



**CLARK COUNTY  
OFFICE OF THE DISTRICT ATTORNEY  
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District Attorney

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## NEWS RELEASE

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For Immediate Release

December 20, 2016

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### **DA's Office Releases Report on the Death of Brenda Kimberling**

In a report released today involving the death of Brenda Kimberling on December 14, 2015, the Clark County District Attorney's Office has determined that the actions of Las Vegas Metropolitan Police Department officers (LVMPD) were legally justified and reasonable.

On that date, two different people contacted police to report that Ms. Kimberling posted a video of herself on Facebook in which she took prescription medication in an attempt to overdose. LVMPD officers were sent to Ms. Kimberling's home twice, to check on her, but were unable to make contact with her either time. A few hours later, LVMPD was contacted by Advanced Psychiatric Associates who reported that Ms. Kimberling called their office and told them she 'took enough pills to kill her liver' and that she was in possession of two 9mm firearms. She further stated that if the police came to her door, she would commit 'suicide by cop'. Dispatch was informed by the caller that Ms. Kimberling was diagnosed with Mood Disorder, PTSD, Anxiety and Depression. Dispatch then received a call from Ms. Kimberling in which she stated "...you can tell the cops sitting outside the door...I have a 9 millimeter sitting in my lap. I'll make it suicide by cop." A short time later, Ms. Kimberling called dispatch again and made reference to the officers who were outside her home stating that they should let her die peacefully so she wouldn't have to shoot any officers. She let the dispatcher know she was watching the officers on her surveillance cameras and approximately thirty minutes later she went into her front yard, pointed a gun to her head, and then pointed the gun at officers. Officers in the area sought cover behind vehicles and SWAT was called to respond to the scene.

While on another call with an officer, Ms. Kimberling fell asleep. When the officer and the crisis negotiator were unable to wake her, SWAT breached with front door, and that woke up Ms. Kimberling. She again called Dispatch, this time to complain about her broken front door, and then she hung up. She called dispatch once more and said that if police tried to enter her house she would kill herself, and then she hung up. Ms. Kimberling then moved her front door--which was off of the hinges due to the breach--stood in the doorway of her home with a shotgun and pointed at her chin and she then aimed the shotgun toward officers

positioned outside her home. SWAT snipers fired one round each to prevent Ms. Kimberling from shooting at officers or anyone else in the area. She was pronounced dead at the scene.

The toxicology report done at the time of the autopsy revealed that Ms. Kimberling had lethal levels of acetaminophen and oxycodone, as well as toxic levels of clonazepam.

“It is always unfortunate when someone struggling with mental illness or addiction creates this type of situation.” said District Attorney Steve Wolfson. “By pointing a gun at officers a second time, repeatedly threatening to shoot officers, and refusing to obey commands to drop the weapon, officers were forced to fire at Ms. Kimberling to stop her from harming anyone in the area.”

A Police Fatality Public Fact-Finding Review was conducted in this incident on September 28, 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 officers 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](#).