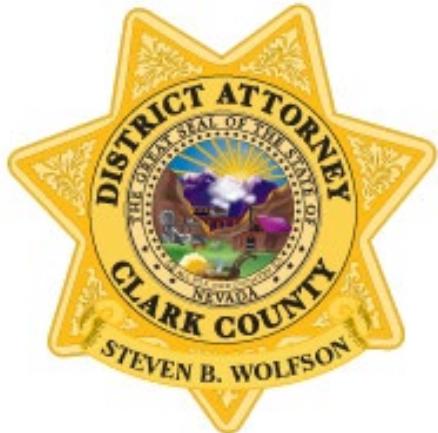


REPORT ON USE OF FORCE



Legal Analysis Surrounding the Death of Percy Lee Hawkins on October 4, 2024

INTRODUCTION

On October 4, 2024, Las Vegas Metropolitan Police Department (“LVMPD”) Officers Trenzel Allen and Anthony Salinas discharged their firearms at 37-year-old Percy Lee Hawkins who had assaulted officers with a knife and a metal chain. Percy Lee Hawkins died from multiple gunshot wounds. The use of force incident took place at approximately 1023 hours, at 218 E. Tropicana Avenue. The scene was situated in the parking lot of Red Dragon, as well as a portion of Deckow Lane, a roadway that runs south to north and intersects with the north side of Tropicana Avenue.

SYNOPSIS

On October 4, 2024, at approximately 0958 hours, LVMPD Communications received a 911 call from E.V., the manager of Red Dragon, a casino located at 218 E. Tropicana Avenue. E.V. reported that two suspects, F.F. and Percy Lee Hawkins (“Decedent”), were refusing to leave the property. E.V. reported that F.F. and Decedent went behind the bar and threatened her with physical harm.

Officer Allen and Officer Salinas were dispatched to the call. Both officers arrived simultaneously in separate marked patrol vehicles and parked in the lot north of the building. F.F. and Decedent were standing in the lot on the north side of the building, east of the main entrance. The officers parked their patrol vehicles facing southbound. Officer Allen parked in front of F.F. and Decedent, while Officer Salinas parked west of F.F. and Decedent.

As the officers began exiting their patrol vehicles, Decedent, who was armed with a knife and a metal chain wrapped around his knuckles, began yelling at the officers. Officer Allen identified that Decedent was armed with a knife and ordered Decedent to: “Drop the knife.” Decedent responded to Officer Allen’s instruction by exclaiming that he was “not dropping

shit." Decedent approached Officer Allen, who was attempting to exit his driver's side door, but had not yet fully exited the threshold area of his patrol vehicle's door frame.

Decedent charged at Officer Allen while Officer Allen was standing within the "V" of the vehicle – the area created between the frame of a vehicle's open door and the body of the vehicle. As Decedent rushed past the front of Officer Allen's patrol vehicle, Officer Allen discharged his firearm. Despite Officer Allen's gunfire, Decedent continued to run towards Officer Allen and got close enough to push on the patrol vehicle's open driver's side door.

As Officer Allen continued discharging his weapon, Decedent decided to change directions and ran westbound in front of Officer Allen's patrol vehicle. After this initial encounter at Officer Allen's driver's side door, Officer Allen unsuccessfully attempted a tactical reload of a magazine into his handgun. Officer Allen attempted to reload a magazine into his firearm several more times but was unable to facilitate the proper cycling action of his handgun. Because of Officer Allen's unsuccessful tactical reload, he did not discharge his firearm any additional times during the incident.

As Decedent ran westbound in front of the Officer Allen's vehicle, he started sprinting towards Officer Salinas' vehicle. Officer Salinas began discharging his handgun in a southbound direction towards Decedent.

Decedent ran around the passenger side of Officer Salinas' patrol vehicle. Decedent ran all the way around Officer Salinas' vehicle and continued sprinting towards Officer Salinas. Officer Salinas attempted to create distance from Decedent by backpedaling away from Decedent.

Decedent continued sprinting and was quickly closing distance on Officer Salinas. Officer Salinas continued discharging his handgun at Decedent. Decedent was able to get within a few feet of Officer Salinas when the officer fell to the ground in the middle of Deckow Lane.

Officer Salinas stood up as Decedent ran northbound on Deckow Lane. Officer Salinas discharged his handgun northbound towards Decedent. Decedent fell to the ground in the middle of the southbound lane of Deckow Lane.

Officer Allen and Officer Salinas re-grouped on Deckow Lane as additional officers arrived on scene. Sergeant Anderson arrived and established an Immediate Action Team ("IAT") for officers to approach Decedent to take him into custody and render medical aid.

As the IAT approached Decedent, Sergeant Anderson observed a knife on the ground next to Decedent. Decedent was secured in handcuffs and placed in the recovery position.¹

While the IAT was approaching Decedent, an ambulance arrived. Sergeant Anderson signaled to the medical personnel that it was safe for them to approach and provide medical

¹ The placement of a subject's body in a manner that does not restrict breathing or obstruct the airway, i.e., on their side or upright.

care to Decedent, who was transported to University Medical Center (“UMC”) Trauma. While at UMC, Decedent was pronounced deceased at 1045 hours.

During a review and documentation of the crime scene, Red Dragon surveillance video, and body worn camera, it was confirmed that Decedent was armed with a Chicago Cutlery knife having an approximate 2.75-inch blade, in addition to a metal chain wrapped around his wrist in a manner consistent with using the chain as metal knuckles.

Due to the officer-involved shooting (“OIS”) aspect of the incident, detectives from LVMPD’s Force Investigation Team (“FIT”) responded to the scene to conduct the investigation and assumed control of the scene and the investigation.

This report explains why criminal charges will not be forthcoming against LVMPD Officers Allen and Salinas. It is not intended to recount every detail, answer every question, or resolve every factual conflict regarding this police encounter. It is meant to be considered in conjunction with the Police Fatality Public Fact-Finding Review which was held on October 29, 2025.

This report is intended solely for the purpose of explaining why, based upon the facts known at this time, the conduct of the officers was not criminal. This decision, premised upon criminal-law standards, is not meant to limit any administrative action by LVMPD or to suggest the existence or non-existence of civil actions by any person, where less stringent laws and burdens of proof apply.

TIMELINE OF EVENTS

The following timeline is a reconstruction of events which transpired on October 4, 2024, in relation to the fatal OIS that occurred at 218 E. Tropicana Avenue, Las Vegas, NV 89169.

