Det. [REDACTED] exit with flashlights. Mr. Britt can be seen on the ground in the street. *Exhibit 4.* D/Tpr. [REDACTED] and D/Sgt. [REDACTED] can be heard yelling "State Police" and "stay in your house." D/Sgt. [REDACTED] approaches Mr. Britt and a sound consistent with a metal object sliding on pavement can be heard. Immediately after that D/Sgt. [REDACTED] says, "yeah I got his gun." The flashlights are no longer visible, and movement can again be seen by the rear of the target car, but it is not clear what is happening. The video is consistent with the statements and interviews of the officers involved in this incident.

Twelve fired cartridge casings were recovered on the scene. These were found in two groups. There was one group of brass-colored casings near the driver's door of the Chevy Cobalt and Mr. Britt's body. *Exhibit 5.* There was another group of silver-colored casings behind the Chevy Cobalt. *Exhibit 6.* All the recovered casings were sent to the MSP Forensic Science Laboratory for analysis. Five were identified as having been fired by the Glock 19 recovered from Mr. Britt. The Glock 19 was also identified as having been the gun used in a prior shooting. Seven of the fired cartridge casings were identified as having been fired by D/Tpr. [REDACTED] service weapon. None of the fired cartridge casings were unidentified. Though the bullet recovered from the D/Tpr. [REDACTED] ballistic vest could not be identified as being fired by Mr. Britt's gun, D/Tpr. [REDACTED] gun was eliminated as having fired that bullet and the fired cartridge casings recovered were all matched to either Britt's or [REDACTED] gun.

Round counts of the MDART detectives' weapons were conducted. D/Tpr. [REDACTED] was consistent with having fired seven shots. None of the other detective's weapons were missing any ammunition. A search warrant was executed at [REDACTED] Murray Hill St. A variety of ammunitions were recovered there, including ammunition that matched the caliber and manufacturer of fired cartridge casings identified as being fired by Mr. Britt's weapon.

The physical evidence and video/audio recording are consistent with the statements and interviews of D/Sgt. [REDACTED] D/Tpr. [REDACTED] and Det. [REDACTED]. There is no evidence that would undermine the credibility of those statements.

V. Discussion

No charges should be issued against D/Tpr. [REDACTED]. When D/Tpr. [REDACTED] fired Mr. Britt had already shot D/Tpr. [REDACTED] once. Mr. Britt continued to fire after D/Tpr. [REDACTED] started firing, hitting D/Tpr. [REDACTED] a second time. There is no bodycam video, but the evidence recovered at the scene corroborates the statements from the officers involved in the incident. D/Tpr. [REDACTED] acted in lawful defense of others and self-defense when he shot and killed Martez Britt. No charges should be issued.

In 2006 the State of Michigan became a “stand your ground” state when it enacted the Self Defense Act, Act 309 of 2006. MCL 780.972 provides that an individual (including a police officer) may use deadly force against another, without any duty to retreat, provided they were not engaged in the commission of a crime and either they “honestly and reasonably believe that the use of deadly force is necessary to prevent the imminent death of or imminent great bodily harm to himself or herself or to another” or “honestly and reasonably believe that the use of deadly force is necessary to prevent the imminent sexual assault of himself or herself or of another.” Further an individual may use force other than deadly force if they “honestly and reasonably believe that the use of that force is necessary to defend oneself or another from the imminent unlawful use of force by another individual.” Pursuant to MCL 780.961 (Deadly Force, Act 310 of 2006), if an individual uses deadly force pursuant to MCL 780.972, they have committed no crime in the exertion of that force. A prosecutor may only charge said individual with a crime if the prosecutor can provide evidence “establishing that the individual’s actions were not justified.” MCL 780.961(1)(2). See also, *People v Guajardo*, 300 Mich App 26 (2013) (discussing and upholding Michigan’s Self Defense Act and the use of deadly force).

