

REPORT ON USE OF FORCE



Legal Analysis Surrounding the Death of Jason Neo Bourne on November 3, 2020

INTRODUCTION

On November 3, 2020, Jason Neo Bourne was shot and killed by Henderson Police Department (“HPD”) Officers James Pendleton, Luis Amezcua, Bret Anderson, Seth Price, Philip Duffy, Jesse Hehn, and Jesse Lujan. The incident took place at approximately 11:30 A.M. in the parking lot of the Douglas at Stonelake Apartments. The apartments are located at 1445 Stonelake Cove Avenue, Henderson, Nevada. The shooting occurred at a black Cadillac Escalade which was parked in the parking lot with its engine running, near building 13. At the time of the shooting, Bourne had just shot and killed two individuals (D.H. and V.M.), shot and severely injured another individual (Y.H.), and he was holding a 12-year-old boy (J.H.) hostage at gunpoint inside the Cadillac Escalade.

SYNOPSIS

In November 2020, a family of five - - I.H. (father), D.H. (mother), Y.H. (daughter), L.H. (son), and J.H. (son) - - lived in apartment 13201 of the Douglas at Stonelake Apartments. The family primarily lived in Salt Lake City, Utah, but they had rented the apartment in the summer of 2020 because I.H. moved his business to Henderson, Nevada.

In November 2020, 38-year-old Jason Neo Bourne (hereinafter “Bourne” or “Decedent”) lived in apartment 13301 with a roommate (T.B.). Bourne was a retired military veteran from the Air Force. He owned a .40 caliber Sig Sauer pistol.

Prior to November 03, 2020, other than one interaction (described below), the family of five had virtually no contact with Decedent.

On Tuesday, November 03, 2020, two employees of a cleaning company - - L.G. and V.M. - - arrived at apartment 13201 around 10:00 a.m. to clean the family’s apartment. At approximately 11:00 A.M., HPD and Henderson Fire Department (“HFD”) were dispatched to apartment 13201. They responded in reference to a person reporting hearing gunshots and seeing a female, who was bleeding from the head, laying in the doorway of the apartment.

Officers arrived on scene to discover two females - - 39-year-old D.H. (the mother who lived in 13201) and 33-year-old V.M. (one of the cleaning ladies) - - deceased from apparent gunshot wounds. Additionally, a third young woman - - Y.H. (the 16-year-old daughter of I.H. and D.H.) - - was discovered suffering from several gunshots. She was transported to the hospital for further treatment.

Officers learned the suspect, later identified as Decedent Jason Bourne, was barricaded inside a nearby vehicle with a handgun and holding a juvenile male hostage. The juvenile was later identified as J.H., the 12-year-old son of I.H. and D.H. Officers attempted to initiate a dialogue with Decedent, but they were met with negative results. Shortly thereafter, Decedent pointed the handgun at, and ultimately shot into, the head of J.H. which resulted in an officer-involved shooting (“OIS”).

Officers extracted J.H. and Decedent from the vehicle and immediately began life-saving measures; however, both succumbed to their injuries at the scene. Detectives and Crime Scene Investigators responded to assume primary in the investigation.

This report explains why criminal charges will not be forthcoming against the involved officers. It is not intended to recount every detail, answer every question, or resolve every factual conflict regarding this police encounter. It is meant to be considered in conjunction with the Police Fatality Public Fact-Finding Review which was held on January 23, 2023.

This report is intended solely for the purpose of explaining why, based upon the facts known at this time, the conduct of the officer was not criminal. This decision, premised upon criminal-law standards, is not meant to limit any administrative action by the HPD or to suggest the existence or non-existence of civil actions by any person, where less stringent laws and burdens of proof apply.

INTERVIEWS

CIVILIAN WITNESS INTERVIEWS

L.G. (9-1-1 Caller¹) – Housekeeper Inside of Apartment 13201 During Shootings

HPD Det. Dennis Ozawa interviewed L.G. on November 3, 2020, with the assistance of Det. Christopher Gutierrez. In summary, L.G. advised she worked for a cleaning company with victim V.M. They were also friends. L.G. and V.M. both worked for the owner of the company for approximately three to four years. L.G. had been friends with V.M. for approximately ten years. L.G. stated she and V.M. normally cleaned the front office and gym area at Douglas at Stonelake on Monday, Wednesday, and Friday. L.G. also cleaned other apartments in the complex when asked by the front office staff, and she cleaned different apartments within the complex when residents requested it.

Approximately two weeks prior to November 3, 2020, the female who lived in apartment 13201, D.H. (the mother), contacted the cleaning company that L.G. and V.M. worked for and requested a quote. The night before, the owner of the company contacted V.M. and L.G. and asked them to go to D.H.’s apartment at 11:00 A.M. on November 3, 2020.

On November 3, L.G. drove to V.M.’s house and picked her up. Then they drove to the Douglas at Stonelake Apartments. L.G. stated that she believed they arrived between 10:00 and 10:30 A.M. L.G. advised that she was wearing black pants and a gray shirt. V.M. was wearing black yoga pants and a

¹ L.G. was the third person to call 9-1-1.

pink shirt. They parked L.G.s' black Ford Explorer on the south side of building 13 and walked up to D.H.'s apartment where they contacted her.

When L.G. and V.M. entered the apartment, L.G. only observed D.H. and a young boy (D.H.'s son, J.H.) inside the apartment. L.G. described D.H. as wearing black pants and she could not remember what J.H. was wearing. L.G. also advised that J.H., the young boy, was sitting at the dining room table next to the kitchen and was doing work on a laptop.

They gave D.H. a quote, and D.H. agreed to the price. L.G. and V.M. then retrieved their cleaning supplies from the Ford Explorer and returned to the apartment. When they walked back into the apartment, D.H., the mother, had left the apartment. J.H., the young boy, informed V.M. that D.H. left but would be right back. L.G. and V.M. started to clean the apartment. V.M. started in the master bedroom, and L.G. started to clean in the kitchen and living room area.

After approximately 30 minutes of cleaning, L.G. heard stomping coming from the stairwell next to apartment 13201. A brief moment later, L.G. observed D.H., the mother, open the front door. D.H. was yelling but L.G. could not understand what she was yelling. D.H. tried to close the front door, but a dark-skinned male wearing khaki pants (Decedent Bourne) kicked the door open. When he kicked the door, it pushed D.H. to the side. L.G. then observed Decedent holding a black handgun in his right hand.

L.G. immediately ran into the hallway bathroom that was next to the kitchen, locked the door, stepped into the bathtub, and pulled the shower curtain closed. While running into the bathroom, L.G. stated that she heard five (5) to six (6) gunshots and then heard females screaming. As L.G. was sitting in the bathtub, and after a short pause of silence, L.G. heard an adult male, believed to be Decedent, stating, "Keys, Keys, Keys, give me the keys." L.G. then heard a younger voice, believed to be J.H., the young boy who was the son of D.H., stating, "Okay, okay, it's okay."

After J.H. stated "okay," L.G. heard Decedent state, "Move it, move it, move it." After hearing Decedent talk, L.G. heard the sound of feet running out of the apartment. L.G. then called 9-1-1 and waited in the bathtub until the police arrived and pulled her out of the bathroom.

A.F. – Resident of Building 13 at Douglas at Stonelake Apartments

Detective Keith Massenburg interviewed A.F. who resided at the Douglas at Stonelake Apartments in an apartment on the first floor of the building where the initial shooting occurred. A.F. had lived in the complex for approximately two and a half years. A.F. did not know the exact apartment number where the shooting occurred, but knew it was diagonally above his. He believed the people who lived in the involved apartment were a husband, wife, adult son, who was approximately twenty years old, a young boy (J.H.), who was approximately eight to ten years old, and a teenaged girl. He estimated the family lived in that unit for approximately six months. A.F. did not see the husband or the adult son on November 3, 2020.

At approximately 11:00 A.M., A.F. heard a female screaming and someone running up the stairs of his building. It sounded like someone was being chased. Shortly after, he heard approximately four (4) sets of "militant style" gunshots that sounded muffled as if they were coming from inside an apartment. A.F. looked out his window and saw a bald 40-year-old black male adult he had never seen before walking northbound directly in front of his window while pulling the young boy (J.H.) from the involved apartment. The male had the young boy in a headlock with his left arm while carrying a black satchel in his right arm, and the boy was yelling, "Help!"

After the male passed by, A.F. heard screaming from upstairs and went to the involved apartment. Once there, he observed the wife (D.H.) deceased in the front doorway. It appeared she had been shot in the head. Also present at the front doorway were three other neighbors (believed to be H.R., S.M. & V.M). A.F. then ran to the office and told them to call the police and ran back to the involved apartment.

Upon returning to the apartment, he saw one of the neighbors on the phone with the police. A.F. then ran back to the front of the complex to help keep the gate open for emergency responders. As the first officer arrived, A.F. ran toward the involved apartment and waved the officer over to point out the involved apartment.

After two to three more officers arrived, he noticed a black Cadillac Escalade in the parking lot that he recognized as being associated with the involved apartment, but it was now occupied. A.F. found it odd given what had just happened at the apartment. He informed officers on scene that the Escalade was involved, and it was occupied. A.F. then observed approximately six officers approach the Escalade and heard the officers give commands including, "Hands up," "Don't move," and, "Get out of the car."

At some point, A.F. heard shooting. A.F. believed he heard approximately eight rounds fired. Then, A.F. saw officers move over to the passenger side of the Escalade where the officers repeated the same commands. He then heard shooting again and saw an officer break out the passenger window.

The second time he heard shots fired, he believed four or five more rounds were fired. A.F. then saw officers remove the black male suspect and begin CPR on him. Additionally, A.F. observed officers remove a second person from the Escalade. A.F. recognized the black male that was removed through the passenger side as the same male that walked by his apartment pulling the young boy, but he could not see who the second person was that was removed from the Escalade. A.F. also saw the teenaged girl being taken out of the back of the involved apartment and it appeared she had been shot in the leg.

H.R. – Resident of Building 13 at Douglas at Stonelake Apartments (4th 9-1-1 Caller)

On November 5, 2020, Det. Ozawa conducted a telephonic interview with H.R. who travelled to California after the incident to be with her family. H.R. resided on the same floor as apartment 13201. H.R. advised she did not really see anything, and she only heard gunshots. H.R. briefly explained that after she heard gunshots, she exited her apartment and observed a female neighbor lying in the doorway of apartment 13201.

After she observed the female in the doorway, she called 9-1-1. While she was talking to the dispatcher, she heard another female screaming for help from inside the apartment. H.R. walked into the apartment to check on the female calling for help, and when she did so she observed another female lying on the floor next to the slider door. She told the female who was calling for help that people were coming and she went to check on the female next to the slider door and attempted CPR, but realized the female was deceased.

Det. Ozawa communicated with H.R. two more times in an attempt to schedule an in-person interview, but H.R. indicated that she was still trying to mentally recover from the incident and had no further information to provide.

S.M. - Resident of Building 13 at Douglas at Stonelake Apartments

On November 5, 2020, Det. Ozawa met with S.M. and conducted an interview. S.M. and V.A. were second year medical students at Touro University. They shared an apartment at 1445 Stonelake Cove Avenue. S.M. stated that they did not know their neighbors well because of how busy they were at school. Specifically, S.M. did not believe she had met her neighbors in 13201 before, and she had never met any of her neighbors from the third floor.

S.M. and V.A. were in their apartment when she heard a “bang” sound that was loud enough that it caught her attention. S.M. stated the walls were thin in the apartment complex, so she heard loud banging sounds often due to people moving stuff. S.M. walked out of her bedroom and noticed V.A. had come out of her bedroom as well because of the loud bang sound. S.M. and V.A. then went to the front door and opened the door to see if someone had knocked on the front door. She did not see anyone at the front door. S.M. closed the front door and then heard a woman’s voice crying.

She opened the front door again and observed a woman (believed to be H.R.) on her cell phone. The woman was in distress. The woman advised her that their neighbor was hurt, so she and V.A. walked over to apartment 13201. They noticed a woman lying on the floor in the doorway. The woman was bleeding from her head from what appeared to be a gunshot wound.

V.A. then went and grabbed a towel from their apartment and brought it back to S.M. S.M. put it on the woman’s head to try and stop the bleeding. When S.M. was applying pressure to the woman in the doorway, V.A. went inside apartment 13201 and located a female who had been shot in the lower area of her body. S.M. then observed that there was another person who had been shot near the sliding door in the apartment. The woman that was on the phone earlier (H.R.) was trying to help her.

After some time passed, police officers started to arrive and V.A. and S.M. went back into their apartment. Shortly after they entered their apartment, S.M. and V.A. heard multiple gunshots. They went into S.M.’s bedroom closet because they were not sure if the suspect had been apprehended yet. After more time passed, V.A. and S.M. left their apartment and stayed at a friend’s house.

V.A. - Resident of Building 13 at Douglas at Stonelake Apartments

Det. Doug Lynaugh interviewed V.A. V.A. and her roommate, S.M., were neighbors with the occupants of apartment 13201. On November 3, 2020, V.A. said she and S.M. were studying in their individual rooms when they both heard a loud bang. Several more loud bangs followed, so the two opened the front door to try and determine the source of the noise. They did not see anything and went back inside and closed the door.

V.A. then heard a knock at the door and looked outside to see a neighbor, later identified as H.R., who was on the phone with a 9-1-1 dispatcher. H.R. told V.A. that their neighbor in apartment 13201 was dying and needed help. V.A. and S.M. went next door to apartment 13201 to observe a female (D.H.) lying in the doorway struggling to breathe. V.A. saw that D.H. was shot in the head so she ran back to her apartment and got a towel to hold pressure on the wound. V.A. started to hold the towel on D.H.’s head but realized D.H. was unresponsive.

H.R. and V.A. proceeded into apartment 13201 because they heard additional voices coming from inside. H.R. tended to an unresponsive female in the living room near the sliding door while V.A. stayed with a young female (Y.H.), in the laundry room. V.A. found a towel in the laundry room and used that

to apply pressure to Y.H.'s wounds. V.A. did not search or check the rest of the apartment because she did not know if the shooter was still inside.

V.A. believed Y.H. was shot in the pelvic area and saw a hole in Y.H.'s pants. Y.H. complained of pain in her stomach and that her arms felt numb. V.A. stayed with Y.H. until the police arrived and that's when she was instructed to shelter back in her apartment. V.A. did not know any of the neighbors that she dealt with that day.

A.M. - Resident of Building 10 at Douglas at Stonelake Apartments

On November 3, 2020, at approximately 7:20 P.M., Det. Nathan Calvano interviewed A.M. A.M. lived in building 10 at the Douglas at Stonelake apartments. Building 10 was south, across the parking lot, from building 13. A.M. worked from home on his computer. A.M.'s computer was situated in front of a window which provided him a complete view of the parking lot to the north.

Earlier that day, A.M. recalled observing his friend, believed to be A.F., in the parking lot. A.F. looked "distracted." A.M. then observed A.F. disappear into the stairwell. Then, A.M. observed a male that he described as a larger middle eastern male and a younger child (J.H.) approximately ten (10) years old. The male was holding onto the front of the child's shirt and was "marching" with him. It looked as if the child was in trouble and being pulled by a parent. The male walked north along the east side of building 13 for approximately 20 or 30 feet. Andrew observed the child talking with the male and then believed the child just "gave up" because the male now had his arm around the child's neck with his hand on the child's chest. The male and child then made a U-turn and started walking south along the building.

A.M. observed the male walk the child over to a black Cadillac Escalade, open the front passenger door, and place the child in the front passenger seat. The male then climbed over the child from the passenger side and sat down in the driver seat. Upon observing this, A.M. immediately became suspicious that something was wrong.

A.M. went downstairs and over to A.F. While speaking with A.F., officers started to arrive on scene and A.F. was directing them upstairs where a victim was shot. A.M. recalled being on the west side of building 13 when he observed officers carrying a female (believed to be Y.H.) out from the building where the shooting had occurred.

As the officers began arriving, A.M. believed that they did not realize that the male was inside of the black Escalade. A.M. told one of the officers that the male and child were inside of the Escalade. Shortly after notifying the officers, A.M. recalled hearing gunshots. A.M. observed the officer take both the male and child out of the vehicle and perform CPR on them. A.M. provided cell phone video of the incident.

J.M. - Resident of Building 13 at Douglas at Stonelake Apartments

Det. Calvano interviewed J.M. on November 3, 2020, at approximately 6:10 P.M. Earlier that day, around 11:00 or 11:15 A.M., he was inside of his apartment sitting in his office. His apartment was on the ground floor. The window to his office and balcony faced east.

J.M. heard sirens and observed officers with their guns drawn. J.M. observed a Hispanic female run past his balcony and heard her state something like "niños" (children in Spanish) and he realized it had something to do with children. J.M. assumed it was a domestic incident and the police had been called.

J.M. continued to periodically look out his window and observed officers with their rifles. J.M. continued to watch and recalled observing a female officer walking north in the parking lot from the south side of his building. The female officer was looking at a black Cadillac Escalade that was in the parking lot, as if something was going on inside of it. J.M. saw a driver inside the vehicle and noticed that the brake lights were on. The vehicle's brake lights were on for approximately five (5) to ten (10) minutes during the entire incident. The female officer eventually drew her firearm and pointed it at the Escalade. J.M. then saw multiple officers arrive.

The officers all pointed their guns at the vehicle and began yelling commands. He could not recall exactly what was being said. Then, J.M. observed the driver with his right arm up, pointing it south toward the passenger side window. He saw a police officer and SUV on the south side of the vehicle. J.M. did not observe a firearm but assumed that the driver was pointing a firearm at the officer. He thought this was odd as a majority of the officers were located on the opposite side of the vehicle. J.M. stepped away from his window for his safety. Approximately 10 seconds later J.M. heard shots being fired.

Once he heard the gunshots, J.M. looked out the window again and the officers were surrounding the vehicle. The officers focused on the passenger side of the vehicle and were trying to break out the glass window. The officers got the passenger door open and removed a young Hispanic boy. The officers start to render aid (CPR) to the child.

At that point, J.M. stepped away from the window but realized the officers had not contacted the driver yet. He then heard a second round of gun shots being fired. J.M. went back to the window and observed the officers remove the driver from the vehicle. Officers also provided first aid (CPR) to this person. J.M. took multiple cell phone video recordings which he later provided.

L.H. - Resident of Building 13 at Douglas at Stonelake Apartments

Det. N. Calvano interviewed L.H. on November 3, 2020, around 5:00 P.M. L.H. was on her way back to her apartment when she contacted one of her neighbors who was on the phone with 9-1-1 waiting for a dispatcher to pick up the phone. The neighbor asked for help, stating that there was a woman bleeding. L.H. came up the stairwell and looked at apartment 13201 where she observed a female on the ground in the doorway bleeding.

L.H. responded to her apartment, which was one floor above 13201. She obtained her first aid kit and returned to 13201. Upon her return, she heard the neighbor tell the dispatcher that the injured woman had a gunshot wound. L.H. then realized her first aid kit would not work for a gunshot wound. Her neighbor obtained towels to assist with the injured female. At that point, L.H. recalled hearing the sirens of first responders.

L.H. stated she met her next-door neighbors in apartment 13301. She identified them as two males. L.H. knew one of the males as "Jason" and described him as having dark skin. L.H. did not recall hearing anything coming from 13301 today, nor did she recall ever observing her neighbor in 13301 contacting the neighbor in 13201.

S.S. - Resident of Building 13 at Douglas at Stonelake Apartments

Detective Lynaugh interviewed S.S. on November 3, 2020, at about 2:30 p.m. S.S. was in the living room when she heard a lot of sirens. Then, S.S. noticed the police activity in the complex and explained what was happening to a person on the phone. S.S. received an alert text message from the apartment complex application stating police were on scene and to stay indoors. S.S. then heard gunshots that sounded close to her apartment followed by people yelling, "There he is, he has a gun" and then heard more gunshots. S.S. did not hear or see anything outside prior to hearing the sirens.

I.H. - D.H.'s Husband, J.H. & Y.H.'s Father

On November 4, 2020, the day after the tragic events at Stonelake Apartments, Det. Lynaugh spoke on the phone with I.H.; he is the husband of D.H. (who was murdered by Decedent), the father of J.H. (who was murdered by Decedent), and the father of Y.H. (who was shot by Decedent).

I.H. advised that his family, prior to November 03, 2020, had an odd encounter with Decedent. I.H. previously reported a noise complaint about Decedent to the apartment office. The office employees, in turn, contacted Decedent. D.H. (the mother) told the family that, the following day, Decedent saw D.H. in the parking lot and introduced himself. Decedent told D.H. to contact him directly if he was being too loud. Decedent took D.H.'s phone from her and programmed his phone number into the contacts. D.H. relayed to the family that she thought it was odd behavior because Decedent, a stranger, actually took her phone from her and typed it.

One week later, Det. Lynaugh again spoke with I.H. on the phone. I.H. stated Y.H. (his daughter who was shot by Decedent but survived) was awake and recalled what happened on November 3, 2020. Y.H. recalled the following information which she told I.H. and which I.H., in turn, relayed to Det. Lynaugh:

Y.H. and D.H. (the mother) went to Lifetime Fitness. Y.H. attended a class and D.H. went home to meet the new maids. D.H. let the maids into the apartment to start cleaning and then went back to Lifetime Fitness to pick up Y.H. When D.H. pulled into the gate and made the first right turn to head toward the apartment, Decedent popped out from between the parked vehicles. Decedent walked out in front of D.H.'s Cadillac, causing her to stop. D.H. rolled down her window because Decedent walked to the drivers' side and stood by her door.

D.H. started to speak with Decedent to see if he needed something, but Decedent was erratically speaking and asking about the election. Decedent asked D.H. who she was voting for, and D.H. was not comfortable speaking about it. Decedent started to get upset and D.H. felt the situation was getting worse and quickly drove away toward the apartment. Y.H. and D.H. parked and hurried to their second story apartment. Y.H. did not see Decedent in the parking lot where they last saw him.

D.H. and Y.H. went up the stairwell closest to the parking lot and started to unlock the front door. Just as the door was opening, they noticed Decedent running up the stairwell on the opposite side of the landing. They noticed Decedent had a gun in his hand. Y.H. and D.H. stepped inside and tried to close the door, but Decedent was on the other side and was able to force the door open.

Decedent stepped inside, closed the door, and ordered everyone to sit down at gunpoint. D.H. and Y.H. sat down on the ground behind the front door and next to the laundry room entry. J.H. (her young brother) was sitting at the table and one of the maids sat down in the living room near the sliding glass door. Decedent was incoherently rambling about computer chips asking for car keys and asking, "Where are the chips." Decedent shot D.H. (the mother) then Y.H. Y.H. was in the entry way of the laundry room and attempted to conceal herself under an air mattress. Decedent walked over and shot the maid in the living room and then came back and shot Y.H. again before exiting.

I.H. informed Det. Lynaugh that Y.H. and the family would be leaving out of state for additional medical care. I.H. stated he was not comfortable with detectives interviewing Y.H. at the time due to her current mental and medical state.

L.H. – Son of D.H., Brother of J.H. and Y.H.

Det. Lynaugh interviewed L.H. (the son of D.H., and the brother of J.H. and Y.H.). According to L.H., the family mainly lived in Salt Lake City, Utah, but rented an apartment in Henderson in June or July because I.H. moved his business to Henderson, Nevada. L.H. said he, his mother (D.H.), his sister (Y.H.), his younger brother (J.H.), and his father (I.H.) were all staying in apartment 13201.

L.H. knew her mother, D.H., was having a cleaning lady go to the apartment to get a quote at about 11:00 A.M. According to L.H., everyone was at home that morning until about 7:30 A.M. At that time, L.H. and I.H. went to the Smith's grocery store and then proceeded to the office located at 6360 S. Pecos Road while D.H. and Y.H. were supposed to go to Lifetime Fitness for a workout class.

L.H. and I.H. remained at the office until L.H. received an alert message from the apartment complex application stating there were police on the property. At approximately 11:21 A.M., L.H. called D.H., but she did not answer. L.H. then called Y.H.'s phone and someone answered. L.H. heard an unknown male's voice talking about skittles and also heard J.H.'s voice. L.H. stated J.H. sounded terrified and his voice escalated saying "no, no, no, no." L.H. ran to the conference room and told I.H. what he heard. I.H. and L.H. left the office and started driving back home while they remained on the phone. L.H. heard gunshots on the phone and then heard police.

LAW ENFORCEMENT WITNESS INTERVIEWS

The Law Enforcement Officers involved in this incident consented to be interviewed at HPD's Main Station. Below, in no particular order, are summaries of those interviews.

Officer Luis Amezcua (Shooting Officer)

Detectives Christopher and Lippisch interviewed Officer Amezcua on November 10, 2020. Officer Amezcua had been with HPD since June of 2017. On November 3, 2020, Officer Amezcua was in a police uniform, operating HPD Tahoe 5871, and his call sign was 2W51.

On the date of the incident, Officer Amezcua was en route to a call for service on Horizon Ridge when dispatch broadcasted over both channels that an incident occurred in the North Area Command. The fact that dispatch broadcast over both channels led Officer Amezcua to believe that the situation was serious.

He slowed down and started to listen to the radio. Dispatch further advised there were two gunshot victims in an apartment and a female was screaming and crying hysterically. Additional assistance was requested.

Officer Amezcua asked for the call for service in question via his radio. He then turned on his lights and sirens and responded to the location. While on his way, dispatch advised there was one shooter, but they did not have a description of the shooter at the time. Dispatch further advised that there were two victims down inside of the apartment. Given those details, Officer Amezcua believed he was responding to a battery with a deadly weapon call or an attempt homicide.

Upon arrival, Officer Amezcua entered the apartment complex off of Wigwam. As he pulled into the complex, a sergeant got on the radio and requested that officers get to his location quickly so they could render aid. He parked his vehicle in front of building 13 and ran up the stairs. He was stopped at the doorway of apartment 13201 by Sgt. Van Beveren. Sgt. Van Beveren told Officer Amezcua to stay outside, but he could see a female with gunshot wounds (D.H.) lying at the foot of the front door. There was a lot of blood, and the female appeared lifeless.

At that point, dispatch advised that someone called in and reported that they killed someone and were currently inside apartment 13301. That apartment happened to be right above the target apartment. Officer Amezcua and other officers ran up the stairs and covered the front door of the apartment. They attempted to start a dialogue with the occupant inside of the apartment, but they received no response. Then, Sgt. Clear arrived. Sgt. Clear contacted the witness who was inside of the apartment (L.G.). Officer Amezcua believed the witness to be the original person reporting. Sgt. Clear requested Officer Amezcua's assistance with translation as Officer Amezcua spoke Spanish.

Officer Amezcua escorted the female away from the scene to safety while trying to obtain additional information from her. The female was shaking, crying, appeared to be in shock, and she kept asking where her friend was located. Officer Amezcua was able to speak to her. He learned that the suspect was a black male wearing khaki pants, and he had a black gun. The witness did not go any further into detail about what type of gun it was, and she could not remember what type of shirt the suspect was wearing. Officer Amezcua broadcast the suspect description over the air. Ultimately, Officer Amezcua brought the female to the area where medical checked her while trying to calm her down to obtain more information. Officer Amezcua further learned a twelve-year-old boy (J.H.), female homeowner (D.H.), and L.G.'s friend (V.M.), who was a cleaning lady, were inside of the apartment before the incident and she heard a lot of screaming.

Officer Amezcua then heard over the radio that officers located the suspect sitting inside of an Escalade that was parked facing east, across from building 13. Officer Amezcua had another officer standby with the witness, and he proceeded over to the southeast corner of building 13 where he and Officer Anderson had a visual of the back of the vehicle. With what Officer Amezcua knew, he believed he was dealing with a homicide suspect and there was a high likelihood the suspect had a hostage. Officer Amezcua believed the juvenile's life would be in danger if the male left the scene with the juvenile. At that point, Officer Amezcua did not know for certain if the juvenile was inside of the vehicle, but he did know the juvenile was no longer inside of the apartment.

From Officer Amezcua's position, he could hear officers giving the male suspect verbal commands and he could also see a bald black male's (Decedent's) head, and side profile. Officer Amezcua was able to see through the rear window. The male suspect was moving around frantically in the driver's seat while he was putting his hands up and down. Officer Amezcua then heard the officers on the left side of the vehicle advise that they saw the juvenile (J.H.) in the vehicle, and he was still fine. Officers continued to give the male suspect verbal commands to exit the vehicle, but he did not comply. Dispatch then advised over the

radio that they were on the line with the suspect, the juvenile was screaming, and he kept telling the juvenile to open his mouth. Officer Amezcua then heard Sgt. Clear advise the male suspect had a gun. Officer Amezcua and Officer Anderson could not see a gun from their location. Officer Amezcua believed the male was holding the juvenile hostage.

All of a sudden, the male put his hands down, turned to the right and raised what Officer Amezcua believed to be his right hand while holding what appeared to be a handgun and pointed it toward the juvenile. Right before Officer Amezcua could discharge his weapon to save the juvenile's life, he observed a bullet go out the passenger window in a south direction. As such, Officer Amezcua believed the male was trying to kill the juvenile. Officer Amezcua discharged his duty weapon in an attempt to stop the male from further harming anybody else.

Officers Anderson and Amezcua were pulled back as other officers were going to approach the vehicle, clear it, and render aid to the juvenile and/or male. At that point, officers busted the passenger side window, removed the juvenile, and started to administer life saving measures. They were then advised to go back up to the vehicle to remove the male from the vehicle because there was a gun still in play. While doing so, Officer Amezcua heard that the male suspect was still moving. Then shots were fired. Everybody then started to state they needed to get the suspect out of the vehicle. Officer Amezcua approached the driver's side. Another officer handed him a baton, and he tried to break the glass, but it would not break. It was just shattered. A SWAT Officer then approached and broke all the windows allowing them to open the door and remove the male from the vehicle. Once he was removed, officers rendered life saving measures. Officer Amezcua was removed from the scene.

At one point during the incident, Officer Amezcua did see a box of ammunition sitting on the center console, and there was ammo scattered all over the center console and floorboard.

Officer Dallas Erickson

Officer Dallas Erickson was interviewed by Detectives Rick Christopher and Karl Lippisch on November 9, 2020. Officer Erickson had been employed by HPD since January of 2016. On November 3rd, 2020, Officer Erickson was in a police uniform, was operating HPD Tahoe 5948, and his call sign was 2N51.

Officer Erickson was dispatched to a 9-1-1 disconnect, which was the event number ending in 475 and not 485.² Most of the updates were provided under the event ending in 485. As he was dispatched, it was broadcast over the radio that there was a maid that was trapped in a bathroom. Dispatch did not have an address; however, they had a GPS location which dispatch believed to be Starbucks to the southeast of the apartment complex. Officer Erickson believed that it came out that the maid had been shot.

Due to somebody being shot, Officer Erickson responded to the call for service with lights and sirens. As Officer Erickson was heading south on Stephanie, dispatch updated the call for service by advising the maid was trapped inside of the gas station, which was directly south of the Starbucks. The gas station was the Terrible Herbst/Chevron on the corner of Wigwam and Stephanie. As Officer Erickson was about to enter the parking lot of the Terrible Herbst/Chevron, dispatch provided another update advising that they believed the shooting occurred at the Stonelake Apartments, northwest of where he was located. Officer Erickson left the Terrible Herbst and proceeded to Stonelake, but he had no information from dispatch as to a specific apartment at which the shooting took place.

² Multiple 9-1-1 calls came in that were ultimately determined to be related to this incident. Due to the numerous calls, several event numbers were generated.

Upon arrival, Officer Erickson continued to try and obtain additional information to determine a more exact location. When Officer Erickson entered the property, he proceeded east through the complex and parked facing north, along the east side of building 13.

Officer Erickson noticed a white SUV parked north of him, facing south, and it was perpendicular to the parking spaces. While Officer Erickson thought it was odd; he did not know if it was involved because he still did not know where he was supposed to go. Eventually, he heard over the radio that it was building 3, which was to his far northwest. As such, he proceeded north along building 13 and turned left, which was west, around building 14. That ultimately took Officer Erickson to the front entrance of the complex.

At that point, a citizen flagged Officer Erickson down. Officer Erickson noticed the citizen was panicked. The citizen advised Officer Erickson that there was just a shooting by building 13. The citizen was unable to tell him a specific apartment number for the shooting, but he was able to tell Officer Erickson that the shooter was gone. Officer Erickson and the citizen ran east, along the north side of building 14, and then south along the east side of building 14.

At the south end of building 14, near a white sedan, Officer Erickson located a green ammunition box with other property around it. Officer Erickson broadcast over the radio that he found the ammunition so it could be logged. At that point, Officer Erickson noticed the citizen was all the way to the south end of building 14 and was trying to get Sgt. Van Beveren's attention. Officer Erickson continued running south and came upon two live ammunition rounds on the ground. The rounds were between buildings 13 and 14.

Sgt. Van Beveren and Officer Erickson met at the bottom of the stairwell of building 13 and told the citizen they would take over. The two of them made their way up the stairs to the landing. Once there, they observed one female (D.H.) lying faceup on the ground. Another citizen was providing her aid. The citizen advised that she was trying to stop the bleeding. Sgt. Van Beveren and Officer Erickson asked the citizen to back up while they cleared the apartment. Officer Erickson noted that the female who was lying down appeared deceased as she exhibited no signs of life.

While clearing the apartment, Officer Erickson located a conscious, alert female (Y.H.) in the laundry room to the immediate right. Y.H. advised she had been shot. Officer Erickson observed a pool of blood around her. He exited the laundry room to continue to clear the apartment and noticed that Officer Nelson was now inside helping clear the apartment. As they continued, Officer Erickson called out that there was another victim (V.M.) near the patio slider. Officer Erickson noticed that she appeared deceased as well. While he cleared the bathroom, he located a female (L.G.) who he assumed was the maid who called 9-1-1. The woman was escorted out of the apartment. When he came out of the bathroom, he noticed Officer Morgon was now inside the apartment to help clear it as well. While clearing the apartment, they heard over the radio that a male called 9-1-1. The male advised he was inside of apartment 13301, he just killed some people, he had a twelve-year-old boy, and he demanded a helicopter. That was the last piece of radio traffic he remembered hearing.

Once the apartment was completely cleared, Officer Erickson assessed each of the victims they located. Officer Erickson believed the female by the slider (V.M.) had a gunshot wound to the back of her head. She did not appear to be breathing. She appeared deceased and beyond life saving measures. The female in the doorway (D.H.) also appeared to have a gunshot wound to the head and appeared to be beyond life saving measures. Additionally, he saw a spent casing in a pool of blood next to that female's ear. Officer Erickson then made his way back into the laundry room and asked the female (Y.H.) what her name was. The female provided her name. Officer Erickson checked her for injuries and located a gunshot wound to her upper thigh. He requested a tourniquet, and officer Nelson came into the laundry room and applied it. Officer Erickson continued to assess the female for wounds and located two more gunshot wounds – one

on her stomach and another on her upper chest area. It was apparent the female had lost a lot of blood. The officers knew they needed to remove her from the apartment so she could receive immediate medical attention.

Officers Erickson and Nelson carried the female out of the apartment. Officer Candland then joined and assisted them with carrying Y.H. down the stairs and to the grassy area that was west of building 13. HFD personnel arrived. Officer Erickson helped HFD carry her to the north end of the complex. While doing so, he heard multiple shots being fired. At the time he heard the shots, they were between building 13 and building 14, on the west side of those buildings. Somebody then advised over the radio that officers had fired their weapons. Shortly thereafter, he heard more shots.

Once they made it to the front of the complex with Y.H., an ambulance arrived. At that point, Officer Erickson ran back toward building 13, on the east side. By the time he arrived back at the scene, he noticed the suspect and victim were removed from the vehicle and HFD was rendering medical aid to both individuals. He then checked on Officer Duffy as other officers were attending to him. Officer Duffy seemed okay, so Officer Erickson then proceeded back to apartment 13201 and checked for a pulse on the female who was lying in the doorway. Officer Erickson believed she might have had a faint pulse, but he couldn't tell if it was his pulse or the female's. As such, he requested that Officer Nelson check as well. When Officer Nelson checked, he believed she had a faint pulse as well.

Officer Erickson went to do chest compressions and noticed the female's shirt was soaked in blood. He administered about two chest compressions. After doing so, a lot of blood came out of her mouth. Officer Erickson believed she was deceased at that point.

He returned downstairs and contacted a firefighter. He explained to the firefighter that there were two more victims upstairs that he believed were deceased but asked the firefighter to confirm as the firefighter had more medical experience than him. The firefighter responded back to the apartment with Officer Erickson, checked the females, and confirmed that they were both deceased. Officer Erickson then exited the apartment and was advised by Sgt. Van Beveren to hold on the apartment. He remained there until he was relieved by SWAT.

Sgt. Seth Van Beveren

Sgt. Van Beveren was interviewed by Detectives Christopher and Lippisch on November 10, 2020. Sgt. Van Beveren had been working for the Henderson Police Department since March of 2006. On November 3, 2020, Sgt. Van Beveren was in a police uniform and operating HPD Tahoe 5961. His call sign was SAM1337.

On November 3rd, 2020, Sgt. Van Beveren's squad was assigned to maintain a presence at various polling locations. At the time the call came out, he was traveling south on Valle Verde and on the north radio channel because he was in the North Area Command. He heard the call for service come out, and from what he remembered, the original call came out as an unknown problem. He was on the phone at the time. The location was originally in the area of Starbucks and an update came out that it might possibly be at the Chevron located at Stephanie and Wigwam.

Sgt. Van Beveren decided to head to the call on eastbound Wigwam from Valle Verde. Sgt. Van Beveren did not remember the exact order, but he remembered dispatch advising the following: there was an unknown problem call; there was a language barrier; and people had either been shot and/or were down. Then, the location was updated to reflect the incident occurred at Stonelake. Sgt. Van Beveren arrived at the complex off of Wigwam.

Upon entry, he noticed another patrol vehicle on scene; therefore, he started to drive in that direction. There was some confusion as to which building, but he did remember it being building 13. Sgt. Van Beveren parked somewhere southwest of building 13. At that point, there was an unknown male walking west on the sidewalk along the south side of building 13. The male was waiving at Sgt. Van Beveren. Sgt. Van Beveren contacted this person, and he didn't remember exactly what he said, but he remembered him pointing at an apartment in building 13 and pointing to the black Escalade in the parking lot. That led him to believe the vehicle either belonged to the people in the apartment or the vehicle was somehow related. Sgt. Van Beveren could not see anybody inside of the vehicle at that point

Sgt. Van Beveren's priority was the apartment as he was already advised of people being down. Consequently, he met up with Officer Erickson and proceeded up the stairs on the east side of building 13. Upon arrival on the second-floor landing, he noticed the door was open to apartment 13201. A female (D.H.), who was bleeding and appeared deceased from gunshot wounds, was lying in the threshold of the door. An unknown female was holding a rag to the female's head. Sgt. Van Beveren and Officer Erickson cleared the inside of the residence for additional victims under the community caretaking doctrine.

