

# REPORT ON USE OF FORCE



## Legal Analysis Surrounding the Death of Justin Davidson on December 23, 2023

### INTRODUCTION

On December 2023, Justin Davidson (hereinafter “Decedent”) was shot and killed by Las Vegas Metropolitan Police Department (“LVMPD”) Officer Timothy Brooks, Officer Jacob Mekeel and Nevada Highway Patrol Trooper Danny Kincaid, Martin Moran, and Luis Villanueva after Decedent carjacked multiple people throughout the valley and murdered two people.

The District Attorney’s Office has completed its review of the December 23, 2023, death of Decedent. It has been determined that, based on the evidence currently available and subject to the discovery of any new or additional evidence, the actions of LVMPD SWAT Officer Collingwood were not criminal in nature.

This report explains why criminal charges will not be forthcoming against the officer 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 March 3, 2025. This report is intended solely for the purpose of explaining why, based upon the facts known at this time, the conduct of the shooting officer was 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.

### SYNOPSIS OF INCIDENTS AND INVESTIGATION

#### **First Shots Fired / First Murder**

On December 27, 2023, at approximately 0346 hours, LVMPD Communications had multiple Persons Reporting (PRs) hearing gunshots in the area of Placid Street and Maulding Avenue, Las Vegas, NV. Officer Stoehr and Officer Sithong were the first officers to respond. They were in separate patrol vehicles and arrived in the area at the same time. Prior to their arrival in the immediate area of the call, the officers heard what they believed to be fireworks nearby

As Officer Stoehr arrived traveling northbound on Placid Street, he saw a vehicle driving southbound in reverse on Placid Street. Officer Stoehr contacted the driver of the truck, Jeffrey Davidson, who reported that his son, Justin Davidson, was shooting in the wash and possibly shot Jeffrey's wife, Liza Leveille-Davidson. Officer Stoehr drove his patrol vehicle northbound to approach a desert lot located on the northeast corner of Placid Street and Maulding Avenue. Officer Stoehr parked his vehicle and Officer Sithong parked behind him; both vehicles faced northbound.

As Officer Stoehr exited his vehicle, he heard gunfire from a close proximity coming from the desert lot. Officer Stoehr and Officer Sithong then retrieved their patrol rifles from their vehicles and moved on foot southbound on Placid Street. The officers used Jefferey Davidson's truck as cover and concealment while they waited for additional officers to respond.

For approximately twenty minutes, as additional officers arrived in the area, the officers heard several volleys of gunfire coming from the area of the wash within the desert lot at Placid Street and Maulding Avenue. Immediately following a rapid succession of gunfire, the officers on scene saw Justin Davidson shoot the windows of two patrol vehicles and enter the driver's seat of Officer Sithong's vehicle. Justin Davidson briefly drove forward and the sirens were activated. Justin Davidson then fled from the area in the stolen patrol vehicle.

Officer Mekeel was one of the first responding backup officers to arrive. Officer Mekeel located the stolen vehicle and became the primary pursuing unit. Officer Brooks was also one of the responding back up officers who arrived shortly after. Officer Sithong got into the passenger seat of Officer Brooks' vehicle as Officer Brooks left the initial illegal shooting scene to assist with pursuing the stolen patrol vehicle. Officer Sithong remembered his department issued cellular phone was inside of the stolen vehicle and used a phone location application to track the stolen vehicle.

As other officers pursed Davidson, Officer Gunn returned to the original shooting scene at Placid Street and Maulding Avenue. Officer Gunn walked through the desert lot surrounding the wash and located Liza Leveille-Davidson face down in the lot. Paramedics responded and confirmed Liza Leveille-Davidson was deceased. Officer Gunn also located an AK-47 style rifle along with cartridge cases in the desert lot.

### **Carjacking - Vons Gas Station (Warm Springs Road and Durango)**

With Officer Mekeel was still in pursuit, Davidson fled westbound on Warm Springs Road and drove to the parking lot of the Vons Fuel Station, located at 7305 Durango Drive. As Justin Davidson arrived at the gas station, he parked behind a blue Ford Raptor which was parked next to a fuel pump. Davidson exited the vehicle wearing a bullet proof vest and armed with a rifle. He grabbed the driver by the shirt, pointed the rifle at his face and pulled him out of the truck. After taking the vehicle at gunpoint, Justin Davidson fled the scene and drove southbound away from the fuel pump. While doing so he collided into a concrete pole next to the fuel pumps resulting in damage to the pole and the truck. Davidson continued southbound on Durango Drive.

### **Second Carjacking - Circle K Blue Diamond and Durango**

Davidson crossed the intersection of Blue Diamond Road and Durango Drive and drove through a desert lot on the southeast corner before entering the Circle K gas station parking lot, located at 8545 Blue Diamond Road. Davidson parked perpendicular to the front of a red Chevrolet Traverse that was parked southbound next to the fuel pumps while the occupants were getting gas. Davidson exited the Raptor armed with a rifle, pointed it at the occupants, and entered the Traverse. Davidson fled northbound on Durango Drive.

Officer Mekeel was still in pursuit of Davidson during this time and ultimately witnesses Davidson commit this carjacking and observed Justin Davidson point the rifle at civilians. Officer Mekeel entered the Circle K gas station parking lot from the north driveway off Blue Diamond Road. Officer Mekeel parked his patrol vehicle next to the far eastern fuel pump, exited his vehicle, and drew his handgun. Officer Mekeel discharged his handgun nine times towards Justin Davidson.

### **NHP involvement and Pursuit**

LVMPD Communications had notified Nevada State Police Highway Patrol (NHP) of the stolen patrol vehicle and pursuit. NHP Troopers Kincaid, Villanueva, and Moran were at the NHP station when they heard the request for assistance over the NHP radio frequency. The NHP Troopers left the station to assist LVMPD with the pursuit. Troopers Kincaid and Villanueva were partnered together in the same vehicle while Trooper Moran was in a separate vehicle.

While the troopers responded southbound on Durango Drive, Trooper Moran observed the stolen Traverse northbound on Durango Drive through Pebble Road. Trooper Moran, followed by Troopers Kincaid and Villanueva, conducted a U-turn and pursued Justin Davidson northbound on Durango Drive.

### **Davidson attempted carjacking and Felony murder/ Fatal OIS Shooting**

Gerardo Lopez-Martinez, a father of 7, was driving a Nissan van northbound on Durango Drive. Unfortunately, so was Davidson. While at Durango Drive and Mistral Drive, the suspect vehicle made a U-turn with a white van. Both the SUV, driven by Davidson, and the van, driven by Lopez-Martinez, came to a stop on the gravel along the shoulder of

Durango Drive. Davidson exited the passenger side of the maroon SUV armed with a rifle and approached the passenger side of the white van while saying, "Stop the car." Officers then heard a gunshot near the car. Davidson discharged the rifle into the passenger side of the van before dropping the Sig Sauer .308 rifle on the ground along the passenger side of the van.

Davidson entered the van and pushed the lifeless body of Lopez-Martinez out of the van. Lopez-Martinez landed face down on the ground behind the front driver's side tire as Davidson got into the driver's seat. Davidson briefly drove the van in reverse then drove forward. As the van moved forward the rear driver's side tire, Davidson ran over Lopez-Martinez' head.

The troopers and Officer Brooks all discharged their firearms towards Justin Davidson. Officer Brooks discharged his handgun 13 times, Trooper Kincaid discharged his handgun 11 times, and Trooper Villanueva discharged the rifle eight times. Investigators were unable to determine the exact number of rounds fired by Trooper Moran because Trooper Moran conducted a magazine reload after the OIS and during the countdown of his rifle, he was unsure if all magazines were loaded with the with the correct number of rounds. Based on a review of evidence and scene in conjunction with the magazine he left on scene, Trooper Moran fired approximately 22 rounds.

Justin Davidson fled southbound on Durango Drive and eventually stopped on the center median at Durango Drive and Agate Avenue. LVMPD and NHP treated the incident as a barricade and waited for LVMPD SWAT to arrive. When SWAT approached the van, Justin Davidson was found with multiple gunshot wounds deceased in the driver's seat of the van.

When Justin Davidson was removed from the van, he was found to be wearing a tactical vest with enclosed body armor, a camouflage jacket attached to the vest, and two fully loaded seventeen round, 9mm handgun magazines. Detectives and Crime Scene Investigators responded to assume primary in the investigation.

### **INCIDENT TIMELINE**

The below timeline is a reconstruction of events which transpired on Wednesday December 27, 2023, in relation to the fatal officer-involved shooting that occurred at Diamond Road and Durango Drive and Mistral Avenue and Durango Drive.

<b>Time (hours)</b>	<b>Description of Event/Action</b>	<b>Source</b>
0346	An illegal shooting call at 7564 Placid Street was generated by LVMPD Communications. LVMPD Communications received multiple calls reporting gunshots were heard in the area.	Computer Aided Dispatch (CAD)
0352	Officer Stoehr arrived on Placid Street and contacted Jeffrey Davidson, who reported his	Officer Stoehr's Body Worn Camera (BWC)

<b>Time (hours)</b>	<b>Description of Event/Action</b>	<b>Source</b>
	son was in the wash with a gun. Jeffrey Davidson also reported his wife was in the wash.	
0353	The first set of gunshots occurred from the desert wash at Placid Street and Maulding Avenue in presence of officers on scene.	Officer Stoehr's BWC
0355	Officer Stoehr and Officer Sithong moved positions away from the patrol vehicles and utilized Jeffrey Davidson's truck as cover and concealment. Multiple barrages of gunfire from the wash occurred while officers were on scene.	Officer Stoehr's BWC
0409	A rapid succession of gunfire occurred, followed by Officer Hawkins warning other officers that Justin Davidson was inside of a patrol vehicle.	Officer Hawkins' BWC
0411	Justin Davidson fled the scene in a stolen patrol vehicle.	Officer Hawkins' BWC
0412	Officer Mekeel initiated pursuit of Justin Davidson and the stolen patrol vehicle.	Officer Mekeel's BWC
0417	Justin Davidson stole a blue Ford Raptor from 7305 S. Durango Drive (Vons). Officer Mekeel continued to pursue Justin Davidson southbound on Durango Drive.	Officer Mekeel's BWC
0419	Justin Davidson drove through a desert lot and entered the parking lot of 8545 Blue Diamond Road (Circle K).	Officer Mekeel's BWC
0420	Officer Mekeel discharged his firearm while Justin Davidson stole a Chevrolet Traverse that was parked next to the fuel pumps. Justin Davidson fled northbound on Durango Drive in the stolen Traverse.	Officer Mekeel's BWC
0421	While Trooper Moran was southbound on Durango Drive approaching Pebble Road, Justin Davidson drove northbound through the intersection of Durango Drive and Pebble Road in the Chevrolet Traverse. Trooper Moran conducted a U-turn to pursue Davidson.	Trooper Moran's Dashboard Mounted Camera
0422	A white Nissan van and the Chevrolet Traverse conducted a U-turn at Durango Drive and Mistral Avenue. Both vehicles parked on the southbound shoulder of Durango Drive. Trooper Moran conducted a U-turn and positioned his patrol vehicle southwest in the middle of Durango Drive.	Trooper Moran's Dashboard Mounted Camera