The Michigan Model Criminal Jury Instructions state in M Crim JI 7.15 (Use of Deadly Force in Self-Defense) that if an individual acted in lawful self-defense, their actions would be justified and thus they would not be guilty of a crime. In making this determination one “should consider all the evidence” and should consider the following three rules, judging the individual’s actions according to how the circumstances appeared to that individual at the time they acted. The first rule provides that the individual must “have honestly and reasonably believed that [they were] in danger of being [killed/seriously injured/sexually assaulted].” *Id.* The individual need not be correct in their evaluation of the danger presented, so long as their belief was honest and reasonable. Second, the threat against the individual must have been in fear of death, seriously physical injury or a sexual assault. In making this evaluation, one should consider all the circumstances surrounding the action and consider how they appeared to the individual at the time they reacted. *Id.* Third, the individual must have believed the threat was immediate and they used the amount of force necessary at the time to protect themselves. *Id.* See

also, *People v Goree*, 296 Mich. App. 293 (2012) and *People v Conyer*, 281 Mich. App. 526 (2008).

While an individual may only use deadly force where it is necessary to do so, they do not have a duty to retreat. M Crim JI 7.16. An individual does not have to retreat from attack if they “reasonably believe that an attacker is about to use a deadly weapon, nor if the [individual] is subject to a sudden, fierce, and violent attack.” *Id.* An individual also does not have to retreat if they were not engaged in the commission of a crime, had a legal right to be where they were and had an honest and reasonable belief that the use of deadly force was necessary to prevent imminent death, great bodily harm or sexual assault. *Id.* See also, *People v Riddle*, 467 Mich. 116 (2002) and *People v Conyer*, 281 Mich. App. 526 (2008).

The additional protections of the Self Defense Act would apply in this case. D/Tpr. [REDACTED] was not engaged in the commission of a crime and had a legal right to be where he was at the time of the shooting. He was engaged in placing a tracking device on Martez Britt’s car pursuant to a search warrant ordering him to do so. He was standing in a public street. He did not have a duty to retreat if he had an honest and reasonable belief that he or another person where in imminent danger of death or great bodily harm. He and D/Tpr. [REDACTED] were also subject to a “sudden, fierce, and violent attack” so even under common law self-defense he did not have a duty to retreat before using deadly force.

The danger presented to D/Tpr. [REDACTED] was a man with a pistol who had suddenly shot D/Tpr. [REDACTED] on what everyone believed was a deserted street. Martez Britt had exited the driver’s side of his car and immediately shot D/Tpr. [REDACTED] who was near the rear of the car. D/Tpr. [REDACTED] had been looking the other way when Mr. Britt got out of the car and shot. He then heard the shot and turned around to find his partner on the ground saying, “I’m shot” and Mr. Britt pointing a gun at him. D/Tpr. [REDACTED] and Mr. Britt then each fired multiple rounds. D/Tpr. [REDACTED] was shot a second time by Mr. Britt during this exchange of gunfire, one of the shots causing great bodily harm. The evidence here shows that D/Tpr. [REDACTED] belief that he and D/Tpr. [REDACTED] were in imminent danger of death or great bodily harm was both honest and reasonable.

There is no evidence uncovered in this case that would cast doubts about the statements and interviews of the detectives involved. The forensic analysis of the guns and fired cartridge casings are consistent with their statements. The gun used by Mr. Britt was registered to his brother, who was inside the [REDACTED] Murray Hill home at the time of the shooting. The audio and video that was recovered from the neighboring home corroborates the detectives’ statements as well. Martez Britt shot first and hit D/Tpr. [REDACTED] D/Tpr. [REDACTED] was

acting in lawful self defense and defense of others when he shot and killed Martez Britt. No charges should be issued.