Upon entry to the apartment, they located a second victim inside of the room to the right. The victim was a female teenager (Y.H.) who appeared to be suffering from multiple gunshot wounds. She was semiconscious and breathing. They continued to clear the apartment and another officer arrived to assist. The other officers went inside of the next room on the right and ended up finding another person (L.G.) inside and proceeded to hold the person at gunpoint. Sgt. Van Beveren broadcast that they had a person at gunpoint. Shortly thereafter, L.G. was removed from the room. She appeared to be absolutely terrified. Sgt. Van Beveren requested they escort her out of the apartment, but he did not know who took her outside. He then got back on the radio and advised that the person they located (L.G.) was not the suspect, and the suspect was still outstanding.

After L.G. was removed, officers continued to clear the apartment. Officer Morgon arrived and assisted with the clearing. Sgt. Van Beveren then observed a third female victim (V.M.) who was down by the sliding glass door. She had a lot of blood around her and appeared deceased from gunshot wounds as well. They finished clearing the apartment. As they did so, Sgt. Van Beveren provided updates. Ultimately, they determined that the suspect was not inside the apartment.

Sometime after, he learned via dispatch that the suspect was directly above them in apartment 13301 and he wanted a helicopter. Sgt. Van Beveren was aware that the suspect, who was right above them, already murdered two individuals, possibly a third, and, by his own admission, he was holding a twelve-year-old hostage. As such, he believed the apartment was no longer safe and they needed to get people out. Sgt. Van Beveren directed officers to lockdown the top part of the stairwells on the east and west side of building 13. He knew that if the suspect exited then they could challenge him; however, he did not want to take any further action as to avoid making things worse.

They then picked up the female teenage victim and carried her out of the apartment to get medical attention; however, the other two female victims appeared beyond help. The two females who appeared deceased (D.H. and V.M.) were both checked for pulses. Neither female had a pulse. As such, in order to preserve the crime scene, neither of them was moved.

Sgt. Clear then advised over the radio that the black Escalade was involved, and she could see both the suspect (Decedent) and the juvenile (J.H.). Officers continued to hold on the apartment above the crime scene, which was apartment 13301, and Sgt. Van Beveren turned his focus to the parking lot where the vehicle was parked. Sgt. Van Beveren now believed they had a hostage barricade. Sgt. Van Beveren

went downstairs and took up a position on the southeast corner of building 13 and Officers Amezcua and Anderson were with him.

Sgt. Van Beveren decided to get his bullhorn from his vehicle so he could hopefully establish a dialogue with the male to keep him talking until SWAT arrived. As he made his way back with the bullhorn, Sgt. Van Beveren heard a single gunshot and then a flurry of gunshots. Officers Amezcua and Anderson both fired their weapons. Sgt. Van Beveren was unable to tell if other officers fired, or whether shots were fired from inside of the vehicle; however, he knew that he never fired his own weapon.

After the gunshots stopped, they started to shift forward. While doing so, he was concerned about crossfire as officers were moving up from different angles. Sgt. Van Beveren yelled at Officer Pendleton multiple times for him to get on the same side as the rest of them to eliminate any risk of crossfire. Officer Pendleton moved to the same side of the vehicle as the rest of them.

At that point, Sgt. Van Beveren knew they needed to get the young boy (J.H.) out of the vehicle and directed the officers to do so. While officers were on the south side of the vehicle looking north through the passenger windows, Officer Price fired his weapon. Officers were then able to get the door open. Officer Kiecana removed the boy from the vehicle, placed him on the ground near the vehicle and immediately started chest compressions. Sgt. Van Beveren instructed them to move the boy away from the vehicle because they did not know the status of the suspect and he knew that the suspect had a firearm. They moved the boy across the parking lot, near the southeast corner of building 13, and continued to render medical aid.

Sgt. Van Beveren then directed officers to get the suspect (Decedent) out of the vehicle and to render medical aid if he was injured. The door was locked so they were unable to reach him. They also could not remove decedent through the passenger side of the vehicle due to the center console. They shifted over to the driver's side and attempted to unlock the door. While doing so, two SWAT officers came over and started to break the windows. They were ultimately able to get the door open, remove the suspect from the vehicle and place him on the ground behind the vehicle. Medical personnel approached the suspect to render medical aid.

Sgt. Van Beveren was able to get the involved officers relieved by other officers, who were not involved. The involved officers were then removed from the scene.

Sgt. Van Beveren concluded the interview by noting that this one was one of the most rapidly evolving calls to which he has ever responded.

Officer Alex Nelson

Officer Nelson was interviewed by Detectives Christopher and Lippisch on November 10, 2020. He had been employed by HPD since July of 2015. On November 3, 2020, Officer Nelson was in a police uniform, was operating HPD Tahoe 5980, and his call sign on that date was 2N11.

On the day of the incident, Officer Nelson was en route to a prowler call, when dispatch advised they received an unknown problem call with a female screaming and the line disconnected. Dispatch gave the latitude/longitude of Starbucks off Warm Springs and Julia. Officer Nelson checked the status of the officers at the scene of the original call he was in the middle of responding to so he could respond to the unknown problem call. He did so because there was only one officer en route to that call for service. Dispatch then advised they received another call advising three people were shot.

Officer Nelson heard Sgt. Clear ask dispatch if it was the Starbucks on Warm Springs and Marks. That's when dispatch advised that it was at the Terrible Herbst. Sgt. Clear asked if it was the Terrible Herbst at Sunset and Marks, but there was a slight time delay, and another update came out from dispatch advising they received another call, and it was from Douglas as Stonelake.

Officer Nelson proceeded to the apartment complex with his lights and sirens on while updates were being provided. He learned three people had been shot inside of building 13, apartment 201. Sgt. Van Beveren arrived on scene right before Officer Nelson and another officer. Officer Nelson and the other officer stopped their vehicles. That is when they realized they were at the wrong building. Officer Nelson proceeded to the south side of building 13 where he parked his vehicle to the southwest of the building.

After he parked, Officer Nelson ran up to the apartment where Sgt. Van Beveren and Officer Erickson were already located. He immediately noticed a female (D.H.) who had a large amount of blood underneath her head and upper body area. They proceeded to clear the apartment. While clearing the apartment, Officer Erickson located a female in the closet (Y.H.), just off to the right of the front door. The female had been shot, but she was conscious and breathing. They left her there and continued to clear the apartment. Officer Erickson then entered the bathroom and found a Hispanic female (L.G.) hiding in the bathtub. The female was completely terrified and afraid. The female from the bathroom was removed from the bathroom and passed to Officer Morgon. Officers Erickson and Nelson continued to clear the apartment and located another deceased female (V.M.) by the back slider. It appeared that the female by the back slider had been shot in the head. She had blood underneath her head and the area around her upper body.

Once the scene was safe, they went to render aid to the victims. While doing so, they entered the closet with the female, and he observed two gunshot wounds - one to her right thigh and one in her stomach. Officer Nelson applied a tourniquet to her right thigh. Then Officers Nelson and Erickson decided to extract her from the apartment so that they could get her to a safer area where she could be seen by medical personnel.

They took her down two flights of stairs, and then the female's eyes started to roll back into her head. They stopped and Officer Nelson checked for a pulse while he continued to talk to her in hopes he could keep her awake. The female came back around, and they continued to carry her to a grassy area west of building 13, south of the pool. Officer Nelson requested that dispatch have medical personnel respond to their location.

At that point, Sgt. Van Beveren was next to some patrol vehicles that were parked south of building 13. Officer Nelson then heard somebody tell another officer that a black Cadillac SUV, which was parked just to the east of building 13, was related to the victim's apartment. Dispatch then advised over the radio they had received a call from a male who advised he was inside of apartment 13301, which was directly above the victim's apartment. The male advised he had the juvenile. Then, Officer Nelson heard Sgt. Clear come over the radio advising that she had eyes on the vehicle, the vehicle was occupied by a male (Decedent) and a juvenile (J.H.), and the male had a gun.

Sgt. Van Beveren instructed Officer Nelson to respond to his vehicle to obtain the shield. Officer Nelson was unable to locate the shield in Sgt. Van Beveren's vehicle. At that point, Officer Nelson determined he felt more comfortable using his AR-15 in this situation in case he needed to gain distance. Officer Nelson indicated he is more accurate with the AR-15 at a distance. Therefore, he went to his patrol vehicle and deployed his rifle.

Sgt. Van Beveren instructed Officer Nelson to get the bullhorn. He grabbed it and gave it to Sgt. Van Beveren. He then took up a position near the south at the corner of building 13 where a few officers were

already located. Upon arrival, he noticed other officers across from them and believed there might be a risk of crossfire. Officer Nelson then went around building 13, went through the breezeway and took up a position behind the rear of a patrol vehicle that was parked just to the east of building 13 and northwest of the Cadillac. Officer Hehn was already located there, but he broke off and Officer Nelson took his position.

Officer Nelson recalled hearing that there were two subjects inside of the vehicle, but he did not know their positioning inside of the vehicle. As he assessed the situation, he went over in his head that two individuals were murdered, another was transported to the hospital with gunshot wounds, and there was now an armed individual (Decedent) inside of a vehicle with a juvenile hostage (J.H.). The juvenile then came into his sight from the rear driver's side window, and he noticed the juvenile was facing the driver's side. The juvenile looked terrified, which caused Officer Nelson to believe something in the vehicle had changed. Based upon the violence he observed in the apartment, the details relayed over the radio, and what he observed in the vehicle, Officer Nelson was concerned that the suspect was going to murder the juvenile.

As he continued to watch the juvenile, Officer Nelson heard gunshots. He did not know whether the shots were fired inside of the vehicle or whether it was officers. After the shooting, a majority of the windows to the vehicle were shattered. As a result, Officer Nelson was able to observe the suspect in the driver's seat leaning toward the center console area. Officer Nelson and other officers moved up toward the vehicle, whose engine was revving.

Officer Nelson positioned himself behind the vehicle with another officer in front of him. It appeared the suspect was still able to function as he was moving around, and it looked like his right hand was moving down. Officer Nelson was concerned that the suspect was still a threat to the juvenile and officers on scene. Another volley of shots was heard, but Officer Nelson did not know who fired the rounds. Officer Nelson never fired his weapon.

After the second volley of rounds, Officer Nelson moved over to the passenger side of the vehicle where officers tried to extract the juvenile from the vehicle. They had to break the windows to extract him. Once the juvenile was removed from the vehicle and placed by the curb, Officer Nelson ran to his vehicle to secure his rifle and look for a medical kit. Officer Duffy performed life saving measures (CPR), and Officer Nameth applied pressure on the wound on the side of the juvenile's neck. Officer Nelson returned to the juvenile and held pressure to the wound on the side of his neck.

Officer Glenn Morgon

Officer Morgon was interviewed on November 10, 2020, by Detectives Christopher and Lippisch. He had been working for HPD since September of 2007. On November 3, 2020, Officer Morgon was in a police uniform, was operating HPD Tahoe 5992, and his call sign was 2N31.

On the date of the incident, Officer Morgon had just initiated himself to go to lunch when dispatch broadcasted an unknown problem at Starbucks right next to the scene of the crime. There was one officer en route to this call for service. Officer Morgon asked for the call to back up that particular officer. While en route to the unknown problem call for service, an additional call for service came out regarding an assault/battery with a gun where a housekeeper reported multiple individuals were shot inside of an apartment. Officer Morgon then went lights and sirens to the call.

Upon arrival, Officer Morgon believed the apartment building was building 2 because of apartment number 201. Shortly thereafter, Officer Morgon realized it was building 13. At that time, he proceeded to park his vehicle in a way that would keep the left entrance/exit gate open for incoming units. He grabbed a trauma kit and proceeded to building 13, directly south of where he parked his vehicle. Once at the building, he

went up the stairwell. He dropped his trauma kit outside of the apartment as he observed a female (D.H.), who had what he believed to be a traumatic injury to the head, lying in a puddle of blood around her head in the doorway.

Officer Morgon entered the apartment and, while doing so, officers brought a female out from one of the back rooms. The female was brought to Sgt. Clear who was just outside of the apartment. He then proceeded to clear the rest of the apartment where he learned of another female victim in the front kitchen area (V.M) and a third female victim (Y.H.), who had been shot, in the side room. Officer Morgon believed they were now investigating multiple homicides.

While clearing the residence, dispatch advised they received a call from the suspect (Decedent), who advised he was inside apartment 13301 (directly above them), he had a juvenile as a hostage (J.H.), and he wanted a helicopter. Officer Morgon, who obtained a shield, along with Officer Hehn and his trainee, who also had their weapons drawn, set up on that apartment from the east side of the landing. While doing so, there was a loud thud, like somebody slamming into a wall or slamming a door. It sounded like it came from the apartment in question.

They then received information that the suspect was downstairs in a vehicle in the parking lot, and dispatch had contact with the suspect and the juvenile. It should be noted that it was broadcasted earlier that there were two people in a vehicle. Officer Morgon was requested to come downstairs with the shield. As he got to the bottom of the stairs, he observed officers moving toward the black Cadillac Escalade SUV that had tinted windows from the second row back. As Officer Morgon made his way through the vehicles parked underneath the carport, there was a stack of three officers to the left, north of the vehicle that Officer Duffy was part of, and more officers to the right.

As he positioned himself, Officer Morgon heard a volley of gunshots. Officer Morgon did not shoot because he did not have a clear view of the target. He knew there was a juvenile (J.H.) in the vehicle, and he did not know where the juvenile was positioned. Officer Morgon did not know if any of those gunshots came from within the vehicle or which officers fired. Once the gunshots stopped, they moved up toward the vehicle. At that point, an officer was on his left side. Sgt. Clear told them they were going to get run over as the engine to the vehicle was revving. Officer Morgon could not tell the state of the driver (Decedent) as he could not see him. He repositioned himself off to the side. At that point, there was a second volley of gunshots. Officer Morgon believed Officer Lujan fired at least one round from the rear of the vehicle.

Officer Morgon was eventually able to see through the rear window, which was broken out. He noticed the shifter was up in the park position; therefore, he held there with the shield and his handgun drawn, covering the driver (Decedent). The driver was slumped over to his right. Officers had trouble getting the juvenile (J.H.) out of the vehicle because the doors were locked. Eventually, they were able to get the juvenile out of the vehicle and administered life saving measures. Officer Morgon remained covering the driver until he was relieved by SWAT. SWAT was able to remove the driver from the vehicle and HFD attempted to render medical aid. Once relieved, he started to check on the other officers involved. While doing so, he noticed Officers Duffy and Kiecana were covered in biological materials.

Shortly thereafter, Officer Kiecana advised Officer Morgon that the juvenile was deceased. Officer Morgon removed her from the juvenile and took her to a position of cover due to them being exposed by the apartment in question. While doing so, they were instructed to relocate further to the south where there was another patrol vehicle. They remained there until they were relieved by SWAT.

Officer Timothy Brink

Officer Brink was interviewed by Detectives Christopher and Lippisch on November 9, 2020. He relayed that he had been working for the Henderson Police Department since April of 2020. Officer Brink advised that on November 3, 2020, he was in police uniform, was operating HPD Tahoe 5939, and his call sign was 2N41. On that date, he was in his third week of Phase I of Field Training.

On November 3rd, 2020, he was riding with his Field Training Officer, Officer Hehn. They had just left the courthouse on Water Street when they heard the call out. They caught the end of the call, regarding multiple subjects down. As such, they believed it was a possible active shooter. Officer Hehn started to look at the call details on the computer and asked for the call via radio. Officer Brink proceeded to drive to the call location with lights and sirens activated.

Upon arrival at the apartment complex, they noticed other officers arriving. An officer advised over the radio he had somebody at gunpoint, who he believed to be the shooter. Later, the officer broadcast additional information that led Officer Brink to believe the person was not a suspect, but a person reporting or another person inside of the apartment. The suspect was still outstanding. Officer Brink stopped their vehicle, began to assess the situation around them, and then they proceeded to make their way toward the stairs where they observed other officers. As they proceeded, another officer on scene advised that they needed to watch the third story apartment door as they believed the suspect was inside of that apartment 13301.

Officers Hehn, Morgon and Brink went up the stairs, along with another officer before them, and proceeded to setup on the apartment door. Officer Morgon had the shield. Officers Hehn and Brink had their duty weapons pointed at the door and were tucked in behind Officer Morgon. The other officer that went up before them had gone back downstairs to assist officers with translating for them while they spoke with a woman that was removed from the apartment.

While holding on the door, they heard loud thumps that led them to believe somebody was inside of the apartment in question. They could also hear officers that were behind them calling out to a vehicle, which was a black Cadillac Escalade. The officers calling out to the Escalade believed the suspect was inside of the vehicle. They were in the line of sight of the vehicle; therefore, Officer Brink shielded Officer Morgon from the vehicle. The two of them held there for a few minutes while Officer Hehn went downstairs to see what the officers on the ground needed. Shortly thereafter, Officers Brink and Morgon were called down because the officers at the Escalade wanted the shield at the vehicle. Traffic officers who were also on the third floor, at the stairwell at the other end of building 13, held the apartment door. During that time, Officer Brink learned dispatch had direct contact with the suspect.

Once downstairs, Officer Brink went right, around the vehicle, to use it as cover as he tried to see inside. He was unable to see anyone inside of the vehicle due to the windows being tinted. At that point, shots were fired. Officer Brink believed the shots were fired by officers around him but did not know whether shots were also fired from within the vehicle. When the shooting stopped, the sergeant advised the officers that they needed to get the juvenile (J.H.) out of the vehicle. They approached the back of the vehicle. Officer Brink noticed that the driver (Decedent) must have had his foot on the accelerator as the engine was revving loudly. Officers tried to open the doors, but the doors were locked. They were unsure whether the suspect was down because he began moving again. At that point, other officers discharged their weapons. Officer Brink was unsure which officers fired but confirmed that he never discharged his weapon. The suspect then dropped his head and removed his foot from the accelerator.

Officers approached the vehicle again. They used a baton to break the windows because the doors were locked, and they needed to be able to remove the juvenile from the vehicle. Once the juvenile (J.H.) was removed from the vehicle, Officer Brink saw that the juvenile was bleeding badly. Officers started to administer life saving measures by performing CPR while also attempting to stop the bleeding. Other officers advised they were still too close to the vehicle as they still did not know if the male suspect (Decedent) continued to pose a threat. The officers moved the juvenile farther away from the vehicle. Officer Brink reapproached the vehicle. SWAT Officers then removed the suspect from the vehicle through the driver's side. Officer Brink believed officers were attempting to resuscitate the suspect as well. Once both occupants were removed from the Escalade, Officer Brink observed an open box of ammunition resting on the center console.

One of the Sergeants on scene asked Officer Brink to obtain crime scene tape and set up a perimeter. While attempting to obtain crime scene tape, he heard over the radio that there was another possible shooter on the balcony. Officers Hehn and Brink focused on the third story balcony to the apartment they were previously set up on. Shortly thereafter, they were advised that other officers had the apartment covered. They were directed go to the command post.

Officer Jesse Hehn (Shooting Officer)

Officer Hehn was interviewed by Detectives Christopher and Lippisch on November 9, 2020. During the interview, he advised he had been employed with HPD since July of 2014. On the date of the incident, Officer Hehn was in a police uniform, operating HPD Tahoe 5839, and his call sign was 2N41.

When the call came out, Officer Hehn was riding in the passenger seat while Officer Brink was driving down Basic Rd. Officer Hehn, who was the Field Training Officer (FTO) for Officer Brink, did not hear the original call for service. Officer Hehn started to listen more closely to what was going on. During that time, he learned that somebody heard gunshots inside of an apartment, or something to that effect. Officers Brink and Hehn started to drive toward the call for service while listening to the updates. As they drove, Officer Hehn requested the call via radio from dispatch.

Prior to their arrival, an officer came over the radio and advised he located multiple subjects with gunshot wounds inside of an apartment. Officer Hehn also heard Sgt. Van Beveren advise he had one at gunpoint inside the apartment. He was not sure if the subject was the suspect.

When they responded, they headed to the location where the gunshot victims were located. As they made their way to the apartment, Officers Erickson and Nelson were removing from the apartment the sixteen-year-old female (Y.H.) with apparent gunshot wounds. Another victim (D.H.), who Officer Hehn believed to be deceased, was lying in the doorway. Dispatch then advised the suspect was on the phone with them and he was inside of apartment 13301. That apartment was directly above the apartment where the victims were located. Officer Brinks and Hehn, who had their duty weapons drawn, held on the suspect's apartment with Officer Morgon, who had a shield. The officers continued to hold on apartment 13301 so that other officers could evacuate any victims who were still alive.

At some point, they received information that the suspect might be inside of a black Escalade somewhere in the parking lot. As they continued to hold on the apartment, Officer Hehn heard someone, possibly Sgt. Clear, state, "I have them in the vehicle" and, "I see the gun." Officer Hehn felt they were not behind cover if the person in the vehicle started shooting at them. The vehicle the suspect was inside of was a black Cadillac Escalade with Utah plates. It was parked facing away from the apartment. Officers Hehn and Brink went downstairs to obtain better cover as other officers were holding on apartment 13301 from the other side of the building.

Officer Hehn set up next to the two patrol vehicles that were between building 13 and the covered parking. During that time, he heard the officers just to the north of the vehicle underneath the covered parking advise they could see inside of the vehicle. Those officers also relayed that the suspect (Decedent) had the juvenile (J.H.) in the vehicle, and the suspect was armed with a gun. During the interview, Officer Hehn relayed that he knew the male suspect was in the driver's seat and the juvenile boy was in the front passenger seat, but he did not remember how he learned that information.

At that point, Officer Hehn made the decision that he would take a shot at the male suspect if he had a clear shot. That decision was based upon the fact that Officer Hehn knew the suspect had killed at least one person, another one had been shot, and that the suspect currently had the juvenile in the vehicle with a gun. As such, he feared the suspect was going to kill the juvenile, or potentially the officers who were just to the north of the vehicle. The suspect then moved to a position where Officer Hehn could see his head through the window. Based upon the movement, Officer Hehn believed the suspect was reaching back toward the juvenile. Officer Hehn fired one round at the suspect who was the known threat. Prior to Officer Hehn discharging his weapon, he did hear other rounds being fired. Officer Hehn believed those rounds were being fired from inside of the vehicle, but the rounds were fired at the same time the other officers fired.

After that, he learned the juvenile was struck. He proceeded to move to the passenger side of the vehicle to cover the suspect until the juvenile was removed from the vehicle. As they were approaching the vehicle, other officers fired their weapons due to fact that the male suspect was still moving. As Officer Hehn got closer, he observed the male laid back in his seat. The juvenile was in the passenger seat. Both appeared to have gunshot wounds. Officer Hehn also observed there was an open box of ammunition sitting on the center console. Once the juvenile was removed from the vehicle and life saving measures were administered, Officer Hehn went around to the suspect's side of the vehicle and tried to break the window. Before they could break the window to remove the suspect, SWAT Officers arrived, took over and removed the suspect from the vehicle. Officer Hehn was then removed from the scene.

Officer Jesse Lujan (Shooting Officer)

Officer Lujan was interviewed by Detectives Christopher and Lippisch on November 10, 2020. He had been working for HPD since March of 1997. On the date of the incident, Officer Lujan was in a police uniform, operating HPD Tahoe 6001, and his call sign was 2N61.

On November 3rd, 2020, Officer Lujan was on a different call for service located at Green Valley and Warm Springs when the call for service in question came out. He recalled that the broadcast indicated something along the lines of shots were being fired, two or three people were shot and something about a twelve-year-old. Officer Lujan immediately cleared the scene he was currently on and started to head toward the call for service. During that time, he believed he requested the call from dispatch.

Sgt. Van Beveren arrived a little before Officer Lujan and advised he was at the apartment. He also advised that he needed a couple of units with him as there were at least two people down. Officer Lujan arrived and parked his vehicle to the east of building 13. By the time officer Lujan arrived at the apartment, officers had cleared it. Officer Lujan learned there were two female victims (D.H. and V.M.), one of which was lying in the threshold of the doorway. Officers were also removing a third female victim (Y.H.) from the apartment. Officer Lujan checked one of the victims for signs of life and asked another officer to do the same. At that point, Officer Lujan believed they were investigating the crime of homicide.

Sometime afterward, dispatch advised they received a call wherein an individual (Decedent) indicated something to the effect of, he had just shot or killed three people, he wanted a helicopter in four minutes, and he was in the apartment above. It was unclear to Officer Lujan if the caller was an adult male or a twelve-year-old because dispatch advised they were on the phone with the twelve-year old (J.H.). Officers then began to hold on the apartment above from the stairwell.

Shortly thereafter, there was some information broadcast over the radio about a suspicious Cadillac Escalade in the parking lot. Sgt. Clear then advised over the radio that she had the male (Decedent) and the child (J.H.) in the truck, and the male had the firearm to the child. Officer Lujan went to his patrol vehicle, deployed his department issued AR-15 rifle and took up a position behind a vehicle underneath the covered parking that was just to the east of the black Escalade. Officer Lujan's line of sight was directly into the rear window of the vehicle, which had tinted windows. Due to the tint, Officer Lujan was not able to see inside of the vehicle clearly, but he did at one point see what he believed to be a handgun being pointed toward the passenger side from the driver's side. He could not see any body parts due to the seat rests.

Sgt. Clear attempted to verbally deescalate the situation by establishing a dialog with the suspect. Because of Sgt. Clear's update over the air that the male had the gun to the juvenile, he deduced that the suspect was likely in the driver's seat pointing the weapon at the juvenile in the passenger seat.

Officer Lujan got on the radio and asked where the suspect and juvenile were located to allow him to come up with some type of tactical plan. He had 13 years on HPD's SWAT team, and, during his time with the team, they trained for situations like this. Officer Lujan was trying to figure out what they were dealing with in hopes of slowing things down and gaining some type of tactical advantage.

Officer Lujan then heard rounds being fired, and it looked like the glass to the vehicle was blowing out of the vehicle in his direction. During that time, there was an officer positioned on the southeast corner of building 13. Officer Lujan did not know there was an officer there until afterward.

When he started to hear the rounds and see glass coming back at him, he felt what was overpressure, but he did not realize it at the time.³ Officer Lujan brought his rifle up while trying to acquire sight alignment/picture and while doing so he felt the overpressure. At the time, he felt the gunshots had either hit him or were really close to him. This caused Officer Lujan to drop to his back. He thought he was hit on the way down. After Officer Lujan hit the ground, he checked himself for wounds. After determining he was not injured, he jumped back up.

Officer Lujan again brought his rifle back up while taking another look at the suspect vehicle. Then he heard another round that led him to believe the suspect was still firing at him. Later, he realized it was probably the other officer on the southeast corner. A few seconds later, the officers approached the vehicle while he took a position up against the rear of the vehicle. The windows were busted out, so he was able to put his rifle through the rear window while aiming it at the subject in the driver's seat.

At that point, someone advised that the suspect was still moving, and the juvenile was possibly still breathing. Officer Lujan started yelling at the other officers to remove the juvenile from the vehicle. Officer Lujan remained focused on the suspect, who was obviously hit. As Officer Lujan focused on the suspect, he noticed the suspect was moving around, kind of swaying from side to side. He then observed the suspect reach over toward the center console, then over toward the juvenile, and then down behind the seat. Officer Lujan believed the male was looking for the weapon. Officer Lujan knew that the suspect

³ Officer Lujan learned about overpressure during his time with SWAT and knew that it was from the other officer's rifle being fired.

already shot three people, had a hostage who he had also shot, believed the hostage was still alive and in immediate jeopardy, and they needed to remove the juvenile from the vehicle.

Officer Lujan's line of fire was obscured by another officer, who was looking into the front window. He yelled for that officer to get out of the way. The officer moved out of the way, clearing his line of sight. Officer Lujan was in fear for the lives of everyone around him, including the juvenile. As such, Officer Lujan fired one round from his rifle at the male's head.⁴ Officer Lujan then observed the male collapse. After that, he heard five to seven more rounds, but he did not know who fired those rounds, nor did he know what they fired at or saw. Officer Lujan again started to yell over and over again for other officers to remove the juvenile from the vehicle.

Officer Lujan went over to the front passenger window, broke the window, reached through the window, and attempted to open the door with the interior door handle. In doing so, he inadvertently ripped the door handle off. Officers were eventually able to open the door. The juvenile was removed and life saving measures were administered.

Officer Lujan started to check officers to make sure nobody was hurt and reminded everyone they still had a target apartment upstairs that had not been cleared. Officer Lujan went back up to the third floor where he covered the suspect apartment until he was relieved by SWAT.

Sgt. Jaime Clear

Sgt. Clear was interviewed by Detectives Christopher and Lippisch on November 9, 2020. She had been employed by HPD since March of 2008. On November 3, 2020, Sgt. Clear was in a police uniform, operating HPD Tahoe 6017, and her call sign was SAM1387.

At the time of the incident on November 3, 2020, Sgt. Clear was traveling westbound on Warm Springs Road when the calls started to come in through dispatch. As she approached Marks Street, she heard the unknown problem call come out related to Starbucks. She did not hear the details for that particular call as she was en route to a different call for service. Sgt. Clear then heard another call for service that was a disconnect from Terrible Herbst. Prior to the disconnect, a female advised two people had been shot. Sgt. Clear immediately thought of the Starbucks and Terrible Herbst at Sunset and Marks Street. She confirmed the location through dispatch and headed northbound on Marks. While she was at the light at Marks and Sunset, a third call came in from Stonelake Cove. The person reporting, possibly a housekeeper, was hiding in the bathtub and relayed that somebody kicked the door in and shot two people.

Sgt. Clear realized there was a Starbucks and Terrible Herbst that backed up against Stonelake Cove at Stephanie and Wigwam. She turned around and proceeded to that location while driving with her lights and sirens activated. While en route, dispatch received multiple calls regarding shots being fired and individuals down inside of an apartment, but they were having trouble getting the exact apartment number. Shortly before Sgt. Clear's arrival, Sgt. Van Beveren arrived on scene and went to apartment 13201. Sgt. Clear advised via radio she would remain outside and run the scene from the outside.

Upon arrival, Sgt. Clear entered the northside of the apartment complex and parked on the east side. During that time, they started to receive additional calls regarding different building numbers. Ultimately, she went up the stairs toward 13201 and observed a female (D.H.) lying in the doorway. There was blood everywhere. Sgt. Clear believed the female was deceased. She entered the apartment and observed Sgt.

⁴ A subsequent countdown revealed that Officer Lujan's rifle was missing four rounds. During the interview, he expressed that he only recalled firing one round and did not know when he fired the additional three rounds.

Van Beveren inside trying to control what was going on inside of the apartment. During that time, Officer Erickson was carrying a female teenager (Y.H) out of the apartment. The female appeared to be bleeding from everywhere, and she could not tell if she had signs of life. The officers were trying to get her out to medical as quickly as they could. Sgt. Van Beveren advised there was one more deceased inside (V.M.). Then, a witness (L.G.) was escorted out from inside of apartment 13201 to the breeze way. Sgt. Clear instructed a Spanish speaking officer to take her down and to obtain additional information from her.

Sgt. Clear advised Sgt. Van Beveren she would go downstairs to establish a perimeter as the suspect was still outstanding. At that point, dispatch advised over the radio there was somebody saying something about apartment 301, and the caller wanted a helicopter. Sgt. Clear realized 301 was directly above them and instructed somebody to retrieve her shield out of her vehicle. Sgt. Clear had a team of officers set up on the apartment with the shield on the stairwell while she went downstairs to her patrol vehicle.

While downstairs, she observed a black Escalade occupied by two individuals. The brake lights were on. The vehicle had Utah plates and the engine was on. Sgt. Clear observed the vehicle two or three times. It did not initially register to her that it could be involved.

At the time, Sgt. Clear was not thinking that two suspects might be involved. Rather, her initial thoughts were that it was a possible domestic related incident. Based upon the circumstances of the incident, she believed the suspect would be known to the victims. Consequently, she continued to coordinate things from the east side of the complex while the team of officers continued to cover the apartment on the third floor and waited for SWAT.

As the event unfolded, they started to get information that an Escalade might be involved. Sgt. Clear continued to see the brake lights illuminating. She backed up underneath the carport in an attempt to get a better look at who was inside of the vehicle. At one point, the adult male in the driver's seat (Decedent) bladed his shoulders and she could see a juvenile (J.H.) with his hands up against the glass. Sgt. Clear then knew the adult male, who was primarily turned away from officers, was their suspect. She tried to get on the radio while she took cover behind a vehicle. Because of the circumstances of what had already occurred, she knew she could not approach the vehicle. She was also concerned about the vehicle going mobile and knew that the suspect was a risk to everybody on scene. Additionally, the vehicle could be used as a weapon.

Sgt. Clear yelled for Officers Kiecana and Nameth. The two of them, along with Officers Price and Pendleton, responded to Sgt. Clear's location. Sgt. Clear knew handguns were not as effective from a far distance, so she checked to see which weapons the officers had deployed and saw that three of the officers had their AR-15s. At that point, Sgt. Clear had the officers come up on her left side while they attempted to get a better view of the vehicle. She told Officer Kiecana, who was on Sgt. Clear's right side, not to shoot because the child was in their backdrop. They continued to swing out toward the left. During that time, she saw Officer Hehn and summoned him to their location.

Sgt. Clear, who was on the north side of the Escalade, about three vehicle spaces away, tried to broadcast over the radio that they could see the suspect, and he had a gun in his hand. While she watched, she saw that the juvenile had his hands up, pleading and screaming. The vehicle was rocking as if the juvenile was trying to get out but was unable. This led Sgt. Clear, who was seeing all of this through the driver's side window, to believe the child was being held against his will at gunpoint. During that time, she tried to communicate with the suspect, and even threw a rock at the vehicle in an attempt to get the suspect's attention in case he could not hear them due to the vehicle running. The suspect failed to acknowledge law enforcement's presence or comply with her commands. Sgt. Clear asked dispatch to tell the suspect to roll down his window so she could establish some type of dialogue with the suspect.

Dispatch relayed over the air that they had an open line, and they overheard the suspect tell the juvenile to open his mouth so he could shoot him. While they were swinging out, Sgt. Clear observed the juvenile lean back with his hands up and he opened his mouth as if he was going to scream. That's when she observed the gun go up in the suspect's right hand. At that point, she told the officers to shoot the suspect. Sgt. Clear decided not to shoot because she was trying to manage what was occurring. She believed Officers Pendleton and Price fired because they were on her left, but she also heard gunshots coming from behind the vehicle. Sgt. Clear was unsure which officers fired the rounds from behind the vehicle. It was unknown to Sgt. Clear if the suspect fired his weapon or not at that point.

After the initial shots were fired, they approached the vehicle to assess the situation and render aid. When they approached, she did not believe the suspect was deceased because his foot was still on the accelerator. The engine was full throttle. The officers who were behind the vehicle were pulled back by Sgt. Clear. Sgt. Clear then remembered hearing a couple more shots being fired. She did not know who fired those rounds. After those rounds were fired, the revving of the engine stopped. Officers broke the window, removed the child from the vehicle and brought the child back to a point where they were able to render life saving measures. Sgt. Clear believed the suspect in the driver's seat was also removed from the vehicle and rendered life saving measures.

As fire/medical was coming up, there was information relayed that there still might be someone in apartment 301. At that point, Sgt. Clear was removed from the scene.

Officer James Pendleton (Shooting Officer)

Officer Pendleton was interviewed on November 9, 2020, by Detectives Christopher and Lippisch. He advised that he had been with HPD since April 13th, 2013. At the time of the incident, Officer Pendleton was in a police uniform, operating HPD Tahoe 5842, and his call sign was X2037.

On November 3rd, 2020, Officer Pendleton was riding with Officer R. Adams 1709. He was sitting in court at the City of Henderson Justice Facility when he heard dispatch broadcast over the radio that two individuals had been shot and there was a language barrier with the caller. Around that time, his case resolved, and he was freed to leave. Officer Pendleton contacted Officer Adams, who was at the station, to let him know he was done with court. He picked up Officer Adams, determined where the call for service in question was located and proceeded to drive with his lights and sirens activated.

While en route, he heard updates over the radio that somebody called to advise they were holding a twelve-year-old boy hostage and that he was going to kill him. Officer Pendleton also heard updates that officers were moving some of the victims, and at least one of the victims was confirmed deceased. Upon arrival, Officer Pendleton turned left to enter the apartment complex and parked a short distance from the entrance. He deployed his duty rifle, chambered a round, and walked south on the east side of the complex to where other officers were located. As Officer Pendleton walked south, he was trying to figure out where the suspect and officers were and what was going on at that time. He heard radio traffic that advised there was a black Escalade involved, but he did not know the exact involvement.

As he got closer, he noticed a cluster of officers, possibly an arrest team. They were a couple of vehicles back from a black SUV, and the officers' attention was focused on the SUV. He approached those officers from behind. The first officer he contacted was Officer Price. Officer Price had his rifle pointed at the person sitting in the driver's seat of the SUV. Officer Pendleton advised Officer Price to be careful as there were officers in front of him.

Officer Pendleton stepped past Officer Price and approached Sgt. Clear, who he believed to be the head of the arrest team. At that point, he observed the male sitting in the driver's seat (Decedent) of the SUV waving his hand. That's when he caught a glimpse of a black handgun in the male's right hand.

Sgt. Clear advised they needed to fan out toward the left as they were looking through the driver's side window of the SUV. The SUV was parked facing east. They were a few vehicles north of the SUV, underneath the covered parking. Officer Pendleton advised they were not at a good angle due to the male and the twelve (12) year old boy being lined up with one another. Therefore, he fanned out toward the left so he could have a better angle in case he needed to discharge his weapon. Once in that position, he could see the boy (J.H.) in the front passenger seat. The look on the boy's face led Officer Pendleton to believe the juvenile was terrified.

Officer Pendleton believed the adult male in the driver's seat was the suspect who had called into dispatch and advised he was going to kill the twelve-year-old boy. At that time, the suspect was facing the boy, so Officer Pendleton was unable to see the suspect's face. Then, something startled the boy. The boy pulled back, threw his hands up, and his eyes got wide. Officer Pendleton believed the juvenile was even more scared.

Sgt. Clear advised him to take a shot if he had it. Based upon everything he knew and had observed up to that point, Officer Pendleton believed that if he did not take immediate action the male suspect would kill the juvenile boy. Officer Pendleton believed it was essential that they stop the threat.

Officer Pendleton raised his rifle, obtained a sight alignment with the male suspect's head, and discharged one round to stop the threat. At the time he fired, the only portion of the suspect that Officer Pendleton could see was his head and neck. Officer Pendleton observed the driver's side window break and the male react as if he was struck. His view inside of the vehicle was not as clear due to the shattered glass, but he could see that there was still some movement inside of the vehicle. Officer Pendleton believed the suspect was critically wounded and his movement may have been from involuntary spasms as he was passing away.

At that point, officers who were behind the vehicle began to fire their weapons. This lasted a few seconds. Officer Pendleton then heard officers yelling that there was a juvenile in the vehicle, and the shooting stopped. It was unknown to Officer Pendleton if any of the rounds he heard were from the male inside of the vehicle or not. He then heard officers advise the male suspect was still moving and officers fired a few more shots.⁵

Officer Pendleton stated, "I'm moving up" to the other officers and approached the vehicle. He focused on the driver. As he got closer, the suspect in the driver's seat was slumped over and looked incapacitated or deceased. Officer Pendleton then looked at the front passenger seat and noticed the boy was also slumped over and he too had been struck. He yelled out to the officers that the juvenile had been hit. Then, Officer Pendleton tried to open the driver's door to get the suspect out of the vehicle and away from the juvenile, but the door was locked. He made his way over to the passenger side of the vehicle. Other officers already approached that side. The passenger door was locked. Officers broke the window, were able to unlock the door, and removed the boy from the vehicle. Once the boy was out, they started to administer life saving measures.