Time (hours)	Description of Event/Action	Source
	Justin Davidson ran with a rifle from the passenger side of the Chevrolet Traverse to the passenger side of the Nissan van.	
0423	<p>The driver's door of the Nissan van opened, and Gerardo Lopez-Martinez was pushed out of the van onto the ground.</p> <p>Trooper Moran, Trooper Kincaid, Trooper Villanueva, and Officer Brooks discharged their firearms towards the white van.</p> <p>The van door closed, and Justin Davidson drove the van southbound on Durango Drive.</p>	Trooper Moran's Dashboard Mounted Camera/Trooper Morans BWC/Trooper Kincaid's BWC, Trooper Villanueva's BWC/Officer Brooks' BWC
0425	The van slowly rolled onto the center median and stopped on the median at Durango Drive and Agate Avenue. Officers and Troopers on scene waited for LVMPD SWAT to respond.	Trooper Moran's BWC
0540	LVMPD SWAT approached the Nissan van and located Justin Davidson deceased.	CAD

### **INTERVIEW SUMMARIES**

#### **Subject Officers**

Subject officers may provide a recorded or written statement to FIT investigators; however, since the statement is voluntary, subject officers have the right to decline providing a statement to FIT investigators. If a statement, verbal or written, is provided to FIT investigators, it should be obtained from the subject officer(s) at least 48 hours after the incident. Note: The 48-hour waiting period may be waived by the subject officer.

#### **Officer Brooks**

On December 27, 2023, at approximately 1335 hours, Sergeant Iacullo contacted Officer Brooks to see if Officer Brooks would provide a voluntary statement to FIT investigators; Officer Brooks declined.

#### **Officer Mekeel**

On December 27, 2023, at approximately 1435 hours, Sergeant Iacullo contacted Officer Mekeel to see if Officer Mekeel would provide a voluntary statement to FIT investigators; Officer Mekeel declined.

#### **Trooper Kincaid**

On December 29, 2023, at approximately 0829 hours, Detective Ubbens conducted an audio-recorded interview with Trooper Kincaid at 400 S. Martin Luther King Boulevard.

Trooper Kincaid was in a two-officer vehicle with his field training officer (FTO), Trooper Villanueva. While Trooper Kincaid was in the parking lot of NHP Southern Command, he heard a call for an agency assist involving shots being fired and a stolen police vehicle. Trooper Kincaid drove towards the call with his FTO. While en route to the call, there was additional information that shots were fired at LVMPD officers and there was at least one person injured. While traveling southbound on Durango Drive, Trooper Kincaid also learned through call updates that the suspect stole multiple vehicles and was now northbound on Durango Drive in a maroon cross over sport utility vehicle.

Trooper Moran located the suspect vehicle northbound on Durango Drive. Trooper Kincaid turned around and followed Trooper Moran to assist. On Durango Drive, south of Windmill Lane, the suspect attempted to steal another vehicle. As the suspect exited the vehicle with a rifle in his hands, Trooper Kincaid heard a gunshot from the suspect's location. The gunshot sounded like it came from a rifle, so Trooper Kincaid advised the other officers that the suspect had a rifle.

Trooper Kincaid could not see inside of the vehicle and was unaware of the driver's condition. The driver's side door of the vehicle (Nissan van) opened, and the driver was pushed out of the vehicle. From Trooper Kincaid's observation, the driver of the van appeared to be deceased. Trooper Kincaid noticed there was blood on the back of the driver's clothing. When the driver was fully out of the van, the suspect attempted to drive away in the van.

Trooper Kincaid decided to fire as the suspect attempted to drive away because the suspect was still a threat. Trooper Kincaid and the other officers gave several verbal commands, and the suspect did not comply or show any indication he intended to comply with commands. Trooper Kincaid believed the suspect was still armed with the rifle while inside the van. It was not until after the suspect fled in the van that officers located the rifle and due to the size of the van and Trooper Kincaid's location. Trooper Kincaid did not see the suspect drop the rifle.

### **Trooper Moran**

On December 29, 2023, at approximately 1015 hours, Detective Ubbens conducted an audio-recorded interview with Trooper Moran at 400 S. Martin Luther King Boulevard.

Trooper Moran was at the office when a call for an agency assist stated that LVMPD was in pursuit of a shooting suspect who stole a police vehicle. As Trooper Moran responded he heard an update that the suspect was southbound on Durango Drive after carjacking another vehicle. While Trooper Moran was southbound on Durango Drive, the suspect stole another car which was described as a red SUV or cross-over. While Trooper Moran was in Durango Drive and Pebble Road, he saw the suspect vehicle driving northbound at a high rate of speed.

Trooper Moran conducted a U-turn and called out a pursuit. Approximately one mile later, the suspect did a U-turn at Durango Drive and Mistral Drive and stopped on the dirt shoulder. Just prior to the U-turn, Trooper Moran heard three pops and thought the suspect was shooting at him. Trooper Moran saw a white van but was not sure how the van got there. The suspect exited the passenger side of the SUV and ran towards the white van. Trooper Moran heard a gunshot and saw a bullet hole in the driver's side window. The window was shattered, so Trooper Moran could not see in the driver's side of the van. Trooper Moran heard another trooper yell that the suspect had a rifle. The police lights illuminated the van, but Trooper Moran could not see inside or past the van.

The driver door of the van opened, and the suspect pushed the driver out of the vehicle. As the driver fell to the ground, the officers opened fire on the suspect. Trooper Moran described the driver of the van as appearing lifeless and had blood coming from his head. The suspect took off in the van southbound on Durango Drive and Trooper Moran continued to pursue him. The van slowly came to a stop on the center median at Durango Drive and Agate Avenue. Trooper Moran, his sergeant, and an LVMPD officer held their positions until additional resources and SWAT arrived.

When asked what threat he perceived when he fired his weapon, Trooper Moran explained he knew the suspect shot his mother, had been shooting at officers, and the suspect killed a bystander in front of the officers, so Trooper Moran felt the suspect was an immediate danger to officers and the public if he continued on his "rampage."

### **Trooper Villanueva**

On December 29, 2023, at approximately 1145 hours, Detective Ubbens conducted an audio-recorded interview with Trooper Villanueva at 400 S. Martin Luther King Boulevard.

Trooper Villanueva was assigned as Trooper Kincaid's FTO. While they were at the office booking evidence, there was a call for an agency assist stating a LVMPD police vehicle was stolen and the suspect shot at officers. Trooper Villanueva was in the passenger seat of Trooper Kincaid's car. While responding to the call, Trooper Villanueva was reading call updates on the computer. While the troopers were southbound on Durango Drive, the call was updated that the suspect stole a maroon SUV. Trooper Moran was driving ahead of Troopers Kincaid and Villanueva. Trooper Moran located the suspect vehicle going northbound on Durango Drive. The troopers turned around to follow the suspect.

While at Durango Drive and Mistral Drive, the suspect vehicle made a U-turn with a white van. Both the SUV and van came to a stop on the gravel along the shoulder of Durango Drive. Trooper Villanueva deployed a rifle as he exited the vehicle. Trooper Villanueva saw the suspect exit the passenger side of the maroon SUV armed with a rifle and approach the passenger side of the white van while saying, "Stop the car." Trooper Villanueva heard a gunshot and took cover behind Trooper Kincaid's vehicle.

Trooper Villanueva could not see inside the van. The driver door of the van opened, and the driver was pushed out of the van. Trooper Villanueva believed the driver of the van was deceased because there were no signs of life and Trooper Villanueva could see brain



matter coming from the driver's head. As the door was opened, Trooper Villanueva could see the suspect. Because the suspect already shot at LVMPD, stole a police vehicle, carjacked another vehicle, killed an innocent person in front of the troopers, and would not stop for officers, Trooper Villanueva decided to fire. Trooper Villanueva explained that at the time he fired, he had no reason to believe the suspect was unarmed. The van then drove southbound on Durango Drive. While Trooper Moran pursued the van, Trooper Villanueva stayed and secured the scene.

## **Victim Officers**

### **Officer Sithong (Initial responding officer)**

On December 27, 2023, at approximately 0943 hours, Detective Perez conducted an audio-recorded interview with Officer Sithong at Placid Street and Maulding Avenue.

Officer Sithong was dispatched to an illegal shooting call in the area of Placid Street. On the way to the call, Officer Sithong questioned whether the illegal shooting was going to be an actual firearm or fireworks. Officer Sithong and his partner, Officer Stoehr, were in separate vehicles and arrived in the area of the call at the same time. Prior to arriving in the area Officer Sithong had the vehicle's windows down and heard what he believed to be illegal shooting. Officer Sithong relayed to his partner, Officer Stoehr, that he heard gunfire or fireworks.

Officer Sithong advised Officer Stoehr that due to the possible illegal gunfire, they should make their way closer to the area they were initially dispatched. Once Officer Sithong arrived in the area, Officer Stoehr's vehicle was directly in front of his vehicle. Officer Sithong observed a white Toyota Tacoma driving in reverse towards officers. Once the Tacoma got close to the officers, both Officer Sithong and Officer Stoehr activated their lights on the patrol vehicle. Officer Sithong was in the far-right (west) side of the road and the Tacoma was traveling in the opposite lane, moving southbound in reverse.

While the Tacoma travelled towards the officers, Officer Sithong opened his driver side door halfway and prepared to exit his vehicle. Officer Sithong observed the driver of the white Tacoma exit and approach Officer Stoehr. Officer Sithong described the driver (Jeffery Davison) of the Tacoma to be an older white male. The male communicated with Officer Stoehr, but Officer Sithong was unable to hear what was being said but saw the male pointing in the direction ahead of the officers. Officer Sithong was unaware if the driver of the Tacoma was the suspect or the person who reported the illegal shooting.

Officer Sithong and Officer Stoehr moved their patrol vehicles closer in the direction of where the male pointed. Officers Stoehr and Sithong exited their vehicles and Officer Stoehr advised Officer Sithong he believed the male was mentally ill because the male claimed his son was hurting his wife.

