

How Two Middle School ‘Desperadoes’ Ended Up in a Police Shootout

A 14-year-old girl and a 12-year-old boy took up weapons after a torturous journey through Florida’s juvenile mental health system.

By Frances Robles

May 12, 2022

ENTERPRISE, Fla. — It was getting dark, so sheriff’s deputies used the lights on their rifles to get a better look at the two children who had been holed up in a suburban house for more than an hour.

Fourteen-year-old Nicole Jackson was using a metal baton to smash mirrors, a bathtub and furniture. As the officers closed in, she flipped her middle finger at them and strapped a loaded 12-gauge shotgun around her neck. A 12-year-old boy who had joined her in the escape from a nearby group home grabbed an AK-47 assault rifle.

The Volusia County sheriff’s deputies already knew Nicole well. They had been called repeatedly to her house in nearby Deltona, Fla., responding to complaints that she was stealing neighbors’ pets, breaking windows in a rage, trying to set the house on fire.

Now, the eighth grader was crouched on one knee near a garbage can in the driveway, a .22-caliber pistol tucked in her waistband, the shotgun pointed straight at the officers. Several gunshots rang out from the house.

“Lieutenant, I’m all for not killing kids and stuff,” Sgt. Omar Bello told his fellow officers, according to a state review of officers’ body camera footage from the scene. “But, I mean, if they’re shooting at us, we have to put an end to this.”

For 10 seconds, eight sheriff’s deputies fired toward the children, unloading 66 rounds from their Glock service weapons and .223-caliber rifles. Nicole screamed in pain, and the boy came out of the house with his hands up. “You shot my friend!” he shouted. “Don’t shoot me!”

The case of the juvenile “Bonnie and Clyde,” as they came to be known in a case that made headlines across the country, ended on that evening in June with Nicole hospitalized with eight gunshot wounds and charged as an adult with armed burglary and attempted murder of a police officer. The boy, who is not being identified because he was charged in juvenile court, faced similar charges.

Sheriff Mike Chitwood blasted the adolescent “desperadoes” but also laid blame on a state juvenile justice system that he said was leaving a growing number of troubled children out on the streets to grow into dangerous habitual felons.



Sheriff Mike Chitwood of Volusia County laid blame on a state juvenile justice system that was leaving a growing number of troubled children out on the streets. Zack Wittman for The New York Times

For years, Nicole had cycled in and out of mental hospitals, foster care and group homes, one of tens of thousands of children who are ordered each year into crisis mental health custody in Florida.

Her story is rife with red flags that waved for years, seemingly unnoticed. A review of hundreds of pages of police reports, case records and prosecution documents, along with interviews of Nicole, her family, group home employees and lawyers, shows that Nicole was placed in five group homes, one foster home and four mental hospitals in the two years after she was removed from her mother's custody and made a ward of the state. She was committed to psychiatric facilities on emergency mental health holds dozens of times during the course of her childhood.

Yet she received intensive residential therapeutic care just once, state records show. It lasted for less than a month.

In a state still reeling from the mass murder of 17 people at a Parkland high school in 2018 — killed by a teenager with a history of mental health challenges — juvenile health advocates say Nicole's case raises serious questions about how a child could have had so many repeated interactions with police officers, social service agencies and psychiatrists without ever getting the long-term therapy that might have broken the dangerous cycle.

The answer, many of them said, is Florida's chronic underfunding of mental health services as the state's population has soared. A state grand jury in 2020 called the mental health system a "mess," noting that it provides less funding per capita for mental health care and treatment than any other state, and is managed by a patchwork of private agencies. Nearly 1,500 children at a time are typically on waiting lists for behavioral health services, according to the Florida Policy Institute.

The state instead has escalated the use of brief, emergency mental health interventions under the 1971 Baker Act, which like many state laws around the country allows for involuntary mental health commitments of up to 72 hours.

Children as young as 5 or 6 have been led away by the police in handcuffs after misbehaving at school, a process a Southern Poverty Law Center report last year called a “costly and cruel” alternative to more effective therapy. An estimated 37,000 children a year are involuntarily committed to psychiatric facilities in Florida, the report found, where they face “conditions that would harm and traumatize even adults.”

