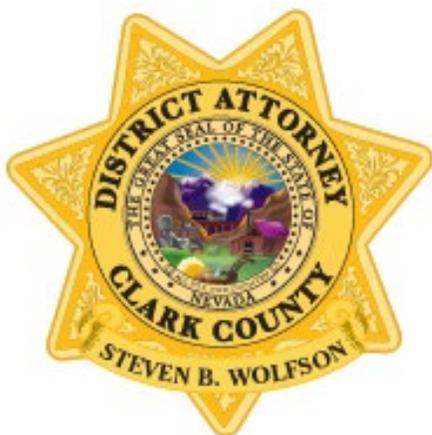


# REPORT ON USE OF FORCE



## Legal Analysis Surrounding the Death of Joshua Squires on August 10, 2020

### INTRODUCTION

On August 10, 2020, at approximately 0136 hours, Las Vegas Metropolitan Police Department ("LVMPD") Dispatch received a 9-1-1 call from a male who stated a suspect lit a sock on fire and placed it in a vehicle's gas tank at 3535 Harem Lane. Event number LLV200800039408 was generated. The caller described the suspect as a white male adult, 35-40 years old, thin build, wearing a baseball hat, white t-shirt, and black pants. The caller reported he recognized the suspect as a drug user who lived in the area.

Upon the arrival of patrol officers from Northeast Area Command ("NEAC"), burn marks were observed on the caller's vehicle and bushes next to it. Officers conducted follow-up at area businesses and spoke to several homeless subjects in the area where the suspect was known to frequent. Through the follow-up investigation, officers identified the suspect as Joshua Squires (hereinafter "Decedent") and identified his residence as 3755 N. Nellis Boulevard, Space 51. A crime report was taken for the arson, but Decedent was not located.

At approximately 0523 hours, LVMPD Dispatch received a 9-1-1 call from another male caller who stated he was chasing a suspect who tried to set a vehicle on fire at 4870 Nellis Oasis Lane. Event number LLV200800039784 was generated. The caller provided a suspect description and stated it was the same suspect (Decedent) from the previous arson attempt. Officers responded and attempted to locate Decedent who ran from the area. Officers responded to Decedent's address and spoke to his mother (Witness #1) who stated she had not seen him. Officers cleared the call when Decedent could not be located. Due to Decedent being identified as the suspect in several attempted arsons, his information was provided to NEAC dayshift patrol officers during their morning briefing. Officers were provided Decedent's photograph and address for follow-up investigation.

At approximately 0711 hours, Officer Joshua Carbone self-initiated a Directed Patrol Activity at 3755 N. Nellis Boulevard under event number LLV200800039987. At approximately 0738 hours, Officer Raul Cabrera self-initiated an Investigative Follow-Up at 3755 N. Nellis Boulevard under event number LLV200800040098. Both officers went to Space 51 and conducted a knock-and-talk in an attempt to locate Decedent. When Decedent was not located at the trailer, both officers searched the area within the trailer park in an attempt to find Decedent.

At approximately 0822 hours, Officer Cabrera located Decedent in the area of the community office. Decedent ran from officer Cabrera who then stated over the radio that he was in a foot pursuit, and Decedent had a firearm in his right hand. As Decedent ran, he pointed his firearm at officer Cabrera, who then discharged his firearm one time. Officer Cabrera missed Decedent who continued to run into a desert area. At approximately 0824 hours, a Shot Spotter event was generated under event LLV200800040263 for a single gunshot being detected. Officer Carbone arrived in the area and saw Decedent run through the desert with a firearm in hand and jump a wall into a flood wash. Both officers lost sight of Decedent, and a perimeter was established around the area.

At approximately 0833 hours, LVMPD Dispatch received a telephone call from Witness #2 who reported Decedent had returned to the trailer at Space 51. Witness #2 reported Decedent was inside of the trailer and was under the influence of methamphetamine and possibly intoxicated. Officers responded to Space 51 and established a perimeter around the trailer. Witness #2 was requested to exit the trailer, which she did along with her boyfriend. Upon meeting with officers, Witness #2 stated that her mother, Witness #1, was still inside of the trailer with Decedent.

At approximately 0852 hours, a Patrol Detective Sergeant made telephone contact with Witness #1, who stated Decedent had a firearm and she heard it cock. After speaking to Witness #1, it was discovered she could not leave her residence and SWAT was contacted for a hostage rescue. LVMPD and North Las Vegas Police Department ("NLVPD") SWAT responded to the scene, along with Crisis Negotiation Team ("CNT") detectives. At approximately 0922 hours, detectives were still speaking with Witness #1, who stated Decedent was drinking and very angry.

At approximately 0936 hours, SWAT took up positions on the inner perimeter around Space 51. Information was obtained from Witness #1 that Decedent was not allowing her to leave the trailer. Based on the information that Witness #1 was being held against her will and Decedent was armed, a crisis entry was made into the trailer by SWAT officers at approximately 0940 hours.

During the crisis entry, SWAT Officer Allyn Goodrich was the first officer to enter the trailer. Upon entry, Decedent was seen holding a handgun and pointed it at Officer Goodrich who discharged his rifle. Decedent ducked behind a table in the kitchen area as Officer Goodrich continued to enter the trailer and move toward Witness #1, who was sitting on a chair. Decedent then stood up while still in possession of his handgun, and Officer Goodrich discharged his rifle a second time. Decedent fell to the ground, and his handgun landed next to him. SWAT officers rescued Witness #1 and escorted her from the trailer.

A tactical medic pronounced Decedent deceased on scene. Both officer involved shooting ("OIS") scenes were secured by patrol officers, and the LVMPD Force Investigation Team ("FIT") assumed control of the investigation.

This report explains why criminal charges will not be forthcoming against the officers involved. It is not intended to recount every detail, answer every question or resolve every factual conflict regarding this citizen-law enforcement encounter. The report is meant to be considered in conjunction with the Police Fatality Public Fact-Finding Review conducted on May 3, 2021. This report is intended solely for the purpose of explaining why, based upon the facts known at this time, the conduct of Officers Cabrera and Goodrich were not criminal.

This decision, premised upon criminal-law standards, is not meant to limit any administrative action or to suggest the existence or non-existence of civil actions by any person where less stringent laws and burdens of proof apply.

## **OVERVIEW OF INCIDENT**

### **INFORMATION RECEIVED FROM SURVEILLANCE VIDEO**

Surveillance was obtained from the Storeyville Mobile Home Park Community located at 3755 N. Nellis. Below is a summary of that video:

Video #1 shows a male, later identified as Decedent, jogging down a street in the community. Decedent made several body movements including bouncing and waiving his hands. He also appeared to be talking to himself or someone not in camera view. Decedent continued to walk down the street and out of camera view.

Video clip #2 shows a male, later identified as Decedent, walking and jogging in what appears to be an alley of the community behind a beige wall. Decedent peeked around the corner of the wall and appears to look in the direction of a street running through the neighborhood. Shortly thereafter, a patrol vehicle, occupied by Officer Cabrera, could be seen driving on the street where Decedent was looking. As Officer Cabrera turned towards the direction of where Decedent was behind the beige wall, Decedent disappeared behind a wooden gate and out of view of the video. Officer Cabrera drove closer to Decedent's last visible location, and Decedent reappeared in the video. Decedent ran around the corner of the wall and saw the patrol vehicle. As Officer Cabrera exited his vehicle, Decedent made a U-turn and began running back towards the wooden fence. Officer Cabrera began chasing Decedent until they disappeared from camera view.

### **INFORMATION RECEIVED FROM LAS VEGAS METROPOLITAN POLICE DEPARTMENT OFFICERS**

#### **Officer Joshua Carbone P#15053**

On August 10, 2020, Officer Joshua Carbone gave a recorded statement to detectives. Present during the statement was Detective Trevor Alsup and Las Vegas Police Protective Association ("PPA") representative Myron Hamm. During the statement, Officer Carbone relayed the following information:

Officer Carbone has been with the Las Vegas Metropolitan Police Department since May 20, 2020. At the time of the incident, he was assigned to Northeast Area Command 21 and worked Saturday-Tuesday 6:30 a.m. to 4:30 p.m. On August 10, 2020, Carbone was dressed in the standard LVMPD tan uniform with patches on both shoulders. He was also wearing a duty belt that consisted of a firearm magazine, taser, baton, handcuffs, radio and other police equipment.

During a briefing on the morning of August 10, 2020, Officer Carbone received information that a male, later identified as Decedent, had been trying to set at least two vehicles on fire by putting a cloth in their gas tanks. As a proactive measure, Officer Carbone assigned himself to do investigative follow up. Officer Carbone went to the Storeyville Mobile Home Park located at 3755 N. Nellis Blvd and began searching for Decedent. As he was searching, a passerby told Officer Carbone where Decedent was.

Officer Carbone began looking for Decedent in the direction the passerby indicated. Over the radio, he heard his partner, Officer Cabrera, indicate that he was in foot pursuit with Decedent. Carbone quickly attempted to locate his partner and Decedent. When Carbone located them, he saw Decedent running and Officer Cabrera chasing him. A black, medium frame, semi-auto handgun was observed in Decedent's right hand. Decedent was yelling but it was unclear what he was saying. Officer Carbone exited his vehicle and told Decedent to get on the ground and drop the weapon. Decedent failed to comply and began waving the weapon all around. Decedent then jumped a wall and Carbone lost sight of him.