Once Officer Sithong exited his vehicle, he heard approximately three loud bangs. Officer Sithong believed the three loud bangs were gunfire. Once Officer Sithong heard the

gunfire, Officer Stoehr moved to the back of his vehicle to deploy his rifle. Officer Sithong was watching the area while Officer Stoehr slung his rifle. Once Officer Stoehr deployed his rifle, Officer Sithong also deployed his rifle. Officers Sithong and Stoehr began to slowly move back and created distance from the gunshots they were hearing. Once Officer Sithong created distance he heard approximately three more loud bangs, which were continuous waves of gunfire. While they took cover behind the Tacoma, Officer Sithong heard approximately three more rounds of gunfire. Officer Sithong was unaware of where the gunfire was coming from but felt as if the gunfire was coming very close to him due to the sounds of the shots. Officer Sithong was concerned the suspect could come around any corner.

Officer Sithong believed the proximity of the gunfire was close to him and he could have been shot so he continued to take cover while continued to hear the shots in his direction. Officer Sithong began to feel unsafe about where his position was due to how close the shots were and relayed this information to Officer Stoehr. Officer Stoehr moved to another position near a brick wall and laid on the ground and Officer Sithong moved to the right rear passenger side of Tacoma.

Officer Sithong knew that Officer Stoehr's vehicle, which was parked directly in front of Officer Sithong's vehicle, had bullet holes throughout the car. The Tacoma where Officer Sithong was taking cover approximately three car lengths away from where he left his vehicle. When the gunfire was coming into the direction of Officer Sithong, he was afraid and scared. Officer Sithong knew he had to address the situation because of the details that the driver of the Tacoma relayed to Officer Stoehr.

Officer Sithong took cover behind the Tacoma for approximately ten minutes until the suspect walked towards Officer Stoehr's patrol vehicle. Officer Sithong heard approximately ten more gunshots. Officer Sithong described the suspect as a white male adult wearing a combat vest and armed with a black rifle. Officer Sithong observed the suspect jog towards a LVMPD patrol vehicle and shoot multiple rounds into it. Officer Sithong learned after the fact, the vehicle the suspect shot into was his. Officer Sithong knew the suspect shot into his driver side window because Officer Sithong locked the doors prior to exiting his vehicle. The suspect entered Officer Sithong's vehicle and attempted to drive northbound on Placid Street but only drove about ten feet. The suspect stayed on Placid Street and pressed buttons on the panel inside the LVMPD patrol vehicle. Officer Sithong knew the suspect was pressing buttons on the control panel because he was able to hear sirens turning on and off.

Once Sithong observed the suspect leave the area in the patrol vehicle. Officer Sithong got into a patrol vehicle which was driven by Officer Brooks. Officers Sithong and Brooks listened to radio traffic and locate the stolen marked LVMPD vehicle. Officer Sithong remembered his department issued cell phone was inside the stolen patrol vehicle and was able to locate the vehicle by tracking the phone. Officer Sithong tracked the phone traveling westbound on Warm Springs Road from Placid Street until the suspect reached Durango Road. Once the suspect reached Durango Drive and Warm Springs Road it appeared the suspect stopped. Officers Sithong and Brooks arrived in the area of Warm

Springs Road and Durango Drive and observed the stolen LVMPD vehicle and four individuals near a Vons gas pump. Officer Sithong learned the four individuals were victims of a carjacking. The victims advised Officer Sithong a LVMPD vehicle approached from behind with the lights activated. The suspect pointed a firearm at all four of them and then stole their blue 2020 Ford F-150. Officer Sithong was unable to relay the information over the radio due to the vehicle pursuit still being active and other officers identifying the blue truck as the suspect vehicle.

Officer Sithong believed the scene at the Vons was calm and advised Officer Brooks to continue and help the other units. Officer Sithong did not continue participating in the vehicle pursuit and stayed with the victims at the Vons gas station.

While at the original illegal shooting call, Officer Sithong believed he was in imminent danger due to how close the gunfire was to him, the darkness of the area he was in, and the high bushes in the area hindered his view. Officer Sithong believed the incident could have been an ambush situation due to the desert area being dark and not being able to know where the shots were coming from. Officer Sithong believed the lights activated on his patrol vehicle could have given his position away to the suspect.

#### **Officer Stoehr (Initial responding officer)**

On December 27, 2023, at approximately 0954 hours, Detective Valenzuela conducted an audio-recorded interview with Officer Stoehr at Pebble Road and Durango Drive. Also present for the interview LVPPA Representative Stinnett. Below is a summary of the interview; for complete details refer to the interview transcript.

Officer Stoehr was dispatched to an illegal shooting call with his partner Officer Sithong. Officer Stoehr learned that five to ten shots were fired from an unknown wash area. As both officers were arriving, Officer Stoehr heard what he believed were firework sounds coming from the wash area. Both officers arrived in the area of Placid Street and Maulding Avenue, and both had their vehicles' overhead police lights on. Officer Stoehr observed a tan truck driving in reverse approaching his vehicle.

The truck pulled up along the side of Officer Stoehr's vehicle where an older white male (Jeffrey Davidson) exited the driver's seat. Jeffrey approached Officer Stoehr and stated that his son (Justin Davidson) had a firearm in the wash area along with Jeffrey's wife (Liza Leveille-Davidson). Both officers drove their vehicles forward and parked near a bush. Officer Stoehr exited his vehicle and began walking forward towards Officer Sithong. Officer Stoehr heard numerous rounds being fired from a northeast direction within the wash.

Officer Stoehr removed his rifle from the back of his vehicle as Officer Sithong covered him. Both officers moved forward to Officer Sithong's vehicle where he grabbed the rifle from his vehicle as Officer Stoehr covered him. They retreated backwards towards Jeffrey's truck away from the wash area. Jeffrey was taking cover behind his truck as the

officers joined him. Officer Stoehr instructed Jeffrey to keep moving further away from the wash area where the rounds were being fired from.

As officers took cover behind Jeffrey's truck, Officer Stoehr could still hear gunshots being fired. Officers remained behind the truck and waited for additional units to arrive. Due to the darkness, Officer Stoehr was unable to see the person shooting or the exact location of where the shots were being fired from.

Officer Stoehr laid down in a prone position in between a wall and the truck. Officer Sithong positioned himself to the left of Officer Stoehr. Officer Hawkins arrived and took cover behind the truck. Occasional gunshots were still being fired in the direction of the officers. Officer Stoehr could hear the gunshots very close to their position. Officer Stoehr believed that the gunshots were hitting near where the patrol cruisers were parked in front of them.

Officer Stoehr observed a silhouette walk out of the brush area and towards the patrol vehicles. Officer Stoehr believed the subject (Justin) to be a white male who was wearing dark colored clothing. Officer Stoehr heard additional rounds being fired towards the officers from the direction of where Justin had walked near Officer Sithong's vehicle. Officer Stoehr believed Justin was trying to kill officers. Officer Stoehr heard gunshots followed by glass to the patrol vehicles being shattered.

Officer Stoehr heard Officer Hawkins state that Justin was getting inside Officer Sithong's patrol vehicle. Officer Stoehr stood up and observed Officer Sithong's vehicle as it drove away northbound. Officers began pursuing the stolen patrol vehicle being driven by Justin. As Officer Stoehr attempted to get inside his vehicle, he noticed that it had been shot numerous times and he struggled to open the door. Officer Stoehr opened the door noticed additional bullet holes near his front windshield.

Officer Stoehr drove and joined the vehicle pursuit and realized that his vehicle was possibly leaking radiator fluid and began malfunctioning. While in the area of Durango Drive and Blue Diamond Road, Officer Stoehr exited his vehicle and joined Officers Hawkins and Calleja at the Chevron gas station. They took a position near a southwest wall until SWAT arrived and relieved them. Officer Stoehr did not observe any portion of the officer involved shootings.

Officer Stoehr added that when he and Officer Sithong first arrived and met with Jeffrey, and began hearing the gunfire, he was fearful and believed that Justin was attempting to kill officers.

### **Officer Tangren**

On December 27, 2023, at approximately 1011 hours, Detective Wedewer conducted an audio-recorded interview with Officer Tangren at Pebble Road and Durango Drive.

Officer Tangren heard a call for service come for an illegal shooting call in the “Sam area” and two units were assigned. Officer Tangren was in the “Ocean area” at the time but self-dispatched and began to drive towards the address of the call. While driving towards the address, he heard updates on the radio that more shots were fired and the officers on scene were trying to figure out where the shots were coming from. When Officer Tangren arrived, he met with other officers and parked behind their patrol vehicles. Officer Tangren went to the center patrol vehicle to see what was going on. Officer Tangren heard that officers knew the shots were coming from a certain direction but did not know from what specific location.

Officer Tangren looked to his right and observed a male (Jeffrey Davidson), which he learned was the dad of the suspect, and saw Officer Calleja talking to him. Officer Tangren started to hear multiple gunshots coming from a rifle, in close proximity to him. He could not remember how many shots he heard but stated it was more than three. When he heard the shots, he laid on the ground to take cover and tried to look around and see where the shots were coming from, but it was too dark to see anything.

Officer Tangren heard updates on the radio about a patrol vehicle being taken, and Officer Tangren observed the patrol vehicle leaving the scene, so he began to follow it. Because there were already three vehicles involved in the pursuit, he stopped pursuing and turned off his lights and sirens. Officer Tangren later heard an update that the suspect abandoned the patrol vehicle nearby and started to head that way until he heard another update that the suspect carjacked a citizen. While Officer Tangren continued to drive towards the pursuit he heard an update of another separate carjacking, and someone possibly shot during this incident.

Officer Tangren heard more radio traffic of the suspect going in different directions near Blue Diamond Road and Durango Drive, so he arrived in the area to help with traffic control until SWAT arrived.

Officer Tangren confirmed that when he heard the gunshots, he thought the rounds were directed to him and other officers causing him to be in fear for his life and the other officers’ lives. Officer Tangren was not sure if his vehicle was hit by rounds or not. Officer Tangren never fired his weapon, never physically saw the suspect fire his weapon or see any involved officers fire their weapons.

### **Officer Calleja**

On December 27, 2023, at approximately 0939 hours, Detective Wedewer conducted an audio-recorded interview with Officer Calleja at Pebble Road and Durango Drive. Also present for the interview was LVPPA Representative Grammas. Below is a summary of the interview; for complete details refer to the interview transcript.

Officer Calleja was on his lunch break when he heard two units get assigned to an illegal shooting call. He heard further updates given by the first arriving units, that they were hearing gun shots, so he cleared lunch and began to drive to their location to assist.

Officer Calleja arrived and saw three other patrol units on scene, but they still did not know where the shots were coming from. As Officer Calleja asked his partners what they were hearing, he heard gunshots but could not tell where they were coming from.

When Officers heard the shots, they began to take cover. While taking cover, Officer Calleja heard an unknown officer tell them that a male (Jeffrey Davidson) ran over from the desert area, and he was believed to be the father of the suspect. Officer Calleja ran to the father, who was hiding behind a nearby wall, to ask him what was going on. The male identified himself. The male told Officer Calleja that he believed his son shot his wife. Officer Calleja attempted to give updates over the radio when he started hearing more gun shots. The rounds were hitting the cars and walls around them, but the officers still did not know what direction the shots were coming from. Officer Calleja pushed the father down underneath the wall to cover because the ricochet came close to them.

