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NEWS RELEASE

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For Immediate Release

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DA's Office Releases Report on Bryan Keith Day death

The Clark County District Attorney's Office has determined that the actions of Las Vegas Metropolitan Police Officers on July 25, 2015, were reasonable and legally justified. The report released today describes the events leading up to Mr. Day's death.

On July 25, 2015, officers were responding to a 911 call regarding an assault that had occurred at an apartment complex on East Charleston Blvd. While detectives were interviewing witnesses to that crime, several officers were securing the scene and waiting for the crime scene investigators to process the apartment in which the crime occurred. While this was happening, Mr. Day exited his second-floor apartment, which was next door to the crime scene. Officers informed him that because the neighboring apartment, and the balcony on which he was standing, was a crime scene, he must return to his apartment, or leave the premises and not return until the scene had been cleared. One of the officers climbed the stairs and stood outside of the apartment of the original crime being investigated. Mr. Day went back into his apartment, but shortly after that he opened his apartment door again and was seen standing just inside the doorway, tucking a black object into his waistband and dropping his shirt over the item. The officer on the first floor of the complex who saw this instructed Mr. Day to go back into his apartment. Mr. Day was also given commands to lift his shirt, which he did, but not in a way that officers could identify the object in his waistband. As he was facing one of the officers, he turned and drew his weapon with his right hand at which time the officer yelled "Gun!" multiple times. Mr. Day raised his weapon and shot the officer in the right cheek. The officer who was struck, and another officer who had come up the stairs to the second floor, fired their weapons at Mr. Day multiple times. He slumped into a seated position with the gun still in his hand. He again raised his weapon and pointed it in the direction of the officers. Officers returned fire. As the officer who was shot went down the stairs, another

officer saw Mr. Day raise his weapon again and track the officer as he descended the stairs. Officers again fired at Mr. Day. An arrest team went to the second floor balcony, approached and handcuffed Mr. Day, called for medical assistance for him and then cleared his apartment. He was pronounced dead at the scene.

The autopsy done on Mr. Day had no positive findings for drugs in his system. In a later interview with Mr. Day's mother, she indicated that he had been diagnosed schizophrenic and bipolar. She said that he had been prescribed medications in the past, but had not taken them. She was unsure if he was currently taking any medication.

A Police Fatality Public Fact-Finding Review was conducted in this incident on May, 6, 2016. 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 officers 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](#).