Officer Carbone could not tell if Decedent's gun was pointed at Officer Cabrera. He did not hear any gunshots and was not aware of the OIS until Officer Cabrera reported firing a round on the radio. After he lost sight of Decedent, Officer Carbone helped secure the scene.

### **Detective Timothy Townley P#7521**

On August 10, 2020, Detective Timothy Townley gave a recorded statement to detectives. Present during the statement was Detective Andrew Ubbens and PPA representative John Abel. During the statement, Detective Townley relayed the following information:

Detective Townley has been with the Las Vegas Metropolitan Police Department since November 13, 2001. At the time of the incident, he was assigned to SWAT and worked Sunday-Wednesday 6:00 a.m. to 4:00 p.m. On August 10, 2020, Townley was dressed in the crisis negotiator uniform with the crisis negotiator logo.

On the morning of August 10, 2020, detective Townley received a communicator message regarding a possible hostage rescue at 3755 N. Nellis. Townley arrived at the location and received a limited briefing on what was occurring. Townley applied for and received a search warrant for trailer 51 and a male, later identified as Decedent.

After receiving the search warrant, Townley made contact via phone with Witness #1 who was still inside trailer 51 with Decedent. Townley began speaking with Witness #1 and Decedent. The conversation was limited with Decedent. Decedent was yelling and screaming saying that he wanted police to find his girlfriend "Acaria." Witness #1 reported to Townley that Decedent was pacing back and forth in the living room and kitchen. Decedent was in possession of a weapon that he would pick up, put down and pick up again. Townley tried to engage Decedent in more conversation, but Decedent continuously refused to communicate with police.

Townley continued to talk to Witness #1 who indicated she was not free to leave. Witness #1 indicated that she was not sure if Decedent was going to hurt her. Throughout the incident, Townley learned that Decedent had been doing a large amount of methamphetamine, was acting erratic and had possibly started fires in the area the previous night.

### **Officer Matt Gass P#13643**

On August 10, 2020, Officer Matt Gass gave a recorded statement to detectives. Present during the statement was Detective A. Ubbens and PPA representative John Abel. During the statement, Officer Gass relayed the following information:

Officer Gass has been with the Las Vegas Metropolitan Police Department since October 14, 2008. At the time of the incident, he was assigned to SWAT and worked Sunday-Wednesday 3:00 p.m. to 1:00 a.m. On August 10, 2020, Gass was dressed in his green SWAT uniform with LVMPD SWAT patches. In addition, he also carried a heavy kit for entry, M4 rifle, Glock 17 handgun and 40mm low lethal launcher. He was wearing a body camera that was activated.

At approximately 8:59 a.m., Gass received a communicator call for an all call hostage situation. Details of the call indicated that a suspect, later identified as Decedent, was involved in an earlier OIS involving a firearm. Decedent then fled to his residence where his mother was inside. The call came out as a hostage rescue. Gass was given the address and trailer number. Upon arriving on scene, Gass and other SWAT officers began setting up. They learned that other officers were negotiating with Decedent.

A decision was made that SWAT needed to enter the trailer. Officer Gass was positioned behind Officer Goodrich as SWAT approached the trailer. As SWAT approached the slider door of the trailer, Officer Goodrich entered first. The slider door was barricaded with a couch and a curtain was covering the door from the inside. Goodrich appeared to get caught on the couch barricading the door.

Shortly thereafter, Officer Gass heard shots fired. Officer Gass entered the trailer immediately after Officer Goodrich. When he turned to his left, he saw Decedent standing. As soon as Gass entered, additional shots were fired and Decedent went to the ground. Officers Gass and Goodrich moved closer to Decedent while other officers cleared the remainder of the residence. Upon approaching Decedent, Gass observed a handgun laying on the floor to the right of Decedent. Gass directed officers to secure the handgun.

Officer Gass told detectives that a hostage rescue is the most risky thing SWAT does. In this instance, Gass knew Decedent was involved in a prior shooting with officers and had taken his mother hostage. He also knew the Decedent had a gun. Gass and his fellow officers wanted to get into the trailer as quickly as possible and safely secure the hostage.

Officer Gass did not see when Officer Goodrich initially fired. Upon entering the trailer, Gass saw Decedent standing and believed Goodrich was still firing. Officer Gass did not see any of Decedent's actions other than him standing then falling to the ground.

### **Sergeant Garth Findley P# 8712**

On August 10, 2020, Sergeant Garth Findley gave a recorded statement to detectives. Present during the statement was Detective Scott Mendoza and Las Vegas Police Managers and Supervisors Association ("LVPMISA") representative W. Huddler. During the statement, Sergeant Findley relayed the following information:

Sergeant Findley has been with the Las Vegas Metropolitan Police Department since June 27, 2015. At the time of the incident, he was assigned to SWAT and worked Wednesday-Saturday 3:00 p.m. to 1:00 a.m. On August 10, 2020, Findley was dressed in his green SWAT uniform with LVMPD SWAT patches. In addition, he had a tactical vest with "police" on the back, his Metro issued Glock 9mm and a helmet. He was wearing a body camera that was activated.

On the morning of August 10, 2020 at approximately 8:30 a.m., Findley's lieutenant sent a text indicating that an OIS had occurred in the northeast area command and that the subject was still outstanding. Information was provided that the subject was armed with a handgun. Soon thereafter, information was updated that there might be a hostage rescue situation in trailer 51 of 3755 N. Nellis Blvd. At 8:56 a.m. Findley was notified that he needed to go to the scene.

Upon arriving, Findley donned his gear and received information that the subject, later identified as Decedent, was still in possession of a handgun. Decedent was inside trailer 51, and a female was inside with him. The decision was made to treat the situation as a hostage rescue. SWAT began setting up explosive breaches on the front slider which was going to be their main point of entry. As SWAT was setting up, additional information was received that Decedent was threatening to set the trailer on fire and was still armed with a handgun. Findley also learned that Decedent was not allowing the hostage to leave.

Given the information learned, SWAT decided they needed to make entry. SWAT lined up with Officer Goodrich first in line followed by Officer Gass, Sergeant Findley and Officer Bertuccini. The explosive breach went off on the slider door and SWAT made their way up to the trailer. As they approached the slider, Findley could see that the slider was barricaded by a couch and an inside curtain. Findley saw Officer Goodrich enter the trailer and run into the couch. He then heard an initial volley of 4-5 shots while he was still outside the trailer. SWAT continued to push into the trailer, pushing past the couch. As he entered, Findley heard another 4-5 shots. Once inside the trailer, Findley looked to his left. He observed Officer Goodrich engaging Decedent and Decedent fall to the ground. To the right, Findley saw the hostage laying on the ground. Sergeant Findley grabbed the hostage and carried her outside. Sergeant Findley is unaware if Decedent fired any rounds or if he had a handgun.

#### **Officer James Bertuccini P# 8247**

On August 10, 2020, officer James Bertuccini gave a recorded statement to detectives. Present during the statement were Detective S. Mendoza and C. S. Sedano and PPA representative M. Hamm. During the statement, Officer Bertuccini relayed the following information:

Officer Bertuccini has been with the Las Vegas Metropolitan Police Department since February 23, 2004. At the time of the incident, he was assigned to SWAT and worked Sunday-Wednesday 3:00 p.m. to 1:00 a.m. On August 10, 2020, Bertuccini was dressed in his standard issued SWAT uniform with LVMPD SWAT patches on each side. He was also

equipped with a vest containing his issued Glock 17 handgun, Colt M4 rifle, magazines, low lethality options and a helmet.

On the morning of August 10, 2020, Bertuccini received a group text message indicating that there had been an OIS in the northeast area. Initial information indicated that the subject, later identified as Decedent, had ran from officers and officers lost sight of him. Further information was later relayed that Decedent had been located at 3755 N. Nellis trailer 51. Officer Bertuccini learned that Decedent was inside the trailer with his elderly mother, armed with a handgun and was not allowing the mother to leave. SWAT was deployed for a hostage rescue situation.

Upon arriving at the scene, Bertuccini was assigned the role of assistant team leader and entry/explosive breacher. Officer Bertuccini was the second SWAT officer to arrive. Due to the urgency of the situation, he and Officer Goodrich immediately began placing explosive charges on the primary and secondary entry points of trailer 51. Once a charge was placed on the primary slider door, Bertuccini began instructing other SWAT officers on what their lineup positions would be and how the explosives would go off. Officer Bertuccini was fourth in the lineup behind Goodrich, Gass and Findley.

Shortly after setup, the explosive devices went off and SWAT began to approach the trailer. As Bertuccini ascended the stairs, he observed Officer Goodrich enter the trailer through the slider and run into a couch. Immediately thereafter, Bertuccini heard a volley of 6-8 of shots. He was unaware of who had fired the shots. Bertuccini and other SWAT officers continued to push forward into the trailer. As Bertuccini entered the trailer, he heard another volley of 6-8 shots. He observed a female hostage on the ground. Officer Bertuccini continued into the kitchen of the trailer and observed Decedent on the ground. He did not see a weapon near Decedent. Officer Bertuccini then cleared the rest of the trailer. After clearing the trailer, Officer Goodrich was taken out of the trailer and medics came inside to asses Decedent.