⁵ Later in the interview, after being afforded the opportunity to review his body worn camera, Officer Pendleton advised that his recollection that there were two additional volleys of shots before he approached the vehicle was incorrect. Rather, it was not until they moved over to the passenger side of the vehicle that the second volley of shots occurred.

Officer Pendleton and other officers went around to the back of the vehicle, and Sgt. Van Beveren advised they needed to get the suspect away from the gun. A SWAT Officer and another officer approached the vehicle and proceeded to break the window with their rifles. Another SWAT officer came with a tool, and he broke the window out. That allowed the officers to unlock the door and remove the suspect from the vehicle. Once the suspect was removed, paramedics came up and started to administer aid.

At that point, Officer Pendleton approached the vehicle and looked inside of it. He observed a black handgun lying on the driver's seat. He yelled out that the gun was still inside the vehicle. Someone responded that they needed to lock it down. Officer Pendleton proceeded to walk toward his vehicle to get some crime scene tape.

Officer Philip Duffy (Shooting Officer)

Officer Duffy was interviewed by Detectives Christopher and Lippisch on November 9, 2020. He had been working for HPD since June of 2019. On the date in question, Officer Duffy was in a police uniform, operating HPD Tahoe 5869, and his call sign was 2N21.

Officer Duffy was at the Henderson Detention Center (HDC) booking a suspect from a different call when dispatch advised of a 9-1-1 disconnect and an unknown problem. Officer Duffy continued to monitor the radio. Dispatch then advised there was a shooting at the Douglas Apartments and a neighbor observed a victim suffering from gunshot wounds. At that point, Officer Duffy told the HDC staff he would get them their paperwork later as he had to leave. He then ran to his patrol vehicle and switched his radio over to the information channel because there was a code red, emergency traffic only, on the main channel. Officer Duffy requested the call for service. Once he received the call, he was able to see the updates.

While en route to the location, he drove with his lights and sirens activated. Upon arrival at the apartment complex, there was some confusion as to the building number. Ultimately, dispatch confirmed that it was building 13. Officer Duffy parked his vehicle on the east side of the complex, north of building 13 so that he could have a view of the building in question.

At that point, officers had confirmed there were two deceased victims (D.H. & V.M.) with gunshot wounds in a second-floor apartment in building 13. Additionally, he was aware that a sixteen-year-old female victim (Y.H.), was also shot, was evacuated from the apartment, and was receiving medical aid. As such, Officer Duffy exited his vehicle and removed his duty weapon/handgun from his holster. He then went back to his vehicle to deploy his rifle. He made the decision to obtain his rifle because dispatch relayed information that the suspect was inside of a third story apartment in building 13.

Officer Duffy then walked over to the covered parking next to the building that was just to the north of building 13. He took a position behind a vehicle where he was able to see the balcony of the third story apartment in which officers believed the suspect was inside. Then, officers received information from dispatch that a black SUV was possibly involved. Officer Duffy and another officer scanned the parking lot to see if they could see a black SUV from where they were located. They observed a black SUV to their south that was parked to the east of building 13. While scanning, Officer Duffy also observed Sgt. Clear in close vicinity to that same vehicle. Sgt. Clear advised that it was the vehicle in question and summoned Officer Duffy.

Officer Duffy ran to Sgt. Clear's location and stacked up underneath the covered parking just a couple of spaces to the north of the black SUV. They used the vehicles underneath the covered parking as cover. Officer Duffy was the only officer with a rifle at that location. He and Sgt. Clear attempted to assess the situation. Officer Duffy, who was looking through the driver's side window, observed a male sitting in the

driver's seat of the black Cadillac Escalade and he was making very erratic movements, looking back and forth very quickly. Though the windows were rolled up, Officer Duffy believed the male was yelling. Officer Duffy observed a ten to twelve-year-old juvenile male sitting in the front passenger seat. The juvenile had his hands in the air and was crying. Officer Duffy believed the juvenile was in distress.

Sgt. Clear tried to deescalate the situation by creating a verbal dialogue with the driver, who they now believed was the suspect in this incident. The suspect continued to make erratic movements while failing to respond to Sgt. Clear's verbal dialogue. Officer Duffy moved to the left of Sgt. Clear, acquired a sight picture/alignment of the suspect's upper forehead with his rifle through the driver's side window and the child was not in that sight picture/alignment. That's when he observed the male raise an object that looked like a gun and then heard somebody state "gun."

Officer Duffy, who was to the northeast of the vehicle, pulled the trigger on his rifle. Officer Duffy attempted to fire his rifle to end the threat posed by the male suspect. At the time he tried to fire his weapon, Officer Duffy believed the male had just committed two homicides, attempted another, and was holding a juvenile hostage. Furthermore, he knew that the suspect inside of a vehicle had advised he wanted to kill the juvenile, was requesting a helicopter to evade police, and failed to respond to Sgt. Clear's verbal dialogue. As he attempted to pull the trigger, he heard other gunfire. Officer Duffy indicated that the first few rounds sounded like they came from in front of them. He believed the male had just shot the child. Officer Duffy realized that his rifle jammed, and no bullets were fired from his rifle. He attempted to fix his rifle, but once he realized what had happened to his rifle, he noticed all of the gunfire had stopped.

At that point, Officer Duffy didn't see any movement from the male in the driver's seat or from the juvenile in the front passenger seat, both of whom suffered from gunshot wounds to the upper extremities and head. Officer Duffy believed the male was no longer a threat at that point and wanted to remove the juvenile from the vehicle so officers could render medical aid. He proceeded to move across the front of the vehicle toward the front passenger side of the vehicle. During that time, he observed some movement from the male suspect.

Officer Duffy advised the other officers of the movement as he continued to assess the situation to figure out if the male was going to harm anyone else. He placed his rifle in the landscaping as it was no longer safe to sling and transitioned to his handgun. As Officer Duffy got to the front of the passenger side headlight, he observed the male suspect deliberately move his head. The two of them made eye contact. Officer Duffy explained it was like the male looked through his soul. Officer Duffy believed the male was still in the fight and wanted to harm them. The male then made a deliberate movement toward the passenger floorboard. This led Officer Duffy to believe the male was attempting to retrieve the firearm he dropped after officers first fired at him.

It was a very dynamic and rapidly evolving situation. Officer Duffy believed the male still posed an immediate threat to himself, other officers in the vicinity, and the juvenile in the front seat. Consequently, Officer Duffy proceeded to fire two rounds at the male's upper extremities to stop the threat. Officer Duffy believed he struck the male and determined that the male was no longer a threat.

Officers continued to the passenger side of the vehicle in an attempt to remove the juvenile from the vehicle, but the passenger side door was locked. Officers broke the window and removed the juvenile from the vehicle. Officer Duffy and another officer picked up the juvenile and moved him about twenty (20) feet southwest of the vehicle where he started to perform CPR on the juvenile. He continued to administer CPR until he was relieved.

Officer Seth Price (Shooting Officer)

Officer Price was interviewed on November 10, 2020, by Detectives Christopher and Lippisch. During the interview, he advised he had been working for HPD since June of 2017. On November 3, 2020, Officer Price was in a police uniform, operating HPD Tahoe 6002, and his call sign was 2E21.

On November 3rd, 2020, Officer Price was inside of his vehicle in the basement of the station taking his lunch break when he heard dispatch broadcast an assault/battery with a gun in the North area command. As Officer Price was exiting the basement, he heard additional units being requested to assist with the call due to shots being fired and individuals possibly being down. Officer Price requested the call for service via radio and received it, but his maps were not working properly. He was driving with his lights and sirens on, but his maps were still not working correctly.

Officer Price turned onto Lake Mead and that's when he allowed two units to pass him so that he could follow them to the service address. While en route, he heard someone come over the radio to advise they had one person at gunpoint, but later clarified this person was not the suspect.

Upon arrival, Officer Price was still unable to look at the call notes. He deployed his rifle and asked the other officers at the scene where they were going and what was happening as he had limited information. Officer Duffy told him it was building 13. Somebody then advised over the radio to stay away from the southeast side of building 13 as that was where the shooter was located. Officer Price and three other officers (Kiecana, Nameth, and Duffy) made their way over to the northwest side of building 13 and continued to gather additional information.

As Office Price was walking eastbound toward the parking lot, along the north side of building 13, Officer Amezcua came around the corner with a female. Officer Price asked what was going on. Officer Amezcua pointed him in a direction and continued to escort the female away. Officer Price peeked around the northeast corner of building 13. The information he had was that the shooter was possibly in a third story apartment in the southeast corner. At that point, Officer Price did not see anyone in the parking lot and had no information as to which other officers were already on scene.

Officer Duffy asked Officer Price if he should get his rifle, and he told him he should. They continued to try and gather information. Officer Price then observed Sgt. Clear farther down from where they were located. Officer Price waived his hand in an attempt to get her attention and she motioned for him to get back. As he remained at the northeast corner of building 13, Officers Nameth, Kiecana and Duffy were near him, by some vehicles. Officer Price told Officer Nameth to stack up behind him until they figured out what they were going to do. Officers Kiecana and Duffy remained near the vehicle.

Then, somebody broadcast over the radio that there were two suspects in a black SUV/Escalade that were possibly related to the incident. Officer Price looked around and did not immediately see a black SUV/Escalade. Officer Kiecana then relayed that Sgt. Clear was telling them to move up. They moved up about thirty or forty yards, across the parking lot toward the brick wall. At that point, they were underneath the covered parking. Somebody then told Officer Price, "Hey, third floor." He took a knee and covered the third floor with his rifle as he believed that was where the potential suspect was located at that time. Sgt. Clear and Officers Nameth, Kiecana, and Duffy were next to him on his left. At that point, Sgt. Clear then observed the SUV and advised that she saw the suspect (Decedent) and the juvenile (J.H.). Sgt. Clear asked who was on the third-floor balcony and Officer Duffy advised that Officer Price was.

Officer Price remained covering on the third floor while Sgt. Clear attempted to get on the radio. Sgt. Clear was initially unable to broadcast over the radio as someone else was broadcasting at that time. Eventually,

Sgt. Clear was able to advise over the radio that she saw the suspect and the juvenile. Sgt. Clear tried to establish a verbal dialog with the male, but the male ignored her.

Officer Price then heard, via the radio, that there was an open line with the suspect, and the suspect was telling the juvenile to open his mouth so he could put the gun inside. Then, dispatch advised of a possible sexual assault. That confused Officer Price, so he proceeded to stand up from the kneeling position to assess the situation on his left. When he stood up, he observed a bald, black male adult in the front driver's seat (Decedent). He acquired sight alignment/picture with his rifle on the male and noticed the juvenile (J.H.) in the background; therefore, he immediately brought his rifle down.

Sgt. Clear told Officer Hehn, who was across from them at their vehicles, to grab the shield. As Officer Hehn went to grab the shield, they moved up. While they moved up, he heard somebody state, "I see the gun, I see the gun, I see the gun," but Officer Price did not see the gun from his location.

At that point, Officer Pendleton was on their left with his rifle and Officer Price fanned out to the left of Officer Pendleton. He continued to focus on the vehicle and observed the driver talking while moving his left hand back and forth from the steering wheel. Officer Price was unable to see the driver's right hand. Officer Price then heard Sgt. Clear state, "If you got the shot, take it." Officer Price brought his rifle back up while he scanned and noticed other officers were in his backdrop.

Officer Price then started to fan out more to create a bigger gap between the suspect and child. During that time, the male was turned toward the juvenile and was either talking to him or yelling at him and the juvenile, who appeared terrified, had his hands up. As he was aligning his sight/picture, while looking for a gun, he heard one gunshot to his right. He believed it was Officer Pendleton firing one round from his rifle at the suspect. Then, he heard multiple rounds coming from the officers on the backside of the vehicle.

Officer Price did not know if those officers knew that there was juvenile in the vehicle, so he advised them of that fact. Once the firing stopped from behind the vehicle, his only thought was to get the juvenile. Officer Price proceeded to run from the front of the vehicle over toward the front passenger side door. Once he got to the front passenger side door, Officer Price noticed the juvenile was leaned up against the door or window, and he appeared to be bleeding from a gunshot wound. The male suspect was swaying back and forth at that time, leading Office Price to believe he was still alive. Officer Price raised his rifle. He could not see the male's hands as they were down by his side, but he did see a box of ammunition on the center console.

As Officer Price continued to scan for a firearm, he heard two rounds come from inside of the vehicle. At that point, fearing for his life, other officers' lives and the child's life, Officer Price proceeded to fire two rounds at the male through the front passenger window to stop the threat. When he fired, he believed it necessary as he knew that the male suspect had potentially shot and killed multiple people inside of an apartment, he was holding the juvenile hostage, possibly just shot the juvenile (he saw that the juvenile had a gunshot wound), there was ammunition inside of the vehicle, and he could not see the male suspect's hands. Additionally, other officers advised they saw a firearm.

After firing the two rounds, Officer Price assessed the situation and noticed the male was no longer moving. He attempted to open the front passenger door, but it was locked. Officer Price reached in through the window area of the rear passenger door, which was rolled down and unsuccessfully attempted to open the door. At that point, Officer Price grabbed the door/window frame and shook the vehicle in an attempt to get inside, but he was still unsuccessful. From there, someone cracked the front passenger window with an unknown object. Officer Price proceeded to open palm punch the window a number of times before he attempted to pull up the door lock to unlock the door. Another officer was able to unlock the door. The

door was pulled open, and Officer Price covered the male with his rifle while Officer Kiecana removed the juvenile from the vehicle. They placed the juvenile on the ground right there and started performing life saving measures. Officer Price continued to cover the male with his rifle while he used his body as cover for the officers who were rendering aid to the juvenile.

Officer Price then told the officers to move the juvenile father away to a safer place. They did so, and continued life saving measures. Sgt. Van Beveren advised the vehicle was still on. Officer Price reached inside of the vehicle and pushed the button to turn the vehicle off. Shortly thereafter, they tried to open the driver's side door, but they could not get it open. SWAT Officers arrived on scene to assist, and Sgt. Van Beveren asked Officer Price to step back. SWAT Officers were able to get the male out of the vehicle and render life saving measures. Officer Price was asked to go to the south side of the building to remove himself from the scene. Officer Price then heard dispatch over the radio advising that HFD advised of a possible shooter on the roof or third story. Officer Price set up inside of a dumpster area while addressing the possible threat. Officer Nameth and Officer Anderson joined Officer Price in the enclosure. Shortly thereafter, they were relieved by other officers.

Officer Price assisted with putting up the yellow tape. As he was doing so, he encountered a male. He asked a male to step back, at which point the male advised he was the one who informed officers that the male suspect and juvenile were in the Escalade. Officer Price and Officer Anderson did a field interview on him. The male proceeded to tell them he did not know who the male suspect was, but he recognized the juvenile. The witness knew the juvenile lived on the second floor with his mother and his father. The witness stated he observed the male suspect walking the juvenile to the Escalade by force. According to the witness, the male suspect had the juvenile in a headlock. The witness did not see the male with any type of weapon during that time. After he completed the field interview, Sgt. Van Beveren instructed him to go to the clubhouse.

Officer Melody Kiecana

Officer Kiecana was interviewed on November 9, 2020, by Detectives Christopher and Lippisch. She had been working for HPD since June of 2018. On November 3, 2020, Officer Kiecana was in a police uniform, operating HPD Tahoe 5950, and her call sign was 2E51.

Officer Nameth and Officer Kiecana were on a different call for service on Van Wagenen when dispatch broadcasted that the North Area Command was responding to a person with a gun call. Officer Kiecana asked Officer Nameth to turn her radio to the North Area Command channel so they could monitor the call in question as she knew it was a serious call. Officer Kiecana then learned there were possible gunshots heard. The two of them immediately left the call that they were on and responded back to their vehicles. Dispatch asked if there were any other units available to respond to that call for service. Officer Kiecana asked dispatch to send the call to Officer Nameth and herself.

They both responded to the location with lights and sirens activated. While en route, she heard dispatch advise over the radio that there were multiple victims, and the suspect was possibly outstanding. She also remembered hearing that the victims suffered from gunshots, and one of the female victims, who had a tourniquet applied, was carried out of the apartment. Officer Duffy, Officer Price, Officer Nameth, and Officer Kiecana arrived at the same time.

As they arrived, she heard Sgt. Clear advise officers not to come to the east side of the building. They ran toward the west side of the building. As they were running up to building 13, she with her handgun out, she

heard an officer advise over the radio that the suspect was possibly inside or already left. As they continued toward building 13, Officer Amezcua came around the corner with a Hispanic female (L.G.). The female was distraught, and they were communicating in Spanish. Officer Kiecana, who speaks Spanish, heard the female advise, "He just kicked in the door and started shooting." The female indicated that she did not know where the suspect or the boy were located.

Officer Kiecana tried getting on the radio to advise the sergeants on scene that the four officers (Duffy, Price, Nameth, and Kiecana) were on scene. While they were standing in a stack, she heard an officer advise there was a black Escalade in the parking lot that was involved, and the suspect was inside. She looked around to see if she could see the Escalade. Officer Kiecana saw the Escalade and also observed Sgt. Clear standing three vehicles away from the vehicle in question. She ran up to Sgt. Clear and identified the car that possibly had the suspect in it.

At that point, Officer Kiecana knew there were multiple victims, possibly dead or alive, a child outstanding, and the suspect possibly had a gun as gunshots were heard. Sgt. Clear and Officer Kiecana went up to the Escalade. They were approximately two to three vehicles back, and they could see that the vehicle was occupied by two males. Once they noticed it was occupied, Sgt. Clear yelled to get the occupants' attention, but she was not able to as the vehicle was running, and the windows were rolled up.

As Officer Kiecana looked through the driver's side window, she could see an approximately forty-year-old black male adult (Decedent), who was wearing a red or black shirt, sitting in the driver's seat, but he was facing toward the passenger seat with his back toward them. The male appeared irate as he waved his left hand around. There was an approximately ten or eleven-year-old boy with brown curly hair (J.H.) in the front passenger seat. Officer Kiecana could only see about half of the juvenile's face as he faced the driver. The passenger had his right hand up. The child, who did not appear to be there of his own free will, was scared and the driver looked angry. Sgt. Clear and Officer Kiecana could not see the driver's right hand. During that time, Sgt. Clear continued to advise the driver, "Let me see your hands, let me see your hands," but he did not comply.

While they were stacked, dispatch had an open line with the suspect inside of the Escalade. Dispatch advised that the male told the boy to open his mouth because he was going to sexually assault him. Officer Kiecana believed dispatch might have erred in relaying the 400 code and may have meant that the suspect requested the boy to open his mouth because he was going to kill him.

Sgt. Clear then requested that anybody who had a rifle come up next to their stack. Officer Kiecana was parallel to the vehicle at that time. Sgt. Clear, Officer Price and Officer Duffy were to her left. Sgt. Clear attempted to get on the radio to advise them that there was a child in the vehicle, but she could not because there were too many people on the radio. They continued to focus on the vehicle with their weapons out. As she did, she observed the driver lift up his right arm. He had a black handgun in his right hand that was pointed toward the child. Officer Kiecana immediately yelled, "He has a gun, he has a gun!"

Sgt. Clear then advised, "If you have a clear shot, take it." Officer Kiecana did not have a clear shot because the child was right behind the suspect so she could not take the shot.⁶ Then, Officer Kiecana heard one shot from the left of her. She believed Officer Price discharged his weapon. The windows shattered so she could not see anything at that point. A few seconds after the first shot, she heard additional shots come from the right of her, which were directly behind the Escalade. She started screaming, "Stop

⁶ Officer Kiecana stated she would have taken the shot if she had a clear backdrop in order to stop the threat posed by Decedent. She was aware he had already murdered two other individuals and could have easily gone mobile and hurt other individuals.

shooting, stop shooting” because there was a juvenile in the vehicle. Officer Price yelled, “There’s a kid in the car. There’s a kid in the car.” Officer Kiecana did not know which officers discharged their weapons at that point, nor did she know if any of those rounds were fired by the suspect within the vehicle in question. After the shooting, the vehicle’s engine was revving as if the suspect’s foot was on the gas.

Officers Price and Kiecana walked in front of the vehicle because she wanted to get the juvenile out of the vehicle. She holstered her weapon and attempted to get inside of the vehicle, but all the doors were locked. Officer Price started punching the window in attempt to gain access to the latch to unlatch the door. He had trouble pulling up the door lock; therefore, Officer Kiecana reached inside of the vehicle and unlocked the door. Somehow, they got the door open. Officer Kiecana swooped the juvenile up in her arms and laid him on the ground. There was blood everywhere. Officer Kiecana started chest compressions. They were close to the Escalade. Officers started screaming that the suspect was still moving.

Officer Price instructed them to move the child away from the vehicle. She carried him a little bit farther away from the vehicle and placed him on the ground again. Officer Duffy started chest compressions and she instructed Officer Nameth to try and stop the bleeding. Officer Kiecana started screaming that they needed to stop the bleeding because he was losing too much blood. She ran to the nearest patrol vehicle and grabbed a trauma kit, opened it, and removed the gunshot wound pack. Officer Kiecana applied it and tried to stop the bleeding. She then took over chest compressions for Officer Duffy. Officer Kiecana continued chest compression until HFD arrived and took over.

Officer Kiecana was not sure if another volley of rounds were fired while she removed the child from the vehicle or after she had removed the child from the vehicle; however, she did recall hearing two shots from Officer Price. At the time, Officer Price was standing at the passenger door of the vehicle. She believed Officer Price fired because the suspect was still moving.

She remained next to the boy while HFD administered medical aid. While there, dispatch advised over the radio that there was possibly another shooter on the third floor. Officer Kiecana drew her weapon again and pointed it toward the third floor. HFD then advised the boy was deceased. She remained by the boy’s side until she was relieved by SWAT.

Officer Samantha Nameth

Officer Nameth was interviewed by Detectives Christopher and Lippisch on November 9, 2020. She advised that she had been working for HPD since June of 2019. On November 3, 2020, Officer Nameth was in a police uniform, operating HPD Tahoe 5997, and her call sign was 2E41.

Officers Nameth and Kiecana were on a keep the peace/assist a citizen call for service on Van Wagenen when dispatch advised over the information channel (East Area Command channel) about a call for service on the north side. Dispatch will only do this if it is an important call for service. The call originally came out as a person with a gun. They proceeded to their vehicles. Once in her vehicle, she learned two individuals were injured at the apartment complex. They proceed to drive lights and sirens from the Van Wagenen location to the Douglas Apartments location.

Upon arrival, she parked her vehicle at the entrance of the complex. She noticed a lot of other patrol vehicles were already on scene. She exited her vehicle and proceeded to building 13, but she was unaware of the exact location of the apartment. Officers Price, Kiecana, and Nameth set up on the back of building 13. At that point, Officer Amezcua came around with a female who was crying (L.G.). Officer Nameth could

see officers on the west side of the building bringing down what appeared to be an unresponsive body from the top floor (Y.H.).

They then heard over the radio that the apartment was on the corner of the third floor; furthermore, it faced Terrible Herbst. From there, they proceeded to close in on that particular apartment, understanding the suspect had higher ground than them. They focused on the third floor.

Seconds later, a neighbor came out and advised that the suspect ran out from the apartment and was now inside of the black Escalade. The neighbor pointed to the black Escalade approximately three vehicles away from where Officer Nameth was standing at the time. Officers Duffy, Kiecana, and Nameth were in a line, just to the north of the vehicle. Officer Nameth had her handgun drawn on the suspect. The vehicle's engine was running, the windows were rolled up and the rear windows were tinted.

Officer Nameth could see the suspect (Decedent) in the driver's seat. The driver was a black male with a shaved head, and he had a darker colored t-shirt on. He was frantic, very animated with his hands, and it appeared he was upset. She could also see the little boy just past the suspect. The boy had short, dark hair, and had his hands up and he was screaming. Officer Nameth could not see anybody else inside of the vehicle. Officer Kiecana advised that she could see that the male suspect had a gun. It was clear to them that the little boy was directly in their line of fire. As such, she went over to a patrol vehicle that was parked diagonally from the suspect vehicle to take up a better position. Officer Nameth took cover behind the engine block. She then noticed the back window of the vehicle was tinted, and she could not see through it.

Officer Nameth was only at the engine block for a few seconds when she heard gunshots. She believed the gunshots came from in front of her as well as from the officers behind her, but she could not tell if any of the rounds were fired from inside of the vehicle. Once the gunfire stopped, she advanced on the vehicle and heard the vehicle's engine revving. She believed the male suspect was going to put the vehicle in reverse, so they tried to clear the area behind the vehicle. At that time, Officer Lujan fired at the suspect from the rear of the vehicle while she was to his left, behind the suspect's vehicle. She did not know if any other officers fired their weapons at that time.

Once it was confirmed the suspect was deceased, Officer Nameth holstered her weapon and ran around to the passenger side of the vehicle to assist the little boy. Officer Price was able to break the window. Officers Kiecana and Nameth were able to remove the boy from the vehicle and administered lifesaving measures. Officer Duffy administered chest compressions, and Officer Nameth held pressure on the neck wound. Initially, the lifesaving measures were performed right at the vehicle, but then they moved the boy farther away. They continued life saving measures until HFD relieved them. HFD also rendered medical aid to the male suspect in the driver's seat.

Dispatch then advised over the radio that there was possibly a second shooter. Officer Price and Officer Nameth went to the enclosed dumpster area where they held on the third floor. From there, Officer Nameth was relieved by other officers.

Officer Brett Anderson (Shooting Officer)

Officer Anderson was interviewed by Detectives Christopher and Lippisch on November 10, 2020. He had been employed by HPD since October of 2013. On November 3, 2020, the date of the incident, he was in a police uniform, operating a HPD Tahoe, and his call sign was X2083.

Officer Anderson was driving between two polling stations when the call for service came out. Dispatch advised somebody called in to advise someone had been shot. A few minutes later, another person called dispatch and stated he had just killed somebody, and he needed a helicopter. Officer Anderson was having computer problems at the time, but he was able to type in the address. He then requested the call for service on the non-red channel and switched over as he drove to the location. While he was en route, he continued having computer problems. At one point, he pulled over to figure out where he was going. Officer Anderson then continued to the location. During that time, there was an update that the shooter may have gone up to the third floor of building 13. All officers were advised to avoid the east side.

Upon arrival, Officer Anderson heard a request for transport over the radio regarding one of the victims who had been shot. The victim was being removed from the apartment. He parked his vehicle to the south of building 13. Because Officer Anderson knew there was one person deceased and another who was being transported, he exited his vehicle and deployed his heavy vest. The heavy vest contained four rifle magazines, two handgun magazines and a heavy plate in the front and rear. The vest also had a police badge, his name, and "police" on the back. Officer Anderson then deployed his rifle and proceeded to the southeast corner of building 13.

He observed a few bystanders, and they were pointing at a black Escalade. They advised that a male, who police were looking for, took a young boy into the vehicle. At that time, he could see other officers on scene focused on the third floor. Officer Anderson tried to get on the radio to advise about the black vehicle. Another officer on scene noticed the male in the vehicle. That's when everybody turned their attention toward the vehicle.

A female officer advised over the radio that she believed the subject was inside of the vehicle with the boy and she observed a gun. As Officer Anderson remained at the southeast corner of building 13, he was using his iron sights on his rifle for sight alignment/picture on the male as his optics were not working, possibly due to a dead battery. He continued to assess the situation for any type of threat toward the person inside of the vehicle or officers. Specifically, he tried to see if he could see a gun. Officer Amezcua joined Officer Anderson at the corner of building 13.

At one point, Officer Anderson observed, through the rear window, the male suspect's hand come up and it briefly looked like he had a gun. He was not positive it was a gun. Officer Anderson and Officer Amezcua were still trying to figure out exactly how these individuals were involved and if the person had a gun or not. During that time, there was radio traffic, a lot of different people yelling, and another officer was trying to communicate with the male, so he was unsure if he heard somebody state the male pointed a gun at the juvenile.

Officer Anderson then observed a flash from within the vehicle and believed the male had just fired a gun at the juvenile. Officer Anderson discharged his rifle several times at the male to stop the threat. He heard other shots being fired from his right, assessed the situation, and noticed the back window had been shattered out. That's when he observed the male's head move toward the juvenile while raising his arm. Officer Anderson did not know if the male still had the gun or if he was going to shoot the juvenile again, so he discharged one more round from his rifle to stop the threat.

Officers approached the vehicle while Sgt. Van Beveren had Officer Anderson move back. Officer Anderson eventually moved up in an attempt to get the juvenile out of the vehicle. Officers had issues with trying to unlock the door. Additionally, other officers believed the male suspect was still moving. He heard more gunshots. Officers were eventually able to get the door open, removed the child and started to administer life saving measures. Officer Anderson noticed the child had an apparent gunshot wound to the

left side of his neck that one of the officers was placing pressure on. Shortly after that, HFD came up and took over.

Officers were able to get the suspect out of the vehicle and started rendering aid to him as well. Officer Anderson noticed the male had a large wound to the left side of his jawline. HFD took over rendering medical aid to the suspect shortly after the officers removed him from the vehicle.

Officer Anderson made his way back to his patrol vehicle and, while at his vehicle, heard something about another person possibly being on the third floor. He then went over behind a garbage can enclosure and took up a position of cover while he covered on a side window until he was relieved by someone else and was instructed to respond to the clubhouse.

INCIDENT TIMELINE

The below timeline is a reconstruction of events which transpired on Tuesday, November 3, 2020, in relation to the fatal officer-involved and civilian-involved shooting that occurred at 1445 Stonelake Cove Avenue.

Time (Hours)	Description of Event/Action	Source
10:48:48	A person (believed to be Decedent), who was on foot contacted a dark colored SUV (believed to be the black Cadillac Escalade driven by D.H.), on the east side of building 14. This person appeared to speak with the occupant(s) through the driver's window.	Tire Works' Exterior Video Surveillance
10:50:18	The dark colored SUV proceeded southbound toward building 13 while the person (believed to be Decedent) followed in the same direction on foot. Both eventually went out of view of the camera.	Tire Works' Exterior Video Surveillance
10:58:00	A 9-1-1 call was placed from J.H.'s cell phone. The call lasted about 1 minute and 35 seconds.	Cell Phone Extraction of J.H.'s Cell Phone
11:00:00	HPD Dispatch called J.H.'s phone, but received no answer	Cell Phone Extraction of J.H.'s Cell Phone
11:00:37 (1st 9-1-1 Call)	This was an open line with a female in background not responding to questions. The female cannot be understood. A recall went to voicemail. (This call came from J.H.'s cell phone.)	CAD 472
11:02:02 (2nd 9-1-1 Call)	This was a 9-1-1 disconnect with an open line. A female can be heard crying and then the call disconnected. When dispatch attempted to recall, it went to voicemail. The location from which the call appeared to have been placed was Starbucks at 125 N. Stephanie St. (This call came from Y.H.'s cell phone.)	CAD 475
11:04:20 (3rd 9-1-1 Call)	A female, later identified as L.G., is speaking in Spanish, and crying. The dispatcher tries to get an interpreter on the line and notes the call could be related to Event 475, but that the	CAD 483 & 9-1-1

	call was coming from a different phone number.	
11:04:48	Now L.G. advises that someone is shooting inside.	CAD 483
11:05:16 (4 th 9-1-1 Call)	H.R. advises that she heard gunshots then saw a female bleeding from the head, laying in the doorway.	CAD 485
11:05:17	2N51 in Complex – Officer Erickson	DASH CAM
11:05:34	The person reporting is identified as L.G., a cleaning lady, who is locked in the bathroom.	CAD 483
11:05:53	H.R. advises there were multiple gunshots, one female laying in doorway and another female is yelling for help inside.	CAD 485
11:05:57	Incident updated from 1400 Stonelake Cove Ave. & Wigwam Pkwy. to 100 Sand Lake St.	CAD 483
11:05:57	Incident updated from 115 N. Stephanie to 1445 Stonelake Cove Ave.	CAD 483
11:05:57	Incident updated from Terrible Herbst on Wigwam to Elysian at Stonelake Cove Ave.	CAD 483
11:06:10	H.R. advises there are 2 gunshot victims.	CAD 485
11:06:22	L.G. advises that it's apartment 201. The dispatcher notes he's still trying to get further information.	CAD 483 and 911
11:06:37	An additional person reporting from the office at the apartment complex advises that he/she received secondhand information that in building 13 there was some sort of argument, but that he/she did not know exactly what happened, just that someone was yelling, and someone was getting dragged in the hallway.	CAD 485
11:06:57	H.R. updates that there are 3 victims with gunshot wounds.	CAD 485 and 911
11:06:00 (5 th 9-1-1 Call)	There is a 9-1-1 call placed from J.H.'s cell phone which lasted about 41 seconds.	Cell Phone Extraction of J.H.'s Cell Phone
11:07:00 (6 th 9-1-1 Call)	There is another 9-1-1 call placed from J.H.'s cell phone that lasted about 25 minutes and 44 seconds.	Cell Phone Extraction of J.H.'s Cell Phone
11:07:12	L.G. advises that the male was arguing with a female. Dispatcher notes that L.G. thinks he shot them, and notes that the event is related to event 485. Dispatcher also notes the description that L.G. provided of the male – a black male adult about 35 years of age.	CAD 483 and 911
11:07:55	L.G. advises that the suspect is wearing khaki pants. The dispatcher notes that L.G. has no further information, and that she ran when she saw it. He kicked the door to 201 and went inside.	CAD 483 and 911
11:08:04	The dispatcher notes that H.R. advised that, just prior to the call, a neighbor saw an adult male & male juvenile, and that the adult male was the possible shooter.	CAD 485
11:08:27	The dispatcher notes that L.G. is inside 201. The suspect came into the apartment, and L.G. no longer sees or hears him.	CAD 483

11:08:36	Dispatcher updates, that H.R. "Can hear someone crying".	CAD 485
11:09:53	S1337 Medical Staged	CAD 483
11:10:16	Fire department staged at railroad (RR) tracks	CAD 485
11:10:45	2N11 Arrived – Officer Nelson	CAD 483
11:10:54	S1337 Arrived – Sgt. Van Beveren	CAD -483
11:11:06	2N51 Arrived – Officer Erickson	CAD 483
11:11:18	2N51 located ammo box near building 14	CAD 485
11:11:37	2N31 Arrived – Officer Morgon	CAD 483
11:12:05	Sgt. Van Beveren approached apartment 13201 to find a female lying in the doorway and she appeared injured. Two other females were present. Shortly thereafter, Sgt. Van Beveren & Officer Erickson enter the apartment.	BWC
11:12:17	Sgt. Clear 1387 exited her vehicle.	BWC
11:12:31	S1337 2 victims down multiple gunshot wounds	CAD 485
11:12:41	Officer Nelson entered apartment 13201	BWC S1337
11:12:46	2N61 Arrived – Officer Lujan	CAD 485
11:12:54	2N41 Arrived – Officers Brink & Hehn	DASH CAM
11:12:57	S1337 3 rd subject down, 1 at gunpoint	CAD 485
11:13:00	2W51 in Complex – Officer Amezcua	DASH CAM
11:13:02	CR6 Arrived – Officer Candland	CAD 485
11:13:16	CR3 Arrived – Officer Chorens	CAD 485
11:13:19	S1337 1 at gunpoint is not suspect. Suspect is still outstanding.	CAD 485
11:14:25	E82 – building 13, 1302	CAD 485
11:14:37	All call on SWAT	CAD 485
11:14:47	2E51 Arrived – Officer Kiecana	CAD 485
11:14:55	2E41 Exited Vehicle – Officer Nameth	BWC
11:15:07	X2675 Arrived – Officers Webber & Officer Bezrutczyk	DASH CAM
11:15:24	2N21 Arrived – Officer Duffy	CAD 485
11:15:41	S1337 working on making contact with suspect	CAD 485
11:16:26	2N11 contact with female, 1 shot in chest and 1 in leg	CAD 485
11:16:36	S1337 trying to get victim out of this apartment at this time	CAD 485
11:16:54	Officer Erickson & Officer Nelson carried victim, Y.H. out of 13201	BWC S1387
11:17:07	S1387 – 13301 is on Southeast Side of building on 3 rd floor, need a unit at Terribles, will have view of balcony	CAD 485
11:17:20	2W62 Arrived – Officer J. Melchert	CAD 485
11:17:32	S1337 1 Victim able to be moved out, 1 no signs of life	CAD 485
11:17:29	Officer Nelson carried Y.H. down stairwell with Officer Erickson.	BWC
11:17:53	1 Victim to pool area	CAD 485
11:17:57	Fire Med make entry to pool area	CAD 485
11:18:57	Dispatcher on phone with Decedent updates – "Male is acting like this is a movie and has 12 YO with him, keeps saying he will shot [sic] him if I say anything,, [sic] keeps making movie references.	CAD 485
11:18:59	Send FD to BLDG 11 Two VICT	CAD 485

11:19:21	Dispatcher on phone with Decedent updates – “12 year old is Jordan,, [sic] keeps roll playing and referencing movies”.	CAD 485
11:19:26	PD Req FD to BLDG 11 for 2	CAD 485
11:19:34	X2083 Arrived – Officer B. Anderson	DASH CAM
11:19:53	S1337 All units stay away from east side of BLDG 13, balcony facing east	CAD 485
11:20:12	Any units at Terribles will be in crossfire	CAD 485
11:20:27	CR6 black Escalade is sitting in parking lot	CAD 485
11:20:30	Dispatcher on call with Decedent updates, “Suspect [sic] calling on 801-244-1078,, [sic] just rambling and wants to role play,, [sic] 12 YO is the one he is interacting with”	CAD 485
11:20:44	2N11 (Officer Nelson) extricated victim at BLDG 11	CAD 485
11:20:56	Scene stable for FD to come up to BLDG 11	CAD 485
11:21:07	Black Escalade is on east side of apt w/taillights on	CAD 485
11:21:09	FD Fire Medical – At southwest corner of BLDG 11	CAD 485
11:21:19	Dispatcher on phone with Decedent updates – “Now male not talking, cannot hear the 12 YO either [sic]”	CAD 485
11:21:30	Officer Pendleton exited his vehicle	BWC
11:21:54	L657 Arrived – Lt. Chiello	CAD 485
11:21:54	Fire Med – Have stable scene, accessing PT now, PD providing security	CAD 485
11:22:03	Dispatcher on phone with Decedent notes, “male now back, talking”.	CAD - 485
11:22:05	SWAT CALLOUT DONE	CAD - 485
11:22:14	S1387 BLK ESCALDE IS INV, 12 YO IS IN PASSANGER, SEE HANDS OF SUSP AND CHILD	CAD 485
11:22:43	Dispatcher on phone with Decedent updates, “Male stated he did not take his medication”.	CAD 485
11:22:48	S1387 Male Has 413 ⁷	CAD - 485
11:23:10	Fire Med – 1 immediate, evacuating north down through the pool/main office, stage rescue there	CAD 485
11:23:26	S1387 This is the susp male has 413, child has hands up, escalade is facing east	CAD 485
11:23:32	Suspect pointing 413 at child	CAD - 485
11:23:33	Dispatcher on phone with Decedent updates, “Male saying open your mouth to 12 YO,, [sic] is this gun loaded,, [sic] or do you want to suck my dick, stated he was raped at 3”.	CAD 485
11:23:46	Officer Pendleton arrived at the location of Sgt. Clear, Officer Kiecana, Officer Duffy, and Officer Price.	BWC
11:23:48	Dispatcher on phone with Decedent updated, “Telling 12 YO to answer phone”.	CAD 485
11:23:55	Dispatcher on phone with Decedent updated, “Just rambling”.	CAD 485
11:24:30	S1387 See if he will roll down the window	CAD 485
11:24:55	Shots fired	CAD 485

⁷ “413” means gun.