Time (hours)	Description of Event/Action	Source
09:58:51	E.V. called 911 to report two subjects (F.F. and Decedent) were refusing to leave the business and threatened to commit a battery against E.V.	Computer Aided Dispatch ("CAD")
10:03:50	Officer Salinas was assigned to the call.	CAD
10:04:03	Officer Allen was assigned to the call.	CAD
10:22:45	Officer Salinas and Officer Allen arrived at the north parking lot of 218 E. Tropicana Avenue.	CAD and Body Worn Cameras ("BWC")
10:23:00	Officer Allen exited his patrol vehicle and ordered Decedent to drop the knife.	BWC
10:23:02	Officer Allen discharged his handgun as Decedent charged Officer Allen.	BWC
10:23:03	Decedent pushed against Officer Allen's open driver's door while armed with a knife and metal chain.	BWC
10:23:04	Decedent ran away from Officer Allen's patrol vehicle and ran westbound towards Officer Salinas' vehicle.	BWC
10:23:06	Officer Salinas discharged his handgun towards Decedent as he ran westbound.	BWC
10:23:08	Decedent appeared at the rear of Officer Salinas' patrol vehicle and ran towards Officer Salinas. Officer Salinas discharged his handgun as he moved backwards away from Decedent.	BWC
10:23:13	As Decedent closed distance on Officer Salinas, Officer Salinas fell to the ground on Deckow Lane.	BWC
10:23:16	Officer Salinas stood up and discharged his handgun as Decedent ran northbound.	BWC
10:23:20	Decedent fell to the ground in the southbound travel lane of Deckow Lane.	BWC
10:25:50	Sergeant Anderson arrived on Tropicana Avenue, exited his vehicle, and ran northbound on Deckow Lane towards Officer Allen and Officer Salinas.	BWC

Time (hours)	Description of Event/Action	Source
10:26:28	An ambulance arrived on scene.	BWC
10:26:51	Officers secured Decedent in handcuffs and placed him in the recovery position.	BWC
10:27:39	Medical personnel arrived took over medical care for Decedent.	BWC
10:28:35	Decedent was brought to the ambulance on a gurney.	BWC
10:45:00	Decedent was pronounced deceased at UMC by Doctor Berry.	CAD

DESCRIPTION OF THE SCENE

Overhead Map – Overview

The scene was located within two primary locations: (1) the parking lot of Red Dragon, just north of the building, at 218 E. Tropicana Avenue; and (2) a portion of Deckow Lane, a side street that intersects Tropicana Avenue, on the east side of Red Dragon.



Above: Aerial overview of 218 E. Tropicana Avenue.



Above: Close-up aerial view 218 E. Tropicana Avenue.

Drone Photographs of the Scene – Overview

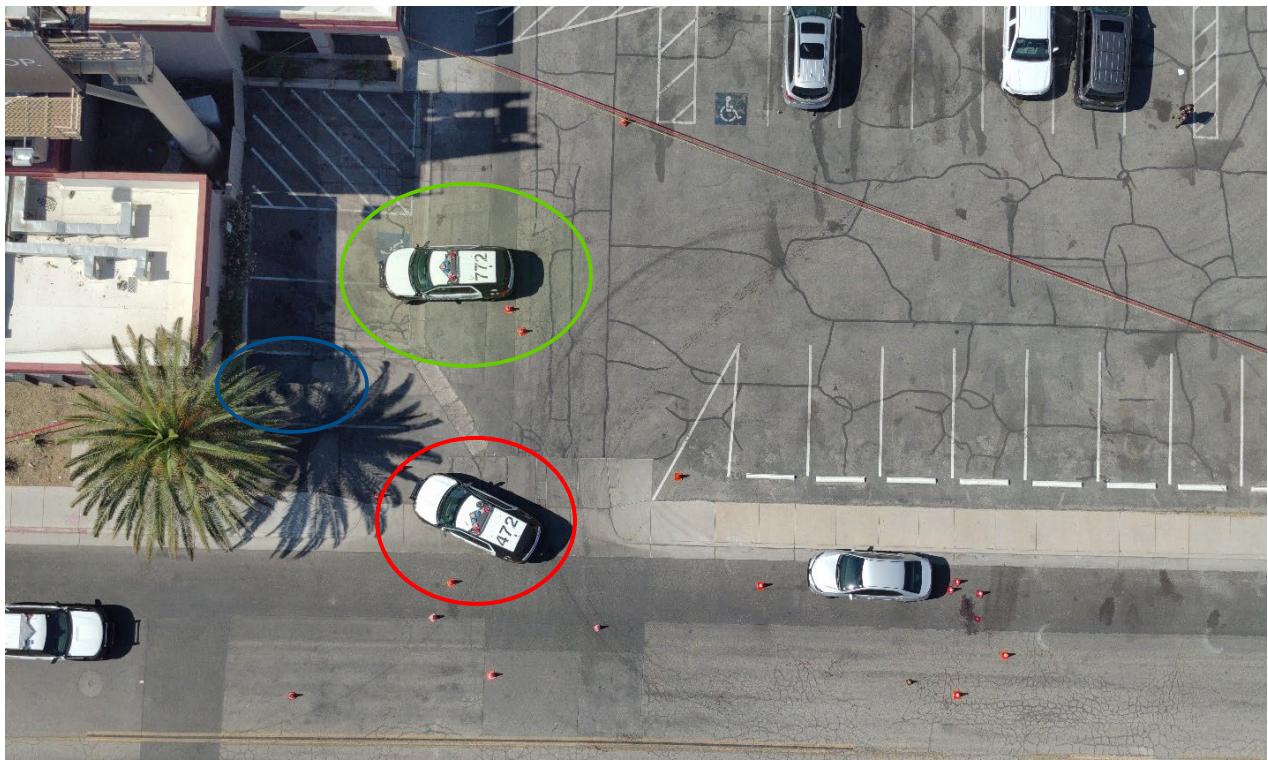


Above: Drone view of the OIS scene from Deckow Lane, facing south.

The red circle indicates Officer Allen's patrol vehicle and its parked location during the OIS.
 The green circle indicates Officer Salinas' patrol vehicle and its parked location during the OIS.



Above: Drone view of the OIS scene.
Red Dragon Casino located on the north side of Tropicana Avenue and the east side of Deckow Lane.



Above: Drone view directly above the OIS scene.
The red circle indicates Officer Allen's patrol vehicle and its location during the OIS.
The green circle indicates Officer Salinas' patrol vehicle and its location during the OIS.
The blue circle indicates the location of Decedent and F.F. when Officers Allen and Salinas arrived and ordered Decedent to drop the knife.