Officers updated that the suspect was now getting into a car, so Officer Calleja ran to his vehicle in attempt to follow the suspect. While going to his vehicle, Officer Calleja saw two vehicles were hit by gunfire and the suspect was inside one of the vehicles. The suspect fled the scene in a patrol vehicle and Officer Calleja began to pursue the stolen police vehicle. Officer Calleja thought he was the first person in the pursuit but quickly realized he was following another officer already pursuing the suspect. Officer Calleja heard updates that the suspect had left the patrol car at Durango Drive and Warm Springs Road where he carjacked a citizen. The suspect drove southbound Durango Drive towards Blue Diamond Road.

Officer Calleja headed that way and was at the intersection of Blue Diamond Road and Durango Drive when he heard the suspect was now driving slowly in a white vehicle southbound on Durango Drive. Officers were also updated that Nevada State Police were involved in a shooting with suspect. Officer Calleja believed it was possible the suspect was shot inside the vehicle, so he blocked traffic with two other officers. They all took cover nearby until they were relieved by SWAT.

Officer Calleja stated that while at the original scene of the call, the first shots he heard seemed to be coming from less than 50 yards from him, or possibly even as close as 20 yards. Officer Calleja was in fear for himself, other officers, and other citizens as he felt the shots were directed towards them. When Officer Calleja was with the father of the suspect, he thought the suspect knew where his dad was and was trying to shoot his father. Officer Calleja added he and the other officers were fortunate no one was shot by the suspect.

During the incident Officer Calleja was never able to see the suspect or muzzles flashes. Officer Calleja never fired his weapon or physically saw another officer fire their weapon. Officer Calleja did not believe his vehicle was hit by gunfire during the incident. Officer Calleja concluded the interview confirming he was in fear for his life, other officers' lives, the father's life and knew the suspect possibly committed a homicide.

## **Officer Gunn**

On December 27, 2023, at approximately 0923 hours, Detective Valenzuela conducted an audio-recorded interview with Officer Gunn at Pebble Road and Durango Drive.

Officer Gunn heard on his radio that two of his partners were going to an illegal shooting call. As both of his partners arrived, they asked for a Code Red<sup>1</sup>. Officer Gunn assigned himself to the call and began driving towards the location of Placid Street and Maulding Avenue. As Officer Gunn arrived in the area, he heard one of the officers inform arriving officers to come in from the south. Officer Gunn had his patrol vehicle's overhead lights on. Officer Gunn also lowered the windows to his vehicle so that he could hear what was going on outside. Officer Gunn was in the area of Gillespie Street and Maulding Avenue when he heard gunshots being fired and he believed the gunshots may have flown over his head. Officer Gunn added that he was unsure if the gunshots were being fired at him, but he still felt he was in danger.

As Officer Gunn arrived at Placid Street and Maulding Avenue, he heard more gunshots being fired. Officer Gunn pulled out his rifle and positioned himself behind his patrol vehicle. Officer Gunn observed three other officers positioned behind a white Toyota Tacoma. The gunshots being fired sounded like they were very close to where he was positioned. Officer Gunn felt he and his partners were in imminent jeopardy of being shot.

Officer Gunn heard an officer shout, "Drop the gun!" Other officers yelled, "He's got a gun!" and "Drop the gun." Officer Gunn peered around the corner from his vehicle and observed a silhouette. Officer Gunn believed the person he observed walked from the tree line of the wash. Because the patrol vehicles had their overhead lights on, Officer Gunn was unable to observe the person clearly. The suspect (Justin Davison) jumped into a patrol vehicle through the driver's side window and drove away. Officer Gunn believed Justin shot out the patrol vehicle's window before he jumped inside of the vehicle. Justin drove the police vehicle away with the lights and sirens on. Officer Gunn got into his patrol vehicle and began following other officers involved in the pursuit.

Officer Gunn realized that he was too far behind the suspect and began utilizing the bubble tactic. Officer Gunn discontinued and drove back to the original scene in an attempt to locate the female (Liza Leveille Davidson). When Officer Gunn got back to the original scene and walked into a dirt wash with a lot of vegetation. He walked down a rocky path and observed an old military radio with a GPS transponder. Officer Gunn also observed two AK-47 magazines, and an unloaded AK-47 style firearm. Officer Gunn was unsure if the rifle had a round in the chamber, but he did note that there was no magazine in the firearm and the bolt was forward. Officer Gunn then noticed a female's body, face down, up on a grassy hill. Officer Gunn walked up the hill and located Liza's body, he could tell she had been shot and she was beyond help. Officer Gunn began securing the crime scene.

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<sup>1</sup> Code Red: Used for emergency radio traffic only and may be initiated by a unit at the scene, a supervisor, or the dispatcher working the channel.

## **Officer Hawkins**

On December 27, 2023, at approximately 0956 hours, Detective Wedewer conducted an audio-recorded interview with Officer Hawkins at Pebble Road and Durango Drive.

Officer Hawkins stated the call came out as an illegal shooting call and two officers were initially assigned. When she heard more callers reporting the incident, she self-dispatched to the call to assist. The updated details of the call were that multiple people heard several gunshots in the desert area nearby where they were calling from. Before arriving, Officer Hawkins heard another officer was out with a suspicious male (Jeffrey Davidson) who reported his son had a firearm.

As Officer Hawkins arrived, she deployed her rifle and put on her tactical vest. She began to hear a series of gunshots that sounded like rifle fire, in close proximity to her from the east. Officer Hawkins could not see anything and took cover behind a white Tacoma truck. Officer Hawkins believed the shots sounded approximately 25 yards away but could only hear them and could not see the suspect or muzzle flashes. While Officer Hawkins was behind cover, she heard ricochets coming from the engine block or front tire of the Tacoma she was behind, so she moved back towards other responding officers. When she heard the shots, Officer Hawkins thought the rounds were directed towards her and other officers causing her to be in fear for her life.

Officer Hawkins stayed behind cover and heard more gunfire over the next few minutes, before eventually seeing the suspect's feet while he climbed into the patrol vehicle to drive it away. Officer Hawkins could only see his feet and could not see a firearm at the time from her point of view. When the suspect drove away, she told other officers they needed to initiate a pursuit since the suspect stole a patrol vehicle.

Officer Hawkins initiated pursuit and pursued the suspect to Blue Diamond Road and Durango Drive at the Circle K. Officer Hawkins was at the intersection of Blue Diamond Road and Durango Drive when she heard gunfire from the OIS at the Circle K but did not see the suspect or the officer fire. After Officer Hawkins heard the shots, she was able to see to a maroon SUV flee the area. Officer Hawkins stayed at the intersection after losing sight of the suspect vehicle. She heard the radio traffic that Nevada State Police were involved in an OIS and the suspect was coming back towards her direction. Officer Hawkins got out of her patrol vehicle and took cover behind it in case the suspect came back around. Officer Hawkins stayed nearby on the perimeter until she was relieved by SWAT.

Officer Hawkins confirmed she never fired her weapon, never saw the suspect, the suspect's firearm or muzzle flashes during the incident. Officer Hawkins' vehicle was not hit with any rounds during the incident. Officer Hawkins concluded the interview confirming, she thought the suspect was shooting at them and that she was in fear for her life and other officers' lives.

## **Witness Officers**



Witness officers shall provide a recorded statement to FIT investigators. Witness officer statements will be taken at a date, time, and location determined by FIT investigators.

## **Officer Lo**

On December 27, 2023, at approximately 1019 hours, Detective Perez conducted an audio-recorded interview with Officer Lo at Durango Drive and Pebble Road.

Officer Lo heard a radio broadcast of the incident occurring in the area of I-15 and Warm Springs Road. Officer Lo was west of the area and heard on the radio that officers were being shot at and the suspect was in possession of a rifle that killed two people. Officer Lo learned the suspect entered a LVMPD patrol vehicle and began traveling west bound. Lo knew his patrol squad was assigned to the call and assisted. Officer Lo did not self-assign to the incident because he was on an unrelated call and Officer Lo was traveling back to his station to complete the report.

Officer Lo learned from a radio broadcast that the suspect stole a LVMPD marked patrol vehicle, was traveling westbound, and there was a pursuit. The suspect was driving towards him, so Officer Lo positioned himself at an intercept point at Warm Springs Road and Jones Boulevard. Once Lo arrived at Warm Springs Road he traveled east. Officer Lo heard an update that officers were still pursuing the suspect on Dean Martin Drive and Warm Springs Road.

Officer Lo eventually observed a patrol vehicle, without its light and sirens activated, and the front headlights off driving westbound on Warm Springs Road. Officer Lo observed the patrol vehicle driving erratically and knew it was abnormal for a LVMPD officer to be driving in that manner. Officer Lo positioned himself in the middle turning lane on Warm Springs Road between Lindell Road and Jones Boulevard. Officer Lo was on Warm Springs Road facing east and the suspect was on Warm Springs traveling west. Officer Lo felt if he continued to travel in the west bound lanes with the suspect driving erratically, they would collide head on. The suspect eventually passed Officer Lo traveling in the stolen LVMPD vehicle. Once the suspect passed Officer Lo, he became primary in the vehicle pursuit.

Officer Lo was not sure if the driver of the vehicle was wearing a LVMPD uniform. Officer Lo pursued the patrol vehicle from Lindell Road and Jones Boulevard, made a U-turn, and continued to observe the suspect run multiple red lights and drive at a high rate of speed westbound on Warm Springs Road. Officer Lo announced over the radio he was in pursuit of the vehicle. While Officer Lo was pursuing the suspect, he looked in his rear-view mirror and observed other officers were a great distance away from him. While Officer Lo pursued the suspect, he believed the suspect was in possession of the two shotguns that are standardly equipped in a LVMPD marked patrol vehicle, as well as a rifle that was possibly in the back of the car. Officer Lo continued to pursue to vehicle for approximately two to three minutes.

Officer Lo pursued the vehicle from Warm Springs Road and Lindell Road until he discontinued at the Circle K located at Durango Drive and Blue Diamond Road. While at the Circle K, Officer Lo believed the suspect was shooting at him. Officer Lo was unable to see any muzzle flashes from the suspect, but he heard gunshots which made him focus on the suspect. Due to gunshots being fired, Officer Lo positioned himself as low as he could in his driver seat to gain as much cover possible. Officer Lo discontinued pursuing the suspect once at the Circle K because the suspect was able to get away from him. While Officer Lo was away from his vehicle, he observed a vehicle drive through a ditch back onto Blue Diamond Road.