11:25:29	Movement inside	CAD 485
11:25:52	Still have movement	CAD 485
11:25:56	Shots fired again	CAD 485
11:26:13	Command – First PT extricated to command post	CAD 485
11:26:22	Need FD south side of BLDG 13 Code 3	CAD 485
11:26:30	Scene secure	CAD 485
11:26:36	Need med south side BLDG 13 scene is secure	CAD 485
11:26:45	Command sending fire med to south side BLDG 13	CAD 485
11:26:49	S1029 need shelter in place, shots still being fired	CAD 485
11:26:53	2N11 susp down	CAD 485
11:27:04	2N11 med needed for child	CAD 485
11:27:07	Level 2 staging southbound Steph RR tracks, Engine & Rescue	CAD 485
11:27:15	E84 – PT handed off to rescue	CAD 485
11:27:31	Need 2 additional rescues	CAD 485
11:28:06	OSO – 2 PTs at this time, CPR in progress for subject at BLDG 13	CAD 485
11:28:22	still trying to extricate 2 nd from vehicle	CAD 485
11:28:26	S1337 still trying to get in to secure vehicle	CAD 485
11:29:39	fire med – 2 nd PT is 419, S/E Corner, waiting for 1 additional PT unable to make access for now	CAD 485
11:30:23	2N11 1 victim has faint pulse in apt 13201	CAD 485
11:30:33	FD is ENRT to Apt 13201	CAD 485
11:30:49	Fire Med – 3 rd PT unresponsive, uncons, 3 min resuc	
11:30:50	S1387 Has suspect	CAD 485
11:31:09	13301 Has not been cleared, units STBY	CAD 485
11:32:18	2E11 Arrived – Officer B. Huff	CAD 485
11:32:23	S1253 Arrived – Sgt. Lakteen (EAC)	CAD 485
11:32:36	R82 Transported first to sunrise	CAD 485
11:33:15	Fire Med – 2 Addl't poss 419 in apt, sending in crews now	CAD 485
11:33:28	Safety - 13201 Has 2 ADDT'L confirmed 419	CAD 485
11:33:41	2N11 both victims inside apt are 419	CAD 485
11:34:30	2W61 Arrived – Officer Arnold	CAD 485
11:35:05	Fire Med – PT is 419 total 4 419	CAD 485
11:38:24	S1387 Confirmed OIS	CAD 485
12:09:25	Per T9, PT at Sunrise is Y.H.	CAD 485
12:21:42	Command to operations – PD ready to call scene stable	CAD 485

Note: Times from Video Surveillance, CAD, BWC, DASH Cams, and 9-1-1 calls may have slight time differences from each other. See all items for complete details and their respective times.

9-1-1 CALLS

A total of six (6) calls were placed to HPD 9-1-1 related to the events outlined in this report. Following, are summaries of those calls.

1st Call (Event 201103000472) – 9-1-1 Disconnect

On November 3, 2020, at approximately 11:00 A.M., HPD Dispatch received a call from 801-XXX-1078. The number was later determined to be J.H.'s cell phone. At the beginning of the call, dispatch asked for the location of the emergency. No response was provided, but in the background, it sounded as if J.H. was crying. Shortly thereafter, J.H. said something along the lines of "no, no, no, no." Banging sounds, consistent with gunshots, can be heard in the background.

The dispatcher tried to get J.H.'s attention. Then, a younger voice asked someone (not the dispatcher), "What is my apartment number?" The dispatcher advised she could not hear the caller and asked where the caller was located. During that time, another older sounding male voice, believed to be Decedent, was in the background. It is unknown what that person was saying as the conversation is too quiet. J.H. then advised dispatch he was at "the Douglas". The dispatcher asked for the location again. Then, J.H. in a desperate, pleading manner stated, "I'm at..... I'm sorry sir, I'm so sorry sir, I'm sorry".

The dispatcher again asked if there was an emergency and J.H. stated, "What's the question?" The dispatcher asked again if the caller had an emergency. Then Decedent can be heard in the background again, but it is unknown what he was saying. Then the younger voice stated, "chip".

The dispatcher again stated she was 9-1-1 and asked if there was an emergency. The only thing heard on the other end of the call was Decedent's voice in the background. The dispatcher again tried to get J.H.'s attention. At that point, the sound of a bang, consistent with a gunshot, is heard again. J.H. began to cry in the background. Then, Decedent demanded the car keys and instructed someone (believed to be J.H.) to hurry up. Dispatch continued to try and get somebody's attention. Another bang is heard, consistent with a gunshot. The older male's voice then stated, in the background, something like, "you have ten seconds to find the keys." J.H. was crying again.

For a brief period, an unknown audio tone is heard. The tone lasted for about ten seconds. Once it stopped, J.H., could be heard crying. Then the line disconnected. Dispatch called back, but the line went to a voice message system.

The call was a little less than two (2) minutes long.

2nd Call (Event 201103000475) – Unknown Problem

At approximately 11:02 A.M., HPD Dispatch received a call from 801-XXX-9902 (later determined to be Y.H.'s cell phone). Dispatch asked for the address of the emergency. In the background someone can be heard crying for a few seconds. The line then went quiet. The dispatcher said hello but received no response. The dispatcher tried to get a response several times with no success. Then, an unknown audio tone was heard for about eight seconds, after which the line disconnected. The call was approximately fifty-six (56) seconds long.

3rd Call (Event 201103000483) – Unknown Problem

The third call to HPD Dispatch occurred at approximately 11:04 A.M. The call originated from 702-XXX-1798, which was subsequently determined to be L.G.'s cell phone. Dispatch asked for the location of the emergency. L.G. said something in Spanish. She sounded panicked and out of breath. The dispatcher attempted to get the address several times but was unable to do so due to the language barrier. Eventually, L.G. attempted to say "Stonelake." Eventually the dispatcher ascertained that L.G. spoke Spanish and got an interpreter on the line to assist.

Through the interpreter, it was learned that there was a guy shooting inside. L.G. went to the residence to clean and was stuck in the bathroom. The dispatcher was then able to figure out that L.G. was calling from Stonelake Apartments on Stephanie. Additionally, the dispatcher learned it was apartment 201, but the caller did not know if there was a 3 in the apartment number. L.G. relayed that she was cleaning the house when the lady from the house entered with a guy. L.G. indicated that she was locked in the bathroom, and she did not know if the male shot the lady and the child.

L.G. described the male as being a 35-year-old black male adult wearing khaki pants and an unknown shirt. She indicated that while she was inside the apartment, the male kicked the door in and entered. The dispatcher then confirmed L.G. was currently inside of apartment 201, and that was the same apartment the male entered. The dispatcher asked L.G. if she could still see or hear the male. L.G. advised that she was hiding in the bathroom, and she could only hear somebody crying. The dispatcher then advised officers were on the way, were almost to the location, and she should call back if anything changed. The call then ended. It was about six (6) minutes and 28 seconds long.

4th Call (Event 201103000485) – Assault/Battery with Gun

At approximately 11:05 A.M., HPD Dispatch received a call from 412-XXX-1095 (later determined to be H.R.'s cell phone). Dispatch asked what the address of the emergency was. A panicked H.R. provided an address of 144 Stone Cove Avenue. H.R. began crying hysterically. Dispatch asked her to repeat the address as she was not finding it. H.R. advised it was 1445 Stonelake Cove. The dispatcher asked if it was the Elysian Apartments, and H.R. advised it was the Douglas at Stonelake. H.R. relayed that it was an apartment complex, and the apartment was 13201.

H.R. told the dispatcher that she believed the woman was dying. She went on to explain that she did not know what was going on. While crying, H.R. advised that she heard gunshots, jumped out of bed, and went next door to find a female lying in the doorway. H.R. could tell that the woman could not breathe, and it appeared as if she was choking on her blood. H.R. believed the woman was shot but could not tell for certain as she was bleeding from her head.

H.R. then yelled to someone else, "Someone else in there?" She then informed dispatch that another person, believed to be Y.H. "I hear you." H.R. advised the dispatcher that someone else was inside and expressed that she did not know if she should go inside. The dispatcher told H.R. not to go inside because she wanted her to stay safe. The female caller then told the dispatcher the female was screaming for help.

The dispatcher then asked if H.R. could get a clean dry cloth and apply it to the area in which the female in the doorway was bleeding. H.R. advised she was bleeding from her head, but she did not have anything. The dispatcher asked if H.R. could get a towel, t-shirt, or anything. H.R. relayed the information to someone else who was present. H.R. again stated that somebody was inside screaming for help. She advised, "There were so many gunshots."

The dispatcher asked if anybody saw where the person who was shooting went. H.R. advised that one of the neighbors saw him with a child. A male was then heard in the background speaking to H.R., and then H.R. advised that her neighbor saw a Hispanic kid and an older black guy.

H.R. then stated, "Are you in here?" A female's voice, not H.R., can be heard replying, "Yes" and, "I can't move." H.R. asked the other female whether she was shot too. The other female advised she was. H.R. stated she could not move anything and then asked the dispatcher if she should move the bed and get her. The dispatcher advised she wanted H.R. to put pressure on the area from which the woman was bleeding. H.R. advised that there was somebody else inside on the floor, and the person was deceased.

H.R. confirmed to dispatch that there was a total of three (3) people in the building injured – the one woman in the doorway who was still breathing (D.H.), another woman who was deceased from a gunshot wound (V.M.), and another woman who was shot in the leg (Y.H.). The dispatcher advised that help was on the way and asked H.R. to check to see if the female lying in the doorway was breathing. H.R. advised dispatch that the woman was breathing, was not awake, and had a mask over her. The dispatcher told H.R. to take the mask off of her and make sure she was flat on her back with nothing underneath her. The dispatcher asked if she was still breathing, and H.R. advised she was, for right now.

The dispatcher then advised H.R. to tell the female who was shot in the leg to get a cloth and put pressure on it to stop the bleeding. H.R. advised dispatch that she needed to step inside of the residence. The dispatcher told her to do whatever was going to keep her safe. The dispatcher then confirmed with H.R. that the neighbor saw the male that did the shooting with a juvenile male.

At that point, the dispatcher asked where the female requesting help was bleeding from, and H.R. advised that she was bleeding from the legs and stomach. H.R. further indicated she could not see the gunshots. The dispatcher requested H.R. give her a blanket or a towel so she could hold it on her injuries. The dispatcher then instructed H.R. to go back over to the woman in the doorway. H.R. advised that the woman in the doorway was awake, and she could hear her breathing. The dispatcher again requested that H.R. lay her flat on her back with nothing underneath her. Then, the dispatcher asked if she had something she could use to apply pressure to the head wound to stop the bleeding. H.R. advised that another neighbor was applying pressure on the wound. H.R. also advised that she had another female inside putting pressure on the female with the leg wound. Lastly, there was another female inside that she was sure was not breathing.

The dispatcher requested that H.R. go over to the other female that she believed was deceased. She asked H.R. if she was flat on her back. H.R. confirmed that she was, and there was nothing underneath her. The dispatcher requested that H.R. put one hand on her forehead, one hand on her chin and tilt her head to see if she was breathing. H.R. advised she was not breathing. The dispatcher then asked H.R. to begin performing CPR on the woman.

At that point, the dispatcher asked whether the woman was breathing, and H.R. indicated she could not tell. H.R., who was clearly distraught, asked if an ambulance was on the way. Dispatch confirmed that they were almost to their location. Then, the dispatcher instructed H.R. on how to perform CPR. H.R. performed CPR on the woman. While doing so, emergency services arrived, and H.R. advised dispatch of the same. The dispatcher then ended the call. The call was slightly less than ten (10) minutes long.

5th Call (Event Unknown) –

At about 11:06 A.M. a call, was placed by 801-XXX-1078, J.H.'s cell phone. The call was never answered/taken by a dispatcher. Two unknown voices are heard in the background, but it is unclear what was being said. The call lasted about forty-five (45) seconds.

6th Call (Event 201103000485) – Assault/Battery with a Gun ⁸

At approximately 11:07 A.M., HPD Dispatch received a call from 801-XXX-1078, J.H.'s cell phone.

DECEDENT: (speaking to someone other than dispatcher) You want some water?

J.H.: No. Thank you.

DECEDENT: All right.

DISPATCHER: Henderson 911. What's the address of your emergency?

DECEDENT: Hello.

DISPATCHER: Hello. Hi. How can I help you?

DECEDENT: Hello. Hi. Can you hear me?

DISPATCHER: Yes, I can. How can I help you?

DECEDENT: This is Jason. I sometimes think my name is XM Satellite Radio. And I'm here with - - we're doing a movie. It's - - I want to introduce myself. I'm sorry. I am Gotham's reckoning, also known as Bane. So, Bane - - (incomprehensible).

DISPATCHER: Where are you, sir? Hello?

DECEDENT: I'm at - - well, Bane - - let me introduce my friend.

DISPATCHER: Okay. You're on the 911 line.

DECEDENT: Let me introduce you.

DISPATCHER: Hello?

DECEDENT: His name - - his name's - -

DISPATCHER: You're - you're - you're on a 911 line. How can I help you?

DECEDENT: Yeah. I want a chopper.

DISPATCHER: You want - -

⁸ The juvenile homicide victim's name is abbreviated J.H. throughout the transcripts.

DECEDENT: A big chopper.

DISPATCHER: A what?

DECEDENT: I – I want a fucking – a helicopter. What do they call it nowadays?

J.H.: A helicopter.

DISPATCHER: A helicopter.

DECEDENT: A helicopter? J.H. wants a helicopter. And he says he wants it now because he's scared. And I told - -

DISPATCHER: Who's J.H.?

DECEDENT: (speaking to J.H.) J.H. Who are you, J.H.?

J.H.: Huh?

DECEDENT: (speaking to J.H.) Who are you? You're my neighbor, right?
(speaking to dispatcher) So, uh yeah, he's my son so I'm not gonna hurt him, but I don't think you guys are getting' the point. We're trying to play a game and tap the line. I have a (unintelligible)...what kind of gun is this?

J.H.: (No audible response.)

DECEDENT: Okay. Oh. He says it's little, but on the side of it, it says Sig Sauer P226, .40 caliber Smith and Wesson. So, I killed a guy named Jason Bourne. I'm from the future, like a - - what's the name of the last [unintelligible] - was it Avatars? Was it good? Did you like that movie?

DISPATCHER: What's your address? What's your address, sir?

DECEDENT: What - - what's your address, J.H.? This is really important. So, just - - hey, I'm not going to hurt you as long as you don't get your address wrong. If you get your address wrong, I have to kill you. You keep looking over your shoulder. You're making me nervous. Is there a cop over there?

J.H.: No.

DISPATCHER: If you look over that way again, I might have to hurt you. (Unintelligible)

DISPATCHER: Can I talk to the - -

DECEDENT: (Incomprehensible due to poor audio quality.)

DISPATCHER: - - can I talk to the person you're with?

DECEDENT: Which one? There's, like, ten billion people inside of (unintelligible)

DISPATCHER: Okay. The one who was - - just answered you. Let me talk to him.

J.H.: Oh. Hello.

DISPATCHER: Hi. What's going on?

J.H.: Uh.

DISPATCHER: How old are you?

DECEDENT: Hold on. Go ahead. Tell - - tell her how old you are.

J.H.: Uh. I'm 12 years old.

DECEDENT: Are you 12? (unintelligible.)

DISPATCHER: Okay. And what's - - what's your name?

DECEDENT: Speak like a black Thor, like, my name is Thor. And I am here to save the children from the pedophiles. And (unintelligible) J.H. - -

DISPATCHER: Okay. Can I - - can I - - can I talk to the 12 - -

DECEDENT: How old are you, J.H.?

J.H.: I am 12 years old.

DISPATCHER: Can I talk to the 12-year-old, please? J.H., can I talk to you?

DECEDENT: (unintelligible) Don't ask the boy any more questions.

DISPATCHER: Why?

DECEDENT: Talk to me. Go ahead. Go ahead. Just go ahead, J.H.

J.H.: Um. I am 12 years old.

DISPATCHER: Okay. What's going on, today? Are you doing online schooling or what?

DECEDENT: (Incomprehensible) helicopter here in 10 minutes or someone dies.

J.H.: Oh. We want a helicopter here - -

DECEDENT: In ten minutes.

DISPATCHER: Okay.

J.H.: - - in ten minutes.

DECEDENT: (unintelligible)

DISPATCHER: Where's here? Where's here, J.H.?

DECEDENT: (unintelligible)

J.H.: Huh? Say that again.

DISPATCHER: Where's - - do you know where here is? Do you know what the address you're at? Do you know what the address is where you are? Are you at a store or are you at a commercial area? Are you at an apartment?

DECEDENT: Stonelake Cove - - Stonelake Cove Apartments.

J.H.: We are at Stonelake Cove Apartments.

DISPATCHER: Okay. Do you know what your apartment number is?

DECEDENT: 13-301 is the guy I killed if that helps you. So, maybe I should kill this guy.

DISPATCHER: Okay. Why did you kill somebody?

DECEDENT: Go - - go with the fake cry. Fake cry, like - - like - - like, fake news. Dude, do your fake cry.

J.H.: Okay.

DECEDENT: No. Come on. You gotta pull it deeper. We're doing - -

DISPATCHER: Come on. Come on. What - -

DECEDENT: - - Please don't kill me! Please don't kill me! No. He's got a gun!

J.H.: (unintelligible and crying/screaming)

DECEDENT: Oh. Okay. Okay. You gotta act for real though, dude. This is Vegas. This is the land of, like, is this a real gun?

DISPATCHER: Okay. What - -

J.H.: (unintelligible) (Screaming.)

DECEDENT: (Screaming.) Oh, my god! What a rush!

J.H.: (unintelligible)

DISPATCHER: Okay.

DECEDENT: I thought killing a baby would be hard.

J.H.: I should (unintelligible)

DECEDENT: I - - I'm hard, actually. So, know - - you know what? He's didn't have his hearing protection. So, you guys got 10 minutes to bring my helicopter now or I'll (unintelligible)

DISPATCHER: Okay. You know - -

DECEDENT: There was four - -

DISPATCHER: You - - you - -

J.H.: - - but now there's two.

DISPATCHER: Okay. You realize - -

DECEDENT: There was four (unintelligible)

DISPATCHER: Okay.

J.H.: Can I give you the ammo?

DECEDENT: The am - - no. You give me the ammo later - -

DISPATCHER: Who - -

DECEDENT: - - like we're putting on a movie.

DISPATCHER: Who is J.H. to you?

DECEDENT: 'Cause we're shooting a movie.

DISPATCHER: Who is J.H. to you? Is he your son? Who is he? Sir, what's going on?

J.H.: Can I have a helicopter now or someone dies?

DISPATCHER: Okay. Is that your dad or who is that you're with, J.H.?

DECEDENT: Tell 'em you have - -

J.H.: I have - - you have four minutes now to get the helicopter.

DISPATCHER: Okay. I don't have a helicopter, personally, so we, actually, have to go to Metro to go get it. So, that is a little - - it's gonna take us a little bit more than four minutes to do this. Okay. So, it's at - - four minutes is, like - - yeah. We don't have a helicopter that goes that fast. You see what I'm saying? Is there something else I can do for you until I get a helicopter out there?

J.H.: All the men about to draw explosives.

DISPATCHER: I'm sorry, what?

J.H.: If he kill me, I'll have (unintelligible).

DECEDENT: What he - - what he - - what he's trying to say here or ask, he's got a little bit tongue-tied 'cause of that hearing loss. It sucks when you don't have your hearing protection in, you can get a little

disoriented. So, maybe I'll help him out. You got to be like - - you gotta scream, like, (makes a noise.). Like - -

J.H.: Okay.

DECEDENT: Well, I'm gonna shoot. I have to, but - -

DISPATCHER: No. You don't have to do anything. Okay. It's cool. We - - we can take the time, and we can get the helicopter there. All right? What - - what's the 12-year-old doing? Okay? What's he doing with you?

DECEDENT: He says that all the airplanes - - there's over 10,000 airplanes around this world.

DISPATCHER: Okay - -

DECEDENT: And, according to Fake News R Us, there's a - -How many billions of people in this world?

J.H.: Like, a hundred billion.

DECEDENT: A hundred billion?

J.H.: Yeah.

DECEDENT: He says there's one hundred billion people that will die - - And when are we gonna kill 'em, Jordan?

J.H.: Huh?

DECEDENT: When are we gonna kill the people that are on the airplane?

J.H.: In four minutes.

DECEDENT: In four minutes, we drop a plane, and - - You - - hold on - -

DISPATCHER: Okay.

DECEDENT: - - we gotta put it on mute. Hold on. Hold on. We'll be back. We gotta - - we gotta rehearse.

DISPATCHER: O - - okay, sir. What do you - - what's your name? Sir?
(Whereupon, DECEDENT muted and unmuted his phone microphone.)

DECEDENT: Play like you're gonna shoot.

J.H.: Which airplane do we have to sell or else they're gonna shoot us?

DECEDENT: Okay. He's having a (unintelligible) malfunction. What he's trying to say is - -Should we - - should we give them some more time, like, for the airplane - -

J.H.: Yeah.

DECEDENT: - - or you think four minutes is good?

J.H.: Uh, we can give them about ten minutes.

DECEDENT: Ten minutes? Or - - okay. Oh - - oh - - hold on. Let - - let me get my scripts. Hold on. And it says .40 caliber Smith and Wesson armor-piercing rounds - -

DISPATCHER: Hey, sir.

DECEDENT: - - and - -

DISPATCHER: Sir.

DECEDENT: - - we also have - -

DISPATCHER: Hey.

DECEDENT: - - we have a tank at (incomprehensible).

DISPATCHER: Sir, I - - I've got - - I've got the heli - -

DECEDENT: Listen to me! Hey. I am the captain, now!

DISPATCHER: Okay, Captain.

DECEDENT: (Incomprehensible) this is, and the kid dies. Okay. The only thing I want to hear from you is, "Okay." So, this is one-word responses from here on out. This is the way things goes. This young man - - Which - - which - - sorry, dude. I got out of character, dude. I went off-script for a minute. What's your name again?

J.H.: J.H.

DECEDENT: J.H. Okay. J.H. says I should not yell because...he said - - What's was your last name?

J.H.: 'Cause I don't have my headphones, and usually (incomprehensible).

DECEDENT: Oh. 'Cause I - - oh - - 'cause you're - - you - - you sent me - - I don't - - let me give him some um - - fuck. I'm fresh out of earplugs. Those 3M earplugs don't work anyways, so he's trying to say is that - - one of the airpo - - this fucking mask - - that's the problem.

DISPATCHER: O - - okay.

DECEDENT: Take control - - take control of your city, and J.H. will not die (incomprehensible due to audio quality).

DISPATCHER: Oh - -

DECEDENT: I see his (incomprehensible).

DISPATCHER: Okay. I've got - - sir.

DECEDENT: (Incomprehensible). Get the fuck - - I'm talking to you. Don't even try to - -

J.H.: (Screaming.) No!

DECEDENT: Don't even try it. I want to let you know, if you shoot me - -

J.H.: (Incomprehensible). Please don't.

DECEDENT: - - we have all of the airplanes tracked with nanotechnology. (Incomprehensible).

DISPATCHER: Okay. Okay. Nobody - - nobody wants to shoot anybody, sir.

DECEDENT: I'm sorry to say, I already - - stop talking! - - you say one more word, I'mma shoot him in the leg. I swear to God.

J.H.: Don't hurt me. (Screaming.)

DECEDENT: Okay. You piece - - he's really acting.

J.H.: Please don't shoot me. (unintelligible due to poor audio quality.)

DECEDENT: Okay. So, what we want to say is that if I die, I have nano explosives inside of me that are also controls to anyone who's used a Bluetooth device within the last – how many hours (unintelligible) J.H.?

J.H. Two hours.

DECEDENT: Two hours. If you have used Bluetooth technology in the last two hours, you also have a nanotechnology inside of your head, so – how many nanobots (unintelligible) (Speaks to J.H.) You ever seen that movie Law Abiding Citizen with like the judge that says, "this is my courtroom" and (unintelligible) – dude help me out, I'm getting old. I think I'm like 1,132 years old or something. Um...but, fuck. What I'm trying to say is, I hate it when I do this. It's gonna be a lot of it, but I'm not gonna shoot you in the next ten seconds so you're safe.

J.H.: Ten seconds?

DECEDENT: At least, but now it's, like, five.

J.H.: I thought this was - - (makes a noise).

DECEDENT: But - - okay. Okay. You gotta act - -

J.H.: (Makes a noise).

DECEDENT: - - you gotta act, like, fake news - - fake news, bro.

J.H.: (Incomprehensible due to poor audio quality.)

DECEDENT: (Incomprehensible due to poor audio quality.) So - - so - - so, I was so (incomprehensible) trying to say is that, if you shoot me, one of my – I'm left-handed, but I'm also right so --

J.H.: (Makes a noise.)

DECEDENT: I'm ambidextrous, and I am one percent of the world - -

J.H.: (Screaming.) Put it down, sir. Sir. Sir, get the ammo. Get - -

DECEDENT: - - and if any American person dies - -

J.H.: Sir.

DECEDENT: - - in the next 24 hours - -

J.H.: (Incomprehensible). Is it okay now?

DECEDENT: I shoot him like a game. And this was the night to believe - -

J.H.: Get the ammo. Get the ammo, sir.

DECEDENT: I'm not ready for the ammo. Dude, you're getting out of script, bro.

J.H.: (Incomprehensible).

DECEDENT: But what I'm trying to say is that if I die, another one of my witches take over. And if they die - - so, either way to put it, dog, this is The Purge. So, someone's getting fucking shot.

J.H.: Yeah. But can - -

DECEDENT: I already shot, like, a baby, bro.

J.H.: But can you not, actually - -

DECEDENT: If I - - I - - I'm - - they - -

J.H.: Can you not point the gun at me, though?

DECEDENT: Oh - - so, what we're trying to say is, I want the Twins - - the Twins, identify yourself. I saw you in a movie. Randall and - - oh, what's - - what's the other guy's name? The Twins from The Matrix 2? We just call them the Twins. The guys in the flowing white robes who look like Brad Pitt. Yeah. We also want Brad Pitt, Angelina Jolie, and - - I forgot to take my medication. But what - - who - - who else do you want? Who's the finest girl in the world? And if you get it wrong, I have to shoot you.

J.H.: The finest girl in the world?

DECEDENT: Yeah. But, I mean - - let me rephrase the question, bro. Like - - like, we're going to roleplay for a little bit. I think we'll - - XM Satellite Radio, 9.1 gigawatts. So, hey dude, we gotta roleplay 'cause – they got -- they're gonna shoot me. And - - and guess what?

J.H.: Can you not point the gun?

DECEDENT: One of the planes is gonna go down with these nanobots. And I don't know which one it is, bro. So, I think there's a - - I think I got off track. Fuck, I hate it when I do that. XM Satellite Radio, 9.1 gigawatts. The Purge, baby. Oh, you know what? I want to tell you a story.

J.H.: But we have to be careful 'cause there's a police car here.

DECEDENT: So, there's - - you know how many guns are looking at us right now, bro? We're on TV. Do you want to say hi to the cameras?

J.H.: Oh. Hi.

DECEDENT: Okay. Let's say hi. Look. Right up there. Go ahead and wave to them.

J.H.: Just can you put - - can you put the gun over there?

DECEDENT: Nope. Sorry. These are my rules. I don't go by rules.

J.H.: (Screaming.)

DECEDENT: Some rules are meant to be broken.

J.H.: Oh, Lord, please help me. Please help me. Jesus, help me.

DECEDENT: Oh, Jesus. I don't like that. That name should not be mentioned.

J.H.: What, God?

DECEDENT: I - - god?

J.H.: You don't like God?

DECEDENT: Only I can say that 'cause I'm a god.

J.H.: Oh.

DECEDENT: And my other witches were gods, too.

J.H.: What would you like me to call you?

DECEDENT: So, what I was trying to say is, I want the Twins, Randall and Ronald Kokenburg or Under Armour. Fuck it, we'll take Under Armour, too. I want all of Under Armour evacuated. What kind of shirt you got on, bro?

J.H.: Under Armour.

DECEDENT: Fuck, yeah, dude. My guy. I love Under Armour. You wanna be a model for Under Armour, like - - a kid model? And, like, you wanna go to - - you know what I mean? Let's - - let's - - let's roleplay for a little bit. 'Cause I got, like, this is a fucking - - what kind of car is this? Is this a 'Lac?

J.H.: Escalade.

DECEDENT: You like this car? It smells like new car in this motherfucker. So, you want to play some predictive programming real quick?

J.H.: What does that mean?

DECEDENT: Hold on. Let me - - let me tell you what it means. Hold on. Hey guys, we'll be right back, but don't turn the station. We'll be right back with - - I'll be right back. You can scream, baby. You're gonna like this. Wait, wait, wait. I'll be back. I'm back, bitches. Pay back, motherfucker. We gotta roleplay. Hold on. We'll be right back. Hold on.

(Whereupon, DECEDENT muted and unmuted his phone microphone.)

J.H.: Oh. Here's (unintelligible)

DECEDENT: Okay. Okay. Got - - okay. Go ahead. We're live.

J.H.: So, I would like Katy Perry to Staple Center by 12:30 P.M.

DECEDENT: No. No. No. Dog, okay, you gotta keep up with the accent. Well, I haven't told you the accent, fuck.

(Whereupon, a flash bomb sounded.)

DECEDENT: Oh. Here's a flash.

J.H.: Oh, my gosh.

DECEDENT: You better get down.

J.H.: Can we go home? (Make a sound.)

DECEDENT: Whoa, here it comes. They're gonna kill us.

J.H.: No. No. Can you not shoot me, though?

DECEDENT: What?

J.H.: (unintelligible)

DECEDENT: I have to shoot you (unintelligible).

J.H.: You could shoot her instead.

DECEDENT: Shoot her?

J.H.: Yeah. Instead of me.

DECEDENT: So - - so - - so - - so - - so, tell her we want Katy Perry. What are you trying to fucking say, bro?

J.H.: I want Katy Perry - -

DECEDENT: We want Katy Perry by - - at the Staples Center - -

J.H.: (unintelligible)

DECEDENT: - - by zero dark 30 tonight. And then we'll tell you the rest of the shit. But where's my fuckin'- - hey, you guys think I'm fucking around. I'm fin - - well I'm a need - - well - - how - - how long did we give them for the chopper?

J.H.: We gave them - -

DECEDENT: You know? Fuck that. We want Arnold Schwarzenegger in this motherfucker. And we have a list - - hold on. Wait a minute. Let me switch hands.

J.H.: (Screaming.)

DECEDENT: What we're trying to say is that we have a list, and we have a lot of guns. And we have a lot of witches. So, back to the scenario - - fuck. I need - - I didn't take my medications. So, who does that? Who does that remind me of that doesn't take medications? XM Satellite Radio 1.1 gigawatts.

J.H.: (Screaming.)

DECEDENT: Okay. I need you to open your mouth.

J.H.: No, sir.

DECEDENT: Is this gun loaded?

J.H.: Yeah.

DECEDENT: Do you think it is or should we test it out?

J.H.: No. We shouldn't test it out.

DECEDENT: You wanna suck my dick? Come on bro. I got raped when I was (unintelligible).

J.H.: (sounds like "Instead of doing this?")

DECEDENT: Set it - - oh. Yeah, dog. Yeah. Instead of doing this you wanna suck my dick?

J.H.: (unintelligible)

DECEDENT: You wouldn't die? Oh, dog, if you suck my dick dog, you're golden. You're going to heaven, bro.

J.H.: (unintelligible)

DECEDENT: So, like, dude. So, what we're trying to say is that we want Randall and his brother. Hey, Randall, I think you gotta kill someone bro, they're not listening. Um, yean, we were trying to recruit. We want - - we want Arnold Schwarzenegger – (phone ringing in background). Is that a call? What is that? I'm not from this planet. I'm from Area 51. What is that? How do I answer it?

J.H.: (Unintelligible)

DECEDENT: (Unintelligible) I don't – I don't know -- I don't know how to work this.

J.H. (Unintelligible)

DECEDENT: Oh, they're calling here too? Who's this?

J.H.: (Unintelligible)

DECEDENT: Go ahead and answer that. (Incomprehensible due to poor audio quality.)

J.H.: (Incomprehensible due to poor audio quality.)

DECEDENT: XM Satellite radio – go ahead and answer that bro. Everyone's looking bro. This is your moment, bro.

J.H.: (Unintelligible)

DECEDENT: Dude, we're live, dog. Dog - - dog - - yo, motherfucking shout out to my man (unintelligible) Let me see what his name was. Um fuck. (Unintelligible) Yeah we want (unintelligible) too. Zero dark thirty. You know what? Fuck it. This guy's taking too long. You wanna die now or die later?

J.H. Later.

DECEDENT: Is that a candy? I've heard that's really good candy. Um, have you heard of my planet? We are eating these things called skittles. You go like this. And we heard of popcorn. It goes pop, pop, pop. Oh, look at that!

J.H.: What was that?

DECEDENT: (Incomprehensible due to poor audio quality.)

J.H.: No. No. (Screaming.)

DECEDENT: OK. You wanna hear my saw impression?

J.H.: (Unintelligible).

DECEDENT: I can't because if I move my arms, what happens here is if I go like this

J.H.: No. No. No. Please, no. (Screaming)

DECEDENT: Hand in the air - - interlock your fingers like this. (unintelligible)

J.H.: No. No. No. Please, don't.

DECEDENT: Whoa, whoa, whoa, whoa! You want me to take the gun off of you?

J.H.: Yes.

DECEDENT: Okay. (unintelligible).

J.H.: Please (incomprehensible). Please.

DECEDENT: (Incomprehensible due to poor audio quality.) Is this gun loaded. Oh. They're gonna shoot me. We have witches. Ok. Before I die...

J.H.: (unintelligible)(crying/screaming)

DECEDENT: Guess what?

J.H.: (Screaming.)

UNIDENTIFIED MALE 1: (unintelligible)

DECEDENT: I'm a shoot him in the brain.

J.H.: No, no, no. (screaming)

DECEDENT: Whoa. (Unintelligible)

J.H.: (Screaming.)

DECEDENT: Don't touch the gun.

J.H. (Screaming)

DECEDENT: Don't touch the gun.

J.H.: (Screaming.) Just please, don't shoot me!

(Whereupon, a gunshot sounded.)

J.H.: (Screams.)

(Whereupon, multiple gunshots sounded.)

DECEDENT: Yeah! (Excitedly)

(Whereupon, a gunshot sounded.) ...⁹

VIDEO EVIDENCE

BODY WORN CAMERA

Body Worn Camera (BWC) video footage from Sgt. Van Beveren, Officer Nelson, Officer Morgon, Officer Brink, Officer Hehn, Officer Lujan, Sgt. Clear, Officer Pendleton, Officer Duffy, Officer Price, Officer Nameth, and Officer Amezcua was reviewed. No BWC footage was available for Officers Erickson, Kiecana or Anderson. Below are summaries of what was observed in the footage.

Sgt. Seth Van Beveren

Sgt. Van Beveren activated his BWC at 11:11 A.M. once he was at the Douglas at Stonelake Apartments. Upon approach to apartment 13201, his BWC captured two females outside the apartment. One female was lying in the doorway (D.H.) and appeared injured. The other appeared to be rendering aid to the female in the doorway. See, image below.



Then, Officer Erickson, who was also present, contacted another female in a room near the front door. The female walked out of the apartment.¹⁰ Officer Nelson entered the apartment to assist. Sgt. Van Beveren walked into the room that was near the front door. A person was laying on the ground, not moving (Y.H.). Another female, laying on her back, was near the rear sliding glass door and not moving (V.M.). See, image below.

⁹ J.H. had an open line with L.H. after the cell phone is heard ringing in the background. After shots were fired a male can be heard through the cell phone's speaker. This is consistent with the statement of L.H. (brother of J.H.) to police.

¹⁰ The female that exits is one of the neighbors that was attempting to render aid to Y.H.



Officers Nelson and Erickson located another female in the bathroom of the apartment (L.G.). Sgt. Van Beveren advised dispatch that the individual in the bathroom was not the suspect. The female from the bathroom was crying hysterically in the background.

Then, Dispatch advised that they were landline with the suspect (Decedent) who was asking for a helicopter and indicated that he killed somebody, and he was in unit 13301. Dispatch further advised the male said he was also with a 12-year-old named J.H., and that he wanted to kill the juvenile.

Sgt. Van Beveren then directed officers to hold on the stairwells on each end of the floor and then directed another officer to assist him in rendering aid to the victims. Officers Erickson and Nelson removed an injured female from the room next to the front door and took her out of the apartment to meet with paramedics.

Sgt. Van Beveren contacted the officers in the stair well to his right and advised them to hold on the staircase. Then, he walked down the breezeway of the apartments to the opposite side of apartment 13201 and contacted three officers that were securing a staircase. Sgt. Van Beveren advised them of the possible hostage situation and told them to hold on the staircase. Then, he walked down the staircase to the bottom floor, on the opposite side of apartment 13201, and contacted Officers Erickson and Nelson.

Sgt. Clear advised over the radio that the black Cadillac Escalade that was parked in front of building 13 was involved in the incident, and the suspect and male juvenile were inside the vehicle. Sgt. Clear updated, via radio, that the male had a gun, and then updated again that they could see a firearm and the juvenile had his hands up. Sgt. Van Beveren advised dispatch to activate SWAT and CNT.

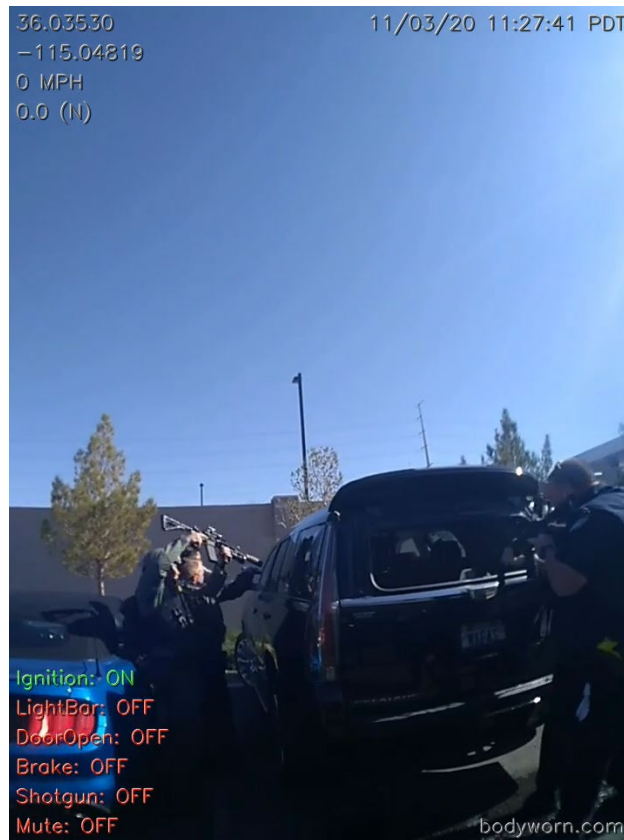
Dispatch updated that the suspect was telling the juvenile to open his mouth, and the gun was loaded.