OIS Related Screenshots from Body Worn Cameras



Above: Screenshot of Officer Salinas' BWC when both officers arrived and Officer Allen began ordering Decedent to drop the knife.

The red circle indicates Officer Allen's patrol vehicle.



Above: Screenshot of Officer Allen's BWC when Decedent rushed at Officer Allen with his knife in one hand and his chain wrapped around his other hand.
The blue circle indicates the knife Decedent was wielding during the OIS.



Above: Screenshot of Officer Allen's BWC depicting the chain wrapped around Decedent's hand.



Above left: Screenshot of Officer Salinas' BWC depicting Decedent running, knife in hand, from Officer Allen's vehicle towards Officer Salinas' vehicle.

Above right: Screenshot of Officer Allen's BWC depicting Decedent running around Officer Salinas' vehicle and directly at Officer Salinas.



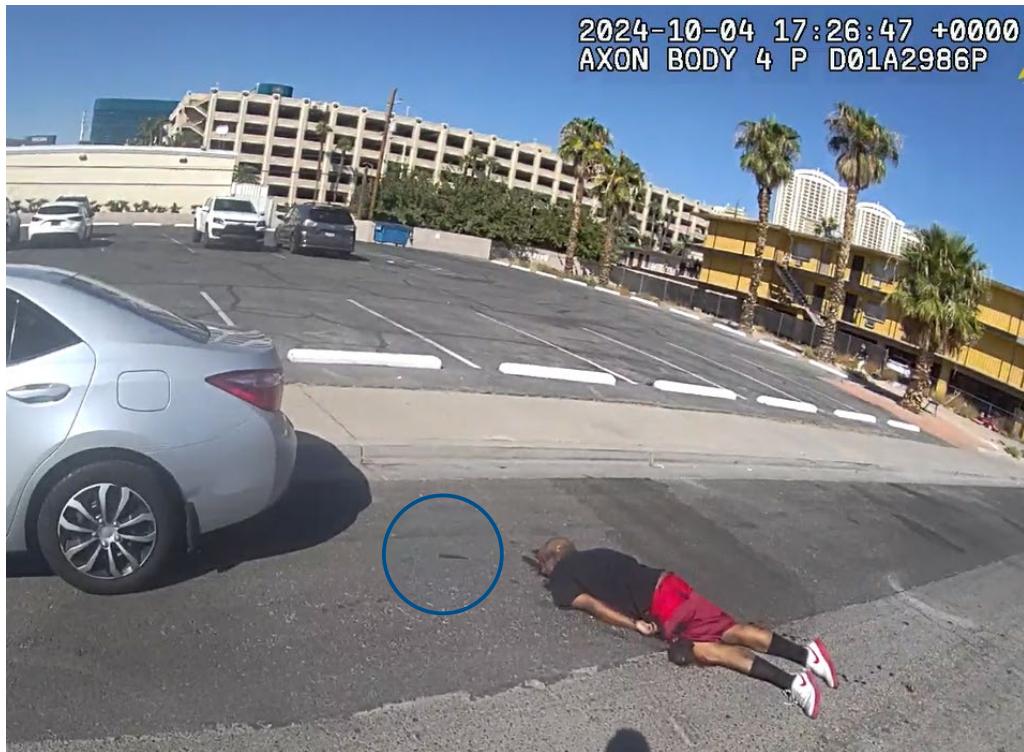
Above: Screenshot of Officer Allen's BWC depicting Decedent rushing at Officer Salinas. The blue circle indicates the chain wrapped around Decedent's hand.



Above: Screenshot of Officer Allen's BWC depicting Decedent rushing at Officer Salinas. The blue circle indicates the chain wrapped around Decedent's hand



Above: Screenshot of Officer Salinas' BWC as Decedent, with his knife in hand, was closing distance on Officer Salinas.



Above: Screenshot of Sergeant Anderson's BWC depicting Decedent and the location of Decedent's knife after the OIS.

The blue circle indicates the location of Decedent's knife.

Scene and Evidentiary Items



Above: Crime Scene Analyst photograph depicting apparent blood, the location of Decedent's body, and Decedent's knife that was recovered near his body.
The blue circle indicates the location of Decedent's knife.

Below: Crime Scene Analyst photograph showing a close-up of Decedent's knife.





Above: Crime Scene Analyst photograph depicting the evidentiary markings and the relative location of where the chain wrapped around Decedent's hand was recovered.

The blue circle indicates the cone that was used to mark the location of Decedent's chain.

The red circle indicates the location of Officer Allen's patrol vehicle at the time of arrival and during the OIS.

Below: Crime Scene Analyst photograph showing a close-up of Decedent's chain.



SCENE WALK-THROUGHS

Officer Allen

On October 4, 2024, at approximately 1500 hours, Officer Allen provided a walk-through of the scene. During the walk-through, Officer Allen relayed the following information:

- Officer Allen responded to a disturbance call involving a male and female who would not leave the business, Red Dragon.
- The details of the call noted that the male and female jumped over the bar while inside the business.
- As Officer Allen arrived, he saw the male and female outside the business.
- The male had a knife in his hand and began approaching Officer Allen.
- The male would not comply with Officer Allen's commands, so Officer Allen discharged his handgun to defend himself and his partner from the deadly force being used against them.

Officer Salinas

On October 4, 2024, at approximately 1512 hours, Officer Salinas provided a walk-through of the scene. During the walk-through, Officer Salinas relayed the following information:

- While responding to a disturbance call, Officer Salinas spoke with the person reporting ("PR") on the phone.
- Officer Salinas learned a male and female jumped over the bar and threatened the PR.
- When Officer Salinas arrived, he saw a male and female who matched the description that was given by the PR.
- Officer Salinas saw the male approach Officer Allen.
- Officer Allen told the male to drop the knife.
- Officer Salinas heard gunshots.
- The male then ran towards Officer Salinas.
- Officer Salinas discharged his handgun to protect himself and his partner from the deadly force being used against them.

PUBLIC SAFETY STATEMENT

Officer Allen

On October 4, 2024, at approximately 1334 hours, Detective Valenzuela interviewed Sergeant LeGrand in reference to the Public Safety Statement ("PSS") he obtained from Officer Allen.

Below is the transcript of the interview.

Note: Detective Valenzuela is designated by ("GV"), Sergeant LeGrand is designated by ("JL"), and Lieutenant Harrison Porter is designated by ("HP").