## **OFFICER PUBLIC SAFETY STATEMENTS**

### **Officer Cabrera**

On August 10, 2020, at approximately 11:34 a.m., Detective S. Mendoza interviewed Sergeant Eugene Yanga regarding the Public Safety Statement he obtained from officer Cabrera. Also present during the interview was LVPMSA Representative W. Huddler. Below is the transcript of the interview.

SM: *Operator, this is Detective S. Mendoza, Mary-Easy-Nora-David-Ocean-Zebra-Adam, P#6878, with the Force Investigation Team, conducting a recorded Public Safety Statement interview with Sergeant Eugene Yanga, that's Y-A-N-G-A, P# 14065, call sign of 765. Sergeant Yanga's date of hire is June 18, 2009. Uh, he works out of the Northeast Area Command. Squad is NE21. Days off are Wednesday, Thursday, Friday, works hours...work hours of 0630 to 1630. Also present for the interview is PMSA representative Lieutenant Will Huddler. Uh, this Public Safety Statement is reference to an officer-involved shooting that occurred on, uh, August 10, 2020, at approximately 0745 hours, in the area of 3755 N. Nellis*

Boulevard, uh, reference event...LVMPD event number 200800039987. Uh, today's date is August 10, 2020. Time will be 1134 hours. This statement is being conducted, uh, uh, on Nellis Boulevard at 3755 N. Nellis, uh, in unmarked LVMPD vehicle 20449. All right, Sergeant Yanga, can you tell me who you conducted the PSS with, the time it was conducted, and the, and the questions and answers please?

EY: The time was 0849. The officer is gonna be Officer Raul Cabrera.

SM: Okay. And can you read the questions and the answers that were given to you?

EY: Absolutely. First question was, "Did you discharge your firearm?" His reply was, "Yes."

Uh, 1A is, "If so, in what direction?" Officer Cabrera replied, "East."

1B, uh, question is, "Approximately where were you located when you fired?" Officer Cabrera replied, "West side desert lot by the clubhouse." Correction, "Comma, clubhouse."

Uh, 1C: "How many shots do you think you fired?" Officer Cabrera replied, "One."

Question 2: "Is anyone injured? If so, where are they located?" He replied, "No."

Question 3: "Are there any outstanding suspects?" He said, "Yes."

3A: "If so, what is their description?" "White male adult, 5'10", blond shoulder length [sic], white tank top, blue jean pants."

3B: "What direction and mode of travel?" "On foot eastbound, over brick wall."

3C: "How long have they been gone?" "Ten to fifteen minutes."

3D: "What crime(s) have they committed?" "Arson and AWDW on a PO."

3E: "What type of weapon did they have?" "A black handgun."

Question 4: "Is it possible the suspect fired rounds at you?" He replied, "No."

4A: "If so, what directions rounds were fired from?" Uh, that's gonna be not applicable or none.

Uh, 4B: "How many shots do you think the suspect fired?" That's gonna be none.

4C: "Approximately where was the suspect located when they fired?" He replied, uh, "It's not gg..." It's gonna be none, but pointed couple feet after entering desert lot.

Question 5: "Do you know if any other officers discharged their firearms?" "No."

"If so, who are they?" "No."

"Approximately where were the officers located when they fired?" That's gonna be none.

Question 6: "Are there any weapons or evidence that needs to be secured or protected? If so..." Uh, says, "I did not see him drop it," and that's what he said.

And question 7: "Are you aware of any witnesses? If so, what is their location?" He replied, "Yes, 2Frank14," with him by clubhouse, which is...we're referring to as the witness.

SM: Is that the conclusion of your questions?

EY: That is it.

SM: Okay. Lieutenant Huddler?

WH: Nothing.

SM: *Okay. That's gonna be the en...end, end of the interview. Same persons present. Time of 1137 hours.*

### **Officer Goodrich**

On August 10, 2020, at approximately 11:42 a.m., Detective S. Mendoza interviewed Sergeant Garth Findley regarding the Public Safety Statement he obtained from Officer Goodrich. Also present during the interview was LVPMSA Representative W. Huddler. Below is the transcript of the interview.

SM: *Okay, Operator, this is Detective S. Mendoza, M-E-N-D-O-Z...Z-A, P#6878, with the Force Investigation Team, conducting a recorded Public Safety Statement, uh, interview with Sergeant Garth Findley, that's F-I-N-D-L-E-Y, uh, P#8712, call sign is 602Zebra. Date of hire is June 27, 2005, and he works out of SWAT. Uh, squad number's Z as in Zebra33. Days off Sunday, Monday, Tuesday, and hours 1500 to 0100. Also present for the interview is PMSA, uh, representative Lieutenant Will Huddler. This Public Safety Statement is reference to an officer-involved shooting that occurred on August 10, 2020, at approximately 0745 hours, in the area of 3755 N. Nellis Boulevard, uh, trailer #51. Uh, it's reference ev...LVMPD event number 200800039987. Today's date is August 10, 2020, time of 1142 hours. Uh, this statement is being conducted in front of 3755 N. Nellis...Nellis Boulevard, uh, in, uh, in unmarked LVMPD vehicle 20449. All right, Sergeant Findley, can you tell me who you conducted the PSS with and the time it was conducted?*

GF: *So, I conducted the, uh, PSS statement with, uh, Officer Goody, that's...sorry, Goodrich, Allyn Goodrich, and, uh, the time that occurred it was 9:50 a.m.*

SM: *9:50? Okay. All right. Um, and you read him a series of questions to which he answered, correct?*

GF: *Correct.*

SM: *Okay. Can you go with, uh, with the answers you, uh, asked him and then the answers he gave you?*

GF: *So, question #1 I read him: "Did you discharge your firearm?" He answered, "Yes." Also followed up with, "If so, in what direction?" Uh, he stated, "East direction." Follow-up to that: "Approximately where were you located when you fired?" He said, "The front entrance slider to the trailer." And then follow-up: "How many shots did you fire or you think you fired?" He said, "I think I fired five to six shots." Question #2: "Is anyone injured?" And he stated, "Yes." Follow-up: "If so, what was their description?" He stated, "It was a white male, long hair, holding a black handgun." Question #3: "Are there any outstanding suspects?" He answered, "No." All the follow-up question [sic] to that are not applicable, except for number E, which is, "What type of weapon do they have?" and he stated, "The suspect had a black handgun." Question #4: "Is it possible the suspect fired rounds at you?" Officer Goodrich stated, "Unknown." He didn't know.*

Follow-up question to that was, uh, "If so, what direction were the shots fired from?" and he said, "East to west direction." Again, also unknown if he fired.

Uh, "How many shots do you think the suspect fired?" He said, "Unknown."

And follow-up question to that was, "Approximately where was the suspect located when they fired?" Uh, he stated initially the guy was in the kitchen, and then, uh, kinda retreated back to the kitchen area...er, sorry, the living room area.

Question #5: "Do you know if any other officers discharged their weapon?" He said he didn't know.

Uh, follow-up to it was, "If so, who are they?" He said, "I don't know."

Uh, the follow-up question: "Approximately where was the officer located when they fired?" He...and he didn't know. Un...uh, not applicable.

#6: "Are there any weapons or evidence that need to be ss..." uh, "protected or secured?" He stated, "Yes." Um, he said, "The suspect's pistol."

"And," uh, "where's that going to be located?" He said that it was gonna be obviously where the suspect was at in, um, in the, uh, living room.

Question #7: "Are you aware of any witnesses?" Uh, and he stated, "Yes, the entry team and then the hostage."

Uh, follow-up: "If so, what was their location?" He said, "Inside the trailer, the kitchen area."

And that was the end of the questions for the...

SM: Okay.

GF: ...Public Safety Statement.

SM: Okay. Uh, Lieutenant Huddler, any questions?

WH: Nothing, sir.

SM: Okay. That's gonna be end of the interview. Same persons present. Time of 1146 hours.

### INCIDENT TIMELINE

The below timeline based on computer aided dispatch (CAD) provides a reconstruction of events which transpired on August 10, 2020, in relation to the OIS that occurred at 3755 N. Nellis Boulevard, Las Vegas, NV 89115.

Time (hours)	Description of Event/Action
0136	Event number LLV200800039408 was generated at 3535 Harem Lane. Details reported a subject lit a sock on fire and placed it in a gas tank.
0235	Suspect was identified as Joshua Squires, DOB: 07-13-88. Event closed at 0711 hours – report taken.
0523	Event number LLV200800039784 was generated at 4870 Nellis Oasis Lane. Details reported security was chasing a male who tried to set a vehicle on fire.
0537	Suspect was again identified as Joshua Squires, DOB: 07-13-88. Event closed at 0635 hours – unable to locate.