An officer handed Sgt. Van Beveren a handheld Public Address System (PA System), and Sgt. Van Beveren started to walk to the corner of the building that was near the Cadillac Escalade. A gunshot was heard followed by several other gunshots. Sgt. Van Beveren then advised the two (2) officers in front of him to step back and to watch the "crossfire." Sgt. Van Beveren began to move forward to the corner of

the building and multiple officers approached the black Cadillac Escalade. Sgt. Van Beveren and other Officers yelled to additional officers to watch for “crossfire.”

Sgt. Van Beveren advised Dispatch that movement was still being observed in the vehicle and officers were trying to extract people out of the Cadillac Escalade. Then, multiple gunshots were heard. Once the gunshots stopped, and an officer yelled, “Get the kid out! Get the kid out!”

Sgt. Van Beveren approached the black Cadillac Escalade and multiple officers surrounded the vehicle. A male juvenile (J.H.) was removed from the front passenger seat of the vehicle and was covered in blood. The juvenile was carried away from the vehicle and officers began life saving measures on the male juvenile. At that point, Sgt. Van Beveren advised officers that the suspect in the Cadillac Escalade needed to be checked for life saving measures. A SWAT Officer used a metal pole to break the driver’s side window. See, image below.



Once the window was broken out, an officer pulled a black male (Decedent) out of the driver’s seat of the Cadillac Escalade and placed him on the asphalt behind the Cadillac Escalade. Officers attempted life saving measures. Henderson Fire Medical Personnel arrived on scene and relieved officers. Then, Sgt. Van Beveren began to move involved officers to a separate location from the scene. He then turned off his BWC.

The duration of his footage was approximately nineteen (19) minutes and thirty-six (36) seconds long.

Officer Alex Nelson

Officer Nelson’s BWC was activated at 11:17 A.M. Shortly after, he was carrying a female victim (Y.H.) down the west stairwell with Officer Erickson. Officer Chorens followed. Officer Candland then helped

Officers Erickson and Nelson carry the victim to the grass area that was south of the pool and west of building 13. Officer Nelson asked Y.H. who did this and whether Y.H. knew him. The victim informed him that she had seen him before but did not know his name. Officer Nelson then asked whether she had seen him around there before and the victim stated, "Yes". The victim said something about walking.

Then, Officer Chorens advised, via radio, that he was being told by an individual who lived in the apartments that there was a black Escalade that was sitting there and mentioned a suspect. An officer then advised over the radio that the black Escalade was parked on the east side of the apartments, and its taillights were on. Sgt. Clear advised dispatch via radio that they were trying to contact the Escalade and to keep the air clear.

Sgt. Clear broadcasted via radio that the vehicle was going to be involved and that it contained the suspect and twelve-year-old, who was in the passenger seat. She further advised that she saw the hands of the driver and the child and instructed everyone to keep the air clear. At that point, Officer Nelson headed east, then arrived at the southeast corner of building 13, where Officer Anderson was positioned.

Sgt. Clear then broadcasted, "The male has a gun" and dispatch acknowledged. Then, an officer advised that the suspect was pointing the gun at the child. Dispatch then relayed that the male was telling the twelve-year-old to open his mouth, the gun was loaded, and that the male was trying to sexually assault the child. Officer Nelson began running with his rifle in hand. Dispatch updated that he (the suspect) was just rambling, telling the twelve-year-old to answer the phone.

Officer Nelson arrived at the rear of patrol vehicle 6001 (Officer Lujan's Tahoe) where Officer Hehn was located. Sgt. Clear asked for the shield from Officer Hehn. Then, Officer Lujan asked, via radio, where the twelve-year-old was located inside the vehicle and asked if there was any separation at all. Officer Lujan provided the license plate of the Escalade via radio.

At that point, a single gunshot was fired followed by several gunshots right afterward. Officer Nelson kept his position to the rear of the patrol vehicle. The gunshots stopped, and Officer Nelson appeared to slightly reposition himself. Then, a single gunshot was fired. Officer Price advised that there was a kid in the car.

Officer Nelson advised they need to get the kid as he slowly approached the vehicle from the northwest with his rifle pointed at the vehicle. He made his way to the rear of the vehicle while keeping his distance. Officer Nelson approached the vehicle from the rear while staying behind Officer Morgon, who had the shield, and Sgt. Clear. Officers advised the kid (J.H.) was hit and appeared to surround the vehicle. Officer Nelson moved back from the vehicle to create distance. Officer Kiecana attempted to open the front passenger door by pulling on the outside handle, but it did not open.

Officer Lujan took up a position directly behind the vehicle while pointing his rifle inside of the rear window and directing officers to get out of the way. Officer Price was still positioned at the front passenger door with his rifle pointed at the vehicle. Officer Morgon, who has the shield, was slightly behind and off of Officer Lujan's left. Officer Nameth was to Officer Morgon's left, on the driver's side. See, image below.



Officer Lujan yelled, “Is the kid out?” several times. Then, several more rounds were fired while Officer Nelson was standing to the southwest of the vehicle and slightly behind Officer Lujan.¹¹ At that point, Officers approached the passenger side of the vehicle. Officer Lujan broke the front passenger window with the muzzle of his rifle. Officer Kiecana pulled the juvenile out of the front passenger seat of the vehicle assisted by Officer Duffy. The juvenile was placed on the ground, and officers started life saving measures. See, Image below.



Then, the juvenile was picked up and moved away from the vehicle. At that point, Officer Nelson advised dispatch that the suspect and juvenile were down and requested medical. Officer Nelson put his rifle away inside of a patrol vehicle that was parked south of the pool and southwest of building 13. He then confirmed that Officer Chorens had a medical kit and the two made their way back to the scene where he assisted the other officers with rendering aid to the juvenile.

¹¹ When the footage was slowed down, approximately seven (7) gunshots were heard. This is true of all body worn camera footage that captured the second round of gunfire.

HFD arrived shortly thereafter, and Sgt. Clear advised Officer Nelson to secure the scene. Officer Nelson made his way over to apartment 13201. Once there, Officer Erickson checked for a pulse on D.H. Officer Erickson advised he believes he felt a very faint pulse on D.H. and started chest compressions. Then, he advised dispatch via radio that one of the victims still had a faint pulse and he requested medical. At that point, he performed chest compressions again.

Shortly thereafter, his BWC was turned off. The recording was a little more than fifteen (15) minutes long.

Officer Glenn Morgon

Officer Morgon's BWC was activated at 11:10 A.M., as he was driving. After some confusion as to which apartment the scene was located in, he exited his patrol vehicle and grabbed a medical kit from his vehicle. He grabbed the kit after learning, via radio traffic, that there were two victims down with gunshot wounds.

Officer Morgon proceeded to run south along the west side of building 14 and building 13 and then up the west stairwell of building 13. He entered apartment 13201 with his weapon drawn at Sgt. Clear's request. A frantic/crying female (L.G.) appeared from one of the back right rooms with an officer. Officer Morgon remained inside of the apartment to assist. While inside, his BWC captured D.H. in the doorway and V.M. near the sliding glass door.

Upon exiting the apartment, Officer Morgon provided coverage on apartment 13301 with Officer Amezcua, at Sgt. Van Beveren's request. Apartment 13301 was directly above them. Once in position, dispatch inquired, via radio, whether anyone was going to apartment 13301. Officer Morgon confirmed that they were there and requested dispatch contact the person inside and have him exit with his hands up. Then, Officer Amezcua left the area while Officer Morgon remained with his duty weapon drawn. Officer Morgon took possession of a shield. Sgt. Clear advised dispatch via radio that apartment 13301 was on the southeast side of the building, on the third floor.

Then, Officer S. Candland requested medical via radio to building 11 reference multiple gunshot wounds. Officer Candland also advised that there was a black Escalade with two males inside that might be suspicious. Sgt. Clear relayed over the radio that the vehicle was going to be involved. Furthermore, she indicated that it was the suspect, and she could see a twelve-year-old in the passenger seat. She also indicated she could see the hands of the driver and the child and instructed to keep the air clear. Sgt. Clear then updated via radio, "The male has a gun." Dispatch acknowledged.

Then, Officer Hehn pointed out the suspect vehicle and stated that they were in the line of fire. They repositioned. Sgt. Clear advised dispatch that this it was the suspect, they saw a gun, and the child had his hands up. She further indicated they were in the front seat of the black Escalade.

Then, Officer Morgon made his way down the east stairwell with the shield. He was heading east underneath the carport when one gunshot was heard, followed by several more right afterward. Then, the gunshots stop. Then, a single gunshot was heard again. Officer Morgon yelled, "Coming up with the shield, coming up with the shield".

Officer Lujan yelled, "Get out the way". Then, Officer Lujan inquired, "Is the kid out?". Approximately six (6) more gunshots were fired. At that point, Officers began to try and remove J.H. and Decedent. Then, SWAT officers arrived on scene. HFD attended to Decedent, who was wearing dark shoes, khaki pants, and a dark t-shirt, lying on the ground.

Shortly afterward, Officer Morgon's BWC was turned off. His footage was approximately twenty-one (21) minutes long.

Officer Timothy Brink

Officer Brink's BWC was activated at 11:13 A.M. as he made his way toward the stairwell with Officer Hehn in front of him. Officer Lujan was coming down the stairs with a Hispanic female (L.G.), who he was speaking with in Spanish. Sgt. Clear followed Officer Lujan and other officers.

Officers Brink and Hehn went upstairs to hold on apartment 13301 with Officer Morgon. Upon arrival, Officer Amezcua was already setup on the apartment from the east stairwell and he had his duty weapon pointed in the area of the front door. Sgt. Clear advised Officer Amezcua to go downstairs because he spoke Spanish. This left Officer Brinks, Hehn, and Morgon focused on the door of apartment 13301. Officer Morgon took the shield from Sgt. Clear.

Officers then extracted a victim (Y.H.) from apartment 13201 and carried her west through the breezeway while Officer Choren's followed. Then, Officer S. Candland requested medical to building eleven (11) reference multiple gunshot wounds. Officer Candland advised that there was a black Escalade with two males inside that might be suspicious. Officer Choren's then updated that he was being told by an individual who lived in the apartments that there was a black Escalade that was sitting there and (inaudible) about a suspect.

Then, Officer Lujan advised the officers holding on the third-floor apartment that L.G. told him the shooter was short with khaki pants.

Sgt. Clear relayed over the radio that the male had a gun and dispatch confirmed the information. Officer Hehn pointed out the suspect vehicle and observed that they were in the line of fire. They repositioned. Sgt. Clear then confirmed the male was the suspect and they could see a gun. She further advised that the child had his hands up, and they were in the front seat of the black Escalade.

Officer Hehn proceeded to make his way down the stairs while Officers Morgon and Brink remained covering apartment 13301. Then, Officer Morgon went downstairs with the shield, and Officer Brink followed. Officers Morgon and Brink exited the first-floor breezeway from the east when a single gunshot was heard followed by several other gunshots. Then the gunshots stopped. Another single gunshot was heard, and Officer Brink is just behind the front end of a dark colored vehicle that was parked underneath the carport.

Officer Brink moved up to patrol vehicle 6001 as other officers moved toward the Escalade. Officer Brink trailed the officers who approached the passenger side of the Escalade. Officer Nameth was by the rear of the driver's side. Officer Hehn was to the rear, and Officers Lujan, Morgon, Nelson, and Price, along with Sgt. Clear, are on the passenger side of the vehicle.

Officer Lujan yelled for officers to get out of the way as he was looking into the vehicle from the right rear. Officer Lujan had his rifle pointed inside of the vehicle from the rear, through the broken out rear window. At that point, Officer Lujan yelled "is the kid out?" several times. About six (6) more gunshots were heard while Officer Brink was standing to the southwest of the vehicle.¹² Officers then tried to make entry into the vehicle from the passenger side while Officer Brink stood behind them.

¹² When the video is slowed down, approximately seven (7) shots are heard.

Eventually, officers got the front passenger door open and remove the juvenile from the front passenger seat. The juvenile was placed on the ground, and officers start life saving measures. Then, the juvenile was moved away from the vehicle.

Officers continued to address the driver inside the vehicle and tried to figure out where the gun is located. Officer Amezcua tried to open the driver's door. Ultimately, Officers broke the driver's side windows.

Officer Brink then went back over to where officers were administering life saving measures on the juvenile. Shortly thereafter, HFD took over life saving measures on the juvenile. Then driver of the vehicle was placed on the ground.

Officer Brink's BWC was turned off shortly afterward. His BWC footage was about seventeen (17) minutes long.

Officer Jesse Hehn

Officer Hehn's BWC was activated at about 11:15 A.M. while he was on the stairwell focused on what appeared to be apartment 13301 with another officer. Other officers were on the second story breezeway. Officer Hehn had his duty weapon out.

Officers carried Y.H. from apartment 13201 and took her west through the breezeway while Officer Chorens followed. Officer Candland requested medical, via radio, to building eleven (11) reference multiple gunshot wounds. Additionally, Officer Candland advised that there was a black Escalade with two males inside that might be suspicious. Then, Officer Chorens relayed via radio that he was being told by an individual who lived in the apartments that there was a black Escalade that was sitting there and (inaudible) about a suspect.

Sgt. Clear advised via radio the male had a gun. Then, Officer Hehn pointed out the suspect vehicle and noted they were in the line of fire. They repositioned. Sgt. Clear advised via radio that it (the male in the driver's seat of the Escalade) was the suspect, and they could see a gun. Additionally, she informed that the child had his hands up, and they were going to be in the front seat of the black Escalade that is facing east.

Officer Hehn then made his way down the stairs. An officer (Officer Amezcua) advised over the radio that the suspect was pointing the gun at the child. Dispatch then informed, via radio, that the male was telling the twelve-year-old to open his mouth, the gun was loaded, and the male was trying to sexually assault the child. Officer Hehn made it to the first floor and proceeded toward Officer Nameth's location. Officer Nameth was positioned on the front passenger side of a patrol vehicle while focused on the direction of the Escalade.

Officer Hehn then contacted Officer Nelson. Officer Hehn told Officer Nelson to get up against the patrol vehicle. Officer Hehn proceeded north to the front passenger side of another patrol vehicle that is parked just north of where he previously was. Then, Officer Hehn moved quickly over to the stairwell and requested the shield from Officer Morgon.

Officer Hehn returned to the patrol vehicle that Officers Nameth and Nelson were behind. He stood at the front passenger seat as the front passenger door was already open. Officer Hehn still had his duty weapon drawn. A gunshot was heard followed by several other gunshots. Officer Hehn set up behind the front passenger side of the hood and pointed his duty weapon in the direction of the Escalade. Then, the

gunshots stopped. A single gunshot was heard again. Officer Hehn was just behind Officer Nelson at that point.

Officer Hehn and other officers approached the Escalade with duty weapons drawn. The rear window of the Escalade was gone and there was glass on the ground below the window in question. Officers were on the passenger side of the vehicle with their weapons drawn. Officer Hehn was to the rear of the vehicle.

Several officers were on the passenger side of the vehicle and at the rear of the vehicle while another officer is at the front driver's side. Officer Hehn was on the passenger side of the vehicle behind other officers. Officer Lujan had his rifle pointed into the Escalade from the rear window with Officer Morgon to his left. Then, approximately six (6) more gunshots were heard.¹³

Officers then tried to make entry into the Escalade from the passenger side while Officer Hehn remained near the front passenger side. Eventually, officers were able to get the front passenger door open. Officer Hehn moved up with his duty weapon pointed in the direction of the driver's seat. Then, the engine was turned off.

Officer Amezcua tried unsuccessfully to open the driver's door and then he broke out the driver's side window. Another officer broke out the rear passenger window on the driver's side.

Shortly thereafter, Officer Hehn's BWC was turned off. His BWC footage was approximately thirteen and a half (13 ½) minutes.

Officer Jesse Lujan

Officer Lujan activated his BWC at about 11:23 A.M. while standing in the breezeway just outside of apartment 13201. Officer Lujan went down the east stairwell and headed east out of the first-floor breezeway. He had his duty weapon drawn and took up a position near a vehicle that was underneath the carport. His camera gave a clear view of the rear of the black Escalade.

Officer Lujan asks via radio, "Where is the gun in the vehicle", a response is not heard. Then, Officer Lujan stated via radio, "Suspect's in the driver's seat". During that time, Sgt. Clear yelled, "Sir, step out of the vehicle, let's just talk. Let me see your hands sir".

Then, Officer Lujan moved over by patrol vehicle 6001 where Officers Nameth and Hehn were already positioned. Officer Lujan deployed his rifle from the inside of his patrol vehicle 6001. Officer Lujan asked, via radio, "Where is the twelve-year-old in the vehicle? Do we have separation at all?" At the time, he was standing next to Officer Nameth on the passenger side of his patrol vehicle.

Officer Lujan went back to his original spot that gave him a view of the rear of the Escalade. While doing so, he provided the plate to dispatch via radio. Then, a single gunshot is heard, and it appeared that a passenger side window was struck by a round moving from inside to outside. Gun smoke and/or glass is blown outward. See, below image.

¹³ When the footage was slowed down, approximately seven (7) shots are heard.



Several more gunshots were fired immediately afterward, resulting in the shattering of the rear window. See, image below.



The gunshots stopped. Then, a single gunshot was heard and then gunshots stopped again. Officers then approached the front driver's side of the vehicle from the north. See, image below.



Officer Lujan and other officers approached the vehicle from the rear and made their way over to the passenger side. Then, Officer Price yelled, "The kid's hit!" Officer Lujan approached the passenger side of the Escalade. When he did so, a bullet hole in the front passenger window became visible. See, below image.



Officer Lujan then went to the rear of the vehicle, which still has its engine revving, and placed his rifle inside through the rear window. As he did so, he advised he was coming up and directed officers to get

out of the way. Then, he commanded, "Get out of the driver's side! Get out of the driver's side!" Officer Lujan asked if the juvenile was out and he then yelled two more times, "Is the kid out".

At that point, Officer Lujan appeared to fire his rifle two (2) times. Officer Lujan moved over to the passenger side of the vehicle. Officer Price reached his hand into the large hole in the rear passenger window on the passenger side. Officer Lujan started to break the front passenger window with the muzzle of his rifle. Officer Hehn was covering the front area of the vehicle with his duty weapon.

Officer Lujan eventually broke the front passenger window with the muzzle of his rifle while Officer Hehn continued to cover the front cab area of the vehicle with his duty weapon. The front passenger door was opened, and the juvenile was removed from the front passenger seat. Officers began life saving measures on the juvenile. Officers Anderson and Price had the inside of the vehicle covered with their rifles on the passenger side of the vehicle. Then, the juvenile was picked up and moved away from the vehicle. The vehicle was then turned off.

Shortly thereafter, Officer Lujan's BWC was turned off. His BWC footage was approximately five (5) minutes long.

Sgt. Jaime Clear

Sgt. Clear's BWC was activated at 11:06 A.M., as she was driving. About six (6) minutes later, Sgt. Clear exited her vehicle, which was parked just to the east of building 13 and northwest of the Escalade.

A white male adult, wearing a sleeveless t-shirt, dark colored shorts, and shoes, advised there were a few people shot inside. Sgt. Clear pulled her vehicle farther north in the parking lot and exited her vehicle again. She then contacted the white male adult again as she ran up to apartment 13201.

When Sgt. Clear arrived at apartment 13201, she had her duty weapon drawn. Officer Morgon then arrived from the west side of the second story breezeway. Sgt. Clear ordered Officer Morgon to enter the apartment. A female was down in the doorway (D.H.).

Then, a frantic/crying Hispanic female adult exited the apartment (L.G.). Sgt. Clear asked Officer Lujan, who was coming up the east stairwell, to help the female Spanish speaker.

She then asked the two motor officers who were coming up the east stairwell to come with her. She proceeded to go back down the east stairwell with them. Officer Lujan was still with the Hispanic female adult and Officers Hehn and Brink were at the bottom of the stairs.

Sgt. Clear realized apartment 13301 was on the third floor, Officers Hehn and Brink, along with Sgt. Clear, go back up the east stairwell to the third floor. Upon arrival, Officer Amezcua was already covering the apartment with his duty weapon drawn. Two motor officers set up on the west side of the third-floor breezeway on the west stairwell. Sgt. Clear asked who was with the victim (L.G.) and she was informed Officer Lujan was with the victim. Then, Officer Lujan, who was carrying a ram, and Officer Chorens, who was carrying a shield, arrived on the second story breezeway from the east stairwell. At that point, Sgt. Clear told Officer Amezcua to go downstairs because he spoke Spanish.

Sgt. Clear took the shield from Officer Chorens and then Officer Morgon took the shield from Sgt. Clear. Then, Sgt. Clear advised dispatch via radio that apartment 13301 was on southeast side of the building, on the third floor. Officers Erickson and Nelson then carried a victim (Y.H.), out of the apartment and took her westbound through the second story breezeway while Officer Chorens followed. Sgt. Clear ordered

the officers holding on the third story apartment to get behind the shield. Officer J. Bezrutczyk, and Officer S. Webber, who both had their rifles deployed, arrived on the second story breezeway from the east stairwell and proceeded westbound through the breezeway. Sgt. Clear then went back down the east stairwell and exited the first-floor breezeway from the east. She walked over to patrol vehicle 6001 that was parked in the parking lot just to the Escalade's immediate northwest. The brake lights on the Escalade appeared illuminated.

Officer S. Candland requested, via radio, medical to building eleven (11) reference multiple gunshot wounds. Officer Candland also advised that there was a black Escalade with two males inside that might be suspicious. At that point, Sgt. Clear appeared to turn her attention to the black Escalade that was parked in the parking lot near her with her duty weapon drawn. She was standing by the driver's side of patrol vehicle 6001.

Sgt. Clear then advised dispatch that any incoming units needed to stay away from the east side of building 13. She further advised that any units at the Terrible Herbst would be in the crossfire if the subject exited.

Officer C. Chorens relayed via radio that he was told by an individual who lived in the apartments that there was a black Escalade that was sitting there and something about a suspect. While that information was being broadcast via radio, Sgt. Clear advised somebody that she had it and directed them to move up.

Sgt. Clear tried to get on the radio but was unsuccessful as somebody else was on the air. Sgt. Clear then directed that person to get off the air. Then she advised someone to come to her location. Sgt. Clear was standing underneath the carport just to the east of the patrol vehicle that was parked behind patrol vehicle 6001. An officer arrived at her location, and she advised as to the location of the suspect vehicle with the two males. Then, she identified the upper apartment with the balcony. She ordered an officer to hold high while they ordered them (Decedent and J.H.) out of the Escalade. At that point, Sgt. Clear advised dispatch that they were trying to contact the Escalade and directed them to keep the air clear. Sgt. Clear was behind the second vehicle from the end of the carport, just to the north of the Escalade.

Sgt. Clear then repositioned to the front of the same vehicle. Her camera showed a clear view of the driver's side of the Escalade and the driver's side of the blue Mustang that was parked one space to the north of the Escalade. Her duty weapon was pointed at the Escalade. Then, Sgt. Clear moved up to the front of the last vehicle parked underneath the carport. Her camera still showed a clear view of the driver's side of the Escalade and the Mustang. She commanded, "Let me see your hands, both of you. Put your hands up, exit the vehicle". Sgt. Clear then yelled, "Driver.....Driver".

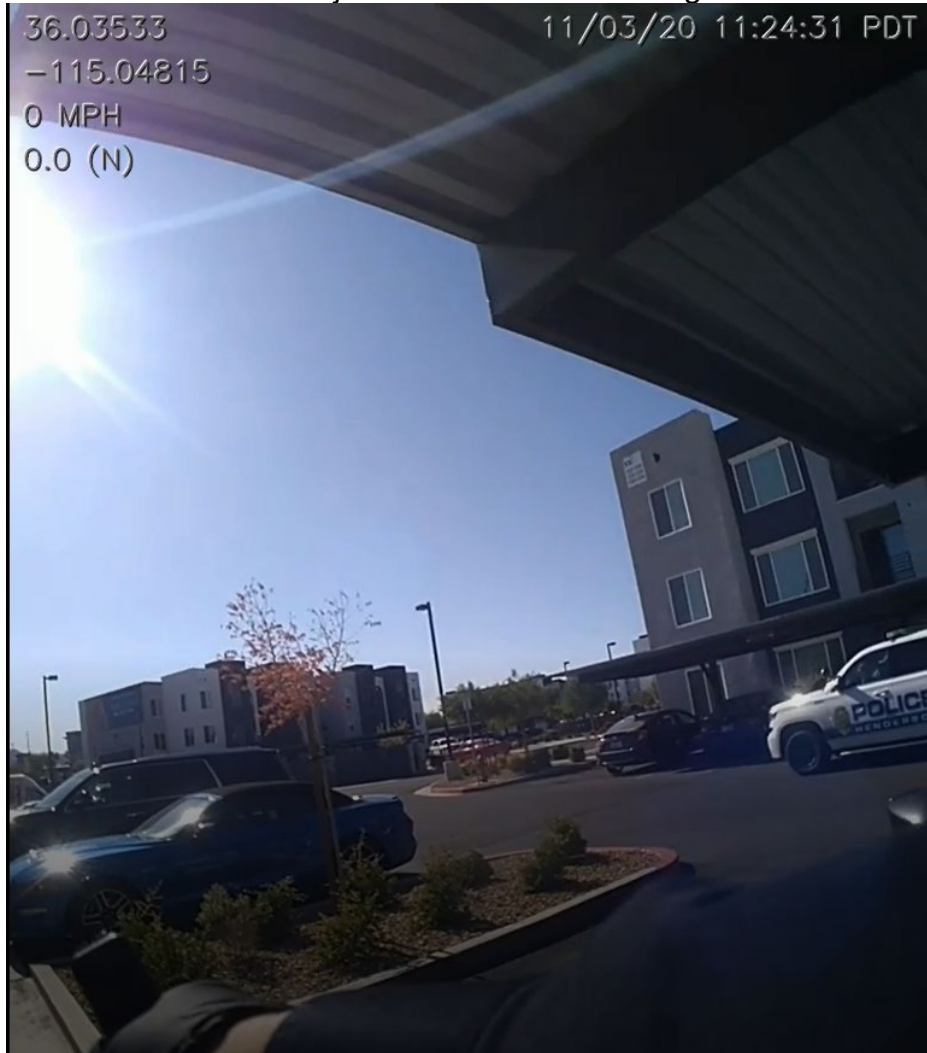
At that point, Sgt. Clear advised via radio: (1) the vehicle was going to be involved; (2) it was going to be the suspect; (3) she saw a twelve-year-old in the passenger seat; and, (4) she saw the hands of the driver and the child. She further instructed to keep the air clear. Sgt. Clear ordered Officer Nelson to move toward her. She then asked for stop sticks via radio. Then, Sgt. Clear advised she could not see his hands, and she saw a kid. Sgt. Clear informed dispatch via radio "The male has a gun" and dispatch acknowledged.

Sgt. Clear asked somebody to walk up with her, and asked who had the best shot with an AR. She then ordered officers to line up. Officer Duffy advised he had the kid out of his sights. Then, Sgt. Clear confirmed that the male in the Escalade was the suspect. She further informed that they saw a gun and the child had his hands up. Then, she stated that they were in the front seat of the black Escalade that is facing east.

Sgt. Clear told Officer Duffy to cover. Then, Sgt. Clear yelled, "Sir, step out of the vehicle, let's just talk. Let me see your hands sir." Her duty weapon was drawn toward the Escalade. Her camera still had a clear view of the Escalade and the blue Mustang parked one spot to the north of the Escalade. Dispatch

then advised via radio that the male was telling the twelve-year-old to open his mouth, that the gun was loaded, and he was trying to sexually assault the child. Sgt. Clear responded to dispatch and asked the dispatcher to just talk to him and see if he would roll down the window. Then, dispatch advised that he was just rambling, telling the twelve-year-old to answer the phone.

Officer Duffy told Sgt. Clear that the suspect was in his sights. Sgt. Clear told Officer Duffy that if they (she and Officer Duffy) see the gun, they would use lethal force. Officer Duffy acknowledged. Officer Duffy then asked Sgt. Clear to let him know if she saw the gun because it was hard to see through his sights. Sgt. Clear directed the officers to stack up and asked if they saw the gun in his hand. Officer Kiecana responded in the affirmative, but Sgt. Clear told her, "Not you" because of crossfire. Then, Sgt. Clear directed Officer Pendleton to swing left. An officer said, "He's pointing it." Sgt. Clear told Officer Pendleton to take the shot if he had it and reminded him to not hit the juvenile. Below is an image from her BWC at the time.



A single gunshot was fired. After the first round was fired, it appeared that the driver's window was still intact.¹⁴ See, the following still image captured immediately after the first round was fired from Sgt. Clear's BWC, below.



The single round was followed immediately by several more gunshots. Sgt. Clear repeatedly yelled “stop” and “ceasefire”. The gunshots stopped. Then, another single gunshot was fired. Sgt. Clear started to move west toward the rear of the Escalade while she advised that the driver was down. She then advised the driver was deceased. The rear window to the Escalade was broken out and there was glass on the ground below the rear window. See below image.



Then, Sgt. Clear advised officers that the engine was revving as she continues to move around to the rear of the vehicle. She then requested Officer Morgon with the shield. Officers approached the Escalade from the rear and passenger side. A large hole in the rear passenger window on the passenger side of the vehicle was visible and there was glass on the ground below that window. Officer Lujan attempted to open the front passenger door by pulling on the outside handle, but the door would not open. An officer advised, "It's locked".

At that point, Officer Lujan took up a position directly behind the vehicle while pointing his rifle inside of the rear window. He yelled, "Get out of the way!" Officer Price was still positioned at the front passenger door with his rifle pointed at the vehicle. Officer Morgon, who had the shield with his duty weapon drawn, was slightly behind and off of Officer Lujan's left. Officer Nameth was to Officer Morgon's left, on the driver's side. Sgt. Clear then tried to get Officers Morgon and Lujan to back up from the rear of the vehicle. Officer Lujan was heard yelling, "Is the kid out?".

Then, approximately six (6) more gunshots were fired while Sgt. Clear was standing to the northwest of the vehicle, just to the rear of the driver's side of the Mustang.¹⁵ See image below.

¹⁵ When the footage is slowed down, approximately seven (7) gunshots are heard.



Officers then approached the passenger side of the vehicle. Officer Price reached into the back passenger window where the hole was located while Officer Lujan broke the front passenger window with the muzzle of his rifle. Sgt. Clear, via radio, requested that medical expedite to the southside of building 13 while officers removed the juvenile from the front passenger seat. The juvenile was placed on the ground where life saving measures were started. Then, officers moved J.H. away from the vehicle. He was placed back on the ground where life saving measures were continued.

HFD arrived shortly thereafter and took over for officers. They continued to administer life saving measures.

At that point, Sgt. Clear's BWC was turned off. Her BWC footage was about twenty-two (22) minutes long.

Officer James Pendleton

Officer Pendleton activated his BWC at about 11:20 A.M. while he was driving. Approximately a minute later, he exited his vehicle, which was parked on the northeast side of the apartment complex just east of building 14. When he did so, he exited with his rifle.

Officer Pendleton made his way to Sgt. Clear's location where Officers Kiecana, Duffy, and Price were also located. They were underneath the far east carport, next to the brick wall, and are focused on the Escalade to their south. Officer Pendleton asked if they saw the gun. Then, Officer Pendleton set up to Officer Duffy's left with his rifle pointed at the Escalade and asked if he (Decedent) was pointing it (Decedent's firearm). Then, Sgt. Clear asked Officer Pendleton to swing left, and he did. While doing so he stated, "He's pointing it". Sgt. Clear advised Officer Pendleton to take the shot if he had it and instructed him to make sure to not hit the juvenile.

Officer Pendleton, who was standing in the rock landscape area between the brick wall and carport, just to the Escalade's northeast, fired one round from his rifle. At the time he fired, the rifle was pointed toward the Escalade. Several gunshots were fired right afterward. (The below image is a still image from Officer Pendleton's BWC at the time he fired the round.)



The gunshots stopped. Then, a single gunshot was heard. Right afterward, Officer Price was heard yelling "There is a kid in the car!" The Escalade's engine was revving as Sgt. Clear fanned out toward her right, in the direction of the patrol vehicles. Officer Pendleton approached the Escalade's driver's side from the northeast while advising they were moving up. Once there, Officer Pendleton yelled "The kid's hit!" Officer Price repeated the same.

Officer Pendleton directed the other officers to pull the juvenile out of the vehicle several times. An officer advised that the vehicle was locked. The engine was still revving. Officer Pendleton moved to the front passenger side of the vehicle and an officer stated, "He's still moving," referring to Defendant. Officer Pendleton remained in the rock landscaping area while aiming his rifle at the Escalade's driver's area/seat. Officer Lujan asked, "Is the kid out?"

At that point, approximately six (6) more gunshots were heard.¹⁶ Officers then yelled, "Get the juvenile out!" Officers approached the passenger side of the Escalade. Officer Lujan attempted to break the front passenger window with the muzzle of his rifle and was ultimately successful. See, images below.

¹⁶ When the video is slowed, approximately seven (7) rounds are discernible.



The front passenger door of the Escalade was opened, and the juvenile was removed from the front passenger seat. The juvenile was placed on the ground. The Escalade's engine was then turned off.

Then, a SWAT Officer busted out the rear passenger window on the driver's side of the Escalade to gain access to Decedent. Decedent was removed from the driver's seat. Officer Pendleton looked into the vehicle from the driver's side door as it is opened and advised the gun (the suspect's) was on the seat.

Officer Anderson rendered aid to Decedent on the ground until HFD approached and took over for him.

At that point, Officer Pendleton's BWC was turned off. His BWC video was about ten (10) minutes long.

Officer Philip Duffy

Officer Duffy's BWC was activated at approximately 11:13 A.M. as he was driving. About a minute later, he exited his vehicle but quickly got back in and drove to the northeast corner of building 14. He then exited again and made his way south on the sidewalk along building 14. Officer Duffy walked to the west side of building 14, between the clubhouse and building 14. Then, he moved up to the northwest corner of building 13 where he met up with Officers Kiecana and Nameth.

Officer Duffy then made his way east between buildings 13 and 14. He crossed paths with Officer Amezcua who is with a Hispanic female (L.G.). Officer Price was slightly in front of Officer Duffy at that point. Then, Officer Duffy obtained his rifle from his vehicle and rejoined Officer Price at the northeast corner of building 13. Officers Duffy and Price moved up slightly and repositioned underneath the carport. Officer Price took up a position behind the front end of a vehicle underneath the carport with his rifle pointed south toward the southeast corner of building 13. Officer Duffy moved up to where Sgt. Clear and Officer Kiecana were standing, underneath the far east carport between the parking lot and the brick wall. He took up a position behind a vehicle while he has his rifle pointed to the south.

Sgt. Clear advised that the suspect was inside of the black Escalade, and Officer Duffy acknowledged Sgt. Clear. Officer Nameth was also with them. Sgt. Clear yelled at the occupants of the Escalade, "Let me

see your hands, both of you. Put your hands up, exit the vehicle". Then, she yelled, "Driver.....Driver!" Officer Duffy then advised, "Yes, front passenger is the kid".

Officer Duffy asked what was in his hand, and a female officer responded that she could not see his right hand. Then, Officer Kiecana stated, "he has a gun, he has a gun, he has a gun". Officer Duffy moved up with Sgt. Clear and Officer Kiecana. Once they were behind the front end of the last vehicle underneath the carport, Officer Duffy took up a position in the rock landscaping area just to the left of Sgt. Clear. His rifle was pointed toward the driver's side of the Escalade. Officer Duffy's camera had a clear view of the Escalade and the blue Mustang parked just one spot to the north of the Escalade. At that point, Officer Duffy advised the kid was out of his sights. He repeated that he did not have the kid in his sights, but Sgt. Clear told him to cover.

Sgt. Clear started issuing commands to the suspect, "Sir, step out of the vehicle, let's just talk. Let me see your hands sir". Dispatch advised via radio that the male was telling the twelve-year-old to open his mouth, this gun was loaded, and he was trying to sexually assault the child. In response, Sgt. Clear asked dispatch to see if he (Decedent) would roll down the window.

Officer Duffy told Sgt. Clear, who is on his right, that the suspect was in his sights. Sgt. Clear then advised Officer Duffy they would use lethal force if they saw the gun. Officer Duffy acknowledged Sgt. Clear. At that point, Officer Duffy asked Sgt. Clear to let him know if she saw the gun as it was difficult to see through his sights. Then, Sgt. Clear directed Officer Pendleton to swing left. An officer advised, "He's pointing it". Sgt. Clear told Officer Pendleton to take the shot if he had it and instructed him to not hit the juvenile.

Then, a single gunshot was fired followed by several more gunshots. The gunshots stopped. Then, another single gunshot is heard. Officer Price yelled, "There is a kid in the car!". At that point, Officer Duffy approached the driver's side of the Escalade while he pointed his rifle at the vehicle. Officer Pendleton was slightly in front and to the left of Officer Duffy's during that time. Officers Pendleton and Officer Price yelled that the juvenile was hit.

Then, an officer yelled, "He's alive, watch out...he's moving, he's moving. Watch out, get out the way". Officer Duffy was standing in the rock landscape area just to the southeast of the front passenger side of the vehicle with his rifle pointed at the vehicle. Officer Duffy informed officers "the driver is still moving". Officer Duffy then manipulated his rifle and ultimately placed it down on the ground.

Officer Duffy transitioned to his duty weapon and pointed it at the Escalade as he moved forward toward the vehicle and onto the asphalt. Officer Price was just off to Officer Duffy's left and slightly in front of him with his rifle pointed at the front passenger side of the vehicle. Approximately six (6) more gunshots were heard. Officer Duffy appeared to fire three (3) rounds from his duty weapon. The rounds entered the front passenger window in the middle/just above the door frame, and the upper front passenger door just below the window. Officer Price then fired two rounds from his rifle that entered the lower left portion of the front passenger window. This is discernable when the footage is slowed down. ¹⁷

Officers yelled, "Get the kid out, get the kid out" while they approached the front passenger side of the vehicle. Officer Lujan broke out the front passenger window with the muzzle of his rifle while Officer Price was trying to open the rear passenger door on the passenger side by reaching through the hole in the window. Officer Price then started to punch the same window Officer Lujan was breaking out with his rifle. Eventually officers opened the front passenger door and Officer Kiecana removed the juvenile from the front passenger seat with assistance from other officers.

¹⁷ When the footage was slowed, seven (7) gunshots are heard rather than six (6).