GV: *Operator this is Detective G. Valenzuela with the Force Investigation Team conducting a recorded Public Safety Statement interview with Sergeant Jason Legrand, his P#'s 13648, call sign is 818. Hired 03/14 of 2014, he works out of Convention Center Area Command, his squad is CC23, his RDO's are Tuesday, Wednesday, Thursday, his hours of work are 0630-1630. Also present, is PMSA Lieutenant Harrison Porter. This Public Safety Statement is in reference to an Officer-Involved Shooting that occurred on 10/14 of 24 at approximately 1023 hours, in the area of 218 East Tropicana Las Vegas Nevada 89161, reference event number LLV241000013547. Today's date is 10/04, of 24, and the current time is 1333 hours. This statement is uhh being conducted in the area of Deckow and Tropicana just north of in LV—well PMSA van that's parked here at the location. Uhh, Sergeant Legrand, uhh is it all right if I call you Jason?*

JL: Yes sir.

GV: Yes? Okay umm, so you conducted a second uhh, Public Safety Statement uhh, can you tell me who the officer and was it—uhh this PSS uhh done before Salinas or after Salinas?

JL: This one was done after Salinas.

GV: *Ok and who was the officer?*

JL: *It was Officer Allen.*

GV: *Okay and you conducted this uhh PSS shortly after the first one?*

JL: *Yes sir.*

GV: *So we're gonna uhh, give or take a few minutes after the first one.*

JL: *Yes sir.*

GV: *Okay, umm, are you able to tell me the questions you asked and the answers uhh uhh the officer gave you?*

JL: *Yes sir. Uhh the first question I asked uhh, did you discharge your firearm, and if so what direction? Uhh Officer Allen advised me yes he did, Officer Allen advised me uhh he discharged his firearm in the south direction. Uhh I asked approximately where were you located when you fired? And he advised me in the parking lot of the Red Dragon. I asked how many shots did you fire? He advised two to three times. Uhh, second question is anyone injured? Uhh, if so where are they located? And Officer Allen advised me the suspect was injured and no one else was. The third question are there any outstanding suspects? Officer Allen advised me that there was none. The fourth question uhh is it possible the suspect fired rounds at you? He advised me no. Uhh the fifth question, do you know if any other officers discharged their firearm? Officer Allen advised me yes. I asked if so uhh who were they? He advised me it was Officer Salinas. I asked him approximately where was Officer Salinas located when he fired? And Officer Allen advised me Officer Salinas was located umm in the street directly in front of the Red Dragon. Uhh, the sixth question, I asked Officer Allen are there any weapons*

or evidence that needs to be secured or protected? Officer Allen advised me yes, I asked him if so, where is it located? He advised me it was a knife located in the suspect's hand in the middle of the street. Uhh, number seven last question, I asked are you aware of any witnesses and if so where are they located? Officer Allen advised me there's a female with a dog and uhh she was with officers.

GV: *Okay, I don't have any other questions, Lieutenant Porter?*

HP: *No questions.*

GV: *Okay, uhh we're gonna end the interview, same people present, the time is 1336 hours.*

Officer Salinas

On October 4, 2024, at approximately 1328 hours, Detective Valenzuela interviewed Sergeant LeGrand in reference to the PSS he obtained from Officer Salinas.

Below is the transcript of the interview.

Note: Detective Valenzuela is designated by ("GV"), Sergeant LeGrand is designated by ("JL"), and Lieutenant Harrison Porter is designated by ("HP").

GV: *Operator this is Detective G. Valenzuela with the Force Investigation Team conducting a recorded Public Safety Statement interview with Sergeant Jason Legrand, L-E-G-R-A-N-D his P#'s 13648, call sign 818. He was hired 03/14/2014, he works out of the Convention Center Area Command, and squad is CC23. Days off are Tuesday, Wednesday, Thursday, hours of work are 0630-1630. Also present, is PMSA Lieutenant Harrison Porter. This Public uhh Safety Statement is in reference to an Officer-Involved Shooting that occurred on 10/04/24, at approximately 1023 hours, in the area of 218 East Tropicana Las Vegas Nevada 89169, reference event number LLV241000013547. Today's date is 10/04, of 24 and the current time is 1328 hours. This statement is being conducted uhh, in the*

area of Deckow and Tropicana Avenue, just north of in uhh the PMSA van. Uhh, Sergeant Legrand, is it all right if I call you Jason?

JL: Yes sir.

GV: Okay Jason uhh you read a Public Safety Statement today is that correct?

JL: Yes sir.

GV: Okay can you tell me who you read the Public Safety Statement on what officer and approximate time that you read it?

JL: Yes sir, I read the Public Safety Statement from my card to Officer uhh A. Salinas, I also read it to Officer T. Allen.

GV: So we'll concentrate on A. Salinas first, uhh we'll just uhh do two separate uhh interviews so we'll concentrate on Salinas first. Do you remember what time you read the—the Public Safety Statement for Salinas?

JL: Yes, uhh 1045—

GV: Okay—

JL: --was when I started.

GV: 1045 hours, okay and are you able to uhh tell me uhh the questions you asked and what the answers were please.

JL: Yes sir. So the first question I uhh asked Officer Salinas, did you discharge your firearm, and he stated yes. Umm I asked, if so what direction? And he stated south west direction uhh towards the Red Dragon, that's what he stated. And then I said approximately where were you located when you fired and he advised me in the parking lot of the Red Dragon. I asked him how many shots did you fire? And he said he was unsure. Uhh the second question is uhh, is anyone injured? Uhh he

advised me that the subject was injured. I asked him, if so where was the suspect located? And he advised me he's located in the uhh street, the roadway. Question three I asked him are-- are there any outstanding suspects? He advised me no. If so—uhh then the rest of the questions were un-relevant so I didn't read those ones. Uhh question four, I said uhh is it possible the suspect fired any rounds at you? He advised me no, the subject had a knife only. Question five, I said do you know if any officers discharged their firearm? Uhh he advised me yes. I said if so, who uhh, who are they? He advised me it was Officer Allen. Uhh approximately—I asked him approximately where was Officer uhh Allen located when he fired? He advised me he was in the roadway as well. Uhh question six, I asked uhh are there any weapons or evidence that need to be secured or protected? And he advised me the suspect had a knife; uh I asked where would—where were they located? And he advised me that the knife was still located in the suspect's hand last that he knew it. And then the last question for Officer Salinas I asked uhh are you aware of any witnesses? And he advised me that uhh there was a female with a dog that was uhh the primary witness with the suspect.

