



CLARK COUNTY  
OFFICE OF THE DISTRICT ATTORNEY

*Criminal Division*

**STEVEN B. WOLFSON**

District Attorney

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200 Lewis Avenue • Las Vegas, NV 89101 • 702-671-2500 • Fax: 702-455-2294 • TTY and/or other relay services: 711

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BRIGID J. DUFFY

*Assistant District Attorney*

KAREN S. CLIFFE

*Assistant District Attorney*

LISA LOGSDON

*County Counsel*

ALEXANDER CHEN

*Assistant District Attorney*

PAMELA WECKERLY

*Assistant District Attorney*

## NEWS RELEASE

Contact: **Monica Gutierrez**  
Clark County District Attorney's Office

Phone: (702) 671-2500  
Fax: (702) 868-2415  
E-mail: [Media@ClarkCountyDANV.GOV](mailto:Media@ClarkCountyDANV.GOV)

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**For Immediate Release**

**July 25, 2025**

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### THE DEATH OF BRANDON DURHAM

As the elected District Attorney of Clark County, I, along with some senior attorneys in my office, determined there are reasonable grounds to believe that Officer Bookman may have had criminal liability in the death of Brandon Durham, as his use of force may have been objectively unreasonable. Based upon that determination, and at the request of the Durham family lawyers, I instructed senior deputies to present a complete and thorough presentation to the Clark County Grand Jury.

Pursuant to NRS 200.070, a person who commits an unlawful act, or a lawful act in an unlawful manner, where the act naturally tends to destroy life, that person is guilty of second-degree murder. Under Graham v. Connor, 490 U.S. 386, 109 S. Ct. 1865 (1989), an officer commits an unlawful act where he uses deadly force which is objectively unreasonable, even where he had an honest subjective belief in the need to use deadly force.

Under Nevada Law, Grand Jury proceedings are conducted in secrecy. Specifically, Nevada Law provides that the disclosure of matters presented to a Grand Jury is not permitted. Attorneys, Grand Jurors themselves, Staff, Peace Officers, Clerks, other stated parties, and witnesses that appear before a Grand Jury are not permitted to disclose information that was presented to a Grand Jury. With this in mind, as the elected District Attorney, I am precluded from discussing the above-mentioned types of information.

Ultimately, the Grand Jury disagreed with our assessment and returned a No True Bill in the matter. As an essential part of our system of justice, grand juries sometimes disagree with prosecutors. When they do, we respect their decisions as they are the considered opinions of everyday members of our community who are faithfully performing their civic duty.

Recently, this office has been criticized by the Durham lawyers for its conduct before the grand jury. In fact, this office was accused of "betrayal of the public trust and a violation of the District Attorney's sworn duty to uphold the law without fear or favor". As the elected District Attorney, I reject that characterization and strongly deny its implications. That rhetoric is not only unfounded, but clearly not intended to further a legitimate public discourse which this truly horrible tragedy deserves.