<b>Time (hours)</b>	<b>Description of Event/Action</b>
0711	Event number LLV200800039987 was generated at 3755 N. Nellis Boulevard, Space 51 by Officer Carbone (2F14). Event generated as a 462 – Directed Patrol Activity.
0738	Event number LLV200800040098 was generated at 3755 N. Nellis Boulevard by Officer Cabrera (2DP50). Event generated as a 463 – Investigative Follow Up.
0747	Officers Carbone and Cabrera conducted a knock and talk at Space 51. Contact was not made with Decedent.
0822	Officer Cabrera radioed he was in foot pursuit. He advised the subject (Decedent) he was chasing had a firearm in his right hand.
0824	Event number LLV200800040263 was generated for a Shot Spotter event at 3755 N. Nellis Boulevard. (OIS)
0826	Officer Carbone radioed that Decedent pointed a firearm at Officer Cabrera. Decedent was last seen running through the wash.
0828	Confirmed OIS involving Officer Cabrera.
0836	LVMPD Dispatch received a phone call from Witness #2 who stated Decedent had returned to Space 51.
0840	Perimeter was established around Space 51.
0842	Witness #2 and her boyfriend exited the trailer to meet with officers.
0845	Witness #2 stated Decedent was inside of the trailer with their mother (Witness #1).
0852	Telephone contact was made with Witness #1 who stated Decedent had a firearm because it was heard cocking.
0855	Hostage rescue event was declared and SWAT would be taking over.
0906	Information was broadcast that Decedent was irate inside of the trailer.
0922	Detectives were still talking with Witness #1 who stated Decedent was drinking and very angry.
0933	SWAT took over inner perimeter.
0942	SWAT OIS occurred. Hostage (Witness #1) was out of the trailer.

## **BODY WORN CAMERAS**

Officers Cabrera and Carbone were wearing body worn cameras (“BWC”) at the time of the first OIS incident. Officer Gass and Goodrich were wearing BWC at the time of the second OIS incident. Their cameras were all activated. Each of the officers’ BWC were collected and secured. The BWC video footage that was captured during the incident was later reviewed.

### **OFFICER CABRERA'S BODY WORN CAMERA FOOTAGE**

Officer Cabrera arrived at the Storeyville Mobile Home Park on the morning of August 10, 2020, and began driving through the neighborhood. Upon pulling into a basketball court

type area, a male, later identified as Decedent, appeared from behind a white wall. Officer Cabrera stopped and exited his vehicle upon seeing Decedent. Immediately upon exiting his car, Cabrera told Decedent to get on the ground. After this command, Decedent turned around and began to run back towards the way he had originally appeared from. An object was observed in Decedent's right hand.

Officer Cabrera began chasing Decedent through the mobile park home. Cabrera got on his radio and began giving a description of Decedent as he chased him. Decedent was observed turning towards Officer Cabrera while extending his right arm back. Commands were issued to Decedent to "drop it" as Officer Cabrera drew his weapon and pointed it at Decedent. Shortly thereafter, Cabrera radioed that Decedent had a "413". Officer Cabrera could be heard telling Decedent to "stop pointing it at me". Decedent turned towards Officer Cabrera again with an object in his right hand. Officer Cabrera then fired one round towards Decedent. The shot missed and impacted the desert.

Decedent continued to run as Officer Cabrera chased him and gave him commands to "get on the ground." Decedent continued to run ignoring all commands. Officer Cabrera radioed that shots had been fired. As Decedent continued to run, Officer Carbone can be heard in the background yelling at Decedent to "get on the ground" and "drop the gun." Decedent ran towards and over a wall and out of view of the camera.

Officer Cabrera got into Officer Carbone's patrol vehicle, and they continued to look for Decedent in the wash area of the mobile home park. A plain clothes detective arrived, and Officer Cabrera provided information about Decedent and where the incident occurred.

**OFFICER CABRERA'S PERSPECTIVE**



## **OFFICER CARBONE'S BODY WORN CAMERA FOOTAGE**

Officer Carbone arrived at the Storeyville Mobile Home Park on the morning of August 10, 2020, and began driving through the neighborhood. As Officer Carbone pulled into the desert area of the community, a male, later identified as Decedent, was observed running. Decedent was being chased by Officer Cabrera.

Officer Carbone exited his vehicle and radioed that Decedent had a "413" in his right hand. Carbone got back in his patrol vehicle and drove in the direction Decedent continued to run in. When Carbone got closer to Decedent, he stopped and exited his vehicle. While pointing his firearm at Decedent, Officer Carbone issued multiple commands to Decedent to "get on the ground" and "drop the gun." Decedent ignored these commands and continued to run. Decedent was then observed hopping over a wall into the community and out of camera view.

Officer Cabrera got into Officer Carbone's patrol vehicle, and they continued to look for Decedent in the wash area of the community. A plain clothes detective arrived and Carbone began to set up the perimeter where the incident occurred. As Carbone was roping off the area, he was approached by a citizen who indicated that he observed Decedent point the firearm at officers. The citizen also indicated that he heard officers give commands to Decedent to drop the gun.

## **OFFICER CARBONE'S PERSPECTIVE:**



## **OFFICER GASS' BODY WORN CAMERA FOOTAGE**

SWAT Officer Gass' BWC footage starts as he and other SWAT officers were lined up in front of trailer 51. Officer Goodrich was first in line followed by Officer Gass. Breach devices were seen attached to the window of trailer 51. Plans were discussed for how officers would breach the trailer. The SWAT Bearcat vehicle arrived and parked next to the officers lined up.

Shortly thereafter, the explosive breach occurred and officers began to approach the trailer. As Officers Goodrich and Gass got up the stairs to the trailer patio, officers were giving commands to "get on the ground." Officer Goodrich approached the now broken glass slider door. On the inside of the slider door was a long curtain preventing officers from seeing what is inside the trailer. Officer Goodrich pulled the curtain back and entered the trailer. Officer Gass was right behind him. As Officer Gass was crossing the threshold into the trailer, a volley of shots from Officer Goodrich's rifle was heard. Officer Gass' body cam does not show what was occurring in the trailer during the first volley of shots.

Upon entering the trailer, Officer Gass turned towards the right and a view of the trailer kitchen was captured. Officer Goodrich was to the right of Gass. To the left of Officer Gass was a female on a couch, later identified as Witness #1. A male, later identified as Decedent, was observed standing up from behind a table in the kitchen. Officer Goodrich discharged another volley of gunfire. Decedent then fell to the ground and gunfire ceased.

Officers who were behind Officer Gass began to move forward into the kitchen, followed by Officer Gass. Decedent was observed laying on the kitchen floor. Within inches of his body was a black firearm. Officers cleared the remaining portions of the residence and moved the firearm to the side.

Officer Gass remained in the kitchen with Decedent until medics arrived. A tactical medic arrived and checked Decedent. Officer Gass assisted with medical until he was relieved and exited the trailer. He then deactivated his body worn camera.

## **OFFICER GASS' PERSPECTIVE:**



## **OFFICER GOODRICH'S BODY WORN CAMERA FOOTAGE**

Officer Goodrich's BWC was activated after he arrived at the trailer park. For several minutes, he met with various officers as additional SWAT officers arrived. Officer Goodrich then met up with SWAT Officer Bertuccini and they approached the cul-de-sac on foot. As officer Goodrich arrived, several patrol officers were seen in perimeter positions near a patrol vehicle.

Additional SWAT officers arrived and began to put together explosive breaching charges. After several minutes, Officer Goodrich led a group of SWAT officers toward Decedent's trailer to place the breaching charges. Officer Goodrich was holding a ballistic shield and his handgun as the group of SWAT officers were at the trailer. The first breaching charge was placed at the sliding glass door. While at the door, a male could be heard yelling inside of the trailer. The SWAT officers then moved away from the trailer and back to the patrol vehicle.

SWAT officers then took up perimeter positions around the trailer. Another group of SWAT officers then placed a breaching charge on a window of the trailer. After the breaching charge was placed on the window, SWAT officers moved away from the trailer. SWAT then discussed their plan to enter the trailer if needed and what their positions were. Officer Goodrich was designated to be the first SWAT officer in the group. After several minutes, a SWAT Bearcat vehicle arrived and parked next to the SWAT officers.

The breaching charges were detonated on the sliding door and window as Officer Goodrich led the group of SWAT officers toward the trailer. As the officers approached the trailer, they started giving verbal commands to get on the ground prior to making entry. Officer Goodrich approached the broken sliding glass door which was covered with a sheet on the inside. He moved the sheet with his left hand and entered the trailer.

As soon as Officer Goodrich entered the trailer, Witness #1 was observed sitting on a chair directly in front of Officer Goodrich. Decedent was seen moving into the kitchen area with a handgun in his right hand. Officer Goodrich aimed his rifle at Decedent as he turned and pointed the handgun. Officer Goodrich discharged his rifle several times and Decedent fell to the ground behind a table. Officer Goodrich then moved further into the trailer and stood near Witness #1 where he discharged a second volley of gunfire toward Decedent. Due to the position of the BWC, Decedent's position was partially obscured during the second volley of gunfire.

After the second volley of gunfire, Officer Goodrich moved into the kitchen area where Decedent was seen on the ground. A handgun was seen on the ground next to Decedent. Officers Goodrich and Gass then stood over Decedent as several other SWAT officers entered the trailer. After the trailer was secured, Officer Goodrich was escorted outside where he was checked for injuries. Officer Goodrich was escorted from the scene and his BWC was deactivated.