GV: Well, were those all the questions you asked?

JL: Yes sir.

GV: Okay, umm, I don't have any other questions, uhh Lieutenant Porter?

HP: Nothing.

GV: Okay, uhh we don't have any further questions we're gonna end the interview, same people present, the time is 1332 hours..

OFFICER WEAPON COUNTDOWNS

On October 4, 2024, Officer Allen and Officer Salinas had their duty weapons counted down at 4805 S. Deckow Lane to determine the number of rounds each officer fired during the incident.

Officer Allen

Officer Allen was dressed in a standard LVMPD long sleeve uniform. He wore LVMPD patches on each shoulder and an LVMPD badge over his left breast. Officer Allen wore a black duty belt with attached tools and equipment. Officer Allen's handgun was carried on the right side of his body and secured in a holster.

Prior to countdown, Officer Allen stated he carried 17 cartridges in the magazine loaded in his firearm and one cartridge in the chamber (17+1, 18 total).

Officer Allen's firearm was a Glock 19X, 9mm, depicted below:



During the incident, Officer Allen attempted to conduct a tactical reload. He attempted to replace the magazine from the well of the firearm with a full capacity magazine. While Officer Allen was attempting to reload, he ejected the original magazine from the firearm and left that original magazine on the ground at the scene.

At the completion of the countdown, it was determined Officer Allen discharged his firearm six times during this incident.

After the countdown, after analyzing the evidence at the scene, and reviewing the associated BWC, detectives concluded Officer Allen discharged his firearm six times.

Officer Salinas

Officer Salinas was dressed in a standard LVMPD long sleeve uniform. He wore LVMPD patches on each shoulder and an LVMPD badge over his left breast. Officer Salinas wore a black duty belt with attached tools and equipment. Officer Salinas' handgun was carried on the right side of his body and secured in a holster.

Prior to countdown, Officer Salinas stated he carried 17 cartridges in the magazine loaded in his firearm and one cartridge in the chamber (17+1, 18 total).

Officer Salinas' firearm was a Smith and Wesson M&P9 M2.0, 9mm, depicted below:



After all gunfire had ceased, but while the scene had not yet been secured and while Officers Salinas and Allen awaited the arrival of additional units, Officer Salinas conducted a tactical reload. He replaced the magazine from the well of his firearm with a full capacity magazine, and then secured the original magazine in his pocket. He never fired a round from the new replacement magazine.

At the completion of the countdown, it was determined Officer Salinas discharged his firearm twelve times during this incident.

After the countdown, after analyzing the evidence at the scene, and reviewing the associated BWC, detectives concluded Officer Salinas discharged his firearm twelve times.

FIREARM EXAMINATIONS

LVMPD Forensic Scientist Stephanie Fletcher examined Officer Allen's Glock 19X and Officer Salinas' Smith and Wesson M&P9 M2.0.

Per her report, dated December 3, 2024, both officers' firearms were examined, test fired and were found to be operational with no noted malfunctions.

SUMMARY OF RELEVANT WITNESS STATEMENTS

Civilian Witnesses:

There were multiple civilian witnesses that were interviewed. The civilian witnesses discussed their observations before, during, and after the OIS from their respective vantage points.

Not all the civilian witnesses observed events that are relevant for the purpose of this report. The following are summaries of the relevant civilian witness interviews.

E.V.

On October 4, 2024, at approximately 1328 hours, Detective Mendoza conducted an audio-recorded interview with E.V. at 218 E. Tropicana Avenue.

On October 4, 2024, at approximately 0830 hours, E.V. arrived at Red Dragon where she was employed as an assistant manager. She noticed two subjects, a male and a female, who were loitering in the parking lot and following customers in the area. As E.V. began cleaning the parking lot of the business, E.V. informed the couple they could not loiter and asked them to leave the premises. The male, Decedent, became angry and began calling E.V. racial and derogatory names. Decedent continued to yell at E.V. and told her to give him his money. E.V. did not know what Decedent was talking about, and E.V. told Decedent that she did not have his money.

E.V. had to again inform Decedent and the female, F.F., that they could not loiter at the front of the business. Decedent continued to yell and refused to leave. E.V. called her dispatcher and requested security personnel to respond to the business and assist her.

The bartender of the business inadvertently unlocked the front door with the push of a button and when that occurred, Decedent immediately entered the business. E.V. instructed Decedent that he needed to leave immediately. Decedent stated he was not going to leave the business because he was "God," and he could do anything he wanted to do.

E.V. positioned herself behind the bar. F.F. re-entered the business with Decedent and followed E.V. behind the bar. When F.F. went behind the bar, she got close to E.V.'s face and threatened that she was going to: "Fuck you up!"

Decedent remained inside the business and continued screaming. Employees were able to escort Decedent and F.F. out of the business. Fearing that she would be assaulted, E.V. was the person that called 911 and requested LVMPD officers to respond.

E.V. saw Decedent wrap a linked chain around his hand. Decedent punched the business' glass door. E.V. feared that Decedent was going to break the glass door with the chain that was wrapped around his hand.

E.V. thought the couple was possibly under the influence of narcotics and alcohol due to their erratic behavior.

While E.V. waited for police to arrive, an NRSI security officer (the company servicing Red Dragon) arrived in the parking lot. Decedent approached the security guard and punched the security officer's vehicle with the chain wrapped around his fist.

As E.V. waited inside while on the phone with the 911 dispatcher, LVMPD officers arrived.

E.V. stated she did not see Decedent with any weapons other than the chain wrapped around his hand. E.V. did not witness the OIS, nor did she hear what was being said outside during the OIS.

F.F.

On October 4, 2024, at approximately 1345 hours, Detective Chavez conducted an audio-recorded interview with F.F. at 4837 Deckow Lane

The previous day, on October 3, 2024, F.F. and her boyfriend of 21 years, Decedent, were evicted from their apartment located at 4788 Koval Lane apartment #6, due to their failure to pay rent, as well as the disturbances that Decedent caused at the apartment.

On October 4, 2024, F.F. and Decedent were homeless and decided to go to Red Dragon to get some ice water. A female manager approached them while they were sitting outside the business with their dog and asked if they were going to be sitting there all day. F.F. told the manager that they were only trying to get out of the heat and feed their dog. Decedent became irritated because they had been kicked out of everywhere they went.

F.F. and Decedent went back inside to get more water, and the manager told them they were no longer allowed inside the business. When the manager told them she was going to call the police, Decedent began arguing with the manager.