The juvenile was placed on the ground and life saving measures were started. Officer Kiecana administered chest compressions while Officer Nameth's hands were placed on the left side of the juvenile's neck. See, image below. After a few seconds, the juvenile was moved farther away from the vehicle. Quickly thereafter, HFD arrived on scene and took over. Once HFD arrived, Officer Duffy's BWC was turned off.

Officer Duffy's BWC footage was approximately fifteen and a half (15 ½) minutes long.

Officer Seth Price

Officer Price activated his BWC at about 11:09 A.M., as he was driving. After approximately six (6) minutes, he arrived at Douglas as Stonelake and exited his vehicle with his rifle deployed. Officer Price made his way south along the west side of building 14 and then met up with Officer Duffy on the southwest corner of building 14. Shortly thereafter, Officers Nameth and Kiecana joined Officers Duffy and Price.

Thereafter, Officer Price headed east along the north side of building 13 from the southwest corner of building 14. Officer Price took up a position on the northeast corner of building 13. Officer Amezcua told him where the apartment was located, at which point Officer Price moved underneath the carport, just to the east of the northeast corner of building 13. Then, Officer Price moved back over to the northeast corner of building 13. Once there, he advised Officer Nameth of the location of the apartment.

After a brief period, Officer Price moved up to Sgt. Clear's location underneath the carport across from building 13, between the parking lot and the brick wall. Sgt. Clear asked for somebody to hold high and identified the apartment balcony. Officer Price took that position.

Sgt. Clear then began to attempt contact with the occupants of the Escalade. She yelled, "Let me see your hands, both of you. Put your hands up, exit the vehicle". Then, she shouted, "Driver.....Driver".

Officer Duffy then indicated, "Yes, front passenger is the kid". Officer Duffy asked what was in his (Decedent's) hand, and a female officer advised she could not see his right hand. At that point, Officer Kiecana stated "he has a gun, he has a gun, he has a gun". Sgt. Clear then requested that somebody walk up with her, and inquired as to who has the best shot with an AR.

Sgt. Clear ordered them to line up. Officer Price moved up and was focused on the vehicle. Then, Officer Price advised, "Watch the kid". Officer Duffy then informed that he had the kid out of his sights. Sgt. Clear instructed Officer Duffy to cover. Sgt. Clear yelled, "Sir, step out of the vehicle, let's just talk. Let me see your hands sir". Dispatch then relayed that the male (Decedent) was telling the twelve-year-old to open his mouth, the gun was loaded, and he was trying to sexually assault the child.

At that point, Officer Price told Sgt. Clear, "I'm with you, I'm with you". Then, Officer Price stated, "He's choking him, is he choking him?" Officers advised he (Decedent) was not choking him (J.H.).

Then, Officer Price moved farther into the rock landscaping area and closest to the brick wall while he had his rifle pointed at the vehicle. Officer Price was to Officer Pendleton's left. Officer Pendleton moved to Sgt. Clear's left and farther into the rock landscaping area, then farther into the landscaping rocks, almost directly in front of Officer Price. Officer Pendleton stated, "He's pointing it," referring to Decedent pointing the firearm at the juvenile. Sgt. Clear told Officer Pendleton to take the shot if he had it and to not hit the juvenile. Officer Price moved up as well.

Then, a single gunshot was fired followed by several more gunshots right afterward. The gunshots stopped, and Officer Price yelled, "There's a kid in the car!" Then, another single gunshot was fired, and Officer Price yelled again, "There's a kid in the car!" The vehicle's engine was revving as officers approached the vehicle from the north (driver's side).

Officer Price yelled, "The kids hit! The kids hit" and moved over to the front passenger side of the vehicle. Then, Officer Price yelled, "He's alive, he's alive. He's alive, the guy's alive! Get back, get back, get back!" The officers attempted to get J.H. out of the vehicle but the door was locked. Officer Lujan then yelled to the officers to get out of the way. Officer Price backed away from the passenger side of the vehicle and told Officer Pendleton to move. Officer Price stated, "He's still movin'."

Officer Lujan asked if the kid was out, and Price advised that he was not. At that point, approximately six (6) gunshots were fired as Officer Price was standing on the front passenger side of the vehicle.¹⁸ It appeared Officer Price fired the last two (2) of the seven (7) rounds from his rifle.

Officer Price then directed officers to remove the juvenile from the car. Officers opened the front passenger door open. Officers Kiecana and Duffy removed the juvenile from the front passenger seat of the vehicle and placed him on the ground. Officer Price covered the individual in the driver's seat (Decedent) as the front passenger door remained open. Then, Officer Price directed officers to move the juvenile farther from the car. Officer Price reached into the vehicle from the front passenger side and turned the vehicle off (push to start).

Sgt. Van Beveren then asked where the gun was, and Officer Price advised he did not know. Officer Price moved away from the front passenger door area. Then, Officer Price went back over to the front passenger door, which was still in the open position, and he advised it was not unlocking. Officer Price advised they cannot find the gun as he backed away from the vehicle. Then, Officer Price advised that he (Decedent) was leaning over to his right and it could be in his left lap. Shortly thereafter, his BWC was turned off.

The duration of the footage was approximately twenty (20) minutes long.

Officer Samantha Nameth

Officer Nameth activated her BWC at about 11:13 A.M., as she was driving. About a minute later, she exited her vehicle and made her way east through the parking lot. Then, Officer Nameth contacted Officer Duffy on the northeast side of the apartment complex and Officer Kiecana on the northeast corner of building 14.

Officers Nameth, Duffy, and Kiecana moved to the northwest corner of building 13, between the pool and building 13. Then, she contacted Officer Amezcua, and he advised her where the apartment was located. Officer Nameth made her way over to the northeast corner of building 13 where Officers Price and Duffy were positioned underneath the carport. She took up a position on the northeast corner of building 13 with Officer Price. Then, Officers Nameth, Price, Duffy, and Kiecana moved south through the parking lot to Sgt. Clear's location. Officer Nameth was underneath the far east carport, focused to the south, behind a vehicle, with her duty weapon drawn.

Sgt. Clear then told them where the target vehicle was located. Sgt. Clear yelled to the occupants of the Escalade, "Let me see your hands, both of you. Put your hands up, exit the vehicle". At the time, Sgt. Clear, who was out in the open in the rock landscape area, was southeast of Officer Nameth. Sgt. Clear

¹⁸ When the footage is slowed down, approximately seven (7) gunshots are heard

continued to attempt contact with the driver by yelling, "Driver.....Driver". At that point, an officer advised that the front passenger was the juvenile. Then, Officer Kiecana stated, "He has a gun, he has a gun, he has a gun". Sgt. Clear asked for somebody to walk up with her while asking who the best shot with the AR was.

Officer Nameth moved south toward the Escalade and took up a position just to the northwest of the Escalade while she had her duty weapon drawn. She then took up a position behind the front passenger side of patrol vehicle 6001 (Officer Lujan's Tahoe) while keeping her duty weapon drawn. Sgt. Clear continued to attempt contact with Decedent and yelled, "'Sir, step out of the vehicle, let's just talk. Let me see your hands sir.'" Officer Lujan asked where the twelve-year-old was located in the vehicle and whether they had separation at all. Officer Nameth advised the twelve-year-old had his hands up.

At that point, a gunshot was fired followed by several other gunshots. Then, the gunshots stopped. An additional single gunshot was then fired. Officers approached the Escalade, at which point an officer advised that the juvenile was hit. Officer Nameth approached the driver's side of the vehicle from the rear, but then backed away. Officer Pendleton was yelling at officers to pull the kid out. Officer Pendleton attempted to open the Escalade's driver's door by pulling on the outside handle, but it did not open. Officer Lujan yelled to officers to get out the way several times. Then, Officer Pendleton walked toward the front passenger side of the vehicle in the rock landscape area. Officer Lujan shouted, "Is the kid out?" several times. Then, about six (6) more gunshots were fired.¹⁹

Officers continued to try and get the passenger doors open. Eventually, officers were able to remove the juvenile from the front passenger seat of the black Escalade, place him on the ground, and start to render life saving measures. They then moved the juvenile away from the black Escalade, placed him back on the ground, and continued to render life saving measures. Shortly after, HFD relieved officers. Then, HFD pronounced the juvenile deceased. Thereafter, Officer Nameth turned off her BWC.

Officer Nameth's BWC footage was approximately fifteen (15) minutes long.

Officer Luis Amezcua

Officer was driving when he activated his BWC at about 11:10 A.M. that morning. Upon his arrival at Douglas at Stonelake, while Officer Amezcua was still in his vehicle, Sgt. Van Beveren advised, over the radio, that there were two victims down with multiple gunshot wounds. The dispatcher repeated that information via the radio. Sgt. Van Beveren then advised over the radio that they had one at gunpoint. Somebody then asked for his location and dispatch advises that he was in apartment 13201.

Sgt. Van Beveren advised, over the radio, that the person at gunpoint was not the suspect and was a scared citizen. He further advised that the suspect was still outstanding. Officer Amezcua stopped his vehicle and exited. His vehicle was parked just to the east of building 13, directly behind Officer Lujan's vehicle, to the northwest of the Escalade.

Officer Amezcua ran to the east stairwell and went up to the second story breezeway. Sgt. Clear was standing outside of apartment 13201 with a hysterical, crying Hispanic female adult (L.G.). Officer Lujan escorted the Hispanic female adult down the east stairwell while he speaks to her in Spanish. Officer Amezcua remained outside of apartment 13201 with Sgt. Clear. Sgt. Van Beveren then told Officer Amezcua apartment 13301 was involved, at which point Officer Amezcua covered that apartment from the east stairwell.

¹⁹ As with previous videos, when it was slowed, it was seven (7) gunshots.

Officers Nelson and Morgon exited apartment 13201. Officer Morgon then entered the stairwell with Officer Amezcua to provide coverage on the upstairs apartment. Sgt. Clear asked who was with the victim/witness and Officer Amezcua advised that Officer Lujan was with her. Sgt. Clear directed Officer Amezcua to go downstairs as he was the only Spanish speaking officer. Officer Amezcua did so. Then, Officer Amezcua contacted Officer Candland who was standing by with the Hispanic female adult (L.G.). Officer Candland advised that she was inside of the apartment.

The female spoke with Officer Amezcua in Spanish. Officer Amezcua then had her exit the backseat of a patrol vehicle and walk northbound in the parking lot. He continued to speak with her in Spanish. She was still very emotional. The two of them made their way westbound through the rock landscaping area between buildings 13 and 14 then southbound between building 13 and the pool.

Officer Amezcua then contacted Sgt. Van Beveren south of the grass/pool area where officers were standing by with the juvenile victim that was extracted from the apartment (Y.H.). Officer Amezcua advised the female (L.G.) was inside of the apartment when it all happened. Officer Amezcua told the victim/witness to sit down by the dog park, and then he went over to the southeast corner of building 13. Once there, he set up on the southeast corner of building 13 with Officers Andersen and Nelson.

Officer Anderson advised Officer Amezcua, "He says that guy grabbed the kid and put him in that Cadillac". Sgt. Van Beveren told them to move back a little bit. Then, Sgt. Clear advised dispatch, via radio, that it was the suspect, they did see a gun, the child had his hands up and they were going to be in the front seat of the black Escalade.

Sgt. Van Beveren directed Officers Amezcua and Anderson to hold up and advised them he was going to get a PA (public address system). Officer Anderson stated, "He's got a gun at his head, he's pointing a gun at him". Then, Officer Amezcua advised over the radio, "Suspect is pointing a gun at the child." Officer Amezcua asked Officer Anderson if he had a clear shot. Officer Anderson advised that he does. Then, Dispatch advised that the male was telling the twelve-year-old to open his mouth, the gun was loaded, and he was trying to sexually assault the child.

Officer Amezcua stated, "Oh, oh, he's pointing it". Then, a single gunshot was fired followed by several gunshots right afterward. During that time, Officer Amezcua pointed his duty weapon at the vehicle and fired six (6) rounds. The gunshots stopped, an Officer yelled there was a kid in the car, and then there was one additional round fired.

Officer Amezcua advised, via radio, shots were fired. Officers approached the vehicle from the north (driver's side). Officer Amezcua and Officer Anderson pulled back west from the southeast corner of building 13 as additional officers approached the passenger side of the vehicle. Officers yelled at one another to watch the crossfire as Sgt. Van Beveren, Officer Amezcua and Officer Anderson moved back from the southeast corner of building 13.

Officer Lujan asked if the kid was out several times. Then, what sounded like six (6) more gunshots were fired. Officers Anderson and Amezcua approached the vehicle. The juvenile (J.H.) was removed from the front passenger seat of the vehicle and placed on the ground where officers began life saving measures. He was then moved farther away from the vehicle and officers continued life saving measures.

Officer Price reached in the vehicle from the front passenger seat area and turned the vehicle off. Sgt. Van Beveren asked if the gun was secured and was told it was not. He then asked if they knew where the gun was located. Officer Price advised he could not see it. Then, Officer Amezcua approached the driver's door

with his duty weapon drawn. He advised the door was locked and asked somebody to unlock it from the other side. Officer Amezcua tried pulling on the driver's door handle a couple of times and advised that the door would not unlock. Then, Officer Amezcua obtained a baton and started to break the driver's side window. As he did so, somebody else broke out the rear passenger window on the driver's side. Officer Amezcua then walked over to the area where officers were administering life saving measures on the juvenile. He then checked Officer Duffy for injuries.

At that point, his BWC was turned off. The duration of the footage was approximately eighteen (18) minutes long.

Translation of Conversation between Officer Amezcua and the Female (L. G.) as recorded on Officer Amezcua's BWC

Det. J. Ashcroft #1551 translated the conversation between Officer Amezcua and the Hispanic female victim/witness that was captured by Officer Amezcua's BWC.

Per Det. Ashcroft, it was difficult at times to understand the witness/victim clearly due to the extreme background noise and the victim's extreme distress. What follows is a translation of their conversation and it was done to the best of Det. Ashcroft's ability.

(V = Victim & A = Amezcua)

V - I think something has happened to my friend and my coworker.

A - Let us go over here because it is still dangerous over here.

A - Who is this man?

V - I don't know. We were cleaning when the person came running in.

A- Who? The person that lives there?

V - Yes, the lady that lives there.

A- Who is the lady that lives there?

V - I clean for her.

At this point, they stop, and the victim tells officers something about her coworker and that the suspect took a child.

V - But he took something from to my companion/coworker (unintelligible), and he took a child.

A - So you said the woman that lives there entered at a run.

V - Yes, she tried to close the door, but he kicked it open after she and another woman entered.

A - What is the name of your friend?

V - He stole the keys and one of the kids, and I don't know if he is going to take our car.

A - What kind of car.

V - A ford explorer.

A - Where is it Parked?

V - Over here.

A - What color?

V - Black.

A - Is it yours?

V - Yes, but (unintelligible) it is over here.

A - It's over there (pointing to the parking lot).

V – Yes.

A - What was the man wearing?

V - I only see khaki pants, that all. I don't remember anything else.

A - Do you remember if he was white?

V - He is brown but not dark brown.

A - So you do not know the man?

V – No

A - You and Janett were cleaning inside.

V - Yes, we were cleaning. She was in the kitchen, and I was in the bathroom. When I saw what was happening, I ran into the bathroom.

A - You went into the bathroom then.

V - Yes, but I don't know where she is.

A – Ok.

V – And the child is missing. And the key I don't know where they are.

A – So the only people in the apartment is the lady that lives there.

The victim interrupts and advises the following.

V - My friend and I were cleaning, and one child was at the table before they came running inside, her and another girl. She quickly closed the door, but he kicked the door, and it opened, and that was when he shot, and I hid.

DASHCAM FOOTAGE

Dashcam footage was available from the vehicles of Officers Amezcua, Anderson, Brink, Duffy, Erickson, Lujan, and Webber. The only vehicles in a position to capture clear footage of the shooting were Officer Amezcua's and Officer Webber's. Both corroborated Officers' accounts as well as what was depicted in the various BWC videos from officers near the Escalade at the time of the shooting. Specifically, from Officer Webber's footage, it appeared that J.H. was in distress and placed his hands up just prior to the shooting.



Screenshot of Officer Webber's dashcam footage just prior to the shooting

SURVIELLANCE

Below are summaries of what was observed on various videos collected during the course of the investigation. For complete details, please see the videos.

Video Surveillance from Chevron (Exterior with no Timestamp)

Chevron is located at 115 N. Stephanie Street, Henderson, Nevada. It is just to the southeast of building 13, on the other side of the brick wall.

Cam 19 (Camera Faces West) – Officers arrive and secure the parking lot.

Cam 27 (Camera Faces West from the North Side of Business) – Officers arrive and secure the parking lot.

Video Surveillance from Tire Works Total Car Care (Exterior with no Timestamp)

Tire Works is located at 145 North Stephanie Street Henderson, Nevada. It is northeast of building 13 on the other side of the brick wall. It is believed that neither Camera 6, nor Camera 8 reverted back an hour for the end of daylight savings time.

Camera 6

Camera 6 captures the northeast corner of building 14 and southwest corner of building 15, more toward the northeast entrance/exit gate.

11:48:48 - An individual, believed to be Decedent, wearing a dark colored shirt and light-colored pants can be seen walking north along the east side of building 14. It appears that he observed the victims' black Escalade traveling eastbound through the parking lot. Decedent then makes an immediate right turn and heads east toward the street as the victims' Escalade makes a right turn and proceeds southbound through the parking lot, along building 14 and toward building 13. Decedent raises his hand in an attempt to get the victim's attention. The victim stops her vehicle as Decedent walks in front of the vehicle and approaches the driver's side window. Decedent interacts with the occupant(s) while standing at the driver's door. The driver's window was down.

11:50:18 Hours – The victims' Escalade proceeds southbound toward building 13 while Decedent proceeds to follow in the same direction on foot. Both eventually went out of view of the camera.

12:03:38 Hours – The first marked patrol vehicle is seen within the complex and it is observed traveling northbound through the parking lot. The patrol vehicle then turns left and heads west toward the northeast entrance/exit gate and stops.

12:03:55 Hours – A white male adult is seen running southbound along building 14 toward building 13 with an officer following on foot.

12:06:37 Hours – Additional marked patrol vehicles arrive from the northeast entrance/exit gate and proceed south toward building 13.

From this point on, HPD is seen coming and going from that particular area. The footage stops at 14:59:59.

Camera 8

Camera 8 captures all of the east side of building 13 from a distance.

09:00:00 – 12:59:59 Hours – HPD arrives and secures the parking lot within the business complex; however, nothing of evidentiary value is seen within the apartment complex as the camera is too far away.

CELLULAR TELEPHONE VIDEOS

Video from A.M.'s Cell Phone

At the beginning of the video, officers are around the front passenger side and rear of the Escalade. Officer Pendleton then moves from the front driver's side of the Escalade over to where Officer Duffy is standing in the rock landscaping area. Officer Duffy has his rifle pointed at the Escalade. During that time, Officer Price is at the front passenger door of the Escalade. Officer Lujan has his rifle pointed into the rear of the Escalade while Officer Lujan is surrounded by Officer Morgan (with a shield), Officer Kiecana, Sgt. Clear and Officer Nameth. Directly behind that particular group of officers, are Officers Nelson, Hehn, and Brink. This is reflected in image 1.



Image 1

Officers can be heard discussing someone still moving as they continue to address the Escalade. Officer Lujan yells several times, inquiring whether the kid was out of the car. Officer Duffy places his rifle on the ground in the rock landscaping area and transitions to his duty weapon. Officer Duffy then approaches the front passenger side of the Escalade. Officer Pendleton is still in the rock landscaping area with his rifle pointed at the Escalade. Officer Duffy, with his duty weapon pointed at the Escalade, is to Officer Pendleton's left. Officer Price, who is to Officer Duffy's left, is directly in front of the front passenger door of the Escalade. See, Image 2.



Image 2

At that point, Officer Lujan fires one (1) round from his rifle into the Escalade from the rear window, from a west to east direction. Officer Duffy then fires three (3) consecutive rounds from his duty weapon at the Escalade from the front passenger door area, from a south to north direction. Officer Lujan then fires a second round from his rifle into the Escalade from the rear window, in a west to east direction. Officer Price then fires two (2) consecutive rifle rounds into the Escalade from the front passenger door. When the video is slowed down, Officer Price's two (2) rifle rounds are seen entering into the lower left portion of the front passenger window, from a south to north direction. The gunshots last approximately three (3) seconds (00:09 to 00:12).

Once the gunshots stop, an Officer directs the other officers to get the kid out several times. Officers moved up to the passenger side of the Escalade and attempt to open the doors, but they are unsuccessful. Officer Lujan breaks the front passenger window with the muzzle of his rifle while Officer Hehn covers the cab area of the vehicle from the front passenger side. Officer Morgon covered the cab area from the rear of the vehicle. At that point, Officers Anderson and Amezcua come up to the Escalade. See, Image 3.



Image 3

Officers were able to get the front passenger door open, removed the juvenile from the passenger seat and placed him on the ground where they start life saving measures. See, Image 4. Sgt. M. Milani and

Officer J. Melchert arrived to assist. Officers continue to address the Escalade. Officers pick the juvenile back up and move him farther away from the Escalade. The juvenile is placed back on the ground next to the fire hydrant and officers continue to administer life saving measures while other officers continue to address the Escalade. Officer Kiecana then runs northbound in the parking lot and out of view of the camera but immediately returns to assist officers who are administering life saving measures on the juvenile. See, Image 5.



Image 4



Image 5

The video then ends. The video is approximately one (1) minute and forty-one (41) seconds long and appears to have been filmed from a second story apartment that faced north.

Video from J.M.'s Cell Phone

Clip 1 – (00:00 – 00:05): Sgt. Clear is seen in the parking lot, slightly to the northwest of the Escalade, looking in the area of the Escalade. The Escalade's brake lights are illuminated. Sgt. Clear then walks north over to the front driver's side of Officer Lujan's patrol vehicle while she points her duty weapon in the area of the Escalade. She then looks back over to the area of building 13. The video stops.



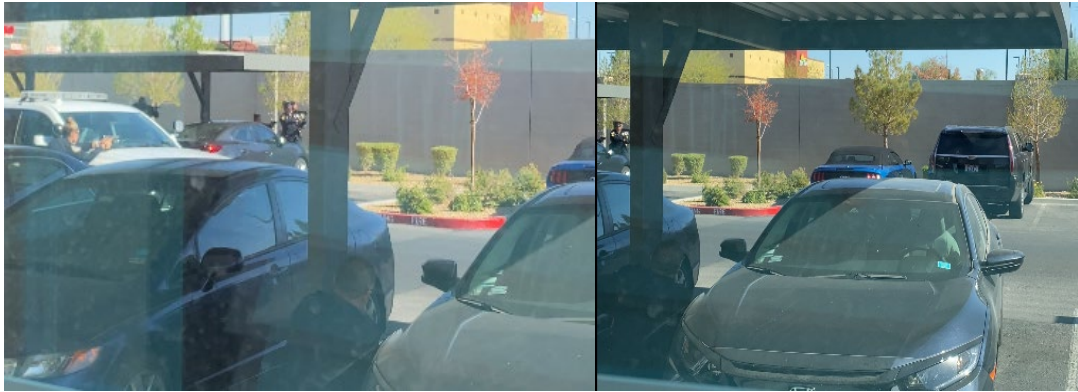
Still Images from Clip 1

Clip 2 – (00:00 – 00:15): Sgt. Clear is slightly visible as she's seen standing underneath the far carport, closest to the brick wall and north of the Escalade. She has her duty weapon pointed in the area of the Escalade and commands, "Stay back!" The video then shows the rear of the Escalade. The brake lights are still illuminated. The video then moves back to Sgt. Clear, who is still focused on the Escalade. The video goes back and forth from Sgt. Clear to the Escalade and then stops.



Still Images from Clip 2

Clip 3 – (00:00 – 00:20): Officer Duffy, Sgt. Clear, and Officer Kiecana are standing just underneath the far carport with their weapons drawn and pointed in the direction of the Escalade. Just behind their location, is Officer Price who also has his weapon drawn and pointed at the Escalade. Another officer, believed to be Officer Nameth, is positioned behind the front passenger side of Officer Lujan's patrol vehicle with her duty weapon aimed at the Escalade. The video then zooms in on the Escalade. The brake lights are no longer illuminated. The video then goes back to the officers. Officer Lujan is kneeling between two vehicles underneath the carport closest to building 13. The video goes back to the Escalade and stops.



Still Images from Clip 3



Still Images from Clip 3

Clip 4 – (00:00 – 00:33): The Escalade's rear window is broken out. Officer Pendleton, Officer Price, and Officer Duffy approach the Escalade from the north while officers are advising one another to watch their crossfire. Shortly thereafter, Sgt. Clear, Officer Nelson, and Officer Morgon (who has the shield) approach the Escalade from the west. They are followed by Officers Lujan, Hehn, and Nameth. Officers surround the Escalade and continue to address the Escalade. Officer Price attempts to open one of the doors on the passenger side of the Escalade by pulling on the handle, but he is unsuccessful. The video stops.

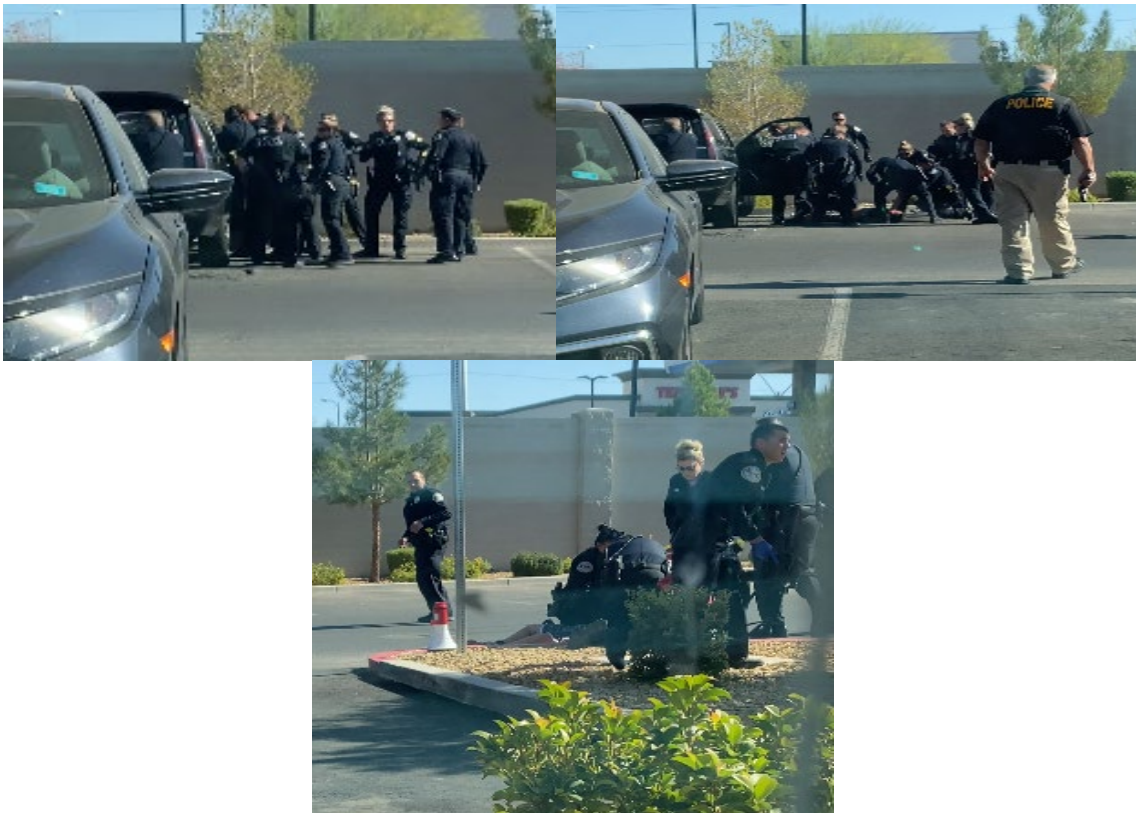


Still Images from Clip 4



Still Images from Clip 4

Clip 5 – (00:00 – 02:36): The relevant portion of the video begins with several officers on the passenger side of the Escalade and Officer Morgon to the rear of the Escalade. The officers open the front passenger door of the Escalade while Sgt. M. Milani approaches from the west. J.H. is removed from the vehicle and placed on the ground. Life saving measures are started on the juvenile while other officers continue to address the Escalade. J.H. is then picked up, moved over by the fire hydrant, and placed back on the ground where life saving measures continue. Officer Kiecana ran northbound in the parking lot while officers continue to address the Escalade. Shortly thereafter, Officer Kiecana returns to J.H. SWAT Officers arrive on scene to assist with the Escalade as well as HFD. The video then stops.



Still Images from Clip 5

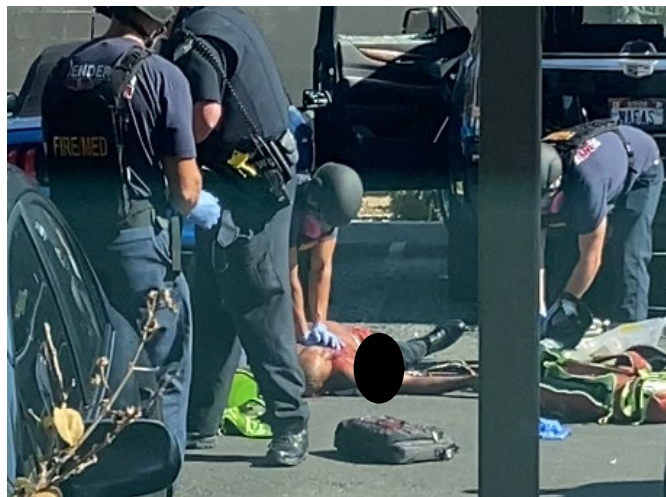
Clip 6 – (00:00 – 00:52): The video captures Officers Kiecana and Nameth next to J.H. and SWAT Officers standing by in the parking lot. The video moves over to Decedent lying in the parking lot by the Escalade

and HFD administering life saving measures on him. The video then goes back and forth from the juvenile to Decedent. The video stops.



Still Images from Clip 6

Clip 7 – (00:00 – 00:20): The video continues to remain on Decedent lying in the parking lot by the Escalade as HFD administers life saving measures. The video then goes back over to the juvenile, then back to Decedent. The video stops.



Still Image from Clip 7

Clip 8 – (00:00 – 00:08): The video depicts Officers Duffy and Kiecana kneeling down over J.H. while pointing their weapons at building number 13 in an upward direction as Officer Morgon approaches them from behind. Officer Amezcua follows Officer Morgon. Officer Amezcua has his weapon pointed in the area of building 13 in an upward direction as well.



Still Image from Clip 8

Clip 9 – (00:00 – 00:20): The video captures J.H. lying in the parking lot by the fire hydrant. It moves over to the Escalade where officers are focused on building 13. The video goes back over to J.H., then south of J.H., to an officer that is positioned behind the front passenger side of Officer Webber's patrol vehicle. The video ends.



Still Images from Clip 9

OFFICER WEAPON COUNTDOWNS

On November 30, 2020, Officer Luis Amezcua, Officer James Pendleton, Officer Brett Anderson, Officer Seth Price, Officer Philip Duffy, Officer Jesse Hehn, Officer Samantha Nameth, Officer Melody Kiecana, Sgt. Seth Van Beveren, Officer Alex Nelson, Officer Glenn Morgon, Officer Timothy Brink, Officer Jesse Lujan, Sgt. Jamie Clear, and Officer Dallas Erickson had their Duty Weapons counted down. During the officer countdowns, each officer had their photos taken to document their appearance at the time of the incident. Detective M. Condratovich conducted the countdowns with each officer at the North Substation located at 225 E. Sunset Road. CSA N. Mariam assisted. Upon completion of the countdowns and investigation, it was determined that officers fired a total of seven (7) .223 caliber rifle rounds and a total of ten (10) 9mm rounds.

Officer Luis Amezcua

Officer L. Amezcua was dressed in a standard dark blue Henderson Police Department long sleeve uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Officer Amezcua wore a black duty belt with attached tools and equipment and carried his handgun on his right side.

Officer Amezcua's department issued handgun was identified as a Glock 17 9mm (Serial No. TXT606). He carried 3 spare magazines on his duty belt. He advised that he carried 17 cartridges in the magazine and 1 cartridge in the chamber (17 + 1 = 18 total) and 17 cartridges in each of his three spare magazines (17 + 17 + 17 = 51 total). Officer Amezcua's handgun was counted down. It contained 11 cartridges in the magazine which was loaded into his handgun, and 1 cartridge in the chamber (11 + 1 = 12 total). A countdown of his 3 spare handgun magazines showed them containing 17 cartridges in each (17 + 17 + 17 = 51 total). Investigation revealed that 6 cartridges were discharged from his handgun.

Officer Amezcua did not have his department issued Colt M4 rifle on his person at the time of the incident.

Officer James Pendleton

Officer J. Pendleton was dressed in a standard dark blue Henderson Police Department long sleeve uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Officer Pendleton wore a black duty belt with attached tools and equipment and carried his handgun on his right side.

Officer Pendleton's department issued handgun was identified as a Glock 17 9mm (Serial No. TXT903). He carried 2 spare magazines on his duty belt. Officer Pendleton's department issued Colt M4 rifle (Serial No. LE236079) was on his person at the time of the incident.

Officer Pendleton advised that, in his handgun, he carried 17 cartridges in the magazine and 1 cartridge in the chamber (17 + 1 = 18 total). Additionally, he carried 17 cartridges in each of his two spare magazines (17 + 17 = 34 total). Officer Pendleton's handgun was counted down and it contained 17 cartridges in the magazine loaded into his handgun and 1 cartridge in the chamber (17 + 1 = 18 total). A countdown of his 2 spare handgun magazines showed them containing 17 cartridges in each (17 + 17 = 34 total).

Investigation revealed that 0 cartridges were discharged from his handgun. Officer Pendleton's firearm was released back to him.

Officer Pendleton advised that he carried 28 cartridges in the magazine and 0 cartridges in the chamber ($28 + 0 = 28$ total) of his rifle. Officer Pendleton's rifle was counted down and it contained 26 cartridges in the magazine and 1 cartridge in the chamber ($26 + 1 = 27$ total). Investigation revealed that 1 cartridge was discharged from his rifle.

Officer Brett Anderson

Officer B. Anderson was dressed in a standard dark blue Henderson Police Department short sleeve uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Officer Anderson wore a black duty belt with attached tools and equipment and carried his handgun on his right side. Officer Anderson also had a tactical vest over his uniform which held 4 spare rifle magazines and 2 spare 9mm magazines.

Officer Anderson's department issued handgun was identified as a Glock 17 9mm (Serial No. TXT654). He carried 2 spare magazines on his duty belt and 2 spare magazines on his tactical vest. Officer Anderson's department issued Colt M4 rifle (Serial No. LE235293) was on his person at the time of the incident, along with 4 spare magazines on his tactical vest.

Officer Anderson advised that, in his handgun, he carried 17 cartridges in the magazine and 1 cartridge in the chamber ($17 + 1 = 18$ total). Additionally, he advised that he carried 17 cartridges in each of his 4 spare magazines ($17 + 17 + 17 + 17 = 68$ total). Officer Anderson's handgun was counted down and it contained 17 cartridges in the magazine loaded into his handgun and 1 cartridge in the chamber ($17 + 1 = 18$ total). A countdown of his 4 spare handgun magazines showed them containing 17 cartridges in each ($17 + 17 + 17 + 17 = 68$ total). Investigation revealed that 0 cartridges were discharged from his handgun.

As to Officer Anderson's rifle, he advised that he carried 28 cartridges in the magazine and 0 cartridges in the chamber ($28 + 0 = 28$ total). Officer Anderson advised he carried 28 cartridges in each of the spare magazines on his tactical vest. Officer Anderson's rifle was counted down and it contained 17 cartridges in the magazine and 1 cartridge in the chamber ($17 + 1 = 18$ total). Investigation revealed that 10 cartridges were discharged from his rifle. A countdown of his 4 spare rifle magazines showed 3 of them containing 28 cartridges each and one containing 27 cartridges ($28 + 28 + 28 + 27 = 111$ total). Officer Anderson advised that he did not use any of his spare magazines during the incident and that he must have miscounted when loading the magazine.

Officer Seth Price

Officer S. Price was dressed in a standard dark blue Henderson Police Department long sleeve uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Officer Price wore a black duty belt with attached tools and equipment and carried his handgun on his right side.

Officer Price's department issued handgun was a Glock 17 9mm (Serial No. TXT653). He carried 2 spare magazines on his duty belt. Officer Price's advised that he carried his handgun with 17 cartridges in the magazine and 1 cartridge in the chamber ($17 + 1 = 18$ total). Additionally, he advised that he carried each of his two spare magazines with 17 rounds ($17 + 17 = 34$ total). Officer Price's department issued Colt M4 rifle (Serial No. LE519229) was on his person at the time of the incident.

Officer Price's handgun was counted down and it contained 17 cartridges in the magazine and 1 cartridge in the chamber ($17 + 1 = 18$ total). A countdown of his 2 spare handgun magazines showed them containing 17 cartridges in each ($17 + 17 = 34$ total). Investigation revealed that 0 cartridges were discharged from his handgun.

As to Officer Price's rifle, he advised that he carried 28 cartridges in the magazine and 0 cartridges in the chamber ($28 + 0 = 28$ total). Officer Price's rifle was counted down and it contained 25 cartridges in the magazine and 1 cartridge in the chamber ($25 + 1 = 26$ total). Investigation revealed that 2 cartridges were discharged from his rifle.

Officer Philip Duffy

Officer P. Duffy was dressed in a standard dark blue Henderson Police Department long sleeve uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Officer Duffy wore a black duty belt with attached tools and equipment and carried his handgun on his right side.

Officer Duffy's department issued handgun was a Glock 17 9mm (Serial No. BAZB263). He carried 2 spare magazines on his duty belt.

Officer Duffy advised that, in his handgun, he carried 17 cartridges in the magazine and 1 cartridge in the chamber ($17 + 1 = 18$ total) and 17 cartridges in each of his two spare magazines ($17 + 17 = 34$ total). Officer Duffy's handgun was counted down and it contained 14 cartridges in the magazine and 1 cartridge in the chamber ($14 + 1 = 15$ total). A countdown of his 2 spare handgun magazines showed them containing 17 cartridges in each ($17 + 17 = 34$ total). Investigation revealed that 3 cartridges were discharged from his handgun.

Officer Duffy did have his department issued Colt M4 rifle (Serial # 340969) on his person at the time of the incident but left it at the scene. Detective D. Lynaugh conducted a countdown of the weapon at the scene and found it contained 26 cartridges in the magazine and 2 cartridges lodged in the chamber.

Officer Jesse Hehn

Officer J. Hehn was dressed in a standard dark blue Henderson Police Department long sleeve uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Officer Hehn wore a black duty belt with attached tools and equipment and carried his handgun on his right side.

Officer Hehn's department issued handgun was identified as a Glock 17 9mm (Serial No. YST771). He carried 3 spare magazines on his duty belt.