### **OFFICER GOODRICH'S PERSPECTIVE:**



## **CIVILIAN WITNESS INFORMATION**

### **INFORMATION FROM WITNESS #1**

Witness #1, who was 67 years old at the time, was interviewed by Las Vegas Metropolitan Police Department Detectives on August 10, 2020 at 11:38 a.m. Witness #1 provided a summary of her relationship with Decedent leading up to his death as well as the day of his death. For the past two to three years, Witness #1 resided at 3755 N. Nellis, Number 51 with Witness #2 and #5 and her son, later identified as Decedent. Prior to August 10,

2020, Witness #1 and her daughter had filed paperwork to evict Decedent. Decedent was aware he was being evicted because he had been served the papers by Witness #2. Decedent had until August 12, 2020, to leave the residence. Witness #1 informed Detectives that she was evicting Decedent because Decedent had schizophrenia and she was scared of him.

Two weeks before August 10, 2020, Decedent attempted to blow up the trailer he lived in with Witness #1. Decedent turned on all the burners on the gas stove and left them on. Witness #2 saw the burners on and turned them off. However, Witness #1 was still concerned that she could have been blown up because of all the gas that filled the home. During the current incident, while Witness #1 was on the phone with police, Decedent threatened to blow up the house with Witness #1 and himself inside.

In addition to trying to blow her up, Witness #1 told Detectives that she was also scared of Decedent because he was always yelling. Witness #1 indicated that Decedent only recently began manifesting the behaviors that scared her, but he had stopped taking his medication for schizophrenia a couple of years ago. Witness #1 believed that Decedent's behavior may have changed because of a girl he was seeing who was driving him "bananas and messing with his head."

In addition to his schizophrenia, Witness #1 informed Detectives that Decedent had been using methamphetamine for a long time. Decedent also drank alcohol. On the day in question, Witness #1 believed Decedent was using methamphetamine because she saw him with the drugs that day. When Decedent would use drugs, drink and stay awake over a day, his behavior would get worse.

The day before August 10, 2020, Decedent came to the home for a few minutes but left shortly thereafter. Witness #1 did not see Decedent again until the morning of August 10. Prior to Decedent returning to the residence, Witness #1 had been woken up three times by police starting at 2:30 am on August 10. The three times officers came to her home, they were looking for Decedent but they would not tell Witness #1 why they were looking for Decedent. Decedent was not home at any of the times officers came to the residence. Officers told Witness #1 to call the police if Decedent returned.

At approximately 8:00- 9:00 a.m., Decedent arrived back at the residence. He went into Witness #1's bedroom and stayed there for a while. When Decedent came out of the bedroom, he was visibly mad. At this time, the police were already outside Witness #1's residence. Witness #2 and her boyfriend left the residence and called the police once Decedent arrived at the residence that morning. Once the police arrived, they called Witness #1 who was still inside the residence with Decedent. Decedent began yelling and screaming that he was not going to come out without talking to her first (the girl he was seeing).

During the incident, Witness #1 tried to leave the residence. When she tried to leave, Decedent made her move away from the door. At that point, Witness #1 felt she was being held hostage because, when she tried to leave, Decedent prevented her from doing so. At another point during the incident, Witness #1 informed Decedent that SWAT was coming. Decedent said he did not care and he would shoot himself in the head. Witness #1 told officers that this is the angriest she had ever seen Decedent. Decedent kept telling Witness #1 to hang up with the police and stop talking to them but she refused to do so.

Witness #1 saw Decedent with a gun and heard him yell that he had a gun. She was unaware if he fired it. Witness #1 observed officers enter her residence and start shooting. She was not paying attention to Decedent after officers entered her residence. As officers entered her residence, they grabbed her and carried her outside. Witness #1 did not provide any information about what occurred with Decedent earlier in the morning on August 10, 2020, prior to him returning to the residence between 8:00-9:00 a.m.

## **INFORMATION FROM WITNESS #2**

Witness #2 was interviewed by Las Vegas Metropolitan Police Department Detectives on August 10, 2020, at 11:38 a.m. Witness #2 provided the following information. On August 10, 2020, Witness #2 lived at 3755 N. Nellis Blvd #51. Witness #2 lived at the residence with Witness #1 and #5 and her brother, later identified as Decedent.

In the days leading to August 10, 2020, Decedent had been high on drugs and was not eating or sleeping much. Witness #2 had started an eviction process to remove Decedent from the residence because she was nervous to be in her home with him. Decedent had committed several violent acts while living with Witness #2. These acts included pulling a knife on Witness #5, yelling and screaming and turning on all the gas on the stove while people inside were sleeping. Witness #5 also informed detectives that Decedent was schizophrenic and was not taking medication. Decedent would get high on methamphetamine every day. Witness #5 had previously seen Decedent with knives but not a gun.

At approximately 2:30 a.m. on August 10, 2020, Witness #2 was woken up by the sound of officers knocking on her door looking for Decedent. Decedent was not there but officers informed Witness #2 to call the police if Decedent returned to the residence. Witness #2 went back to sleep and woke up again at approximately 7 a.m. When she woke up, she was informed by Witness #1 that officers had been back to the residence at approximately 6 a.m. again looking for Decedent. Decedent was still not at the residence. Witness #2 heard through Witness #1 that police were looking for Decedent because he tried to start some fires.

At approximately 7:45 a.m., Decedent arrived back at the residence. Witness #2 did not see Decedent come inside but she heard him. Decedent went straight to Witness #1's room at the front of the house. Witness #2 then exited the residence, went to her car and called the police. Witness #2 went outside to call the police because she did not want Decedent to know that she called the police. When she, Witness #5 and Witness #6 went outside, only Decedent and Witness #1 were left in the residence.

Witness #2 was sitting in a patrol car when SWAT arrived. She did not witness anything that happened after SWAT arrived. Witness #2 believes this incident may have been triggered by Decedent's girlfriend getting under his skin and setting him off.

## **INFORMATION FROM WITNESS #3**

Witness #3 provided a written voluntary statement to officers dated August 10, 2020, at 8:35 a.m. In his written voluntary statement, Witness #3 indicated that a male, later identified as Decedent, came over his fence and went to a neighbor's yard. Witness #3 then saw two police officers and told them what he saw. Minutes later, Witness #3 saw

Decedent running with officers behind him. Officers told Decedent to put the gun down more than twice. Witness #3 then observed one officer fire a shot at Decedent. After the shot, Decedent continued to run.

Witness #3 was also interviewed by Las Vegas Metropolitan Police Department Detectives on August 10, 2020, at 11:39 a.m. Witness #3 provided the following information. On August 10, 2020, he resided at 3755 N. Nellis number 202. At approximately 5:30 a.m., Witness #3 was walking his dog when he was approached by officers and shown a picture of a male, later identified as Decedent. Witness #3 had seen Decedent several times in the trailer park prior to the morning of August 10. Officers asked Witness #3 if he had seen Decedent that morning. Witness #3 indicated that he had seen Decedent yesterday.

Shortly after meeting with officers, Witness #3 saw Decedent jumping over his back wall. When he jumped over the wall, Witness #3 observed a handgun on Decedent's right side. At some point, Decedent was crouched against a car. Witness #3 saw Decedent, who proceeded to tell Witness #3 to be quiet and that he was holding a gun. When Decedent stood up, he looked directly towards the officers' vehicles that were parked by the ditch.

Subsequently, Decedent began running and falling through Witness #3's yard. He then fell into Witness #3's gate. Witness #3 began following Decedent and observed Decedent running up the middle of other trailers. When Witness #3 got to the corner, he saw two officers looking for Decedent in the ditch near the trailers. Witness #3 informed officers where Decedent was. One officer saw Decedent and began chasing him. Decedent kept running into the desert and Witness #3 was able to observe the officer and Decedent. Witness #3 could see that Decedent had a gun but could not tell if he was pointing the gun at anybody. The officer was chasing Decedent and told Decedent "drop the gun, drop the gun, drop the gun." Witness #3 then heard a pop. Witness #3 believed the officer was not shooting at Decedent but was just trying to get his attention. A second officer arrived shortly after the pop. Witness #3 saw Decedent continue to run down the street, over a ditch and into some trailers. After that, Witness #3 lost sight of Decedent.

Later that morning, Witness #3 saw SWAT arrive. He heard a flash bomb and five shots but did not see what was actually happening.

#### **INFORMATION FROM WITNESS #4**

Witness #4 was interviewed by Las Vegas Metropolitan Police Department Detectives on August 10, 2020, at 11:44 a.m. Witness #4 provided the following information. On August 10, 2020, Witness #4 lived at 3755 N. Nellis Blvd space 14. He was also employed as security and maintenance at the mobile home park. On the morning of August 10, Witness #4 was standing on his porch steps when he saw a marked patrol car go over the bridge. Shortly thereafter, he heard "drop the gun, drop the gun, drop the gun." Soon thereafter, he heard one, possibly two shots being fired. Following the shots, he heard an officer yelling out commands again to "drop the gun, drop the gun." Witness #4 suspected that the interaction he heard involved a person he had had prior dealings with at the mobile home park. That person was later identified as Decedent.

Later that morning, Witness #4 observed SWAT officers arriving and setting up in different positions. He then heard flashbangs and heard numerous gunshots.