F.F. confronted the manager and confirmed she "kind of went behind the counter a little bit." After arguing with the manager, F.F. and Decedent both exited the building and went back outside.

F.F. explained Decedent was upset over being kicked out of Red Dragon. F.F. alleged that Decedent was also upset with the police over encounters that he and his family members have had in the past. Additionally, F.F. asserted that Decedent lost his brother to the police during a past encounter.

While Decedent paced around the parking lot of Red Dragon, two marked police vehicles arrived. As the police arrived, Decedent said: "my father is Yashua, and I am Yahuwah." F.F. explained that what Decedent was saying is that his father was God and he was the son of God.

As this took place, F.F. saw Decedent take out a small knife with a brown handle and silver tip from his pocket. The officers pulled their guns out and pointed their weapons at Decedent. The officers began shooting at Decedent.

F.F. erroneously claimed² that the officers never gave any verbal commands. She alleged that prior to the first shots fired by officers, they did not say anything – “not at all.”

According to F.F., Decedent charged the officers with the knife after the officers took out their guns and pointed them at him. Decedent made a statement to F.F. saying, “I’m gonna go out for my father, no matter what,” prior to advancing toward the officers.

F.F. claimed Decedent was not on drugs or alcohol prior to the shooting. She heard several gunshots but could not give an approximate number.

F.F. stated Decedent did not make any suicidal statements before this occurred.

N.J.

On October 4, 2024, at approximately 1331 hours, Detective Colon conducted an audio-recorded interview with N.J. at 218 E. Tropicana Avenue.

N.J. was working as a roving security guard for NRSI, the company that serviced Red Dragon. He was requested to respond to Red Dragon in reference to Decedent and F.F. having caused a disturbance inside the business.

Upon his arrival, N.J. observed Decedent and F.F. in front of Red Dragon. Decedent appeared upset and approached the rear of N.J.’s vehicle. N.J. rolled down his window and heard Decedent mumbling incoherently. Because Decedent was not complying and mumbling incoherently, N.J. rolled his window back up and started to move his vehicle to a different portion of the parking lot.

While N.J. began driving away, Decedent struck the rear of his vehicle with some kind of object.

N.J. relocated his vehicle and waited inside his vehicle for LVMPD units to arrive. N.J. observed LVMPD patrol vehicles arrive. As the officers arrived, N.J.’s windows were still rolled up inside his car so he could not hear anything that might have been said.

As one of the officers opened his car door, Decedent approached the officer in an aggressive manner that appeared to N.J. as though Decedent wanted to fight the officer.

N.J. heard gunshots and observed Decedent running toward the officers. N.J. heard additional shots as Decedent chased the other officer into the street. N.J. saw that officer fall to the ground. Decedent ran northbound and fell behind a silver vehicle.

² See Body Worn Camera Section.

Shortly thereafter, medical personnel arrived and transported Decedent. From his vantage point, N.J. was only able to see Decedent's aggressive manner, he could not see whether or not there was a weapon in Decedent's hand.

Officer Witnesses:

In addition to the subject officers, there was one officer witness on scene, who was interviewed. The interview was audio-recorded. The following summary was relevant for the purposes of this report.

Sergeant Anderson

On October 4, 2024, at approximately 1421 hours, Detective Walter and Detective Colon conducted an audio-recorded interview with Sergeant Anderson, at 4815 Deckow Lane. Also present for the interview was LVPPA Representative Glowinski. Below is a summary of the interview. For complete details, refer to the interview transcript.

Sergeant Anderson was the first supervisor to arrive on scene and was updated with information by other officers on scene.

When Sergeant Anderson arrived, he saw Officer Salinas with his firearm drawn and pointed at the direction of a subject that was lying in the street. When Sergeant Anderson arrived, he saw Officer Salinas using a patrol vehicle for cover.

Sergeant Anderson quickly put together an IAT. Sergeant Anderson assigned those team members their designated roles of lethal coverage, low lethal coverage, and "hands on" the Decedent.

Sergeant Anderson, along with his team, approached Decedent. At that time, Decedent was lying face down, approximately two to three feet from a knife.

The "hands-on" officer took Decedent into custody and put the suspect in the recovery position on his side.

Medical personnel arrived on scene and immediately placed Decedent on a gurney and began rendering aid.

BODY WORN CAMERAS

Axon Flex BWC time stamps videos in Zulu Time, also known as Greenwich Mean Time (“GMT”), or Coordinated Universal Time (“UTC”), which is the world time based on a 24-hour clock. The time is based on the Prime Meridian, which is zero degrees longitude and passes through Greenwich, England.

Officers activated their BWCs at different times during the incident. There is a seven-hour negative difference between the event time, Pacific Standard Time (“PST”), and displayed UTC.

The following are summaries of BWC footage from the subject officers and witness officer who were on scene at the time of the OIS:

Officer Allen's BWC

Officer Allen wore BWC at the time of the incident and the camera was activated. The camera was collected by Sergeant Parker and secured.

Officer Allen's camera footage depicted the following:

Officer Allen arrived at the parking lot on the north side of 218 E. Tropicana Avenue. Immediately after parking his patrol vehicle, Officer Allen began announcing the suspect (Decedent) had a knife. Officer Allen audibly announced Decedent had a “knife” at least four times.

Decedent can be seen in Officer Allen's BWC standing about twelve feet in front of Officer Allen's parked patrol vehicle. As Officer Allen arrived in the parking lot, Decedent was “bowed up” and staring at both Officer Allen (to Decedent's right) and Officer Salinas' patrol vehicle (to Decedent's left).

Decedent can be heard yelling before Officer Allen put his vehicle in park and opened his door.

Decedent had his chest puffed out, his shoulders were squared off towards the patrol vehicles, and his elbows were raised such that his elbows, forearms and balled fists were at his shoulder level.

Officer Allen exited his patrol vehicle, drew his handgun, and loudly ordered Decedent to “drop the knife.” As Officer Allen ordered Decedent to “drop the knife,” Decedent rushed the front of Officer Allen's patrol vehicle.

In response to the order to “drop the knife,” Decedent's voice was heard yelling: “I ain't dropping shit.”

Officer Allen fired the first round from his firearm at 10:23:02 PST. Officer Allen fired a total of six rounds from 10:23:02 to 10:23:04. During these two seconds, Decedent rushed Officer Allen. Amidst the gunfire, Decedent closed the distance from the front of Officer Allen's patrol vehicle to Officer Allen's person.