As to Officer Hehn's handgun, he advised he carried 17 cartridges in the magazine and 1 cartridge in the chamber ($17 + 1 = 18$ total). Additionally, each of his three spare magazines contained 17 cartridges ($17 + 17 + 17 = 51$ total). Officer Hehn's handgun was counted down and it contained 16 cartridges in the magazine and 1 cartridge in the chamber ($16 + 1 = 17$ total). A countdown of his 3 spare handgun magazines showed them containing 17 cartridges in each ($17 + 17 + 17 = 51$ total). Investigation revealed that 1 cartridge was discharged from his handgun. Officer Hehn did not have his department issued Colt M4 rifle on his person at the time of the incident.

Officer Hehn was also carrying a Glock 26 9mm (Serial No. ZAK866) as a backup weapon. Officer Hehn advised that he carried the backup with 10 cartridges in the magazine and 1 cartridge in the chamber (10 + 1 = 11 total). A countdown of the handgun showed it contained 10 cartridges in the magazine and 1 cartridge in the chamber (10 + 1 = 11 total). Investigation revealed no rounds were fired with his backup weapon.

Officer Jesse Lujan

Officer J. Lujan was dressed in a standard dark blue Henderson Police Department long sleeve uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Officer Lujan wore a black duty belt with attached tools and equipment and carried his handgun on his right side.

Officer Lujan's department issued handgun was a Glock 17 9mm (Serial No. TXT829). He carried 2 spare magazines on his duty belt. Officer Lujan's department issued Colt M4 rifle (Serial No. LE236007) was on his person at the time of the incident.

Officer Lujan advised that, in his handgun, he carried 17 cartridges in the magazine and 1 cartridge in the chamber (17 + 1 = 18 total). Additionally, each of his spare magazines was carried with 17 cartridges (17 + 17 = 34 total). Officer Lujan's handgun was counted down and it contained 17 cartridges in the magazine and 1 cartridge in the chamber (17 + 1 = 18 total). A countdown of his 2 spare handgun magazines showed them containing 17 cartridges in each (17 + 17 = 34 total). Investigation revealed that 0 cartridges were discharged from his handgun.

As to his rifle, Officer Lujan advised that he carried 28 cartridges in the magazine and 0 cartridges in the chamber (28 + 0 = 28 total). Officer Lujan's rifle was counted down and it contained 23 cartridges in the magazine and 1 cartridge in the chamber (23 + 1 = 24 total). Investigation revealed that 4 cartridges were discharged from his rifle.

Sergeant Jamie Clear

Sergeant J. Clear was dressed in a standard dark blue Henderson Police Department long sleeve uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Sergeant Clear wore a black duty belt with attached tools and equipment and carried her handgun on her right side.

Sergeant Clear's department issued handgun was a Glock 17 9mm (Serial No. TXT779). She carried 2 spare magazines on her duty belt.

In Sergeant Clear's handgun, she advised he carried 17 cartridges in the magazine and 1 cartridge in the chamber (17 + 1 = 18 total). Each of her two spare magazines were carried with 17 rounds (17 + 17 = 34 total). Sergeant Clear's handgun was counted down and it contained 16 cartridges in the magazine and 1 cartridge in the chamber (16 + 1 = 17 total). A countdown of her 2 spare handgun magazines showed them containing 17 cartridges in each (17 + 17 = 34 total). Sergeant Clear was unsure if she discharged her handgun or not. Based upon the countdown, it was believed that 1 cartridge was discharged from her handgun.

Subsequent investigation determined no rounds were discharged from her handgun. BWC footage and evidence at the scene revealed that she fired no rounds from her handgun.

Sergeant Clear was not in possession of her department issued Colt M4 rifle at the time of the incident.

Officer Samantha Nameth

Officer S. Nameth was dressed in a standard dark blue Henderson Police Department long sleeve uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Officer Nameth wore a black duty belt with attached tools and equipment and carried her handgun on her left side.

Officer Nameth's department issued handgun was a Glock 17 9mm (Serial No. TXT677). She carried 2 spare magazines on her duty belt.

Officer Nameth advised she carried 16 cartridges in the magazine and 1 cartridge in the chamber (16 + 1 = 17 total) of her handgun and 17 cartridges in each of her two spare magazines (17 + 17 = 34 total). Officer Nameth's handgun was counted down and it contained 16 cartridges in the magazine and 1 cartridge in the chamber (16 + 1 = 17 total). A countdown of her 2 spare handgun magazines showed them containing 17 cartridges in each (17 + 17 = 34 total). No cartridges were discharged from her handgun.

Officer Nameth was not in possession of her department issued Colt M4 rifle at the time of the incident.

Officer Melody Kiecana

Officer M. Kiecana was dressed in a standard dark blue Henderson Police Department long sleeve uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Officer Kiecana wore a black duty belt with attached tools and equipment and carried her handgun on her right side.

Officer Kiecana's department issued handgun was a Glock 17 9mm (Serial No. BER243). She carried 2 spare magazines on her duty belt.

Officer Kiecana advised that she carried 17 cartridges in the magazine and 1 cartridge in the chamber (17 + 1 = 18 total) of her handgun and 17 cartridges in each of her two spare magazines (17 + 17 = 34 total). Officer Kiecana's handgun was counted down and it contained 17 cartridges in the magazine and 1 cartridge in the chamber (17 + 1 = 18 total). A countdown of her 2 spare handgun magazines showed them containing 17 cartridges in each (17 + 17 = 34 total). No cartridges were discharged from her handgun.

Officer Kiecana was not in possession of her department issued Colt M4 rifle at the time of the incident.

Sgt. Seth Van Beveren

Sergeant Seth Van Beveren was dressed in a standard dark blue Henderson Police Department long sleeve uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Sergeant Van Beveren wore a black duty belt with attached tools and equipment and carried his handgun on his right side.

Sergeant Van Beveren's duty handgun was a Springfield Armory Geneseo .45 Cal (Serial No. 206368). He carried 2 spare magazines on his duty belt.

Sergeant Van Beveren advised that in his handgun, he carried 8 cartridges in the magazine and 1 cartridge in the chamber ($8 + 1 = 9$ total), and he carried 8 cartridges in each of his two spare magazines ($8 + 8 = 16$ total). Sergeant Van Beveren's handgun was counted down and it contained 8 cartridges in the magazine and 1 cartridge in the chamber ($8 + 1 = 9$ total). A countdown of his 2 spare handgun magazines showed them containing 8 cartridges in each ($8 + 8 = 16$ total). No rounds were discharged from his handgun.

Sergeant Van Beveren did not have his department issued Colt M4 rifle on his person at the time of the incident.

Officer Alex Nelson

Officer A. Nelson was dressed in a standard dark blue Henderson Police Department long sleeve uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Officer Nelson wore a black duty belt with attached tools and equipment and carried his handgun on his right side.

Officer Nelson's department issued handgun was a Glock 17 9mm (Serial No. TXT748). He carried 2 spare magazines on his duty belt. Officer Nelson's department issued Colt M4 rifle (Serial No. LE334876) was on his person at the time of the incident.

In Officer Nelson's handgun, he advised he carried 17 cartridges in the magazine and 1 cartridge in the chamber ($17 + 1 = 18$ total). He carried each of his two spare magazines with 17 rounds ($17 + 17 = 34$ total). Officer Nelson's handgun was counted down, and it contained 17 cartridges in the magazine loaded and 1 cartridge in the chamber ($17 + 1 = 18$ total). A countdown of his 2 spare handgun magazines showed them containing 17 cartridges in each ($17 + 17 = 34$ total). No rounds were discharged from his handgun.

Officer Nelson carried his rifle with 28 cartridges in the magazine and 0 cartridges in the chamber ($28 + 0 = 28$ total). Officer Nelson's rifle was counted down and it contained 27 cartridges in the magazine and 1 cartridge in the chamber ($27 + 1 = 28$ total). Investigation revealed that 0 cartridges were discharged from his rifle.

Officer Glenn Morgon

Officer G. Morgon was dressed in a standard dark blue Henderson Police Department long sleeve uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Officer Morgon wore a black duty belt with attached tools and equipment and carried his handgun on his right side.

Officer Morgon's duty handgun was a Smith and Wesson M+P .45 Cal (Serial No. DVY7820). He carried 3 spare magazines on his duty belt.

Officer Morgon's handgun was carried with 10 cartridges in the magazine and 1 cartridge in the chamber ($10 + 1 = 11$ total). Each of his three spare magazines was carried with 14 cartridges ($14 + 14 + 14 = 42$ total). Officer Morgon's handgun was counted down and it contained 10 cartridges in the magazine and 1 cartridge in the chamber ($10 + 1 = 11$ total). A countdown of his three spare handgun magazines showed them containing 14 cartridges in each ($14 + 14 + 14 = 42$ total). No cartridges were discharged from his handgun.

Officer Morgon did not have his department issued Colt M4 rifle on his person at the time of the incident.

Officer Morgon was also carrying a backup handgun. The handgun was identified as a Smith and Wesson Airweight .38 special revolver (Serial No. DBU9090). Officer Morgon advised he carried 5 cartridges in the revolver and 6 spare cartridges in his pocket. A countdown of the handgun showed it had 5 cartridges and 6 spare cartridges. No rounds were discharged from his backup weapon.

Officer Timothy Brink

Officer T. Brink was dressed in a standard dark blue Henderson Police Department long sleeve uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Officer Brink wore a black duty belt with attached tools and equipment and carried his handgun on his right side.

Officer Brink's department issued handgun was a Glock 17 9mm (Serial No. TXT715). He carried 3 spare magazines on his duty belt.

Officer Brink carried his handgun with 17 cartridges in the magazine and 1 cartridge in the chamber (17 + 1 = 18 total). Each of his 3 spare magazines were carried with 17 rounds (17 + 17 + 17 = 51 total). Officer Brink's handgun was counted down and it contained 17 cartridges in the magazine and 1 cartridge in the chamber (17 + 1 = 18 total). A countdown of his 3 spare handgun magazines showed them containing 17 cartridges in each (17 + 17 + 17 = 51 total). No rounds were discharged from his handgun.

Officer Brink did not have his department issued Colt M4 rifle on his person at the time of the incident.

Officer Dallas Erickson

Officer D. Erickson was dressed in a standard dark blue Henderson Police Department long sleeve Uniform. The uniform had Henderson Police Department patches on each shoulder with a Henderson Police Department badge over the left breast. Officer Erickson wore a black duty belt with attached tools and equipment and carried his handgun on his right side.

Officer Erickson's department issued handgun was a Glock 17 9mm (Serial No. YST774), and he and carried 2 spare magazines on his duty belt.

Officer Erickson carried his duty weapon with 17 cartridges in the magazine and 1 cartridge in the chamber (17 + 1 = 18 total). Each spare magazine was carried with 17 cartridges (17 + 17 = 34 total). Officer Erickson's handgun was counted down, and it contained 17 cartridges in the magazine and 1 cartridge in the chamber (17 + 1 = 18 total). A countdown of his 2 spare handgun magazines showed they contained 17 in one and 16 in the other (17 + 16 = 33 total). Officer Erickson advised that he did not fire his handgun and most likely miscounted when loading his spare magazines. No rounds were discharged from his handgun.

Officer Erickson did not have his department issued Colt M4 rifle on his person at the time of the incident.

Upon completion of the countdown and investigation, it was determined that a total of 17 .223 caliber rounds were fired and a total of 10 9mm rounds were fired.

THE SCENE

The following information is from CSA Michael Cromwell's report. The diagram of the scene inside of Apartment 13201 was prepared by CSA J. Hornback.

APARTMENT 13201

Apartment 13201 was a two-bedroom apartment located on the second level of Building 13, situated on the south side of the southernmost breezeway and adjacent to the east stairwell. The floorplan consisted of a living room, kitchen, dining room, laundry room, master bedroom suite, bedroom, and bathroom. No damage was observed on the front door of the apartment.

The front entry door entered the living room at the west end of its north wall. A sliding-glass door accessed the balcony on the east side of the living room. The kitchen was situated south of the living room and had a kitchen island separating it from the living room. The dining room was located east of the kitchen.

The front entry door was fully open and the body of an adult female, identified as D. H., was located on the floor of the front entryway. She was positioned on her back next to the open door and oriented with her head to the northwest, adjacent to the west end of the threshold. She was wearing a black facemask, a black athletic top and sports bra, floral patterned leggings, and blue athletic shoes, and had a black backpack strapped over her right arm.

A white towel stained with blood was located on her hair at the top of her head and blood was pooled on the floor surrounding her head. A gunshot wound was later observed on the top of the decedent's head and a **WIN 40 S&W cartridge case [Marked 1]** was located on the floor immediately inside the threshold east of and adjacent to the body. Blood spatter was observed low on the west doorjamb and adjacent breezeway wall and floor outside the apartment door. Additional bloodstains were observed on the D.H.'s face and arms, as well as drip stains on her feet, legs, and the adjacent floor. Behind the door, transfer stains were located on the north and west walls in the corner and additional bloodstains were present on the backside of the door.



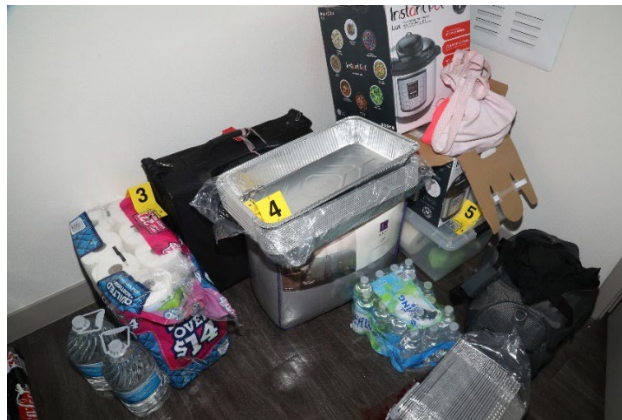
Body of D.H. in Doorway

The body of a second adult female, identified as V.M., was located on the living room floor near the sliding glass door. She was positioned on her back and oriented with her head to the north. She was wearing a multi-colored facemask, a pink sweatshirt over a pink shirt, pink pants, and gray athletic shoes. Blood was pooled on the floor surrounding her head. A gunshot wound was later observed on the back of V.M.'s head, and a **WIN 40 S&W cartridge case [Marked 2]** was located on the floor underneath the dining room table.



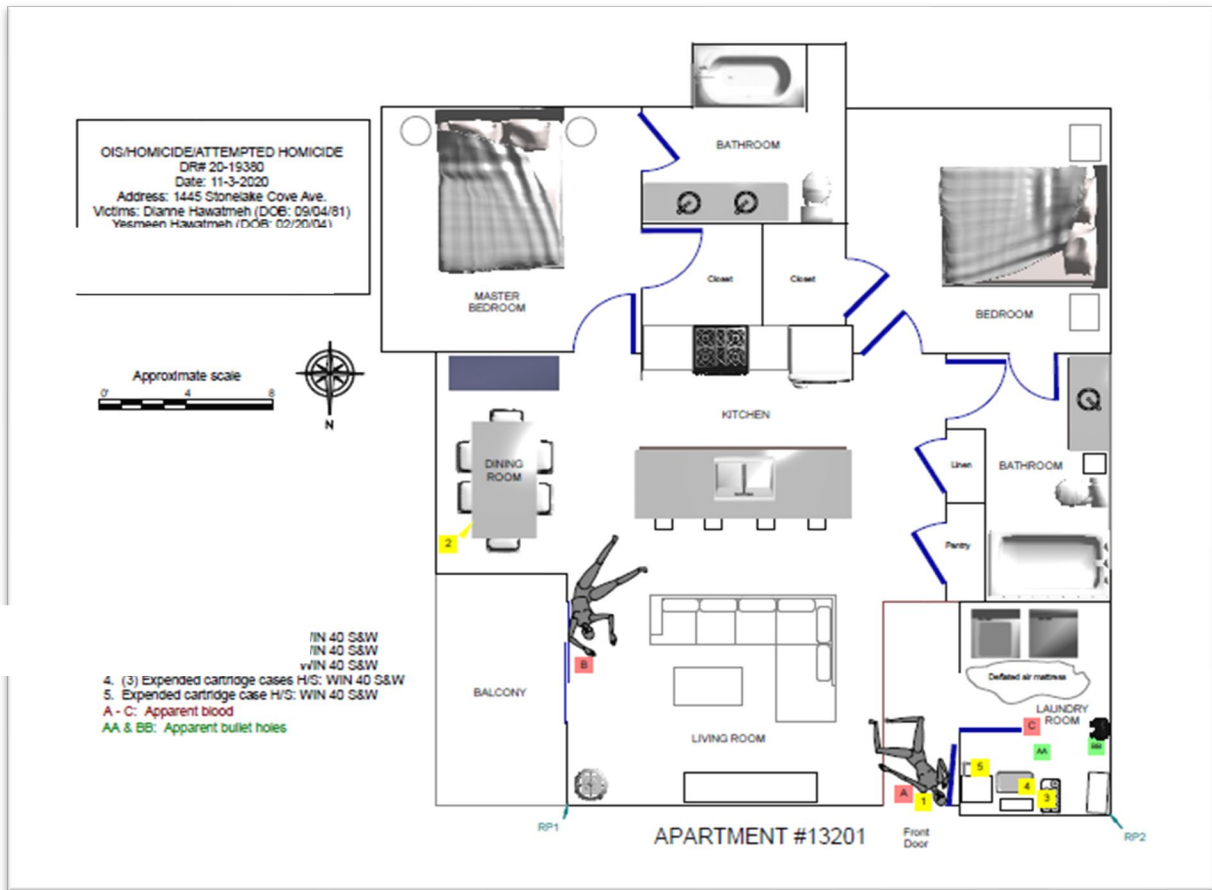
Body of V.M. near Sliding Glass Door

A laundry room was located west of the living room, adjacent to the front entryway. A washer and dryer were situated against the south wall and various items were stacked on the floor adjacent to the north and east walls. A deflated air mattress covered with a fitted sheet was located on the floor in front of the washer and dryer and two (2) apparent bullet holes were observed in the side of the mattress. Apparent blood was centrally located on the floor, and two apparent penetrating bullet holes were observed in the vinyl flooring. A black backpack was located on the floor adjacent to the west wall and had a perforating bullet hole through its top, with corresponding bullet holes within, and a defect on the top of the right strap. **A total of five (5) WIN 40 S&W cartridge cases were found amongst the items stored at the northeast side of the laundry room;** one (1) was located on the package of toilet paper **[Marked 3]**, three (3) were located in the top aluminum roasting pan **[Marked 4]**, and one (1) was located on top of the plastic storage bin **[Marked 5]**.²⁰



Locations of Items 3-5

²⁰ Subsequent forensic testing revealed that Items 1-3 were fired by the .40 caliber Sig Sauer P226.



Crime Scene Diagram of scene inside of Apartment 13201 on November 3, 2020

PARKING LOT & CADILLAC ESCALADE

CSA Meghan Bone documented the parking lot and involved vehicles.

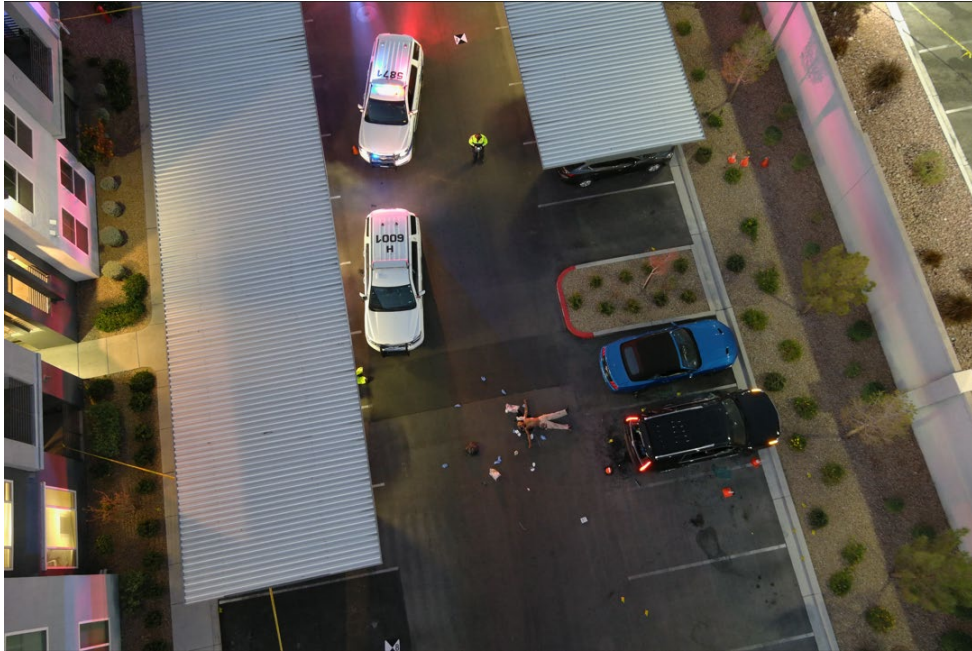
Buildings 13 and 14 were on the east-central portion of the complex, with building 13 south of building 14. Landscaping was east of both buildings and a north/south running sidewalk was east of the landscaping, parallel with the buildings. Covered and uncovered parking spaces were east of the sidewalk and additional covered and uncovered parking spaces were to the east with a roadway between them. East of the additional parking spaces was landscaping with a cinder block wall to the east.

Numerous HPD Patrol Vehicles were parked within the tape. HPD Patrol Vehicle 5871 was parked facing southwest in the roadway east of the north end of the southernmost covered parking area, east of building 13. Another vehicle, HPD Patrol Vehicle 6001 was parked facing south in front/south of Vehicle 5871.

V1 (2019 Black Cadillac Escalade bearing Utah License Plate No. NAFAS) was parked facing east in an uncovered parking space south of the southernmost covered parking area on the east side of the parking lot, across from the south portion of building 13. Both of the front doors were open, and the front windshield

and passenger side cargo window were intact while all other windows were shattered. The front driver's side window was shattered, but mostly intact and was hanging down the driver's side of V1. Numerous bullet holes were observed in the vehicle along with a handgun, cartridge cases, ammunition, and blood.

A 2019 Blue Ford Mustang was parked facing east in an uncovered parking space next to/north of V1. Both passenger side windows were shattered.



HPD Vehicles 5871, 6001, Black Cadillac Escalade and Blue Ford Mustang

A Special Weapons and Tactics (SWAT) BearCat was parked facing northeast, south of V1. An additional SWAT BearCat was parked facing northeast behind/southwest of the other BearCat.



HPD Vehicle 6001, Blue Ford Mustang, Black Escalade & SWAT BearCats

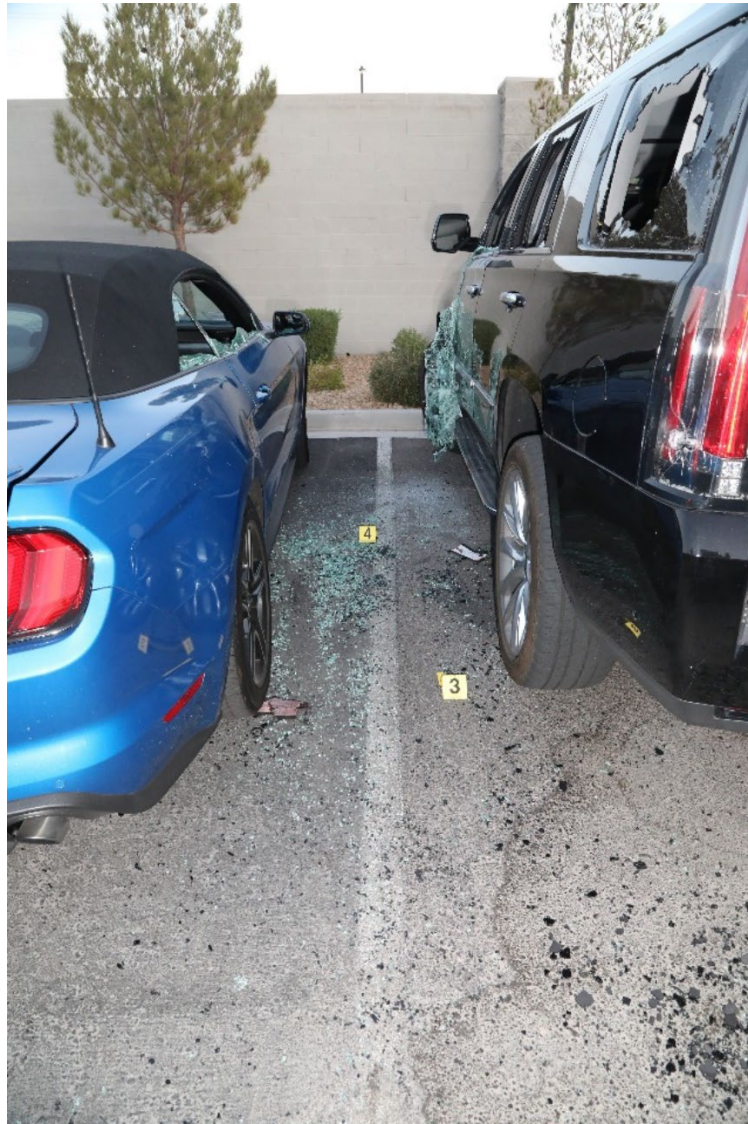
One (1) cartridge case bearing headstamp 'Speer 16 223 REM' (**Marker 1**) was in the landscaping northeast of V1 and the Ford Mustang. One (1) expended bullet (**Marker 2**) was in a parking space north of the Ford Mustang.



Locations of Items 1 & 2

An additional expended bullet (**Marker 3**) was on the ground near the rear driver's side tire of V1, between V1 and the Ford Mustang. One (1) cartridge case bearing headstamp 'Federal 40 S&W' (**Marker 4**) was also on the ground between V1 and the Ford Mustang.²¹

²¹ This casing was determined to have been fired by the Sig Sauer P226 .40 caliber handgun located in the driver's seat.



Locations of Items 3 & 4

One (1) cartridge case bearing headstamp 'Speer 16 223 REM' (**Marker 5**) was in the landscaping southeast of V1, one (1) cartridge case bearing headstamp 'Speer 16 223 REM' (**Marker 6**) was in the landscaping southwest of Marker 5 and one (1) cartridge case bearing headstamp 'Speer 9mm Luger' (**Marker 7**) was in the landscaping to the south. One (1) cartridge case bearing headstamp 'Speer 9mm Luger' (**Marker 8**) was in the gutter area west of Marker 7 and an additional cartridge case bearing headstamp 'Speer 9mm Luger' (**Marker 9**) was in the gutter area to the south.



Locations of Items 5-9

One (1) cartridge case bearing headstamp 'Speer 14 223 REM' (**Marker 10**) was on the ground southwest of V1 and another cartridge case bearing headstamp 'Speer 14 223 REM' (**Marker 11**) was on the ground northwest of Marker 10. One (1) expended bullet (Marker 12) was on the ground west/near the rear of V1 and a black pair of sunglasses was to the southeast.



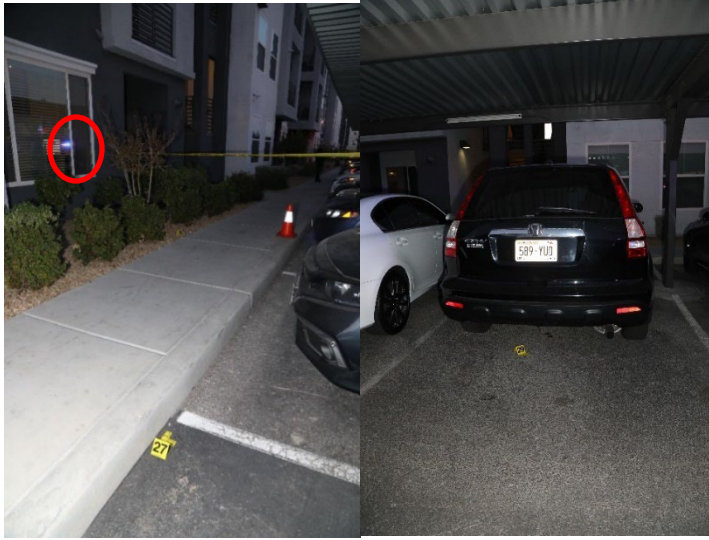
Locations of Items 10 & 11

Four (4) cartridge cases bearing headstamp 'Speer 16 223 REM' (**Markers 13 - 16**) were on the south end of the sidewalk and five (5) cartridge cases bearing headstamp 'Speer 14 223 REM' (**Markers 17 - 21**) were in the landscaping south of the south end of the sidewalk. One (1) cartridge case bearing headstamp 'Speer 9mm Luger' (**Marker 22**) was on the sidewalk west of Markers 13 - 16 and five (5) cartridge cases bearing headstamp 'Speer 9mm Luger' (**Markers 23 - 26 and 33**) were in the landscaping near the southeast corner of building 13.



Locations of Items 13-26 (Items 26 is obscured by the bush near Items 23-25)

One (1) cartridge case bearing headstamp 'Speer 16 223 REM' (**Marker 27**) was in the southernmost parking space east of building 13 and another cartridge case bearing headstamp 'Speer 16 223 REM' (**Marker 28**) was in the landscaping to the northwest. One (1) cartridge case bearing the headstamp 'Speer 9mm Luger' (**Marker 29**) was in the sixth (6th) parking stall (from south to north) east of building 13. One (1) cartridge bearing headstamp 'WIN 40 S&W' (**Marker 30**) was on the sidewalk northeast of Marker 28 and another cartridge bearing headstamp 'WIN 40 S&W' (**Marker 31**) was to the northwest.



Locations of Items 27 & 28
(28 is circled)



Location of Item 29

Locations of Items 30-31

An entry bullet hole was observed in the west side of the cinder block wall, northeast of V1. An HPD standard issue navy blue, long sleeve patrol shirt with a name plate bearing 'P. Duffy' bore apparent blood and was on the ground near the southwest corner of building 13.

Decedent

Decedent was lying on his back west of the rear driver's side bumper of V1. His head was to the west and his feet were to the east, with his legs spread apart. Decedent's arms were extended out at their respective sides forming a 'T' shape. Medical intervention was present to his body and medical paraphernalia was on the ground surrounding him.

Decedent was clad in khaki cargo pants with a belt in the belt loops and black shoes. He was wearing a necklace and a black t-shirt that had been cut for medical intervention and was under his upper body. Blood was on the majority of his upper body along with on his pants. A black 'Sig Sauer' P226 magazine containing eight (8) cartridges bearing headstamp 'WIN 40 S&W' was in his left cargo pocket and a wallet containing a Nevada Driver's License in his name was in his right cargo pocket. A black 'Dell' laptop bag was on the ground west of Decedent.



Decedent's pocket with the loaded magazine & the loaded magazine removed from his pocket.

Gunshot wounds were present to the right side of his head (behind his ear), left cheek, lip, left and front of his neck, top and back of his left shoulder, chest and back. An expended bullet was partially protruding from a gunshot wound in his chest and one (1) expended bullet (**Marker 32**) was under Decedent between his back and t-shirt.

J.H.

J.H. was lying on his back southwest of V1 and southeast of the southernmost parking space east of building 13. His head was to the south and his feet were to the north with his knees bent and his heels almost touching. Both arms were at their respective sides with both elbows bent and his lower arms to the north. Medical paraphernalia was near his body and blood was on the majority of his upper body.

J.H. was clad in a gray t-shirt (pulled up exposing his abdomen), black, white, and red athletic shorts, black socks, and a white sneaker on his right foot.

Gunshot wounds were present to the left side of his head (in front of his ear), right side of his head, left jawline, right cheek, mouth, right upper arm, and chest. A bullet graze was observed to his right upper leg.

Officer Locations

Orange cones representing the approximate locations of Patrol Officers at the time of the incident were placed within the scene. Their locations are as follows:

- Officer J. Hehn - near the front passenger side tire of HPD Patrol Vehicle 5871.
- Officer A. Nelson - near the rear driver's side bumper of HPD Patrol Vehicle 6001.



Officer Hehn's Location is the cone circled in red & Officer Nelson's is the cone circled in yellow.

- Sargent J. Clear - in the landscaping northeast of V1.
- Officer J. Pendleton - in the landscaping east of Sargent J. Clear.



Sgt. Clear's Location is the cone circled in red & Officer Pendleton's is the cone circled in yellow.

- Officer P. Duffy - in the landscaping east of Officer J. Pendleton (first location), south of the front passenger side tire of V1 (second location).



Officer Duffy's First Location

- Officer S. Price - south of the front passenger side door of V1.



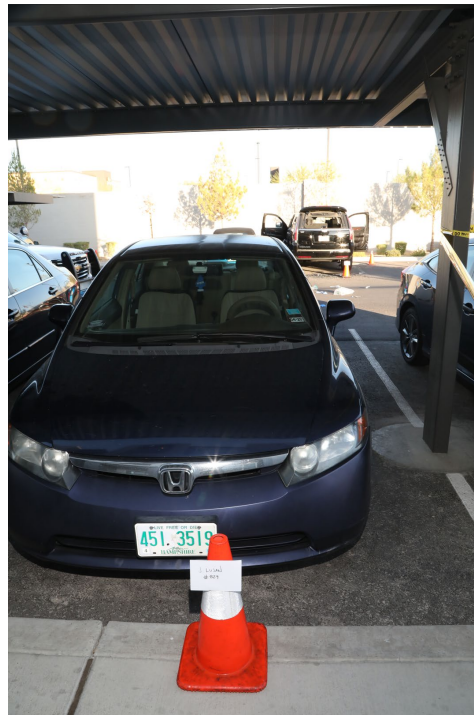
Officer Price's Location is the cone circled in red &
Officer Duffy's Second Location is the cone circled in yellow.

- Officer B. Anderson - in the landscaping near the southeast corner of building 13.
- Officer L. Amezcua - in the landscaping southwest of Officer B. Anderson.



Officer Anderson's location is the cone circled in red & Officer Amezcua's location is the cone circled in yellow.

- Officer J. Lujan - on the sidewalk west of the third (3rd) parking space (from south to north) east of building 13 (first location), near the rear passenger side bumper of V1 (second location).



Officer Lujan's Location

The items at Markers 1-33 along with the magazine and its contents from the cargo pocket of Decedent were collected and impounded as evidence by CSA Newbold. Traffic Officers assisted CSA Newbold with a computerized Crime Scene Diagram which includes the location of evidence collected and their spatial relationships to one another. Traffic Officers also completed aerial photographs utilizing a drone.

CSA Newbold photographed and collected the following items:

- One (1) black 'Colt' M4 Carbine 5.56mm semi-automatic rifle (SN/LE340969) located in the landscaping southeast of V1. Two (2) cartridges bearing headstamp 'Speer 14 223 REM' were in the chamber and twenty-six (26) cartridges bearing the same headstamp were in a magazine inserted in the magazine well.
- A black canvas bag, water bottle, USB charger, pair of Beretta glasses, glasses pouch, ammunition box containing fifty (50) cartridges bearing headstamp 'Federal 40 S&W' and a green ammunition box containing numerous firearms related items to include ammunition located in an uncovered parking stall near the southeast corner of building 14.



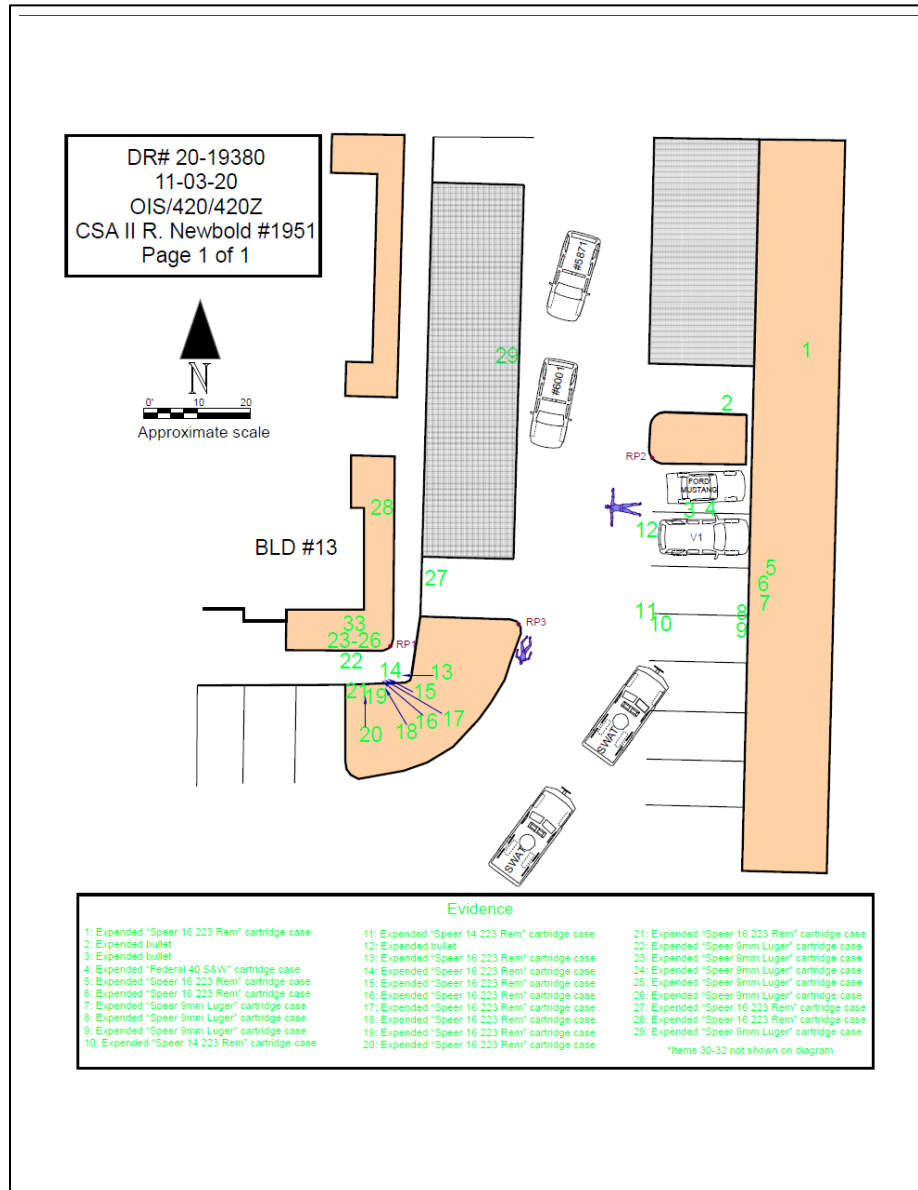
Green Ammunition Box (Discovered by Officer Erickson)

- Clothing and an expended bullet within a hospital bag received from Detective Skinner 2233. An expended bullet in the southwest parking lot of Farmer Boys located at 85 North Stephanie Street which is located southeast of the apartment complex.

CSA Newbold photographically documented three (3) rifles located within the scene prior to them being returned to HPD Patrol Officers for countdowns, and they are as follows:

- One (1) black 'Colt' M4 Carbine 5.56mm semi-automatic rifle (SN/LE236007) on the front passenger seat of HPD Patrol Vehicle #6001 (returned to Patrol Officer J. Lujan #829).
- One (1) black 'Colt' M4 Carbine 5.56mm semi-automatic rifle (SN/LE236079) on the front passenger side floorboard of HPD Lieutenant Patrol Vehicle #5793 (NV/Henderson Police 316) parked facing southeast, east of the northeast corner of building #14 (returned to Patrol Officer J. Pendleton #2037).
- One (1) black 'Colt' M4 Carbine 5.56mm semi-automatic rifle (SN/LE334876) in a rifle mount of HPD Patrol Vehicle #5980 (NV/Henderson Police Department 040) parked facing east, southwest of the southwest corner of building 13 (returned to Patrol Officer A. Nelson #2195).

