



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

Office of Special Investigation

May 17, 2023

# Report on the Investigation into the Death of Edward Wilkins

## Summary

New York Executive Law Section 70-b directs the Attorney General's Office of Special Investigation (OSI) to investigate and, if warranted, prosecute offenses arising from any incident in which the death of a person is caused by a police officer, whether on or off duty. When OSI does not seek charges against the officer, Section 70-b requires OSI to issue a public report describing its investigation.

On May 8, 2022, at 10:43 pm,<sup>1</sup> off-duty New York City Police Department (NYPD) Officer Sean Armstead shot and killed Edward Wilkins (date of birth April 12, 2002) and then shot and killed himself, in a parking lot on Route 211 East, Middletown, Orange County. Officer Armstead was in a relationship with A.V.<sup>2</sup> and discovered that A.V. was also in a relationship with Mr. Wilkins. On May 8, 2022, Officer Armstead followed Mr. Wilkins's car and crashed into him. When Mr. Wilkins ran from his car, Officer Armstead shot him several times. After shooting Mr. Wilkins Officer Armstead shot himself. Officer Armstead and Mr. Wilkins were pronounced dead at the scene. OSI's investigation did not discover evidence of any person's involvement in Mr. Wilkins's death other than Officer Armstead's. OSI concludes no person still living can be prosecuted in connection with Mr. Wilkins's death.

## Facts

Prior to the shooting, A.V. was with Mr. Wilkins at the La Quinta Hotel (La Quinta), at 551 Route 211 East, Middletown, New York. The shooting occurred near 567 Route 211 East, Middletown, in the parking lot of a Buffalo Wild Wings restaurant.

OSI interviewed A.V. at the scene, and again the following day.<sup>3</sup> A.V. said she was in a long-term relationship with Officer Armstead and that they lived together in Port Jervis, Orange County. A.V. said their relationship had struggled for the last five years after she discovered Officer Armstead had had an affair. Their relationship was also strained by failed attempts to conceive a baby, Covid, and Officer Armstead's work stress. She also said Officer Armstead was struggling with depression.

A.V. said she started secretly dating Mr. Wilkins on April 29, 2022. She told OSI that on the day of the shooting she received text messages from Officer Armstead at about 4:00 p.m. that said he knew she was having an affair because he was reading her text messages; he demanded she leave the other man and come home. A.V. did not return home, and Officer Armstead continued to send text angry messages to her. A.V. said Officer Armstead could track

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<sup>1</sup> All times are approximate.

<sup>2</sup> Initials are used to protect the identities of civilian witnesses.

<sup>3</sup> A.V. also provided a recorded interview to the Wallkill Police Department.

her cell phone and access her messages through a laptop at home, and she believed that was how Officer Armstead found her that day.

OSI reviewed video surveillance from La Quinta showing that A.V. and Mr. Wilkins entered a room at 3:50 pm and left the room together at 5:43 pm. A.V. told OSI she and Mr. Wilkins drove separate cars to Valvoline Oil Change in Middletown, dropped off Mr. Wilkins's car to be serviced, and went to Dave and Buster's to eat dinner. A.V. drove Mr. Wilkins to pick up his car from Valvoline and they left in separate cars. A.V. said she was driving behind Mr. Wilkins on Route 211 when Mr. Wilkins drove through a yellow traffic light and A.V. stopped at the light as it turned red.

A.V. said she did not see the shooting. As she was driving, she noticed Officer Armstead's car from a distance because of its unique paint finish.<sup>4</sup> Then she noticed Mr. Wilkins's car next to it. As she started driving again she saw that Officer Armstead was calling her cell phone, but she did not pick up. As she turned onto the road that leads to the Buffalo Wild Wings parking lot, she saw that Officer Armstead's car and Mr. Wilkins's car were on the side of the road, damaged, and she noticed that Officer Armstead had left her a voicemail. She drove toward the Buffalo Wild Wings parking lot and listened to the voicemail, in which she heard Officer Armstead yelling and Mr. Wilkins shouting "no no," and popping sounds she thought were gunshots. She parked her car, got out of the car, and saw the bodies of Officer Armstead and Mr. Wilkins on the ground. She called 911.