VI. Conclusion

No charges should be issued against D/Tpr. [REDACTED] When D/Tpr. [REDACTED] fired, Mr. Britt had already shot D/Tpr. [REDACTED] once. Mr. Britt continued to fire after D/Tpr. [REDACTED] started firing, hitting D/Tpr [REDACTED] a second time. There is no bodycam video, but the evidence recovered at the scene corroborates the statements from the officers involved in the incident. D/Tpr. [REDACTED] acted in lawful defense of others and self-defense when he shot and killed Martez Britt. No charges should be issued.

Press release: Yes

Exhibit 1. Google Maps image of Murray Hill St. and Trojan Ave.

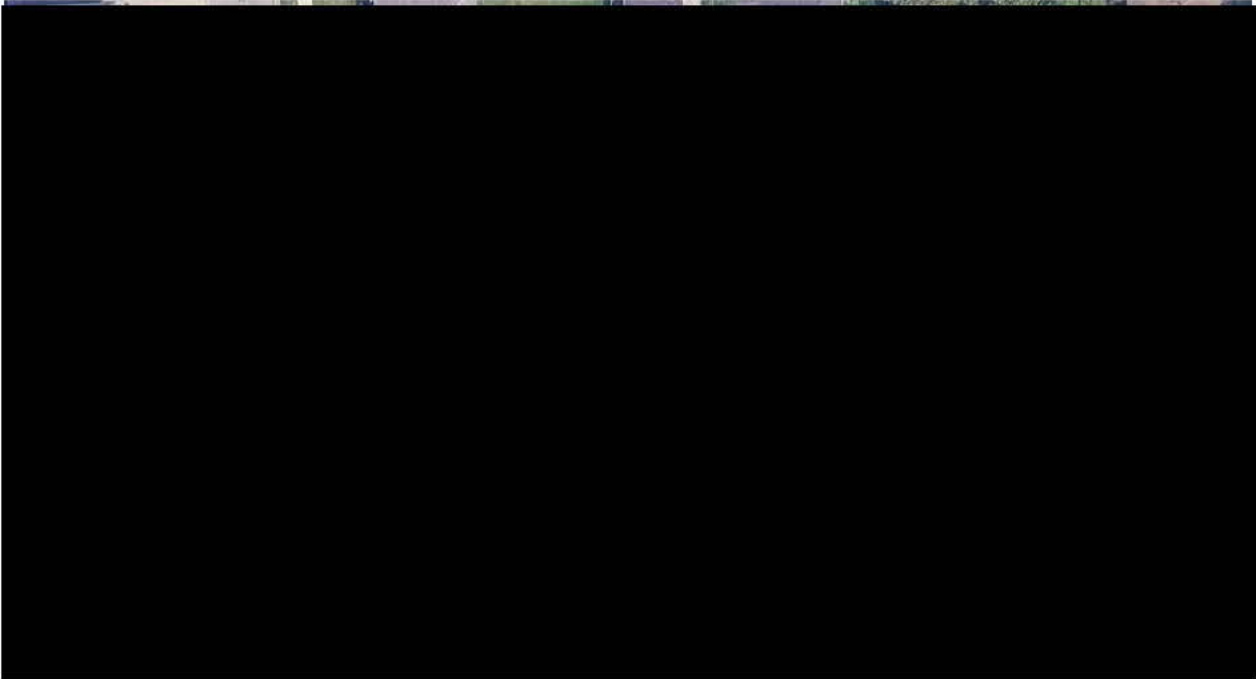


Exhibit 2. Target Chevrolet Cobalt



Exhibit 3. View from [REDACTED] Murray Hill rear camera just before the shooting.



Exhibit 4. D/Sgt. [REDACTED] approaches with flashlight, Mr. Britt is visible on the ground.



Exhibit 5. Trojan Ave. looking west showing location of Mr. Britt's body and evidence markers 1 through 5 (fired cartridge casings identified as being fired by Mr. Britt's weapon)



Exhibit 6. Driveway of [REDACTED] Murray Hill St. showing location of evidence markers 6 through 12 (fired cartridge casings identified as being fired by D/Tpr. [REDACTED] weapon)