Red evidence seals were placed on all four (4) doors, the trunk, and the hood of V1 and it was towed to and secured in the Criminalistics Garage located at 223 Lead Street.



Crime Scene Diagram Depicting Parking Lot

CADILLAC ESCALADE AT CRIMINALISTICS GARAGE

On November 4, 2020, at approximately 8:25 A.M., CSAs Bone and Newbold responded to the HPD Criminalistics Garage located at 223 Lead Street to document the execution a search warrant on the

Cadillac Escalade (V1). Upon arrival, V1 was secured in the Criminalistics Garage. Red seals were intact on all four (4) doors.

The front windshield and the passenger side cargo window were intact while all other windows were shattered. The front driver's side window was mostly intact but had been removed from the vehicle and was located in the garage near V1. The rear passenger side door handle was broken off and was located on the garage floor. A large amount of blood was inside of V1 to include the entirety of the front portion of the vehicle.



Front Windshield, Rear Window, Driver's Side Windows, and Passenger Side Windows

Two (2) iPhone cellular phones (one (1) with a shattered screen) were on top of the center console compartment along with one (1) ammunition holder containing thirty-nine (39) cartridges bearing headstamp 'Federal 40 S&W' (**Marker 42**). The corresponding ammunition box was in the center console cupholder area.



Cell phones, Ammunition Holder, and Ammunition Box

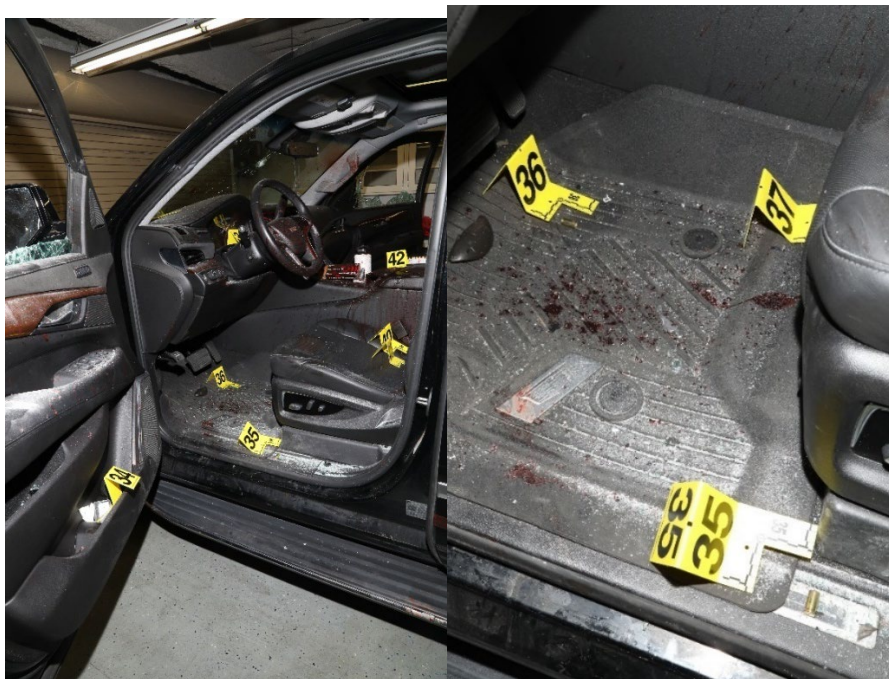
One (1) black 'Sig Sauer' P226 40cal handgun (Serial No. UU 711116, **Marker 40**) was on the front driver's seat with the grips to the ceiling and the barrel toward the passenger side.²² The slide was locked back, and an empty 'Sig Sauer' 12-round capacity magazine was inserted in the magazine well. One (1) cartridge bearing headstamp 'Federal 40 S&W' (**Marker 41**) was also on the front driver's seat.



Item 40, Sig Sauer P226 .40 caliber handgun

²² All .40 caliber cartridge casings recovered from the vehicle, and the casing recovered from the ground just north of the vehicle at the scene were submitted for comparison and were determined to have been fired by the Sig Sauer P226. Thus, Decedent discharged at least 7 rounds while inside of the Escalade.

One (1) cartridge case bearing headstamp 'Federal 40 S&W' (**Marker 34**) was in the front driver's side door pocket. One (1) cartridge case bearing headstamp 'Federal 40 S&W' (**Marker 35**) was on the front driver's door frame area, one (1) cartridge case bearing headstamp 'Federal 40 S&W' (**Marker 36**) was on the front driver's side floorboard and an additional cartridge case bearing headstamp 'Federal 40 S&W' (**Marker 37**) was on the front driver's side floorboard, under the driver's seat. One (1) cartridge case bearing headstamp 'Federal 40 S&W' (**Marker 38**) was on top of the steering wheel column and one (1) cartridge case bearing headstamp 'Federal 40 S&W' (**Marker 39**) was on the driver's side of the dashboard. One (1) white 'Adidas' left foot sneaker, size 8 (**Marker 43**) was on the front passenger seat.



Locations of Items 34, 35, 36, 37, and 39-42
(40 & 41 are on the driver's seat and the numbers are not visible)



Locations of Items 38-39 (left picture) & 40-42 (right picture)

One (1) expended bullet (**Marker 44**) was on the third-row driver's side floorboard and one (1) bullet fragment (**Marker 45**) was on the third-row middle seat. One (1) bullet fragment (**Marker 46**) was on the rear driver's side door frame area and additional bullet fragments (**Marker 47**) were on the rear of the third-row middle seat. An expended bullet (**Marker 48**) was in the DVD player of the front driver's seat headrest and one (1) expended bullet (**Marker 49**) was in the instrument panel housing.



Locations of Items 44-46

Digital images were captured to show location, identification and overall condition of the above-described vehicle, bullet paths and trajectory. The items at **Markers 34-49** were collected and impounded as evidence by CSA Newbold. The cellular phones were collected by Detectives.

Bullet Holes

Bullet holes were observed throughout the vehicle and were individually identified and labeled. The apparent bullet paths and trajectories are as follows:

'A' - An entry bullet hole (A1) was in the exterior passenger side of the hatch window frame and an exit bullet hole (A2) was in the interior passenger side of the D pillar.

'B' - An entry bullet hole (B1) was in the exterior of the hatch window frame, in the approximate center, an exit bullet hole (B2) was in the interior panel of the hatch, an entry bullet hole (B3) was in the rear of the third-row middle seat and an exit bullet hole (B4) was in the front of the third-row driver's side seat.

'C' - An entry bullet hole (C1) was in the exterior of the hatch, above the license plate, an exit bullet hole (C2) was in the interior panel of the hatch, an entry bullet hole (C3) was in the rear of the third row driver's side seat, an exit bullet hole (C4) was in the front of the third row driver's side seat, an entry bullet hole (C5) was in the rear of the rear driver's side seat, an exit bullet hole (C6) was in the front of the rear driver's side seat and an entry bullet hole (C7) was in the rear of the front driver's side seat.

'D' - An entry bullet hole (D1) was in the exterior of the hatch, below the window, an exit bullet hole (D2) was in the interior panel of the hatch, an entry bullet hole (D3) was in the rear of the third-row middle seat, an exit bullet hole (D4) was in the front of the third-row middle seat and an entry bullet hole (D5) was in the rear of the rear driver's side seat.

'E' - An entry bullet hole (E1) was in the exterior of the hatch, next to/on the passenger side of the license plate, an exit bullet hole (E2) was in the interior panel of the hatch and an entry bullet hole (E3) was in the rear of the third-row middle seat.

'F' - An entry bullet hole (F1) was in the exterior passenger side of the hatch and an exit bullet hole (F2) was in the interior panel of the hatch.

'G' - An entry bullet hole (G1) was in the exterior driver's side of the hatch window frame, an exit bullet hole (G2) was in the interior panel of the hatch, an entry bullet hole (G3) was in the rear of the third row driver's side seat, an exit bullet hole (G4) was in the front of the third row driver's side seat and an entry bullet hole (G5) was in the rear of the rear driver's side seat.

'H' - H1 and H2 were designated as an entry and exit bullet hole through the rear windshield, an entry bullet hole (H3) was in the rear of the third row middle seat, an exit bullet hole (H4) was in the front of the third row middle seat, an entry bullet hole (H5) was in the rear of the rear driver's side seat, an exit bullet hole (H6) was in the front of the rear driver's side seat and an entry bullet hole (H7) was in the rear of the front driver's side seat.

'I' - An entry bullet hole (I1) was in the rear of the third row middle seat, an exit bullet hole (I2) was in the front of the third row middle seat, an entry bullet hole (I3) was in the rear top of the rear driver's side seat, an exit bullet hole (I4) was in the front of the rear driver's side seat and an entry bullet hole (I5) was in the screen portion of the DVD player in the front driver's side headrest. This bullet path is associated with Marker 48 (expended bullet).

'J' - This letter was inadvertently skipped.

'K' - An entry bullet hole (K1) was in the rear of the third-row driver's side seat, an exit bullet hole (K2) was in the front of the third-row driver's side seat, an entry bullet hole (K3) was in the rear of the rear driver's side seat and an exit bullet hole (K4) was in the front of the rear driver's side seat.

'L' - An entry bullet hole (L1) was in the interior of the rear driver's side door frame/roof.

'M' - An entry bullet hole (M1) was in the interior of the rear driver's side door frame/roof.

'N' - An entry bullet hole (N1) was in the interior back side of the driver's side B pillar.

'O' - An entry bullet hole (O1) was in the interior back side of the driver's side B pillar.

'P' - An entry bullet hole (P1) was in the interior back side of the driver's side B pillar.

'Q' - An entry bullet hole (Q1) was in the interior front side of the driver's side B pillar.

'R' - A perforating bullet hole (R1 - R2) was in the interior front driver's side door frame.

'S' - An entry bullet hole (S1) was in the instrument panel.

'T' - An entry bullet hole (T1) was in the instrument panel.

'U' - An entry bullet hole (U1) was in the interior driver's side of the windshield and an exit bullet hole (U2) was in the exterior driver's side of the windshield.

'V' - An entry bullet hole (V1) was in the interior driver's side of the windshield and an exit bullet hole (V2) was in the exterior driver's side of the windshield.

'W' - An entry bullet hole (W1) was in the interior of the windshield, in the approximate center and an exit bullet hole (W2) was in the exterior of the windshield, in the approximate center.

'X' - An entry bullet hole (X1) was in the exterior of the front passenger side door; an exit bullet hole (X2) was in the interior panel of the front passenger side door and a bullet graze (X3) was on top of the center console compartment.

'Y' - An entry bullet hole (Y1) was in the exterior of the front passenger side door and an exit bullet hole (Y2) was in the interior of the front passenger side door handle.

'Z' - An entry bullet hole (Z1) was in the rear driver's side taillight.

'AA - HH' - Entry bullet holes (AA1 - HH1) were in the exterior of the front driver's side window.

'II' - A perforating bullet hole (II1 - II2) was in the front passenger side seatbelt.

'JJ' - An entry bullet hole (JJ1) was in the top, left side (when looking from the rear of the vehicle) of the front passenger side headrest.

'KK' - A bullet graze, and perforating bullet hole (KK1) were in the front passenger side door frame and an entry bullet hole (KK2) was in the interior of the front passenger side door.

'LL' - An entry bullet hole (LL1) was in the interior of the front passenger side door.

No other corresponding bullet holes were observed. Trajectory rods were utilized for bullet holes A-E, G-K and X-Z. The following images depict various trajectory rods.





Trajectory rods showing entrances of bullet paths X and Y



Trajectory rods showing continuation of paths X any Y

The trajectory rods exhibit that the rounds fired from the rear of the vehicle were primarily directed at Decedent in the front passenger seat. Additionally, the absence of any bullet holes in the back or front of the passenger seat tends to indicate that J.H. was not struck by any bullets fired from the rear of the vehicle. J.H. suffered a graze wound on his right thigh which seems to correspond with the trajectory of bullet path X.

FORENSIC EXAMINATION OF COLLECTED EVIDENCE

LATENT PRINT PROCESSING

The green ammo can, containing various firearms related items, live cartridges, and other items was processed for latent prints. The ammo can was recovered from the ground north of a white Nissan Rouge parked in the uncovered parking stall near the southeast corner of building 14 at the Stone Lake Apartments. Officer Erickson initially discovered it.

Prints were developed and compared to the known prints of Decedent. The latent prints from the ammo can were identified as Decedent's and no suitable impressions of value remain unidentified.

FIREARMS/BULLETS/CARTRIDGE CASES

Firearm Function Tests

The Colt rifles of Officers Pendleton, Anderson, Price, and Lujan, along with the Glock handguns of Officers Amezcua, Duffy, and Hehn were examined, test fired with the submitted magazines, and found to be operational with no noted malfunctions by Las Vegas Metropolitan Police Department's Forensic Laboratory Firearms Department. The same was done with the Sig Sauer, which was located in the driver's seat of the black Cadillac Escalade (V1), and it yielded the same result.

Comparisons of Spent Cartridge Casings

A total of ten (10) of the fourteen (14) .40 caliber S&W cartridge cases that were collected as evidence were submitted for comparison.²³ Six (6) of the casings that were submitted for comparison were recovered from inside of the black Cadillac Escalade, one (1) was recovered just north of the black Cadillac Escalade, one (1) was recovered from near the front door of Apartment 13201, one (1) was found under the dining table (in close proximity to the sliding glass door and body of V.M.) inside of Apt. 13201; and one (1) was recovered from inside of the laundry room of Apt. 13201. All of the submitted .40 caliber S&W cartridge cases were identified as having been fired from the Sig Sauer pistol, which was located in the black Cadillac Escalade, due to the sufficient agreement of class and individual characteristics. This was determined by LVMPD's Forensic Laboratory – Firearms Department.

Comparisons of Bullets & Bullet Fragments

The bullet recovered from head of D.H. (designated Lab Item 12) and the bullet recovered from the head of V.M. (designated Lab Item 13) had similar general rifling characteristics as the Sig Sauer pistol but could not conclusively be identified or eliminated as having been fired from the Sig Sauer pistol, or from the same firearm, due to limited marks as well as damage. These bullets were determined to be consistent with nominal .40/10mm caliber to include .40 caliber S&W and 10mm Auto. Some of the more commonly encountered firearms manufactured with general rifling characteristics similar to Lab Items 12 and 13 include, but are not limited to, Sig Sauer, Colt, Smith & Wesson, Daweoo, Fabrique Nationale (FN), KelTec, Springfield and Walther. The bullets were also eliminated as having been fired by the submitted Glock pistols and Colt rifles due to differences in caliber.

²³ A total of seven (7) .40 caliber S&W casings were recovered from inside of Apartment 13201 (one (1) near the body of D.H., one (1) near the body of V.M., and five (5) from the laundry room where Y.H. was shot). One (1) spent .40 caliber S&W casing was recovered from the parking lot on the ground north of the black Escalade. A total of six (6) .40 caliber S&W cartridge casings were located inside of the Escalade during processing. In all, a total of 14 .40 caliber S&W casings were recovered.

The bullets designated Lab Items 21.1 and 21.2 (2 bullets recovered from the left back of Decedent), were identified as having been fired from the Colt rifle with serial number LE519229 (Lab Item 17 – Officer Price’s rifle) due to sufficient agreement of class and individual characteristics.

The bullet fragment in Lab Item 21.3 (a bullet fragment recovered from left back of Decedent) had similar general rifling characteristics as the Colt rifles of Officers Pendleton, Anderson, Price, and Lujan, and Lab Items 21.1 and 21.2, but could not conclusively be identified or eliminated as having been fired from the rifles of Officers Pendleton, Anderson, Price or Lujan, or the same firearm(s) as Lab Items 21.1 and 21.2 due to damage. The fragment was eliminated as having been fired from the submitted Sig Sauer and Glock pistols due to differences in general rifling characteristics.

The fragment marked as Lab Item 22 (a bullet fragment recovered from Decedent’s esophagus) had similar general rifling characteristics as the Colt rifles and Lab Items 21.1, 21.2 and 21.3 but could not conclusively be identified or eliminated as having been fired from the Colt rifles or the same firearm(s) as Lab Items 21.1, 21.2, and 21.3 due to damage. The fragment was eliminated as having been fired from the submitted Sig Sauer and Glock pistols due to differences in general rifling characteristics.

The bullet in Lab Item 23 (expended bullet recovered from the left chest of Decedent) had similar general rifling characteristics as the Glock pistols (Officers Amezcua’s, Duffy’s, and Hehn’s handguns) but could not conclusively be identified or eliminated as having been fired from Lab Items 15, 18, or 19 due to limited marks and damage. It was eliminated as having been fired from the Sig Sauer or Colt rifles due to differences in general rifling characteristics.²⁴

DIGITAL FORENSICS

Electronic Extraction Y.H.’s cell phone 801-244-9902

November 3, 2020, at 10:59 A.M. outgoing call to 9-1-1 which lasted about 1 minute 35 seconds
November 3, 2020, at 11:01 A.M. incoming call from Henderson Dispatch which was a missed call
November 3, 2020, at 11:23 A.M. incoming call from L.H. which lasted 2 hours 2 minutes and 13 seconds

There was no contact nor communication with Decedent’s phone number 702-701-4030.

Electronic Extraction D.H.’s cell phone 801-915-0132

D.H. had a contact stored in her phone under “Jason next door neighbor above us” associated with 702-701-4030. The only communication between the two was a received text message on 10/01/2020. The text was from Decedent’s contact and phone number. The text read “Hi, this is Jason.”

Electronic Extraction of J.H.’s cell phone 801-244-1078

November 3, 2020, at 1058 A.M. outgoing call to 9-1-1 lasted about 2 minutes and 1 second
November 3, 2020, at 1100 A.M. Henderson Dispatch incoming call but no answer
November 3, 2020, at 1106 A.M. outgoing call to 9-1-1 which lasted about 41 seconds
November 3, 2020, at 1107 A.M. outgoing call to 9-1-1 which lasted about 25 minutes and 44 seconds

²⁴ The three (3) 40 S&W cartridge cases recovered from the tilted disposable roasting tray in the laundry room of Apt. 13201 and the one (1) 40 S&W cartridge case recovered on a plastic bin in the laundry room of Apt. 13201 were not examined.

There was no contact nor communication with Decedent's phone number 702-701-4030.

Electronic Extraction of Decedent's Computer

A review of Decedent's computer revealed he was attempting to write a self-help/mental toughness book as well as a book based on his life and upbringing. Decedent also documented numerous potential business ideas. Decedent believed in and frequently referenced conspiracy theories in his writings, online searches, and conversations. Mainly, Decedent strongly believed in QAnon and simulation conspiracy theories.²⁵

Years prior, Decedent legally changed his name to Jason Neo Bourne. Decedent explained that he was fascinated by the Jason Bourne character who was a rogue CIA agent. He went on to explain that Neo was the greatest superhero of all time. Neo is the main character in The Matrix who uncovered the truth about being in a simulation. He was considered to be the one chosen to help save humanity.

Decedent had some personal chat conversations backed up to the computer through iMessage. During October 2020, Decedent had several text conversations with people that consisted of conspiracies and delusional beliefs.

Some of those communications included Decedent sending a text with a screen shot of a YouTube video along with the following messages:

- Do you know [sic] anything about the battle that's going on between good and evil?
- Someone said that's [sic] there is a battle going on spiritual warfare.
- But the bad guys [sic] rule is that they have to show us in movies in advance before they do anything.
- Do you know if that's written anywhere or said inter [sic] where or just an UNSUNG RULE BETWEEN [sic] THE GOOD AND BAD COACHES???

In other communications, Decedent explained he recently learned about "predictive programming." An example he gave was in an older Captain America movie there was a large Corona beer billboard in the background and near the billboard there was a picture of a virus. Signifying, the foreshadowing of the COVID-19 virus. Decedent told the friend that he has helped raise his awareness and was getting some of his "visions" and "premonitions" back. Decedent explained he had a premonition in 2013 that half the planet was on fire. Additionally, Decedent referenced an interview with Elon Musk when he was speaking about reality just being a computer program and everything ended and turned into a dust or mist. Decedent talked about his grandmother dying of cancer and a woman in the movie Matrix looking like his grandmother. He believed the past was a prequel of what's to come. For example, he relayed, "So what I mean is that my family and friends are communicating to me thru movies. Their digital versions of themselves is [sic] what I saw in real life and on tv". "The game doesn't want us to talk right now. They are watching and listening to us".

Decedent also discussed Revelations, from the Bible and stated this might be the end of days that it discussed. Also, he shared a YouTube video depicting characters pulling silicon masks off their faces from the Mission Impossible movies. Decedent then shared several images comparing celebrities'

²⁵ QAnon conspiracists believe that celebrities wear lifelike masks and are actually politicians that are part of a secret pedophile society that control the world. Simulation theorists believe reality is not real and everything we believe is a simulation of a game or a movie where humanity is unknowingly trapped inside. This theory was depicted in the movie The Matrix.

physical features to that of politicians. Furthermore, he stated, "I'm having a terrible battle in my spirit right now. I don't know if I should tell the sheep about mask use in society." Decedent was referring to the QAnon conspiracy that celebrities wear lifelike masks and are actually politicians.

DECEDENT'S HISTORY

INTERVIEWS

T. B. - Roommate of Decedent

On November 3, 2020, Det. Joseph Ebert met with the roommate of Decedent, identified as T.B. T.B. voluntarily met with Det. Ebert to assist in gathering information as to Decedent. T.B. provided the following information.

T.B. met Decedent on an online application that helped him find a roommate called "Roomies" around August of this 2020. T.B. was being evicted from his current place of residence and needed a roommate so he could move into another apartment. Decedent responded to his request through the application, and they eventually met in person. They hit it off and decided to become roommates.

In August of 2020, they moved into the apartment located at 1445 Stonelake Cove Ave Apartment 13301. Decedent told T.B. he was a retired military vet from the Air Force. Additionally, Decedent told T.B. that after 18 years in the military, he was injured overseas in an accident that caused nerve damage. Decedent stated he was never involved in combat while he was overseas, but his job dealt with runway maintenance.

Decedent was working at the Nellis Air Force Base (civilian status) prior to COVID-19, but he was laid off shortly after the virus struck. Decedent made approximately \$4,000 a month on his medical retirement from the military so he was still able to pay rent and survive. Decedent told T.B. he was focused on writing a book that he was getting published by the same publishing company (Lioncrest publishing) that David Goggins used. Decedent told T.B. that David Goggins was an ex-Navy SEAL that published a book about his career and mistakes that he made throughout his life.

Decedent was divorced and had two daughters that lived with his ex-wife in Texas. T.B. did not know the names of Decedent's daughters or the name of his ex-wife, but he remembered Decedent talking about them. Decedent believed his daughters were going to come visit him this year. Decedent did not have any girlfriends or a significant other, but he did date on occasions.

T.B. and Decedent smoked marijuana regularly. T.B. explained that on a few occasions Decedent experienced paranoia associated with their marijuana usage. T.B. explained on one occasion, he came home from work to find Decedent paranoid to the point that he would not allow T.B. to open any window coverings because Decedent believed people were looking through his windows at him. T.B. also explained that some of the paranoia was from over thinking different issues that happened.

T.B. and Decedent did not associate with any of the residents that lived close to them but would greet them if they saw them around. The only person he knew Decedent spoke with was a female named L. who lived directly next door. L. sold products on Amazon so Decedent asked her if she would sell his books he had collected over time.

Approximately two (2) weeks ago Decedent turned in his black Toyota Camry he leased from Toyota. Decedent said he did not want to pay \$400 to \$500 a month for a car he rarely drove. Additionally, Decedent told T.B. his cell phone was recently stolen out of a grocery cart at one of the local stores. Decedent did not file a report with the police as he just simply turned his phone off.

Decedent owned one firearm and T.B. believed it was a Sig Sauer .40 caliber handgun. T.B. owned a Springfield XD 9mm and a Sears and Roebuck 20-gauge shotgun. Decedent would go shooting with his friends from the military on a routine basis and would invite T.B. to go with him, but T.B. never did.

T.B. had a Dell laptop in his apartment that was silver on the bottom with duct tape covering the broken screen and camera. Decedent owned a Hewlett-Packard silver laptop and did not have any other electronic devices that T.B. was aware of. T.B. also provided Decedent's Gmail e-mail address.

T.B. knew Decedent had one brother by the name of B.H. and provided his phone number. T.B. believed B.H. lived in California and Decedent's mother and younger brother, who was mentally handicap, lived in Las Vegas. T.B. did not know the names of Decedent's mother or other brother.

T.B. did not know of any prescription medication that Decedent took for any medical injuries, but T.B. was aware of a pill that Decedent took for energy, and he believed it was a natural supplement.

T.B. believed Decedent changed his name to Jason Neo Bourne a couple of years ago after leaving the military because he loved the matrix and Jason Bourne series movies. T.B. was not aware of Decedent's birth name, but he was told by Decedent that he legally changed it.

B.H. - Brother of Decedent

Detective Kevin LaPeer interviewed B.H. on November 4, 2020. B.H. was the brother of Decedent. The interview took place over the phone.

B.H. advised that Decedent was discharged from the military after 14 years due to a nerve issue in his leg. According to B.H., Decedent was depressed over the divorce of his wife several years ago. Decedent had two daughters from the marriage and stayed in contact with both of them. They lived in Arizona.

Per B.H., Decedent had been very odd for the last few weeks and has made concerning statements. B.H. advised Decedent told him he was in God's army, and B.H. should repent. B.H. also told Det. LaPeer that Decedent believed that unknown individuals were tracking him through his cellular phone and might be coming to get him. Decedent's behavior was so odd the last few weeks he figured Decedent was on some type of drugs. B.H. only knew Decedent to smoke marijuana and nothing illicit. Decedent took medication prescribed by the VA that Decedent claimed made him very anxious. B.H. thought his behavior may have been caused by the medication.

Det. LaPeer asked B.H. about Decedent changing his name to Jason Bourne. B.H. advised that Decedent told him it was to make a fresh start after being discharged from the United States Air Force.

B.H. also expressed his sympathies for the victims of his brother's actions on November 3, 2020. He further stated that he understood why the police did what they did.

K.H. & A.H. - Mother and Stepfather of Decedent

The mother (K.H.) and stepfather (A.H.) of Decedent were interviewed, via telephone, on November 5, 2020, by Det. LaPeer. Det. LaPeer learned Decedent's biological father lived in the Bahamas.

A.H. advised he dropped Decedent off at his apartment on Monday, November 2, 2020, and Decedent stated that his downstairs neighbor was bothering him. A.H. continued by advising that on Monday (the day before the incident) he paid Decedent's rent and asked him if he would be ok. Decedent replied that he would be fine if they would leave him alone. Det. LaPeer asked what type of trouble Decedent was having, and K.H. relayed that Decedent told her the people downstairs were accusing him of being a child molester. Decedent never gave a reason as to what would cause them to make those accusations. A.H. advised Det. LaPeer that he told Decedent that if something was wrong, they should call the police and get them out there to fix the situation.

K.H. then stated Decedent advised his neighbors were chasing him and they may kill his parents as well. Det. LaPeer then asked if Decedent suffered from mental illness and his mother stated, "Yes." As K.H. was about to talk about the mental illness, A.H. interrupted and asked why Decedent was shot so many times. Det. LaPeer explained again that Decedent was the only suspect in a triple murder and an attempted murder that led to an officer involved shooting. A.H. then inquired, "Because he killed three white people one shot couldn't take him down?"

K.H. and A.H. believed something must have triggered him to behave the way he behaved on November 3, 2020. Det. LaPeer then asked why he left the military and if it was due to medical reasons. A.H. stated Decedent had some issues, was tired of people bothering him, and tired of people calling his name. A.H. then advised that he told Decedent that, "He was a black man, and you see where you live." K.H. also advised that people were bothering him, but then switched back to the neighbors bothering him.

A.H. relayed that Decedent believed the people downstairs were going to kill him. K.H. reiterated that Decedent told her that they would probably kill her too. A.H. advised Det. LaPeer that he told Decedent to contact the police. A.H. did not believe Decedent ever did so.²⁶ They advised that their son was "out of his element."

Det. LaPeer asked K.H. if she knew why Decedent changed his name. K.H. advised he changed his name to a movie character because he felt too many people had the name Christopher. He chose the name Jason Bourne because he liked the Jason Bourne movie series.

Det. LaPeer asked A.H. what Decedent's demeanor was on Monday when he dropped him off. A.H. stated Decedent asked him to pray for him because his neighbors were bothering him. A.H. then advised Decedent did confront the parents of the children that were accusing him of being a child molester but did not relay how the meeting went.

Toward the end of the interview K.H. and A.H. both expressed their sympathies, repeatedly, for the victims of Decedent's acts on November 3, 2020.

²⁶ Det. LaPeer searched HPD's database and found no calls for service from Decedent.

N.B. - Ex-Wife of Decedent

Det. LaPeer spoke to N.B., who was Decedent's, ex-wife. N.B. explained that she knew him as Jason and Christopher, but she preferred to call him Chris. She believed she and Decedent divorced in 2006. She indicated that they divorced because they were too young and did not know what marriage would require. They had not spoken much since then, but he did keep in touch with his daughters.

In 2005 or 2006, Decedent came back from his second tour in Iraq, and he was a completely different man. N.B. explained that Decedent was a lot quieter, moodier, and drank quite a bit. She knew that things went downhill since they divorced.

She last talked to Decedent a few months ago and their daughters last received a text from him back on November 1, 2020. N.B. stated it was not a normal text. Decedent stated, in the text, that he loved them, and this would be their last I love you message from him. They texted him back and asked why he was talking like that and told him to come visit them. Decedent did not respond.

N.B. could not think of anything specific that happened to Decedent that would have caused him to become paranoid. She then again stated she did not know what happen to him over there, but he had not been the same ever since.

DOCUMENTS IN DECEDENT'S POSSESSION

A review of the documents revealed a birth certificate for Christopher Curry as well as the legal paperwork for the name change to Jason Neo Bourne, dated January 22, 2014. Much of the handwritten notes were similar to the Word documents saved in the computer. The content was of movie script ideas mostly surrounding the idea of him being a superhero saving the world.

There was also a handwritten note professing his love for Katy Perry and a timeline of set goals culminating with a marriage that will occur in 2034. Decedent believed Katy was speaking to him directly through a song and thanked her for the "clues."

There was an idea outlined that the rapture is here, and Trump called for the good guys. The bad guys were left and forcing people to accept the computer chips or die.

DECEDENT'S MEDICAL RECORDS

The Clark County District Attorney's Office sought and obtained Decedent's Medical Records from Veteran's Affairs Hospital. Those medical records confirm the information provided by his family and roommate, including the fact that he was prescribed various medications.

AUTOPSIES

Dr. Jan M. Gorniak, Medical Examiner, performed an autopsy on J.H. under Clark County Coroner Case Number 20-06338. The autopsy was performed on November 4, 2020. She determined that his cause of death was multiple gunshot wounds to the head and chest. The manner of death was homicide. J.H. suffered a total of four (4) gunshot wounds, three (3) to the head and one (1) to the chest. Additionally, he suffered two (2) graze wounds, one to the right side of his face and the other to his right mid-thigh. As to the three (3) gunshot wounds to the head, all were accompanied by the

presence of stippling,²⁷ and all travelled from left to right relative to standard anatomic position.²⁸ With regard to the gunshot wound to the chest, there was no stippling present; however, J.H.'s clothing may have acted as a barrier. No projectiles or fragments were located during the autopsy.²⁹

As to D.H., Dr. Ben Murie, Medical Examiner, performed an autopsy on November 4, 2020, under Clark County Coroner Case Number 20-6337. He determined that the cause of death was a gunshot wound to the head. The manner of death was homicide. Dr. Murie determined that the trajectory was top to bottom, left to right, and downward. The range of fire was indeterminate. One projectile was recovered. It was examined as Lab Item 12.

Dr. Murie also performed an autopsy upon V.M. on the same date, under Clark County Coroner Case Number 20-06339. He determined that the cause of death was a gunshot wound to the head. The manner of death was homicide. Dr. Murie concluded that the bullet travelled from back to front, left to right, and upward. Additionally, Dr. Murie found that the range of fire was indeterminate. One metal projectile was recovered. It was examined as Lab Item 13.

An autopsy was also completed on the body of Decedent on the same date under Clark County Coroner Case Number 20-06340. It was performed by Medical Examiner Dr. Ben Murie. Dr. Murie determined the cause of death to be multiple gunshot wounds. Dr. Murie determined that Decedent sustained six (6) gunshot wounds (three (3) to the head and neck, two (2) to the torso, and one (1) to the chest) and one (1) grazing gunshot wound to the back. Decedent's manner of death was homicide.

Toxicology revealed both Delta-9 Carboxy THC (inactive metabolite) and Delta-9 THC (active ingredient in marijuana) in Decedent's blood.

LEGAL ANALYSIS

The District Attorney's Office is tasked with assessing the conduct of officers involved in any lethal use of force which occurred during the course of their duties. That assessment includes determining whether any criminality on the part of the officers existed at the time of the incident.

In Nevada, there are a variety of statutes that define the various types of justifiable homicide (NRS §200.120 – Justifiable homicide defined; NRS §200.140 – Justifiable homicide by a public officer; NRS §200.160 – Additional cases of justifiable homicide). The shooting of Decedent could be justifiable under one or both of two theories related to the concept of self-defense: (1) the killing of a human being in self-defense or defense of others; and (2) justifiable homicide by a public officer. Both theories will be discussed below.

A. The Use of Deadly Force in Defense of Self or Defense of Another

The authority to kill another in self-defense or defense of others is contained in NRS 200.120 and 200.160. "Justifiable homicide is the killing of a human being in necessary self-defense, or in defense of ... another

²⁷ The presence of stippling indicates that the gunshots associated with these injuries were fired by decedent and not the officers. This is so because the driver's window was up and would have acted as a barrier. Furthermore, even though bullets struck the window, the window remained substantially intact and in place until it was removed by law enforcement.

²⁸ Decedent Bourne was sitting in the driver's seat and to the left of J.H.

²⁹ Because no fragments or projectiles were present in the body of J.H. to be recovered during autopsy, no comparisons could be made to any of the involved weapons in order to ascertain the source of the injuries.

person, against one who manifestly intends or endeavors to commit a crime of violence ...” against the person or other person.³⁰ NRS 200.120(1). Homicide is also lawful when committed:

[i]n the lawful defense of the slayer, ... or of any other person in his or her presence or company, when there is reasonable ground to apprehend a design on the part of the person slain to commit a felony or to do some great personal injury to the slayer or to any such person, and there is imminent danger of such design being accomplished

NRS 200.160(1).

The Nevada Supreme Court has refined the analysis of self-defense and, by implication, defense of others, in Runion v. State, 116 Nev. 1041 (2000). The relevant jury instructions as articulated in Runion and modified for defense of others are as follows:

The killing of [a] person in self-defense [or defense of another] is justified and not unlawful when the person who does the killing actually and reasonably believes:

1. That there is imminent danger that the assailant will either kill himself [or the other person] or cause himself [or the other person] great bodily injury; and
2. That it is absolutely necessary under the circumstances for him to use in [self-defense or defense of another] force or means that might cause the death of the other person, for the purpose of avoiding death or great bodily injury to [himself or the person(s) being defended].

A bare fear of death or great bodily injury is not sufficient to justify a killing. To justify taking the life of another in self-defense [or defense of another], the circumstances must be sufficient to excite the fears of a reasonable person placed in a similar situation. The person killing must act under the influence of those fears alone and not in revenge.

Actual danger is not necessary to justify a killing in self-defense [or defense of another]. A person has a right to defend from apparent danger to the same extent as he would from actual danger. The person killing is justified if:

1. He is confronted by the appearance of imminent danger which arouses in his mind an honest belief and fear that he [or the other person] is about to be killed or suffer great bodily injury; and
2. He acts solely upon these appearances and his fear and actual beliefs; and,
3. A reasonable person in a similar situation would believe himself [or the other person] to be in like danger.

The killing is justified even if it develops afterward that the person killing was mistaken about the extent of the danger.

If evidence exists that a killing was in defense of self [or defense of another], the State must prove beyond a reasonable doubt that Decedent did not act in self-defense [or defense of another]. *Id.* at 1051-52. Therefore, under Nevada law, if there is evidence that the killing was committed in self-defense or defense

³⁰ NRS 200.120(3)(a) defines a crime of violence:

“Crime of violence” means any felony for which there is a substantial risk that force or violence may be used against the person or property of another in the commission of the felony.

of another, the State at trial, must prove beyond a reasonable doubt that the slayer was not acting in self-defense or defense of another.

The known facts and circumstances surrounding this incident indicate that Decedent posed an imminent danger to twelve-year-old J.H., nearby officers, and other persons in his vicinity. At the time officers discharged their weapons, Decedent had already shot and killed two people, D.H. and V.M. Additionally, he had shot Y.H. several times and had taken her brother, J.H., hostage. Also, dispatch was providing officers updates as to the conversation taking place inside of the Escalade on an open line with 9-1-1. In the moments before the shooting, Decedent told J.H. to open his mouth, advised him that the gun was loaded, and pointed the firearm at J.H. The totality of the evidence, to include video, witness statements, and evidence at the scene, illustrates that officers had a reasonable belief that Decedent would cause great bodily harm or death to J.H., other officers nearby, and potentially other citizens. The officers were confronted with the appearance of imminent danger and acted out of a reasonable belief that someone was about to be seriously injured or killed by Decedent. Consequently, the shooting of Decedent is justifiable under this legal theory.

B. Justifiable Homicide by a Public Officer

“Homicide is justifiable when committed by a public officer ... [w]hen necessary to overcome actual resistance to the execution of the legal process, mandate or order of a court or officer, or in the discharge of a legal duty.” NRS 200.140(2). This statutory provision has been interpreted as limiting a police officer’s use of deadly force to situations when the officer has probable cause to believe that the suspect poses a threat of serious physical harm to either the officer or another. See 1985 Nev. Op. Att’y Gen. 47 (1985).

As stated above, it was clear to officers that Decedent posed a danger to J.H., nearby officers, and nearby civilians. Decedent was responsible for executing two women, trying to kill a third, and taking a 12-year-old boy hostage at gunpoint. In the minutes before the shooting, officers learned that Decedent told J.H. to open his mouth and advised him that the gun was loaded. They also saw Decedent with a firearm raised at J.H. The officers absolutely had probable cause to believe that Decedent posed a threat of serious physical harm to J.H., their colleagues, themselves, and nearby citizens.

CONCLUSION

Based on the review of the available materials and application of Nevada law to the known facts and circumstances, we conclude that the actions of the involved officers were reasonable and/or legally justified. The law in Nevada clearly states that homicides which are justifiable or excusable are not punishable. See, NRS 200.190. A homicide which is determined to be justifiable shall be “fully acquitted and discharged.” *Id.*

As there is no factual or legal basis upon which to charge, unless new circumstances come to light which contradict the factual foundation upon which this decision is made, no charges will be forthcoming against any of the shooting officers.