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NEWS RELEASE

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For Immediate Release

May 31, 2018

DA's Office Releases Report on the Death of Cody O'Bryan

In a report released today involving the death of Cody O'Bryan on September 25, 2017, the Clark County District Attorney's Office has determined that the actions of the Las Vegas Metropolitan Police Department (LVMPD) officers involved were legally justified and reasonable.

On September 25th, LVMPD responded to a call in the area of Charleston and Palmhurst. The caller, Mr. O'Bryan, reported that he was armed with a pistol and nine rounds and stated "Metro is going to shoot me or take me to jail". When officers arrived, Mr. O'Bryan was lying on the ground, and they initially decided to have an ambulance transport him to the hospital for a "Legal 2000"—a mental examination Mr. O'Bryan had been through 15 times since 2013. Before the officers called for an ambulance, they discovered that Mr. O'Bryan had a warrant for his arrest because he violated the terms of his probation, stemming from a case in which he was convicted of Attempt Battery with Substantial Bodily Harm. They placed him under arrest and took him to the Clark County Detention Center (CCDC). The staff at CCDC would not accept Mr. O'Bryan because he was extremely intoxicated, so officers then transported him to the emergency room at the University Medical Center (UMC) for medical evaluation.

A Corrections Officer arrived at UMC to deliver a "tactical bag" which contained a Taser, log book, radio, gloves, belly chains and leg restraints. Mr. O'Bryan's arm was handcuffed to the hospital bed, and the Corrections Officer added a leg restraint as well. He then placed the tactical bag under the sink, a few feet away from the bed where Mr. O'Bryan was restrained.

At one point, the LVMPD officer who had transported Mr. O'Bryan to UMC removed the restraints so he could use the restroom. When Mr. O'Bryan was finished, the officer again put on the leg restraint and left the room. While the officer was out of the room, Mr. O'Bryan got off the bed and laid on the ground, with his head next to the tactical bag under the sink, removed the Taser, and put it on the ground next to him where it could not be seen from the doorway. When UMC staff members entered the room, Mr. O'Bryan grabbed the Taser and pointed it at them. They immediately left the room. The LVMPD officer entered the room and Mr. O'Bryan pointed the Taser at him. The officer stepped out of the room and then partially re-entered, fired one shot and struck Mr. O'Bryan in the head. He was pronounced dead shortly thereafter.

An autopsy report showed that Mr. O'Bryan had a blood alcohol level of .337 (more than four times the legal limit for a DUI). He also tested positive for several prescription drugs used to treat anxiety.

"Mr. O'Bryan was in a highly intoxicated state, and his actions put innocent hospital staff members in danger," said Clark County District Attorney Steve Wolfson. "The officer in this situation took actions to protect others in the hospital, as well as himself."

A Police Fatality Public Fact-Finding Review was conducted in this incident on April 24, 2018. Clark County Code mandates such a review when a police-involved death occurs, and the prosecutor preliminarily determines that no criminal prosecution of the officer is appropriate

The determination that the officer acted lawfully in this situation is based upon the evidence available at this time. The case could be reexamined if new information comes to light.

The full report is available on the District Attorney's [Web page](#).