“Florida is doing this at a rate that is unheard-of in any other place,” said Yasamin Sharifi, who co-wrote the report.

Since the mid-20th century, community-based counseling, therapy and in some cases medication have been preferred over lengthy inpatient treatment for children with serious behavior disorders. Some of those who worked with Nicole said she was sometimes pulled out of programs that might have helped her as a result of her own bad behavior.

“People say the system has failed on me,” Nicole said in a telephone interview from Volusia County jail. “I don’t think I should go to prison. Obviously, I don’t. Little kids like me, 14-year-olds, make mistakes.

“Just not this big.”

A Troubled Childhood

Both the Department of Juvenile Justice, which operates delinquency diversion programs, and the Department of Children and Families, which oversaw Nicole’s mental health care, declined to speak about her case, citing privacy laws.

Mallory McManus, a spokeswoman for the children and families agency, said the state was expanding adult mental health services to include more children, and trying to cut down on the use of involuntary mental health commitments with better preventive services that include a single point of contact for children and families.

“The goal of children’s care coordination is to overcome systemic barriers to services, enable sharing of information across organizations, and increase access to care,” she said in an email.

After the Parkland shooting in 2018, when a teenage gunman with mental problems fatally shot 17 classmates and staff members, the state poured \$28 million into mobile response and community action teams designed to help troubled children. Gov. Ron DeSantis pledged \$23 million of coronavirus relief funding in 2020 to expand mental health services and then backed plans to add a “resiliency” curriculum in the schools to help children build the mental health skills to cope with the hurdles life puts in their way.

But Nicole’s case was a conundrum from the start — a child who seemed to defy any attempt to restrain her from a very early age.

Nicole had been born in Puerto Rico but moved to the Orlando area with her parents when she was 9 months old.

Much of the time, those who knew her said, she was good-natured and compliant. But she had an explosive temper. She and her three brothers frequently brawled so violently that it took police intervention to stop them.

Her mother, Elizabeth Maldonado, who has a master’s degree in criminal justice and formerly worked as a college admissions director in Orlando, struggled to hold on to jobs while battling an opioid addiction and the tumult in her family.



Nicole has been charged as an adult based on the seriousness of the offense and her prior offenses, according to the chief prosecutor. Zack Wittman for The New York Times

They lived in a series of motels, rented houses and apartments. Hotels often kicked them out because of their frequent disturbances.

“We had to move 34 times,” said Nicole’s grandfather Elliot Maldonado, who moved in with his daughter after Nicole’s parents divorced.

Nicole was suspended from school at age 8 for going after the teacher with scissors, records show.

Ms. Maldonado once called the police to report that her daughter was setting fires, touching people inappropriately and had told people at school that she was going to shoot her family. “She is very violent and a horrible liar,” Ms. Maldonado wrote in a complaint she filed with the Orlando Police Department, stating that she was in fear for her life.

Nicole was 6 years old.

The incident would be among the first of some four dozen documented encounters Nicole had with the police over the next eight years. She was involuntarily taken to a mental hospital at least two dozen times.

“They didn’t do nothing for me,” Nicole said. “They’d send me home the next day.”

Police records show she was on a variety of medications, including antipsychotics, and had been diagnosed with schizophrenia, bipolar disorder, attention deficit hyperactivity disorder and oppositional defiant disorder.

Nicole’s mother said she pleaded for help from child welfare authorities, telling them that her daughter was slipping out of control. “All the times I begged them for help with her,” she said, “nobody would listen to me.”

Social workers said in state records that Ms. Maldonado was incapable of caring for her children and frequently missed appointments for counseling or therapy. Nicole was missing weeks of school at a time, they said — though her mother said she had tried her best.

“They like to point fingers, and they are going to try to point it at me,” she said.

When the state took custody of Nicole in 2019, state records show that her mother did not put up a fight.

Nicole spent the next two years in a series of group homes, shipped off to mental hospitals — sometimes more than once in the same week — when she would get into fights with the staff.