When Officer Lo observed the suspect steal the blue colored F-150 on Durango Drive and Warm Springs Road, Officer Lo saw the suspect carrying his jacket as if he had something long underneath it. As he observed the suspect carrying the long item underneath his jacket, Officer Lo observed multiple people run away from the truck. Officer Lo observed the truck start driving away from the gas station erratically. The truck struck a pillar next to a gas pump then drove away at a high rate of speed. Officer Lo got back inside his vehicle to pursue the blue truck, another marked LMVPD vehicle joined the pursuit ahead of him. Officer Lo became secondary in the pursuit from the Vons gas station on Warm Springs Road and Durango Drive to the Circle K.

As he pursued the suspect to the Circle K gas station, Officer Lo observed the suspect drive through the desert area towards the gas pumps. As Officer Lo attempted to drive into the gas station parking lot, he observed the person who was inside the blue Ford going towards a maroon SUV as people ran away from the maroon SUV. Officer Lo positioned himself behind the maroon SUV. Once Officer Lo parked, he opened his door and attempted to exit his vehicle but stopped because he heard gunshots. Officer Lo heard approximately three to four shots while at the Circle K. Officer Lo believed he was taking gunfire, so he slid down from his seat towards the floorboard of his driver seat. Officer Lo believed he was inside a "kill box" and knew he had to exit his vehicle. Officer Lo exited once he did not see muzzle flashes towards his direction. Officer Lo exited his vehicle and attempted to get behind a gas pump and drew his firearm.

Officer Lo observed the maroon SUV drive away and believed the suspect ran two people over in the desert area. Once Officer Lo thought the two people were struck with the vehicle, he went to them instead of joining the vehicle pursuit. He observed superficial injuries on the two people from jumping onto the rocks to avoid the suspect. Officer Lo believed if he stayed inside his vehicle while at the Circle K the suspect would have killed him.

Officer Lo clarified the original call was an illegal shooting and he later learned the suspect murdered his mother and someone else. Officer Lo knew the suspect was shooting at officers and was concerned for everyone's safety at the gas station. The suspect also had multiple opportunities to surrender.

### **Civilian Victims**

### **John-Glenn Frigillana (Vons Carjacking of Blue Raptor)**

On December 27, 2023, at approximately 1004 hours, Detective Cortez conducted an audio-recorded interview with John-Glenn Frigillana at 9512 Belmont Bay Avenue.

Frigillana was visiting from the Philippines and stayed with his family at 9512 Belmont Bay Avenue. On December 27, 2023, at approximately 0400 hours, they all drove in Irish Tatlonghari's blue Ford Raptor to a Von's gas station to get gas for a preplanned road trip to Los Angeles, CA.

Frigillana heard a siren and an "explosion," that he believed was caused from a blown tire. A white male with a medium build, long hair, and wore a "bullet vest" carried a rifle and approached the truck in an "attack position." Frigillana's uncle told Tatlonghari to get back inside the vehicle. Frigillana saw the suspect go to the driver's side where Tatlonghari was. The suspect pointed a gun at Tatlonghari's face, grabbed the front of Tatlonghari's shirt and pulled him out of the truck. Tatlonghari said, "Please don't shoot us. Please don't shoot us." The suspect told them all to get out of the vehicle, to which they complied. Frigillana said the suspect remained standing near the driver's door, but also pointed a gun at him. Lorna Moe and Frigillana exited the truck via the rear passenger door. When the suspect got into the truck to drive away, he bumped the front of the truck against the "gas station stands" which damaged the front of the truck. The suspect exited the gas station and made a right turn.

Police officers arrived and taped off the crime scene. They allowed Frigillana and his family to be picked up by Tatlonghari's brother who brought them back to their house. Frigillana said this experience was traumatizing.

### **Lorna Moe (Vons Carjacking of Blue Raptor)**

On December 27, 2023, at approximately 0945 hours, Detective Gilleo conducted an audio-recorded interview with Lorna Moe at 9512 Belmont Bay Avenue.

Early in the morning Moe got into her son's (Irish Tatlonghari) truck as they were preparing to drive back to California after visiting for the holidays. They pulled into the Vons gas station to fill up the truck with gas before driving home.

As Tatlonghari parked at the gas pump to begin pumping gas, she heard a loud gunshot followed by what she described as a car driving with a flat tire. Moe explained everyone in the vehicle began looking around and they saw a police vehicle driving towards them. Moe observed a white "dirty" male subject (Justin Davidson) wearing a military style vest approach the truck and yell, "Get out!".

Moe explained the suspect grabbed her son Irish by the collar while pointing a gun at him and ordered everyone to get out. Everyone exited the vehicle, and the suspect entered the vehicle and yelled, "Where's the key?". Eventually the suspect started the vehicle and crashed into a gas station pole and trash can before fleeing.

Shortly after, LVMPD patrol cars arrived and drove after the suspect driving in the stolen truck. Moe and her family stood-by and waited for patrol officers to assist in reporting the incident.

### **William Moe (Vons Carjacking of Blue Raptor)**

On December 27, 2023, at approximately 0944 hours, Detective Cortez conducted an audio-recorded interview with William Moe at 9512 Belmont Bay Avenue.

William Moe and his wife, Lorna, were visiting her family in Las Vegas for Christmas. On the morning of December 27, he and his family went to a nearby gas station. Moe's son-in-law, Tatlonghari, drove his blue Ford Raptor. Moe sat in the passenger seat with his dog, Louie, on his lap. Frigillana sat in the backseat directly behind Moe while Lorna Moe sat in the middle backseat with their other dog, Levi.

William saw a police vehicle with its lights flashing, make a U-turn and drive over a curb near the gas station they were at. They were parked at an inside pump, closest to the street. The police vehicle pulled into the Bank of America parking lot then pulled up behind their truck while Tatlonghari was outside getting ready to pump gas. A male, described as a white male, 30s, wearing a bullet proof vest and camouflage clothing, got out of the police vehicle. The male told Tatlonghari not to move and to put his hands up. Tatlonghari complied and put his hands up. Moe realized the male was not a police officer because he was not wearing a police uniform. The male pointed a "long rifle with a big clip in it" at Tatlonghari and then into the Ford Raptor.

Moe explained the male had a "crazy look" on his face, "wild eyes" and appeared like his "adrenaline was pumping." The male asked where the keys were, and Moe replied the truck ran off a key fob and he believed the fob was inside the console of the truck. The male told Tatlonghari to get out of the way and Tatlonghari moved out of Moe's view. Everyone complied and exited the vehicle. The male got into the driver's seat and put the truck in drive. As he drove away in the Ford Raptor, the male hit a red steel pole in the parking lot, which knocked over a trash can leaving pieces of the truck in the parking lot. The truck exited the lot and made a right turn onto an unknown street.

When police officers arrived, Moe believed it appeared as if the officers had already been chasing that police vehicle because they were being cautious about approaching it. Moe told one of the officers that the male just stole their truck, and he made a right turn. All the officers left in the direction of the truck.

### **Irish Tatlonghari (Vons Carjacking of Blue Raptor)**

On December 27, 2023, at approximately 0959 hours, Detective Gilleo conducted an audio-recorded interview with Irish Tatlonghari at 9512 Belmont Bay Avenue.

Earlier in the morning, Tatlonghari was preparing to drive back to California after visiting family for the holidays. Tatlonghari drove to the Vons gas station to fill up the truck with gas before making the drive home.

While trying to pump gas, Tatlonghari saw a police vehicle speeding and cross over the median then drove right up to him and his family. Tatlonghari saw a white male exit the police vehicle while wearing a military style vest with a long gun. Tatlonghari believed the male was a police officer, so he raised his hands in the air to comply with commands.

Tatlonghari's dad yelled to him, "That's not a cop!" The male exited the police vehicle and ran up to him with a long shotgun or rifle. The male ran up, grabbed Tatlonghari by the collar yelling, "Get out of the car!" Tatlonghari went to the ground while the suspect entered his truck. Tatlonghari ran back to his mother, Lorna Moe, and his family while the male drove Tatlonghari's truck into a gas station pole and trash can before fleeing the scene. Tatlonghari was afraid the male was going to shoot them, so he ran back to protect his mother until the male eventually fled the scene. Shortly after, LVMPD patrol officers arrived on scene and contacted them before driving and following the suspect in his truck.

#### **Calvin Dole Jr. (Circle K Carjacking)**

On December 27, 2023, at approximately 0941 hours, Detective Balint conducted an audio-recorded interview with Calvin Dole Jr. at 8545 Blue Diamond Road.

Dole and his wife, Tyara Ferreira, had stopped for gas at the Circle K gas station, located at 8545 Blue Diamond Road at approximately 0400 while they were on their way into work. Dole parked his vehicle at pump #5 and began pumping fuel into his 2015 red Chevrolet Traverse. After a short time, he observed a blue pick-up truck (Ford Raptor) drive in the dirt lot just west of the Circle and stopped directly in front of his vehicle. Dole described the driver as a white male adult holding a long black rifle while wearing a black tactical style vest equipped with extra rifle magazines. The driver of the truck approached Dole and told him to get out while pointing the firearm at his head. Dole removed the fuel hose before running to the passenger side of the vehicle to grab Ferreira.

Once he was able to help her out of the vehicle, Dole and Ferreira ran north from the fuel pumps toward Blue Diamond Road then west towards a smaller RTC bus that was parked in the lot nearby. As they were moving, Ferreira fell in the gravel area and Dole attempted to help her get up. Dole saw his Traverse driving towards him at a high rate of speed while occupied by the suspect. Dole grabbed his wife and tossed her away from the path of the Traverse. Dole and his wife went to the ground, at which time Dole began hearing gunshots. Dole did not look up and did not see who fired the shots or where they were coming from. Patrol officers then contacted Dole and Ferreira and told them to run inside the store, where they waited for detectives to speak with them.

Dole reiterated that he feared for his life and the life of Ferreira on multiple occasions, the first being when the suspect pointed the rifle at his head and the second when the suspect nearly ran the two of them over as they were trying to move away from him.

### **Tyara Ferreira (Circle K Carjacking)**

On December 27, 2023, at approximately 1008 hours, Detective Balint conducted an audio-recorded interview with Tyara Ferreira at 8545 Blue Diamon Road.

Ferreira was at a gas station with her husband, Calvin Dole Jr, when she observed a blue truck (Ford Raptor) drive through the dirt lot west of the gas before stopping in front of the Chevrolet Traverse she was sitting in. Ferreira observed the suspect (Justin Davidson) exit his vehicle and point a long firearm at Dole. The suspect then turned his attention to her by pointing the firearm at her and telling her to get out while he stood on the driver's side of the vehicle. She described the suspect as a white male adult who was tall and skinny. Ferreira had an issue getting her seatbelt to release and was eventually able to get free and run away from the suspect with Dole towards Blue Diamond Road.