Witness #4 provided Detectives with background information regarding Decedent. Witness #4 indicated that Decedent was known for selling methamphetamine to people in the community. Officers from LVMPD had been working with Witness #4 prior to August 10 in an attempt to contact Decedent. Decedent had been trespassed from the community since May 16, 2020.

Witness #1 described several instances prior to August 10, 2020, where both the witness and officers from LVMPD had attempted to contact Decedent. However, multiple times Decedent escaped and was not apprehended. On the one instance Decedent was arrested, he was only held for a few hours and released.

### **INFORMATION FROM WITNESS #5**

Witness #5 was interviewed by Las Vegas Metropolitan Police Department Detectives on August 10, 2020, at 12:04 p.m. Witness #5 provided the following information. On August 10, 2020, Witness #5 lived at 3755 N. Nellis Blvd #51. Witness #5 lived at the residence with Witness #2, her brother and Witness #1. He lived there for a little over two years prior to the instant incident.

At approximately 2:00 a.m. on August 10, officers arrived at his house asking for his brother-in-law, later identified as Decedent. Decedent was not there so officers left. Later that morning, Witness #5 woke up and was informed by Witness #1 that additional officers came to the residence at approximately 5:00 a.m. looking for Decedent. Shortly after he woke up, officers arrived at the residence for a third time looking for Decedent. Decedent still was not at the residence. Officers told Witness #5 to call the police as soon as Decedent came back to the residence.

Decedent eventually came back to the residence on the morning of August 10, 2020. Decedent walked into the residence but did not speak to Witness #5 or anyone else in the house. Once Decedent came back, Witness #5 and #2 walked outside the residence to call the police.

Witness #5 provided Detectives with background information regarding Decedent. Per Witness #5, Decedent was on drugs and had schizophrenia. Decedent was not on medication or under any treatment for the schizophrenia.

Two weeks prior to August 10, 2020, officers were called to the residence because Decedent tried to stab Witness #5 with a syringe containing methamphetamine and blood. The argument between Decedent and Witness #5 started because Witness #5 confronted Decedent about doing meth in the home with his girlfriend. Decedent became upset and approached Witness #5 with a knife and syringe. In response, Witness #5 hit Decedent with a bat. As a result of this incident, Witness #5 and #2 had begun eviction proceedings on Decedent. Witness #5 has never seen Decedent with a gun but it did not surprise Witness #5 that Decedent had a gun because he knows Decedent is a drug addict.

### **INFORMATION FROM WITNESS #6**

Witness #6 was interviewed by Las Vegas Metropolitan Police Department Detectives on August 10, 2020, at 11:51 a.m. Witness #6 provided the following information. On August 10, 2020, Witness #6 was visiting Witness #1, #2 and #5 at 3755 N. Nellis Blvd #51. That morning, Witness #6 woke up inside the residence. He was awake for approximately 20 minutes when he was asked to leave the residence by Witness #1. Witness #1 appeared calm but worried. Witness #6 exited the backdoor of the trailer and came in contact with two police officers. The officers patted him down and moved him to another area. When Witness #6 exited the residence, a male, later identified as Decedent, and Witness #1 were the only ones left in the residence.

Witness #6 provided some background information to Detectives regarding Decedent. Witness #6 indicated that he knew Decedent lived in trailer 51 as well but he did not really know Decedent. He had only met Decedent a handful of times when Witness #6 would come to visit Witness #5. Witness #6 knew that Decedent was the brother of Witness #2. Witness #6 has never seen Decedent with a gun but has seen him with a couple of pocket knives. Decedent was known to get irate but not violent. Witness #6 knew that Witness #2 had been trying to evict Decedent for a while. He also knew that Decedent used methamphetamine.

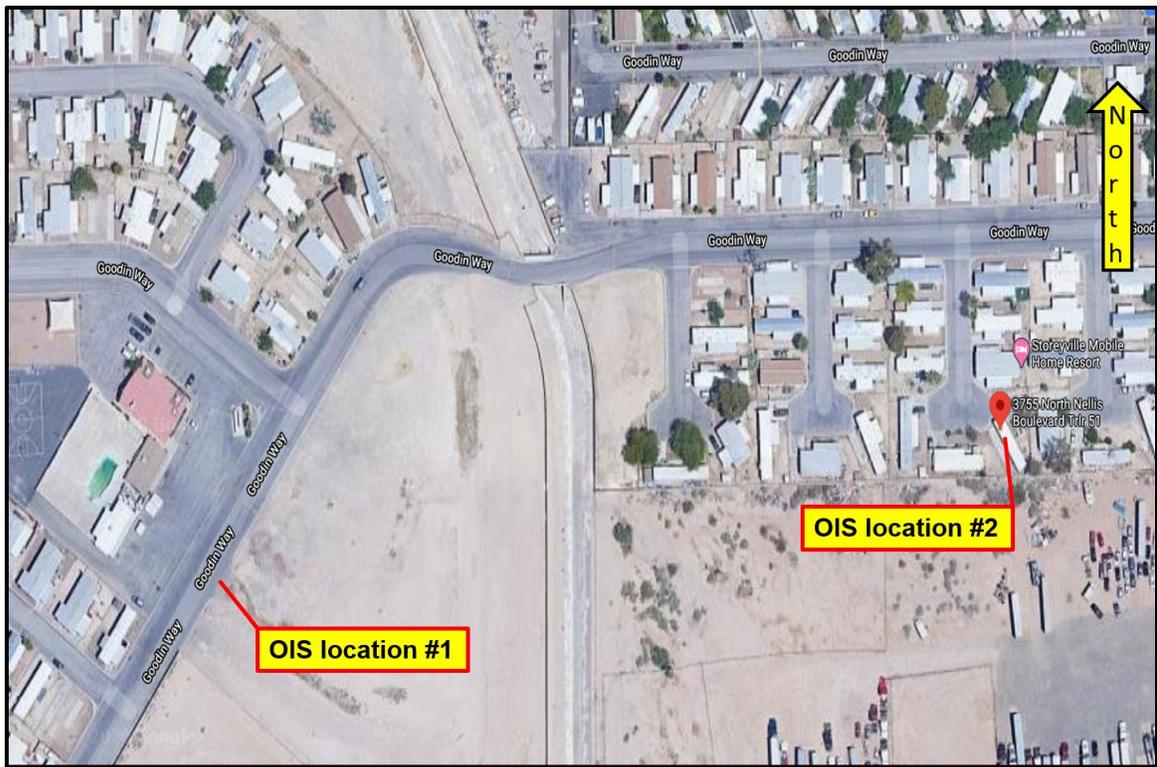
## **WEAPONS COUNTDOWNS**

On August 10, 2020, Officers Cabrera and Goodrich had their duty weapons counted down at the Las Vegas Metropolitan Police Department Headquarters. Both officers' weapons were photographed for identification purposes.

Officer Cabrera's duty weapon was a Glock 21, serial number KKW084. The ammunition was Speer 45 Auto. The magazine for the weapon had a 15-cartridge capacity. Officer Cabrera carried three additional 15-round magazines with each containing fifteen (15) cartridges. The countdown showed one (1) cartridge in the chamber and fourteen (14) remaining in the magazine. The countdown revealed Officer Cabrera discharged his weapon one (1) time during the event.

Officer Goodrich's duty weapon was a Colt Defense M4 5.56mm caliber rifle, serial number A0375538. The ammunition was Speer 233. The magazine inserted in the weapon had a 30-cartridge capacity. Officer Goodrich carried one additional 30-round magazine which contained twenty-nine (29) cartridges. The countdown showed one (1) cartridge in the chamber and nineteen (19) remaining in the magazine. The countdown revealed Officer Goodrich discharged his weapon ten (10) times during the event.