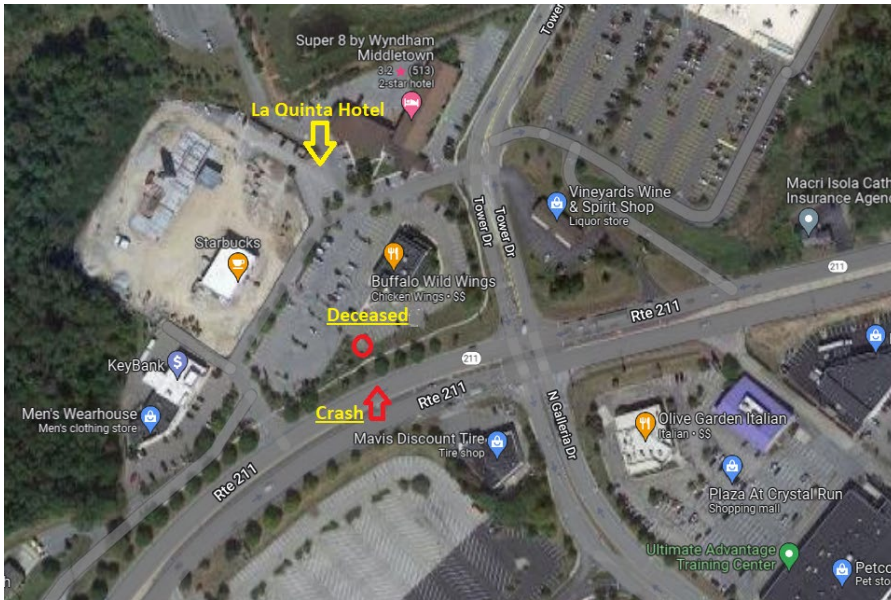
OSI obtained a copy of the voicemail A.V. described, which starts with a male voice saying something unintelligible and another male voice saying something from a distance. The closer voice said "... you fucking bitch, are you out of your fucking mind? Come here!" Fifteen to sixteen gunshots follow, and the voicemail ends without another sound.

M.V. provided a sworn written statement to NYSP, which OSI reviewed. OSI called M.V. several times in an attempt to interview her, but she did not pick up or return the calls. M.V. said she was a front-seat passenger in a car with her son and husband, who was driving, at about 10:34 p.m. on May 8, 2022. M.V.'s car was stopped in a turning lane on Route 211 when she saw a Dodge Charger (Officer Armstead's car) closely pass a black Sedan (Mr. Wilkins's car) traveling westbound on Route 211. The two cars continued westbound when the Dodge Charger crashed into the Black Sedan causing it to spin around. The Dodge Charger made a U-turn, drove the wrong way on Route 211, and hit the black sedan again. M.V. saw both cars come to a stop facing the wrong direction on Route 211. M.V. said the man driving the black sedan (Mr. Wilkins) got out of his car and ran, while the man driving the Dodge Charger (Officer Armstead) got out of his car and chased the other man. She saw the man driving the Dodge