As she and Dole approached a small RTC bus, she fell to the gravel and remembered Dole grabbing her and "flipping" her out of the way of their oncoming vehicle, now being operated by the suspect. A moment later, she heard gunshots, though she did not see where they were coming from or who fired them. Patrol officers contacted Dole and Ferreira and told them to run inside the store, where they waited until detectives arrived to speak with them.

Ferreria reiterated that she feared for her life on multiple occasions, the first being when the suspect pointed the firearm at her while she sat in the vehicle and the second when the suspect nearly ran her over as her and Dole were trying to move away from him.

### **Civilian Witness (Witness to Circle K carjacking)**

#### **Joslin Botelho**

On December 27, 2023, at approximately 0919 hours, Detective Balint conducted an audio-recorded interview with Joslin Botelho at 8545 Blue Diamon Road.

Botelho worked for Regional Transportation Commission of Southern Nevada and was getting ready to start her first route. She stopped to use the restroom at the Circle K gas station and while she exited the bus to walk inside, she observed a Blue Ford Raptor driving at high rate of speed through a dirt lot and stopped in front of the gas pumps. Her view was obstructed by the fuel pumps, and she did not think much of the incident. She proceeded to close the doors to the bus and heard gunshots from near the fuel pumps, so she ducked down. Within seconds she saw a male and a female running away from the fuel pumps.

Botelho saw a black or maroon vehicle drive by and almost hit the people who were running away. The Ford Raptor went through the ditch and was last seen headed towards Durango Drive. Botelho asked the people walking if they were okay, and a police officer asked her to leave, but she waited for detectives.

## **SCENE WALK-THROUGHS**

The purpose of the scene walk-through was to help investigators develop an understanding of the scene, including identifying officer location(s) at the time deadly force was used, identifying potential physical evidence, and re-creating a timeline of the incident.

### **Officer Mekeel**

On December 27, 2023, at approximately 1430 hours, Officer Mekeel provided a walk-through of the scene.

Officer Mekeel was dispatched to an illegal shooting call and learned the suspect shot his mother. While on the illegal shooting call, Officer Mekeel could not see the suspect in the dark desert. Officer Mekeel heard gunshots going over his head and believed the gunshots were going in the direction of officers and patrol vehicles. The suspect stole a police vehicle resulting in vehicle pursuit. During the pursuit, Officer Mekeel became the primary pursuing unit. The suspect committed a carjacking at Vons and Officer Mekeel continued to pursue the suspect to a Circle K gas station. The suspect also drove through a desert lot into the gas station parking lot.

Officer Mekeel got out of his patrol vehicle and fired seven to eight shots at the suspect while the suspect was in the process of carjacking a vehicle at the gas pump. Officer Mekeel saw the suspect pointing a weapon at the victims. Officer Mekeel fired his shots as the victims moved away from the vehicle. Officer Mekeel fired his weapon to protect the public from a fleeing felon who had already killed one person and committed carjackings.

### **Officer Brooks**

On December 27, 2023, at approximately 1332 hours, Officer Brooks provided a walk-through of the scene.

At approximately 0300 – 0400 hours, Officer Brooks was dispatched to an illegal shooting call. While on the call, Officer Brooks and other officers came under fire from the suspect. Officer Brooks believed the shots were going over his head and into a patrol vehicle. The suspect's father reported the suspect shot his mother. While at the illegal shooting scene, the suspect stole a police vehicle. Officer Brooks pursued the suspect to a Vons gas station and eventually to the officer involved shooting location at Durango Drive and Mistral Avenue.

Officer Brooks knew that shots had been fired and the suspect had committed multiple carjackings. The suspect was initially in front of a red car then ran to and entered a white van. Officer Brooks saw the suspect push the lifeless driver out of the van driver's door. Officer Brooks discharged his firearm eight to ten times due to the suspect being a fleeing felon, there was at least one deceased civilian victim, and the suspect had already committed multiple carjackings.

### **Trooper Kincaid**

On December 27, 2023, at approximately 1403 hours, Trooper Kincaid provided a walk-through of the scene.

While Trooper Kincaid was driving behind Trooper Moran southbound on Durango Drive, Trooper Moran located the suspect vehicle traveling northbound on Durango Drive. Trooper Kincaid did a U-turn to pursue the suspect with Trooper Moran. Trooper Kincaid saw the suspect was armed with a rifle and pointed it at the white van. Trooper Kincaid lost visual of the suspect and heard a gunshot. Trooper Kincaid saw the van move, the driver's door opened, and the driver was pushed out of the door, and the suspect began to drive away in the van. Trooper Kincaid fired his weapon because the suspect opened fire on an innocent person in the van. Trooper Kincaid was in fear for his life and the lives of others. Trooper Kincaid also had information that the suspect shot someone else earlier.

### **Trooper Moran**

On December 27, 2023, at approximately 1350 hours, Trooper Moran provided a walk-through of the scene.

Trooper Moran was aware the suspect shot his mother and shot at officers. Trooper Moran thought he heard shots during the pursuit. The suspect parked the maroon SUV and Trooper Moran heard another shot. The suspect ran out of the car behind the van and Trooper Moran heard another gunshot. Trooper Moran saw the van window had a



hole in it and the van began to shake. From the passenger side, the suspect pushed the victim out of the driver's door. Trooper Moran fired to protect the public because the suspect had just committed a homicide in front of officers.

### **Trooper Villanueva**

On December 27, 2023, at approximately 1400 hours, Trooper Villanueva provided a walk-through of the scene.

The suspect vehicle, which was a maroon SUV, was located northbound on Durango Drive near Pebble Road. Trooper Villanueva, and his partner, Trooper Kincaid got behind Trooper Moran as they pursued the suspect. The suspect vehicle did a U-turn and parked on the side of the road. The suspect got out of the vehicle and went to the passenger side of the white van. Trooper Moran heard the suspect yell, "Stop the car." The driver of the van was pushed out of the driver's door. Trooper Villanueva fired his weapon because the carjacking suspect shot the driver of the van and previously shot at officers. Trooper Villanueva observed the victim had a head injury when he was pushed out of the van. Trooper Villanueva was positioned by the engine of the patrol vehicle when he discharged his firearm.

## **INVESTIGATION – PUBLIC SAFETY STATEMENT**

### **Officer Brooks**

On December 27, 2023, at approximately 0912 hours, Detective Chavez interviewed Sergeant Paul Quinteros in reference to the Public Safety Statement (PSS) he obtained from Officer. Below is the transcript of the interview. Note: Detective Chavez is designated by (RC), and Sergeant Quinteros is designated by (PQ).

RC: Operator this is Detective Chavez, with the Force Investigation Team conducting a recorded Public Safety Statement Interview with Sergeant Paul Quinteros. First name's spelled uhh spelled P-A-U-L, last name's spelled Q-U-I-N-T-E-R-O-S, uhh P# 9055, callsign 757. Date of hire, January 18, 2006. Uhh, he's in Summerlin area command, squad is Summerlin 11. RDO's are Friday, Saturday Sunday. His hours are 2200-0800. Uhh, those—this Public Safety Statement is in reference to an officer-involved shooting that occurred on December 27th, 2023, at approximately 0350 hours in the area of uhhh, Durango and Mistral, Las Vegas—Las Vegas Nevada, 89148. Uhh reference event number LLV231200088129. Today's date is December 27<sup>th</sup>, 2023, and the current time right now is 0912 hours. This statement is being conducted at Pebble and Durango Las Vegas NV 8911 uhh 5, or 3 I'm sorry. Uhh in LVMPD vehicle number 4915. Uhh, Sergeant Quinteros, uhh, can you

*just tell me the officer that you spoke with and the questions you asked him and the responses that you were given.*

*PQ: Yeah umm, this is Sergeant Quinteros, uhh for today's incident, I spoke with Officer T. Brooks, umm his call sign was 1-Sam-13-TV. I conducted the public safety statement after I learned he was involved in an OIS on today's date which was uhh December 27, 2023, at 0454 hours. The public statement—safety statement goes as follows. I asked Officer Brooks, question 1, did you discharge your firearm? Officer Brooks stated yes. Question 1A, if so, in what direction? Officer Brooks stated westbound. Question 1B, I asked approximately where were you located when you fired? Officer Brooks was unsure but believed he was in the area of Durango and Gomer. Question 1C, I asked him how many shots do you think you fired? Officer Brooks replied 8-10 rounds. Question 2, I asked is anyone injured? He stated it's unknown. Question 3, I asked are there any outstanding suspects? He stated no. Question 4, I asked, is it possible the suspect fire rounds at you? He stated yes, during the initial contact, the suspect fired at him and NHP. Question 4A, I asked if so, what direction were the rounds fired from? Officer Brooks cannot remember. Question 4B, I asked how many rounds do you think the suspect fired? He responded by saying 10-20 rounds. Question 4C, approximately where was the suspect located when they fired? He stated he believed the suspect was in the—in the drainage area, near the vicinity of Placid and Mouring, that's M-O-U-R-I-N-G. Question 5, do you know if any other officers discharged their firearms? Officer Brooks responded by saying yes. Question 5A, if so, who are they? Officer Brooks stated he was unsure, but he did state they were NHP Troopers. Question 5B, I asked approximately where was the other officers—where was the officer located when they fired? He stated in the same location, possibly Durango and Gomer area. Question 6, I asked are there any weapons or evidence that needs to be secured? Officer Brooks stated no. And the final question I asked, are you aware of any witnesses? Officer Brooks stated no. At the completion of the PSS, I ended all questioning.*

*RC: Ok, is that all? Hey operator this is Detective Chavez, we're still on same location. Same people still present. Concluding this interview at 9—0916 hours.*

## **Officer Mekeel**

On December 27, 2023, at approximately 0944 hours, Detective Chavez interviewed Sergeant Nicholas Allen in reference to the PSS he obtained from Officer Mekeel. Below

is the transcript of the interview. Note: Detective Chavez is designated by (RC), Sergeant Allen is designated by (NA), and Adam Levine is designated by (AL).

RC: Operator this is Detective Robert Chavez, P# 7758 with the Force Investigation Team conducting a recorded Public Safety Statement Interview with Sergeant Nicholas Allen. First name's spelled N-I-C-H-O-L-A-S last name's spelled A-L-L-E-N. P# uhh 9140, callsign 743. Date of hire, uhh 04/09/200. Uhh he's uhh Enterprise Area Command, squad EA14. RDO's are Thursday, Friday and Saturday. His hours are 2200-0800. Also present is is uhh PMS—PMSA representatives, Adam Levine and Harrison Porter. This Public Safety Statement is in reference to an officer-involved shooting that occurred on December 27th, 2023, at approximately 0350 hours in uhh area of 8475 Blue Diamond?

NA: Correct.