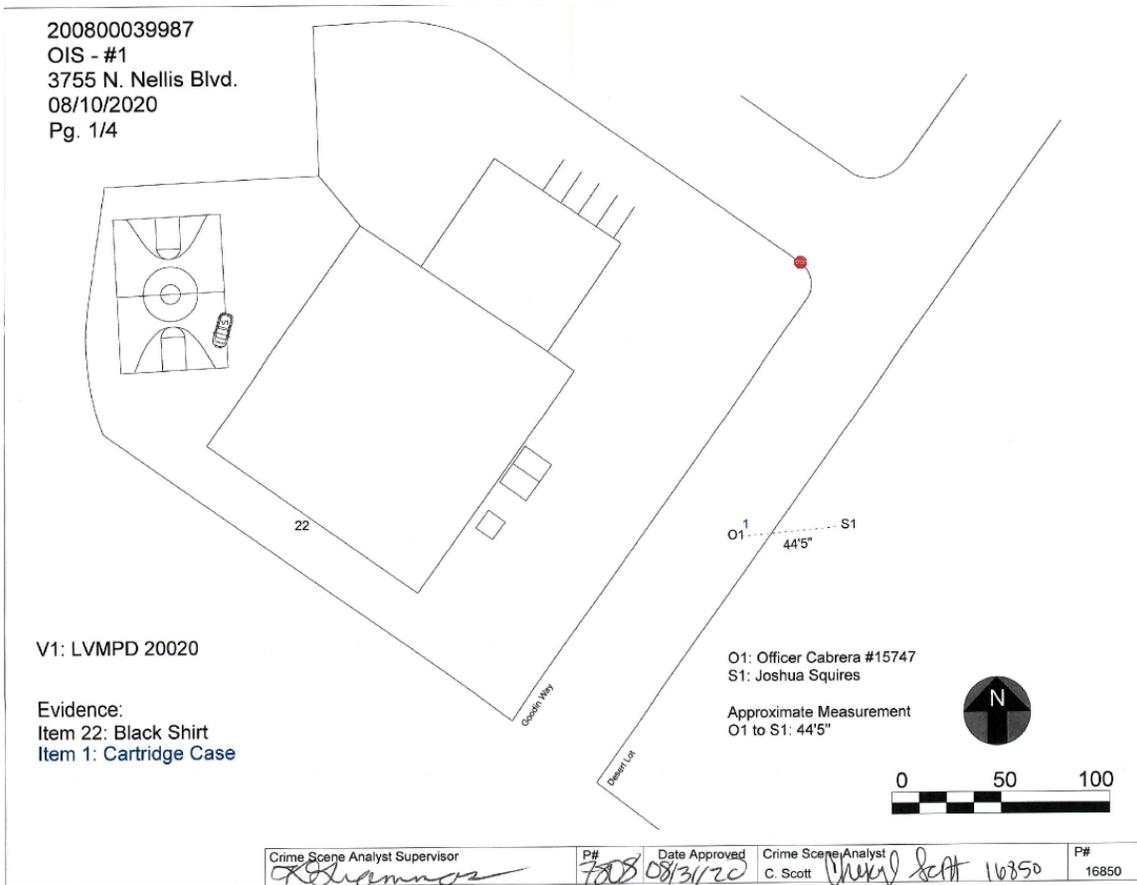
## **DESCRIPTION OF THE SCENE AND VISIBLE EVIDENCE**



The general scene of both OIS locations was contained within the Storeyville Mobile Home Community located on the west side of N. Nellis. The community consisted of separate east and west neighborhoods divided by a central wash. The east and west sides of the community were connected with a small bridge that extended over the wash.

The scene of the first OIS was located near the main office/community clubhouse in the west neighborhood of the mobile home community. Godin Way extended in a southwest-northeast direction east of the clubhouse. A desert area was located on the east side of the road. The desert area was bordered on the south and east ends by a cinderblock wall. The central wash was located east of the east cinderblock wall. A chain link fence was near the southwest corner of the desert area. In the roadway, east of the clubhouse was a Speer 40 S&W cartridge case. See below:





The scene of the second OIS was located inside unit #51 in the east neighborhood of the mobile home community. Unit #51 was positioned northwest-southeast in the southeast corner of the third cul de sac east of the wash. On the ground were black electrical cords that extended towards the north-facing window of unit #51 and the north end of the east porch of unit #51. The north facing window was broken and blast debris was on the ground. A set of stairs led to the east porch of the residence and to an east facing sliding glass door. The pane of the sliding glass door was broken and shattered glass was located on the exterior porch and the interior floor.

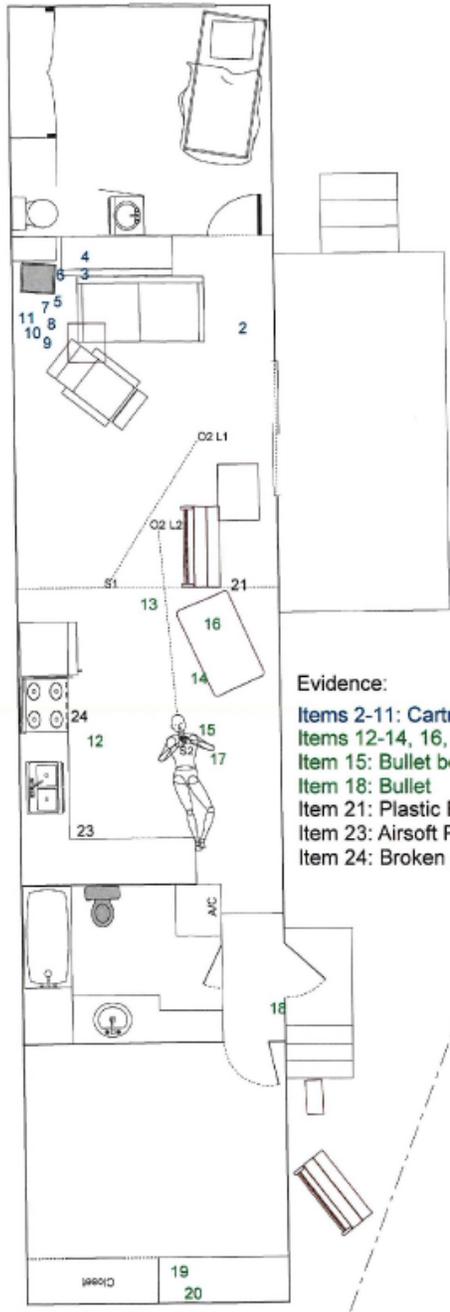
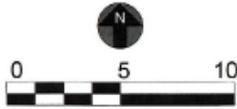
The inside of unit #51 consisted of a north bedroom, north central living room, south central kitchen/dining room, south oriented hallway, west hallway bathroom and a south bedroom. The residence was in disarray. The distinct smell of natural gas was noted in the residence. One of the gas lines for a stove burner was on but not ignited. Multiple cartridge cases and bullet fragments were located throughout the residence as listed below.

In the southwest corner of the kitchen was a collapsed walker. Under the cabinet was a black/brown Walther PPQ 6mm airsoft pistol. The firearm was empty. Apparent blood was observed on the grips and slide. The grips of the firearm were broken. Apparent bullet holes/impacts were observed in the kitchen/dining area to include: the ceiling, the floor in the southeast corner and the south wall of the kitchen. The hallway bathroom had several apparent bullet holes on both the north and south walls. Apparent bullet holes were observed on the north and south walls, the doorway frame and in the mirrors of the south bedroom.





200800039987  
 OIS - #2  
 3755 N. Nellis Blvd. #51  
 08/10/2020  
 Pg. 3/4



O2: A. Goodrich #9198  
 S1: Joshua Squires

Approximate Measurements:  
 O2 L1 to S1 L1: 7'2"  
 O2 L2 to S1 L2: 8'3"

- Evidence:**
- Items 2-11: Cartridge Case "SPEER 16 223 REM"
  - Items 12-14, 16, 17, 19, 20: Bullet Fragments
  - Item 15: Bullet bearing Apparent Blood
  - Item 18: Bullet
  - Item 21: Plastic Baggie
  - Item 23: Airsoft Pistol
  - Item 24: Broken grip piece

Crime Scene Analyst Supervisor	P#	Date Approved	Crime Scene Analyst	P#
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## SCENE WALK-THROUGHS

### Officer Raul Cabrera

On August 10, 2020, at approximately 1410 hours, Officer Cabrera provided a walk-through of the scene in the presence of the following persons:

- 1) Sergeant Iacullo
- 2) Detective Leavitt
- 3) Detective Mendoza
- 4) Detective Penny
- 5) CSI Director McLaughlin
- 6) CSAS Grammas
- 7) LVPPA representative Chad Lyman
- 8) LVPPA attorney Steve Owens
- 9) LVPPA attorney David Roger

During the walk-through, which was not video or audio recorded, Officer Cabrera relayed the following information:

Officer Cabrera first indicated his approximate location at the time he discharged his handgun. A cone was placed to identify his position. Officer Cabrera then identified the approximate location of Decedent at the time of the shooting and a cone was placed to identify that location.

The following details of the incident were relayed to FIT detectives by LVPPA attorney David Roger on behalf of officer Cabrera:

Officer Cabrera was looking for an arson suspect who had been identified by name and photograph. A witness in the area stated they saw the suspect walking around. Officer Cabrera checked the flood wash area and then the witness pointed out Decedent.

Officer Cabrera was in uniform and told Squires to stop. Decedent fled and officer Cabrera saw Decedent had a gun. Officer Cabrera ordered Decedent to drop the gun, but he kept running away with the gun in his hand. Officer Cabrera continued to order Decedent to drop the gun and Decedent responded, "Fuck no!"

Decedent then clearly pointed the gun at officer Cabrera who discharged his firearm one time to protect himself.

### **Officer Allyn Goodrich**

On August 10, 2020, at approximately 1426 hours, Officer Goodrich provided a walk-through of the scene in the presence of the following persons:

- 1) Sergeant Iacullo
- 2) Detective Leavitt
- 3) Detective Mendoza
- 4) Detective Penny
- 5) CSI Director McLaughlin
- 6) CSAS Grammas
- 7) LVPPA representative Chad Lyman
- 8) LVPPA attorney Steve Owens
- 9) LVPPA attorney David Roger

During the walk-through, which was not video or audio recorded, Officer Goodrich relayed the following information:

Officer Goodrich first indicated his approximate location at the time he discharged his rifle for the first volley. A cone was placed to identify his position. Officer Goodrich then indicated his approximate location at the time he discharged his rifle for the second volley. A second cone was placed to identify his second position. Officer Goodrich then identified the approximate locations of Decedent at the time of both volleys of gunfire and those locations were identified.