By the time Officer Allen fired his fifth of six rounds, Decedent sprinted up to and was touching Officer Allen's driver's side door. In fact, Decedent's chain-wrapped right hand was within an inch of the barrel of Officer Allen's firearm.

After Decedent made it past Officer Allen's door and after Officer Allen had fired six rounds, Decedent spun around and sprinted away from Officer Allen and towards Officer Salinas.

At 10:23:05, Officer Allen removed the magazine from his handgun and replaced it with a new magazine, as Decedent was about twelve feet away from Officer Allen and sprinting towards the front of Officer Salinas' vehicle.

At 10:23:09, the muzzle of Officer Allen's firearm was re-sighted in the direction of Decedent. At this point, Decedent ran around Officer Salinas' entire vehicle and sprinted towards Officer Salinas. Officer Allen attempted to fire a round as Decedent was about ten feet from a backpedaling Officer Salinas. When Officer Allen failed to discharge a round at 10:23:10, Officer Allen again released the magazine from his firearm and allowed it to drop on the ground.

After releasing the magazine, Officer Allen then racked the slide of his Glock 19X, bent to the ground and picked up his ejected magazine to re-insert it into the well of his firearm.

As Officer Allen was engaged with his magazine, several gunshots were heard coming from the direction of Officer Salinas and Decedent. By 10:23:15, the muzzle of Officer Allen's firearm was re-sighted in the direction of Decedent. However, Officer Allen's BWC did not show him cycle a round into the chamber. Officer Allen's firearm failed to discharge a round.

As Decedent was running northbound on Deckow Lane, two additional gunshots were heard on BWC. At 10:23:17, Officer Allen again released the magazine from his firearm and allowed it to fall to the ground.

At 10:23:21, Officer Allen inserted a new magazine into the well of his firearm. When Officer Allen eventually moved east of the silver vehicle, Decedent was lying face down on Deckow Lane.

At 10:23:47, Officer Allen racked the slide of his firearm and charged a round into the chamber of his Glock 19X.

Thereafter, Officer Allen went to his patrol vehicle to secure the driver's door. While Decedent was lying face down in Deckow Lane, F.F. was yelling and attempted to approach Decedent with a dog.

At 10:25:07, other officers arrived and began controlling the scene. Officer Allen took control of the dog's leash while other officers were formulating a plan to approach Decedent.

Officer Salinas' BWC

Officer Salinas wore BWC at the time of the incident and the camera was activated. The camera was collected by Sergeant Parker and secured.

Officer Salinas' camera footage depicted the following:

Officer Salinas arrived in the parking lot of 218 E. Tropicana Avenue and parked his vehicle west of Officer Allen's vehicle. Decedent was standing in the parking lot, "bowed up" and squared off in the direction of Officer Salinas. From the perspective of Officer Salinas' head and hands on the BWC, it appeared as though Officer Salinas' attention was initially focused on his cell phone.³

Initially, Decedent took five steps in the direction of Officer Salinas. As the audio of Officer Salinas' BWC activated, a female voice is heard screaming "That's Yahuwah!"⁴

Officer Allen can be heard telling Decedent to drop the knife. Decedent is heard on Officer Salinas' BWC responding with: "I ain't dropping shit!" As Decedent was responding that he was not going to drop shit, Officer Salinas' BWC captured Decedent as he rushed Officer Allen while Officer Allen stood at the patrol vehicle's driver's side door.

Officer Salinas' BWC captured the moment Officer Salinas aimed his firearm at Decedent as he rushed Officer Allen, but Officer Salinas did not engage at this time, given the backdrop and natural cover Officer Allen's patrol vehicle provided Decedent.

The six gunshots fired by Officer Allen are heard. After the six rounds fired by Officer Allen, Decedent ran from Officer Allen's patrol vehicle westward through the parking lot towards the front of Officer Salinas patrol vehicle.

³ When viewing Officer Allen and Officer Salinas' BWC in tandem, Officer Allen appeared to have been calling Officer Salinas as the pair were arriving in the parking lot for the disturbance call. Officer Salinas appeared to have been attempting to answer that incoming call when he was arriving in the parking lot.

⁴ The exclamation, "That's Yahuwah," was also referenced in during F.F.'s voluntary statement to detectives. F.F. told detectives that prior to the OIS, Decedent exclaimed: "I'm Yeshua and my father is Yahuwah." However, on BWC, the only audio that was able to be heard when the audio began recording was F.F.'s exclamation.

Officer Salinas fired two rounds, in a southbound direction, as Decedent was running in between Red Dragon and his patrol vehicle. Decedent looped around Officer Salinas' patrol vehicle and began running back eastbound directly towards Officer Salinas.

Officer Salinas' BWC captured Decedent running towards Officer Salinas as Officer Salinas backpedaled in the parking lot and into Deckow Lane.

Officer Salinas discharged at least eight rounds at Decedent. Officer Salinas then lost his balance as he backpedaled and fell to the ground in the middle of the street.

Officer Salinas got up off the ground and fired two more rounds in a northbound direction at Decedent as he ran northbound on Deckow Lane.

Decedent then fell to the ground and could be seen lying face down in the street.

The audio of Officer Salinas' BWC became scratchy and muffled after Officer Salinas fell to the ground. As Officer Salinas and Officer Allen were attempting to stop F.F. from approaching Decedent, a patrol vehicle approached from the north and parked facing southbound on Deckow Lane.

Officer Salinas stood behind the hood of the patrol vehicle and continued to monitor Decedent. Officer Salinas and a group of officers approached Decedent, secured him in handcuffs, and placed him in the recovery position.

Officer Salinas' BWC remained activated while other officers conducted crime scene preservation duties.

Sergeant Anderson's BWC

Sergeant Anderson was wearing a BWC at the time of the incident and the camera was activated. The camera was collected by Sergeant Parker and secured.

Sergeant Anderson's camera footage depicted the following:

Sergeant Anderson arrived and parked his vehicle along Tropicana Avenue. He exited his vehicle and ran northbound on Deckow Lane.

Sergeant Anderson approached Officer Salinas and Officer Allen. The officers advised Sergeant Anderson that Decedent was armed with a knife.

Additional officers arrived and Sergeant Anderson assigned each officer roles, such as lethal or low lethal coverage, and hands-on. When Sergeant Anderson and the team of officers approached Decedent, a knife could be seen on the ground next to Decedent.

Sergeant Anderson signaled for the ambulance that had arrived to approach Decedent. Sergeant Anderson advised the officers to place Decedent in the recovery position.

As Sergeant Anderson coordinated crime scene preservation, Decedent could be seen on a gurney with medical personnel.