RC: Uhh that would be the Circle K store uhh parking lot. In reference to event number 231200088129. Today's date is December 27<sup>th</sup>, 2023 and the current time now is 0944 hours. This statement is being conducted at-- near Pebble and Durango Las Vegas NV 89115, at the PMSA bus. Uhh, Sergeant Allen, can you just tell me who you interviewed, what you asked the officer and what his responses were.

NA: Sure, so I interviewed Officer Jacob Mekeel. His P#'s uhh 17290, call sign is 1-Ocean-23. Umm, I read to him from my photo of the Public Safety Statement card, I asked him, uhh did you discharge your firearm? He answered yes. I said, if so, in what direction? He said westbound. Uhh, I said approximately where were you located when you fired? And he said in the gas station by pump 14. Right then I asked, how many shots do you think you fired? He said 8. Next question was is anyone injured? He said possibly the suspect. I said if so where are they located? He replied they were at the pumps, they got into a car, drove away and are now barricaded on Durango. Uhh, third question was are there were any outstanding suspects? He said yes. What direction and mode of travel? He said westbound, in the red SUV he just stole. Uhh how long have they been gone, he said approximately 20 minutes. What crimes were committed? Uhh illegal shootings and a murder. I said what type of weapon did they have? He said I saw a rifle. I then asked is it possible the suspect fired rounds at you? He answered at the original scene where he murdered his mother but not here.

*I said how many shots do you think he fired? He said it was over thirty. I asked approximately where was the suspect located when they fired? And he said hiding in the desert area. Fifth question was do you know if any other officers discharged their firearms? He said no one else did. I moved on I said if so where are they, we skipped that one he says not applicable and also the approximately where was the other officer located when they fired was not applicable. The 6<sup>th</sup> question was are there weapons or evidence that needs to be secured and protected? Uhh, he said yes, the casings in front of pump 15. I said if so, where are they located? He said in front of pump 15. And the last question was are you aware of any witnesses? And he said, yes, Officer Jonathan Lo, and the two carjack victims from the car that was stolen. I asked what's their location? He said everyone is here at Circle K. That was the end of the Public Safety Statement.*

RC: *Ok, uhh sounds good. Uhh gentlemen?*

AL: *Nothing for me.*

RC: *Ok uhh all right we're concluding this interview, uhh time right now is 0947 hours, we're still at the same location. Uhh today—time right now is, yeah 1 second 0947 hours.*

## **Trooper Kincaid**

On December 27, 2023, at approximately 1007 hours, Detective Chavez interviewed NHP Sergeant Jesse Winder in reference to the PSS he obtained from Trooper. Below is the transcript of the interview. Note: Detective Chavez is designated by (RC), and Sergeant Winder is designated by (JW).

RC: *Operator this is Detective Robert Chavez, P# 7758 with the Force Investigation Team conducting a recorded Public State-Safety Statement Interview with Sergeant Jesse Winder with the Nevada Highway Patrol. Uhh his P#'s 276 call sign is H-Henry 4276. Date of hire is March 11, 2013. He works the Las Vegas area Urban traffic. Uhh his squad 2 graveyard, RDO's are Monday, Tuesday Wednesday and his hours are 2200 til 0800. This Public Safety Statement is in reference to an officer-involved shooting that occurred on December 27<sup>th</sup>, 2023, at approximately 0350 hours in the area of the uhh Durango and Mistral, Las Vegas Nevada 89148. Reference Metro event number LLV231200088129. Today's date is December 27<sup>th</sup>, 2023, and the current time is 1007 hours. This state—this statement is being conducted near the area of P—Pebble and Durango in the PMSA*

*bus. Uhh, Sergeant Winder can you just uhh tell me which off—which trooper you spoke with uhh during the interview and what questions were asked and what the responses were please.*

*JW: Uhh, I spoke with Trooper Danny Kincaid and recorded his Public Safety Statement responses at approximately 0620 hours. I asked Trooper Kincaid, “did you discharge your firearm? He responded yes. I asked, in what direction? And he responded to the west. I asked approximately where were you located when you fired? Trooper Kincaid responded on the northbound side of traffic behind my engine block on Durango, south of Windmill. I asked how many shots do you think you fired? Trooper Kincaid responded approximately 9. I asked is anyone injured? He responded the subject he carjacked. I asked where are they located? And he responded on the southbound side of Durango, south of Windmill. I asked are there any outstanding suspects? Trooper Kincaid responded, not to my knowledge. I asked is it possible the suspect fired rounds at you? And he responded not to my knowledge. I asked do you know if any other officer or officers discharged their firearms, and if so who are they? Trooper Kincaid responded yes, Villanueva and Moran. And maybe a Metro officer but I don’t know their name. I asked approximately where were the officers located when they fired? He responded Villanueva was to my right. And Moran was approximately 20 feet to my north. I asked are there any weapons that need to be secured, if so where are they located? Trooper Kincaid responded my rifle it is in the passenger seat with the barrel to the floorboard. I asked, are you aware of any witnesses? And he responded no. I asked are you aware of the firearm round damage on the hood of your patrol car? And he responded I am not. And that concluded our Public Safety Statement interview.*

*RC: Operator, this is Detective Chavez. We’re concluding this interview, time right now is 1011 hours, we’re still at the same location, same people are still present.*

## **Trooper Moran**

On December 27, 2023, at approximately 0954 hours, Detective Chavez interviewed NHP Sergeant Winder in reference to the PSS he obtained from Trooper. Below is the transcript of the interview. Note: Detective Chavez is designated by (RC) and Sergeant Winder is designated by (JW).

RC: Operator this is Detective Robert Chavez, P# 7758 with the Force Investigation Team conducting a recorded Public Safety Statement Interview with Sergeant Jesse Winder, first name spelled J-E-S-S-E last name's spelled W-I-N-D-E-R. His P# is uhh, 276 uhh he's with the Nevada Highway Patrol. His call sign is uhh H as in Henry 4276. Date of hire is March 11, 2013. He works the Las Vegas area Urban traffic. Uhh his squad is uhh squad 2 graveyards. His RDO's are Monday, Tuesday, and Wednesday. His hours are 2200 til 0800. Uhh. this Public Safety Statement is in reference to an officer-involved shooting that occurred on December 27th 2023 at approximately 0350 hours in the area of Durango and Mistral, Las Vegas Nevada 89148. Reference event number LLV231200088129. Today's date is December 27<sup>th</sup>, 2023 and the current time is 0954 hours. This statement is being conducted near Pebble and Durango Las Vegas NV 8911 uhh 3 at the-- in the PMSA bus. Uhh, Sergeant Winder uhh can you just let me-- tell me who you--which officer you spoke to and what questions you asked him and what h—what the responses were please.

JW: Yeah I—the first trooper I interviewed was Martin Moran. It happened at approximately 0540 hours. All the questions that I asked him were asked verbatim and I recorded his statements, written verbatim as he said that to me. First question I asked was did you discharge your firearm? Trooper Moran answered yes. I then asked, in what direction? And he responded southwest toward the suspect in the white van. I then asked approximately where were you located when you fired? Trooper Moran answered at the intersection of Mistral and Durango. I asked how many shots do you think you fired? And he responded approximately 20. The second question I asked was is anyone injured? Trooper Moran answered the original driver of the van and the suspect. I asked where are they located? He answered the victim is on Mistral and Durango and the suspect is on Durango and Agate. I asked if there were any outstanding suspects? Trooper Moran answered no. I asked is it possible the suspect fired rounds at you? Trooper Moran answered yes. I followed that up with what direction were the rounds fired from? And he answered from west to east. I asked how many shots do you think the suspect fired? And he answered 1. I asked approximately where was the suspect located when they fired? And he answered to the southwest of my position. The next question I asked was do you know if any other officer or officers discharged their firearms? Trooper Moran answered yes. I followed that up with who are they and he answered Trooper

*Villanueva and Trooper Kincaid. I asked approximately where the officers located when they fired? And he answered within 10 feet southeast of me. I asked are there any weapons that need to be secured? Trooper Moran answered yes. I asked where are they located? And he stated it was his rifle in the Metro command post. I asked, are you aware of any witnesses? Trooper Moran answered yes. I asked what is their location? And he answered Trooper Villanueva and Trooper Kincaid here at the command post. I asked were you aware of the firearm round damage on the hood of Trooper Kincaid's patrol car? Trooper Moran answered yes. And that concluded the Public Safety Statement interview.*

*RC: Ok and this was for Officer—*

*JW: Moran—*

*RC: Moran?*

*JW: M-O-R-A-N*

*RC: M-O-R-A-N? Ok, umm this concludes our interview, time right now is 1000 hours, we're just-- we're still in the same location, uhh same people are still present.*

## **Trooper Villanueva**

On December 27, 2023, at approximately 1002 hours, Detective Chavez interviewed NHP Sergeant Winder in reference to the PSS he obtained from Trooper Villanueva. Below is the transcript of the interview. Note: Detective Chavez is designated by (RC) and Sergeant Winder is designated by (JW).

*RC: Operator this is Detective Robert Chavez, P# 7758 with the Force Investigation Team conducting a recorded Public Safety Statement Interview with Sergeant Jesse Winder, uhh first name spelled J-E-S-S-E last name's spelled W-I-N-D-E-R. Uhh his P# is, 276 uhh he a Nevada Highway Patrol uhh Patrol Sergeant. Uhh, his call sign is H as in Henry 4276. Date of hire is March 11, 2013. Uhh, he works the Las Vegas area Urban Traffic. Uhh his squad is squad 2 graveyards. Uhh, his RDO's are Monday, Tuesday, Wednesday, hours are 2200 til 0800. Uhh, this Public Safety Statement is in reference to an officer-involved shooting that occurred on December 27th 2023 at approx.—at approximately 0350 hours in the area of Durango and Mistral, Las Vegas Nevada 89148. Reference event number LLV231200088129. Today's date is 12/27/2023 and the current time is 1002 hours.*

*This statement is being conducted at—in the area of Pebble and Durango in the uhh PMSA bus.*

*Uhh, Sergeant Winder*

*JW: MM-hmmm.*

*RC: Uhh, if you can just tell me who uhh, who you interviewed umm, what questions you asked him and what your—what their responses were please. Thank you.*