The following details of the incident were relayed to FIT detectives by LVPPA attorney David Roger on behalf of Officer Goodrich:

Officer Goodrich was aware that Decedent had a hostage, he had a firearm and had been in a pursuit with officers where there was an officer-involved shooting.

Officer Goodrich was first through the door and had to push through drapes. Officer Goodrich saw Decedent near the first identified location and Decedent pointed a firearm at him. Officer Goodrich fired to protect himself, other officers and the hostage.

Decedent continued to run and still had the gun. Officer Goodrich fired more shots (second location) to again protect himself, other officers and the hostage.

## **LOCATION AND DESCRIPTION OF THE BODY**

Decedent was observed dressed in a white tank top pulled up to his armpits, blue jeans that were pulled down around his ankles, and a pair of black sneakers with black socks. He was lying on his back, facing upwards in the southeast corner of the kitchen. His feet were in contact with the northeast corner of the counter on the south wall of the kitchen. His head was to the north and his feet were to the southeast. His arms were bent at the elbows with his hands resting on his chest. His right leg was extended straight. His left leg was bent at the knee upwards and over his right leg. Apparent blood was on the ground beneath him, on his tank top and on his jeans. A cursory examination revealed apparent gunshot wounds to the left side of his face, the left side of his chest, the right inner thigh, the right blade of his hand, the right palm of his hand, the right outer elbow and the right inner elbow. Underneath Decedent on the kitchen floor were two bullet fragments.

## **AUTOPSY**

On August 11, 2020, an autopsy was completed on the body of Joshua Squires by Dr. Satish Chundru.

### **Injuries Noted:**

1. Penetrating gunshot wound of the left side mid chest
2. Penetrating gunshot wound of the anterior aspect of the right mid-thigh
3. Perforating gunshot wound of the right elbow
4. Tangential wound of the left side of the face
5. Perforating gunshot wound of the distal left fifth finger

6. Perforating gunshot wound of the posterolateral aspect of the proximal right fourth finger

After the completion of the autopsy, Dr. Satish Chundru opined the cause of death was due to gunshot wounds and the manner of death was homicide.

## **INFORMATION REGARDING DECEDENT JOSHUA SQUIRES**

Decedent was a 32-year-old male at the time of his death. Per Witness #1 and #2, Decedent had been diagnosed with schizophrenia but was not taking any medication for the disease at the time of his death. Witness #1 and #2 had begun eviction proceedings against Decedent. Decedent was aware that he was going to have to leave the home. At the time of his death, Decedent was in a relationship with a woman who he had been doing drugs with and was causing him stress.

Decedent was known to ingest methamphetamine on a daily basis. At the time of autopsy, the following substances were found in Decedent's blood.

### **Positive Findings:**

<u>Compound</u>	<u>Result</u>	<u>Units</u>	<u>Matrix Source</u>
Delta-9 Carboxy THC	17	ng/mL	006 - Chest Blood
Delta-9 THC	0.74	ng/mL	006 - Chest Blood
Amphetamine	200	ng/mL	001 - Chest Blood
Methamphetamine	1900	ng/mL	001 - Chest Blood

Prior to August 10, 2020, Witness #4 indicated that Decedent was known to sell methamphetamine to other people in the mobile home community. Decedent had several encounters with law enforcement in which he had either run from or been apprehended by police.

## **LEGAL ANALYSIS**

The District Attorney's Office is tasked with assessing the conduct of officers involved in any use of force which occurred during the course of their duties. That assessment includes determining whether any criminality on the part of the officers existed at the time of the incident.

In Nevada, there are a variety of statutes that define the various types of justifiable homicide (NRS §200.120 – Justifiable homicide defined; NRS §200.140 – Justifiable homicide by a public officer; NRS §200.160 – Additional cases of justifiable homicide). The shooting of Decedent could be justifiable under one or both of two theories related to

the concept of self-defense: (1) The killing of a human being in self-defense/defense of others; and (2) justifiable homicide by a public officer. Both of these theories will be discussed below.

#### **A. The Use of Deadly Force in Defense of Self or of Defense of Another**

The authority to kill another in defense of others is contained in NRS §§200.120 and 200.160. “Justifiable homicide is the killing of a human being in necessary self-defense, or in defense of ... person, against one who manifestly intends or endeavors, by violence or surprise, to commit a felony ...” against the other person. NRS §200.120(1). Homicide is also lawful when committed:

[i]n the lawful defense of the slayer, ... or of any other person in his or her presence or company, when there is reasonable ground to apprehend a design on the part of the person slain to commit a felony or to do some great personal injury to the slayer or to any such person, and there is imminent danger of such design being accomplished ....

#### **NRS §200.160(1).**

The Nevada Supreme Court has refined the analysis of self-defense and, by implication, defense of others, in *Runion v. State*, 116 Nev. 1041 (2000). The relevant jury instructions as articulated in *Runion* and modified for defense of others are as follows:

The killing of [a] person in [defense of another] is justified and not unlawful when the person who does the killing actually and reasonably believes:

1. That there is imminent danger that the assailant will either kill [the other person] or cause [the other person] great bodily injury; and
2. That it is absolutely necessary under the circumstances for him to use in [defense of another] force or means that might cause the death of the other person, for the purpose of avoiding death or great bodily injury to [the person being defended].

A bare fear of death or great bodily injury is not sufficient to justify a killing. To justify taking the life of another in [defense of another], the circumstances must be sufficient to excite the fears of a reasonable person placed in a similar situation. The person killing must act under the influence of those fears alone and not in revenge.

Actual danger is not necessary to justify a killing in [self defense or defense of another]. A person has a right to defend from apparent danger to the same extent as he would from actual danger. The person killing is justified if:

1. He is confronted by the appearance of imminent danger which arouses in his mind an honest belief and fear that [the other person] is about to be killed or suffer great bodily injury; and
2. He acts solely upon these appearances and his fear and actual beliefs; and

3. A reasonable person in a similar situation would believe [the other person] to be in like danger.

The killing is justified even if it develops afterward that the person killing was mistaken about the extent of the danger.

If evidence [that a killing was in defense of another exists], the State must prove beyond a reasonable doubt that the decedent did not act in [defense of another].

*Id.* at 1051-52.

Therefore, in Nevada, the law is that, if there is evidence of self-defense, in order to prosecute, the State must prove an individual did not act in self-defense beyond a reasonable doubt.

In this case, Decedent posed an imminent danger to Witness #1 as well as Officer Goodrich and other SWAT officers. The facts illustrate that officers were faced with a suspect with a handgun facing officers as they entered the trailer. The facts also illustrate that Witness #1 was in serious danger and being held hostage by Decedent. Officers were faced with the possibility that the suspect would either blow up the trailer as he had threatened to do, continue to hold Witness #1 hostage, or seriously injure or kill Witness #1. Additionally, a very short time before his death, Decedent was involved in an officer involved shooting where he possessed a weapon, pointed it at officers and refused to surrender to commands. In the first incident, he was told multiple times to “drop the weapon” and comply with commands, yet he refused to do so. In the second incident, Decedent was told to get on the ground, yet he failed to comply. Decedent continued to pose a threat to officers and Witness #1 as he stood in the kitchen with his firearm. Evidence collected at the scene, as well as statements given by multiple witnesses, confirmed that Decedent did in fact have a firearm in his right hand at the time of the shooting. Thus, Decedent posed an objectively reasonable imminent danger to all officers and Witness #1 inside the trailer. Therefore, the discharging officer acted in reasonable fear of a threat to his life and the lives of others at the time he fired.

## **B. Justifiable Homicide by a Public Officer**

“Homicide is justifiable when committed by a public officer ... [w]hen necessary to overcome actual resistance to the execution of the legal process, mandate or order of a court or officer, or in the discharge of a legal duty.” NRS §200.140(2). This statutory provision has been interpreted as limiting a police officer’s use of deadly force to situations when the officer has probable cause to believe that the suspect poses a threat of serious physical harm to either the officer or another. See 1985 Nev. Op. Att’y Gen. 47 (1985).

In this case, the facts illustrate that Officer Goodrich was reasonable in his belief that Decedent posed a serious threat to his safety, as well as the safety of Witness #1. As aforementioned, Decedent refused to comply with commands to drop the weapon and get on the ground, was holding a woman hostage, and was facing officers with a gun in his hand.

These circumstances created probable cause in the mind of Officer Goodrich that Decedent posed a threat of serious physical harm to him, other officers and Witness #1. Officer Goodrich overcame that threat by firing his weapon at Decedent.

In light of all the evidence reviewed to date, Officer Goodrich's actions were justified and appropriate "in the discharge of a legal duty."

## **CONCLUSION**

Based on the review of the available materials and application of Nevada law to the known facts and circumstances, the State concludes that the actions of Officer Goodrich were reasonable and/or legally justified. The law in Nevada clearly states that homicides which are justifiable or excusable are not punishable. (NRS §200.190). A homicide which is determined to be justifiable shall be "fully acquitted and discharged." (NRS §200.190).

As there is no factual or legal basis upon which to charge the officer, and unless new circumstances come to light which contradict the factual foundation upon which this decision is made, no charges will be forthcoming against Officer Goodrich.