



News Release

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DA's Office Releases Report on Kenneth Johnson death

The Clark County District Attorney's Office has determined that the actions of North Las Vegas Police Officer R. Makinster on July 18, 2014, were reasonable and legally justified.

According to the report released today, officers attempted to make a traffic stop on Kenneth Alan Johnson, who was driving a stolen moped. Mr. Johnson did not pull over and attempted to flee the scene. After driving through a shopping center parking lot, and then driving around in an adjacent neighborhood, Johnson abandoned the moped and fled on foot. Johnson ran through the neighborhood, jumping over walls and crossing through backyards of homes, in an effort to evade officers. During this time, he discarded a backpack containing a BB-gun, computer and other items.

During the pursuit, various officers saw Johnson as he moved through the neighborhood, and at one point an officer on the scene broadcast that Johnson appeared to be clutching something in his waistband that might be a gun. Shortly after that transmission, Officer Makinster located Johnson hiding under a vehicle in the driveway of a home on Dry Valley. Officer Makinster drew his service weapon and ordered Johnson to show his hands. Johnson did not comply and instead ran away from the officer. Officer Makinster holstered his weapon and drew his taser as he chased Johnson, while continuing to give the order for Johnson to stop.

As the pursuit continued, Officer Makinster saw Johnson bring his right hand toward his own head, holding what appeared to be a gun. At that time the officer heard Johnson say, "Don't make me do it! Don't make me do it!" Officer Makinster discarded his taser and drew his gun. Johnson then turned toward the officer and the officer saw the muzzle of Johnson's gun pointing toward the officer. Officer Makinster believed he was about to be shot, so he shot Johnson, who died after being transported to University Medical Center. It was later learned that the weapon Johnson was using was a pellet pistol, which was a replica of a Colt Defender .45 caliber handgun.

"Mr. Johnson ran from officers, taking the pursuit into a neighborhood and through people's backyards, all the while refusing to comply with the officer's commands to stop. He ultimately held a gun to his own head, and then pointed the gun at Officer Makinster, leading the officer to believe he was about to be shot," said District Attorney Steve Wolfson. "Although the weapon was later determined to be a pellet gun, Mr. Johnson's actions of running from police, holding the weapon to his own head and saying 'Don't make me do it' and then pointing the gun at the officer all indicated that he was carrying a real gun and had every intention of using it to harm the officer."

A Police Fatality Public Fact-Finding Review was conducted in this incident on January 30, 2015. 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](#).