In April 2021, Nicole got caught setting large fires in a vacant field.

“It was fun!” she told the officer who arrested her, according to body camera footage. “Nobody died.”

A Fateful Escape

When the group home where she had been living refused to take her back, she was sent to the Florida United Methodist Children’s Home, a shelter for abused children that had a contract with the state to accept, as a last resort, foster children who had nowhere else to go.



The Florida United Methodist Children’s Home, which Nicole escaped before breaking into a nearby home. Zack Wittman for The New York Times

Three employees at the facility, two of whom no longer work there, said in interviews that employees worried constantly that the home was not set up to handle some of the young people who were admitted under the contract — children who were often disruptive, with explosive tempers. The police were called to the home almost 300 times in 2020, according to law enforcement records.

On June 1, Nicole got into an argument with her minders at the home over a familiar topic: She wanted to go outside the fence to catch lizards. When she was not given permission, she jumped over the fence and left, hitting an employee with a stick on the way out.

She took along a 12-year-old boy, who had a disruptive history much like hers. The two children broke into a 3,400-square-foot house about a mile and a half away whose owner was not there. They broke sliding glass doors, destroyed a bathroom and smashed mirrors.

They soon found the homeowner's guns, and started arbitrarily firing the weapons. Sheriff's deputies, who arrived after a passer-by heard glass breaking inside the house, took up positions outside and tried to talk the children out. Nicole re-racked her shotgun.

"Make no mistake about it," Lt. Nicholas Shephard, the senior officer on the scene, could be heard warning the other deputies on body camera footage. The young people, he said, were trying to "kill each and every one of us." The deputies began firing.



Volusia County Sheriff's Department



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Nicole spent a week in a hospital, but recovered. Now 15, she is being held without bail in a cell block by herself. If convicted on the attempted murder charge, she faces a sentence of up to life in an adult prison.

Many of the adults involved in her care are trying to understand how it could have come to this.

“I don’t know what to say,” Sheriff Chitwood said after the arrests. “Where have we gone wrong that a 12-year-old and 14-year-old think it’s OK to take on law enforcement? What the hell is the Department of Juvenile Justice doing sending these kids to places that can’t handle them?”

As a result of the shooting, the county now plans to use \$5.4 million in Covid-19 stimulus funds to start a family resource center for juveniles accused of crimes.

Most experts who reviewed the outlines of Nicole’s case said a stable placement in a therapeutic foster home could have helped anchor her in a counseling and treatment program designed to interrupt her disruptive behavior.

But in Florida, space in such programs is chronically lacking. In the 1990s, the state revised its child welfare laws to prioritize getting children out of troubled homes, but amid an explosive increase in the number of foster children, it failed to provide sufficient places to put them, mental health advocates say.

Larry Avallone, Nicole’s public defender, who was not authorized to discuss his client’s case, had said in court that he planned to file a motion for her to be declared mentally incompetent to stand trial, but the expert he hired changed his opinion and he decided Nicole was fit after all.

Prosecutors have offered her a chance to plead guilty in exchange for a sentence of 20 years in prison and 45 years probation, her grandfather said. The boy she was arrested with, now 13, pleaded no contest to charges of burglary and attempted murder of a law enforcement officer and was sentenced to what will probably be about three years in a juvenile correction program followed by conditional release that by law must end when he is 21.

Nicole said she expected to go to prison, but was hoping for a sentence that would leave her with enough time for what she called a “normal life.” She wanted to have a job, and to have two children, a boy and a girl.

“I want to become successful,” she said. “I want to become a doctor. If not a doctor, I want to become a veterinarian. If not a veterinarian, I want to become an actress. If not an actress, I’d become a model. If not that, I would become a detective.”

She thought a moment. “Detective might be a little hard.”



Enterprise Road leads from the children's home to the property where they got into a police shootout. Zack Wittman for The New York Times

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A version of this article appears in print on , Section A, Page 1 of the New York edition with the headline: They Were 'Desperadoes,' and Middle Schoolers