THIRD PARTY VIDEO

218 E. Tropicana Ave (Red Dragon)

Red Dragon did not have any exterior surveillance cameras that captured the OIS. The only exterior camera pointed towards the front entrance away from the area where the OIS occurred.

Based on the video's timestamp, at 09:51 hours, F.F. attempted to enter Red Dragon holding a leash attached to a white dog. F.F. was approached at the door by an employee who was holding a phone to her ear. At 09:56 hours (per the video's timestamp), Decedent entered and appeared to have aggressive body language as he approached the employees. As Decedent took a step closer to the employees, he pointed to his chest. A metal chain could be seen wrapped around Decedent's right wrist. F.F. entered with a dog on a leash.

As Decedent and F.F. stood inside the business by the front door, the two employees went behind the bar area. Both F.F. and Decedent raised their arms and pointed towards the employees.

Note: The video footage from Red Dragon Casino did not show the actual OIS.

AUTOPSY

Dr. Nathan Shaller of the Clark County Coroner's Office conducted an autopsy on Decedent. Dr. Shaller concluded Decedent's cause of death was the result of multiple gunshot wounds.

The toxicology results indicated Decedent had Methamphetamine and Amphetamine in his system at the time of his death.

<u>Analyte</u>	<u>Result</u>	<u>Units</u>	<u>Matrix Source</u>
Amphetamine	24	ng/mL	001 - Heart Blood
Methamphetamine	260	ng/mL	001 - Heart Blood
Delta-9 Carboxy THC	51	ng/mL	001 - Heart Blood
Delta-9 THC	4.6	ng/mL	001 - Heart Blood

LEGAL ANALYSIS

The District Attorney's Office is tasked with assessing the conduct of officers involved in any lethal 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 or defense of others; and (2) justifiable homicide by a public officer. Both theories will be discussed below.

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

The authority to kill another in self-defense or 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 ... another person, against one who manifestly intends or endeavors to commit a crime of violence ..." against the person or other person.⁵ 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 self-defense [or 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 himself [or the other person] or cause himself [or the other person] great bodily injury; and
2. That it is absolutely necessary under the circumstances for him to use in [self-defense or 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 [himself or the person(s) being defended].

⁵ NRS 200.120(3)(a) defines a crime of violence to mean any felony for which there is a substantial risk that force, or violence may be used against the person or property of another in the commission of the felony.

A bare fear of death or great bodily injury is not sufficient to justify a killing. To justify taking the life of another in self-defense [or 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 he [or 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 himself [or 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 exists that a killing was in defense of self [or defense of another], the State must prove beyond a reasonable doubt that Defendant did not act in self-defense [or defense of another]. Id. at 1051-52.

Therefore, under Nevada law, if there is evidence that the killing was committed in self-defense or defense of another, the State at trial must prove beyond a reasonable doubt that the slayer was not acting in self-defense or defense of another.

The known facts and circumstances surrounding this incident indicate that Decedent posed an imminent danger to Officer Allen and Officer Salinas.

As Officer Allen and Officer Salinas arrived in their readily identifiable marked patrol vehicles, Decedent immediately “bowed up” with a knife in one hand and a chain wrapped around his other hand. Officer Allen clearly and loudly commanded that Decedent “drop the knife.” Rather than comply with Officer Allen’s command, Decedent said that he was “not dropping shit,” and proceeded to charge Officer Allen.

Officer Allen discharged six rounds as Decedent closed the entire distance between them and reached Officer Allen’s driver’s side door. Thereafter, Decedent switched paths of travel and sprinted from Officer Allen’s vehicle over to Officer Salinas’ vehicle.

Decedent looped around Officer Salinas’ vehicle and was in a full-on sprint bearing down on Officer Salinas. Decedent was holding his knife as he charged Officer Salinas. The BWC depicted the aggressive and violent intentions Decedent displayed as he charged at Officer Salinas.

Thus, Officer Allen and Officer Salinas both possessed reasonable beliefs that Decedent would cause great bodily harm or death to themselves and to their partner officer at different moments in time during this OIS.

Decedent's aggressive charge of Officer Salinas caused Officer Salinas to fall backwards on the street. As Officer Salinas fell to the ground, Decedent altered his course yet again and began to flee from the OIS scene. Decedent still possessed his weapons and the ability to loop around the car parked on the side of Deckow Lane.

Officer Allen's firearm was discharged with reasonable belief that Decedent possessed the intent and ability to carry out great bodily harm or death towards Officer Allen, Officer Salinas, and possibly other civilians in the area.

Contemporaneous with the threat that Officer Allen faced, Officer Salinas' firearm was discharged with reasonable belief that Decedent possessed the intent and ability to carry out great bodily harm or death towards Officer Salinas, Officer Allen, and possibly other civilians in the area.

Thus, the totality of the evidence, to include BWC video footage, third-party video footage, the subsequent forensic examinations, and witness statements illustrated that Officers Allen and Salinas were reasonable in believing that Decedent would cause great bodily harm or death to others or themselves.

The officers were confronted with the appearance of imminent danger and acted out of a reasonable belief that Decedent was about to wield one of his two weapons to bring about death or great bodily harm to another. Here, the officers reasonably acted in self-defense and defense of others.

Consequently, the shooting of Decedent is justifiable under this legal theory.

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 known evidence illustrates that Officers Allen and Salinas had probable cause to believe that Decedent posed a threat of serious physical harm to themselves, fellow officers, and to any civilians in the area. Officers Allen and Salinas were victims of Decedent's assaultive conduct, had witnessed Decedent change directions while sprinting, had seen Decedent use vehicles as cover to run around, and Decedent was either going to loop around the vehicle as he ran from Officer Salinas, or attempt to flee from the OIS that he intentionally just created with his felonious conduct.

Decedent refused to obey Officer Allen's order to drop the knife, and Decedent demonstrated that he was entirely undeterred by gunfire when it came to his desire to charge officers with his weapons.

Officers Allen and Salinas had a reasonable belief that Decedent could cause serious physical harm to themselves or any civilians in the area. Thus, the use of deadly force by Officers Allen and Salinas was legally justified and appropriate under NRS 200.140(2).

CONCLUSION

Based on the review of the available materials and application of Nevada law to the known facts and circumstances, we conclude that the actions of Officers Allen and Salinas 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." See NRS 200.190.

As there is no factual or legal basis upon which to charge, unless new circumstances come to light which contradict the factual foundation upon which this decision is made, no charges will be forthcoming against either Officers Allen or Salinas.