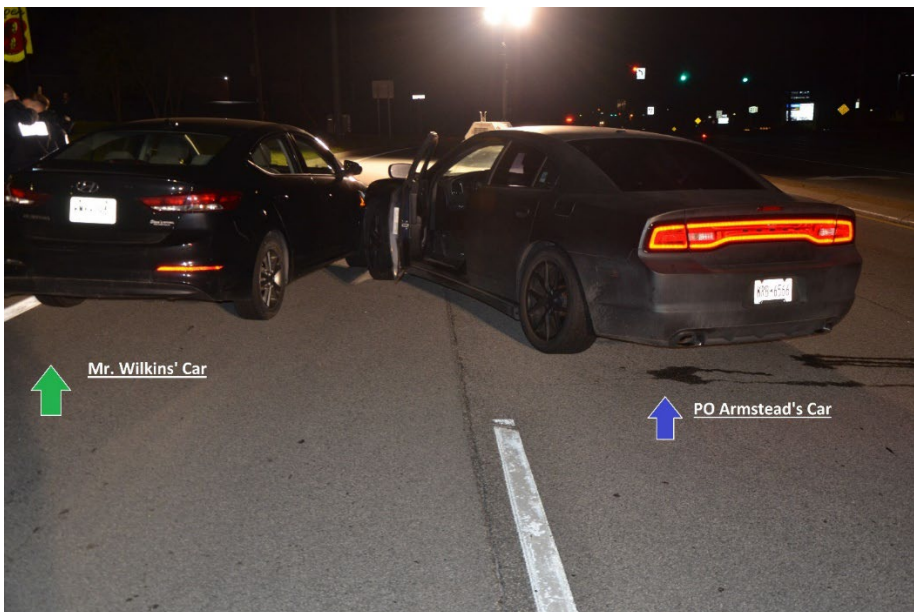
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<sup>4</sup> The car had a chrome finish that was distinctive.

Charger shoot a gun multiple times at the other man, who fell to the ground. M.V. called 911 to report the shooting and did not see what happened to the man who fired the gun.



Map indicating the locations of the crash and Mr. Wilkins's and Officer Armstead's bodies.



Mr. Wilkins's car and Officer Armstead's car where they came to a stop, facing eastbound on the westbound side of Route 211.

OSI investigated the scene along with members of WPD and NYSP. Officer Armstead was on the ground in the parking lot of the Buffalo Wild Wings with a bullet wound to the head. His body was near Mr. Wilkins; they were positioned feet to feet. One firearm was on the ground

about three feet from Officer Armstead's arm. No other firearms or weapons were at the scene. No firearms or weapons were found on Mr. Wilkins or elsewhere at or near the scene. The firearm found near Officer Armstead was his NYPD service weapon, a Glock 19. Sixteen shell casings were recovered from the scene, trailing from the cars to the bodies.



Google maps photograph of the approximate locations of the crash and the bodies.



Crime scene photograph of ballistic evidence shown by numbered yellow flags, and the bodies under the yellow covering in the parking lot.

OSI canvassed for video in the surrounding area. OSI went to the Buffalo Wild Wings to request relevant video and was told the surveillance system was not working; the Buffalo Wild Wings

cameras did not capture the parking lot area, and therefore, would not have captured the shooting in any event. OSI obtained video from La Quinta Hotel as described above.<sup>5</sup>

Dr. Jennifer Roman of the Orange County Medical Examiner's Office conducted an autopsy of Mr. Wilkins. Dr. Roman concluded that the cause of death was gunshot wounds of the head and torso, and that the manner of death was homicide. Mr. Wilkins had two gunshot wounds to the head, six gunshot wounds to the torso, one gunshot wound to the right arm, one gunshot wound to the right leg, and one gunshot wound to the left foot.

Dr. Roman conducted an autopsy of Officer Armstead and concluded the cause of death was gunshot wound of the head. The autopsy report described a single gunshot wound of the right temporoparietal area of the head. Because the gunshot wound to the head caused near immediate death, and Mr. Wilkins suffered multiple gunshot wounds, the Medical Examiner concluded that the manner of Officer Armstead's death was suicide.

A full review of the physical evidence, forensic evidence and video surveillance footage supports the conclusion that Officer Armstead killed Mr. Wilkins. OSI uncovered no evidence indicating that any other person was involved. Therefore, there is no basis on which OSI could seek charges against any living person in this case.

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<sup>5</sup> OSI canvassed the area for cameras that would have captured the incident, but the business in the area were too far away from the crash and the shooting to have captured any portion of the incident.