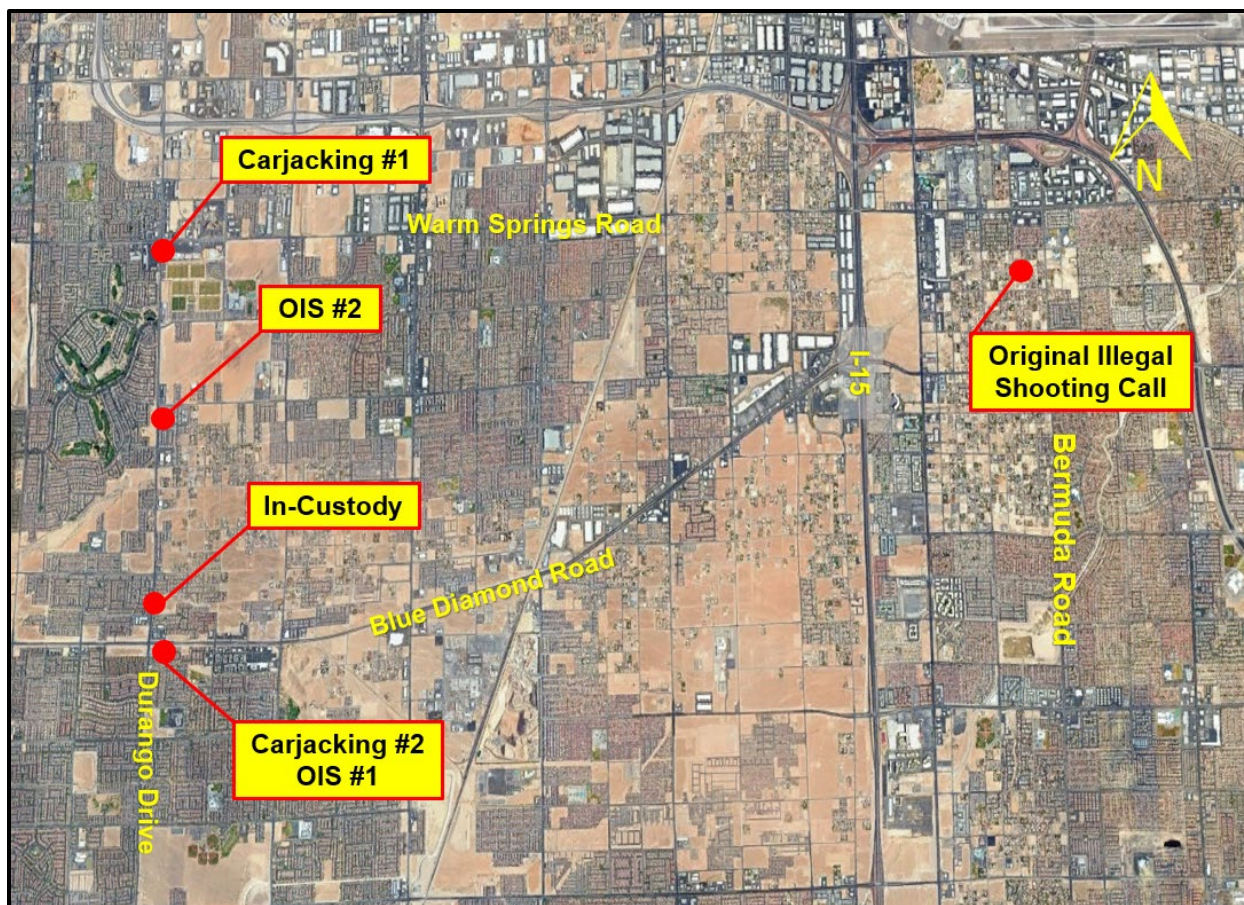
*JW: I interviewed Trooper Luis Villanueva, at approximately 0556 hours. I asked Trooper Villanueva, did you discharge your firearm? And he responded yes, Kincaid's rifle. I asked, in what direction? And he responded west, off of Durango. I asked approximately where were you located when you fired? He responded in the number 2 travel lane northbound on Durango and Strome. I asked how many shots do you think you fired? And he answered 7 or 8. I asked is anyone injured? Villanueva responded the suspect and the victim of the white utility van. And possibly a victim of a maroon Chevrolet Traverse. I asked where are they located? Trooper Villanueva responded the victim of the white van is on Durango and Mistral and the suspect is on Durango south of the command post. I asked are there any outstanding suspects? Trooper Villanueva responded no. I asked is it possible the suspect fired rounds at you? And he answered not at me. I asked do you know if any other officer or officers discharged their firearm? Trooper Villanueva responded Moran and Kincaid. I asked approximately where were the officers located when they fired? Trooper Villanueva responded Kincaid was directly to the left of me and Moran was 15 to 20 northwest of me. I asked are there any weapons that need to be secured? He responded the suspect's rifle and Metro has it. I asked, are you aware of any witnesses? Trooper Villanueva responded possibly. There was a house on the northeast corner of Durango and Mistral. I asked were you aware of the firearm round damage on the hood of Trooper Kincaid's patrol car? And he responded no. That concluded the Public Safety Statement.*

*RC: Ok. Uhh operator we're concluding this interview, time right now is 1005 hours. We're still in the same location, same people are still present.*

## **SCENES AND PHYSICAL EVIDENCE**

### **General Scene Overview – All Incidents**





Above: Aerial overview of the original illegal shooting call in relation to the carjacking and OIS locations.

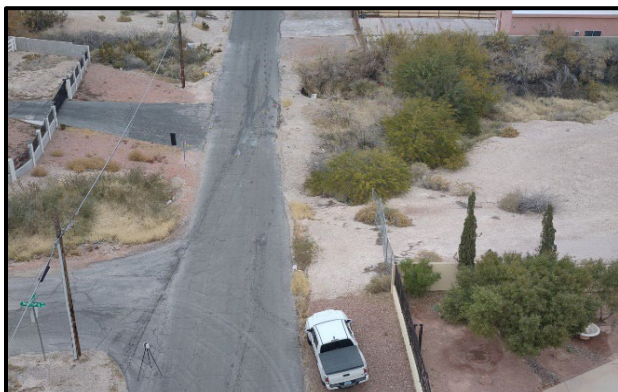
### **Illegal Shooting and Murder—7564 Placid Street**





### **Description of the Scene and Visible Evidence**

On December 27, 2023, at approximately 0638 hours, CSA Rinella, P# 18977 and CSA Brackin P#17795 responded to Placid Street and Mauling Avenue to process the scene. The scene consisted primarily of a desert lot area with a wash channel on the north end. Multiple cartridge casings were recovered in the wash along with a rifle bearing apparent blood. Nearly 85 cartridges were recovered on scene.



Above left: Drone photograph of the overall scene of the initial homicide scene. Above right: Street view of Placid Street and Mauling Avenue with Jeffrey Davidson's truck which had multiple bullet strikes.



Above left: Zastava rifle as it was located in the desert wash. Above right: Liza Leveille-Davidson as she was located on scene.

Liza Leveille Davidson was Davidson's own mother. Liza Leveille-Davidson had one gunshot wound to the top left shoulder, one gunshot wound to the upper left arm, one gunshot wound to the left breast, one abrasion to the right hip, and one bruise to the right thigh. After autopsy, Doctor Shaller opined Liza Leveille-Davidson dies as a result of a gunshot wound to the torso. The manner of death was homicide. By her own son.



**First Carjacking – 0417 hours Vons Fuel Station - 7305 Durango Drive**



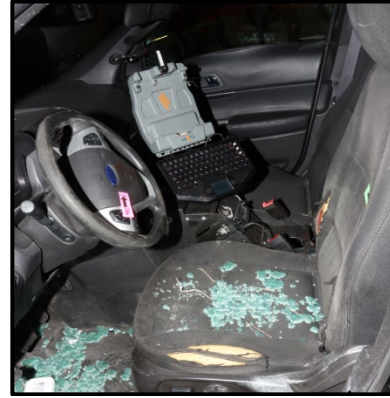
Above: Close-up aerial view of the first carjacking location.

**Description of the Scene and Visible Evidence**

On December 27, 2023, at approximately 0604 hours, SCSA Felabom, P# 14765, responded to Warm Springs Road and Durango Drive to photograph and document the scene, and photograph and collect evidence.



Above left: Vons gas station where the stolen police vehicle (Vehicle 10658) was recovered. Above right: Damage to the gas pump pillar from being struck by the Ford Raptor.



Above left: LVMPD Vehicle 10658 at LVMPD garage (Green stickers indicate bullet impacts). Above right: The interior of LVMPD Vehicle 10658.

This is Officer Sithong's vehicle that was taken by Justin Davidson from the original scene. Note the impacts near the driver side entrance. These bullet strikes corroborate what officers observed at Placid Street when Davidson shot at the car doors of the patrol vehicles before entering and stealing it.



## Second Carjacking and First OIS – 0420 8545 Blue Diamond Road (Circle K).



Above: Close-up aerial view of the second carjacking location and first OIS location.

### Description of the Scene and Visible Evidence

On December 27, 2023, at approximately 0645 hours, SCSA Smissen, P# 16064, responded to Blue Diamond Road and Durango Drive to photograph and document the scene, and photograph and collect evidence.



Above left: Drone photograph of the overall scene at Blue Diamond Road and Durango Drive. Above right: The Ford Raptor as it was recovered on scene.



Above left: Officer Mekeel's location during the OIS. Above right: LVMPD Vehicle 18814 with bullet impacts (circled) to windshield as recovered from Blue Diamond Road and Durango Drive.



Above left: Impact to driver's door of LVMPD Vehicle 18814 (circled). Above right: Damage to interior of Vehicle 18814 as recovered from Blue Diamond Road and Durango Drive.

Officer Mekeel witnessed Davidson pulling the rifle on the citizens before carjacking them. At this time Officer Mekeel had full knowledge of the shooting and carjacking Davidson was involved in right before this incident.



## Second OIS (Fatal) – Durango and Mistral

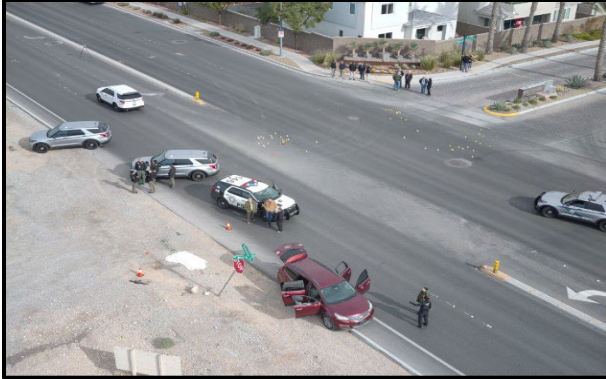


Above: Close-up aerial view of the second OIS location.

## Description of the Scene and Visible Evidence

On December 27, 2023, at approximately 0641 hours, SCSA Smith, P# 8177, responded to Durango Drive and Mistral Avenue to photograph and document the scene, and photograph and collect evidence.





Above left: Drone photograph of Durango Drive and Mistral Avenue.

Above right: Sig Sauer rifle used by Justin Davidson as it was recovered on scene.



Above left: Bullet impacts to driver's door of the Chevrolet Traverse (circled). Above right: Discharged .308 cartridge case located on the rear driver's side seat of the Chevrolet Traverse.

### **Durango Drive and Agate Avenue**

On December 27, 2023, at approximately 0645 hours, SCSA Smissen, P# 16064, responded to Durango Drive and Agate Avenue to photograph and document the scene, and photograph and collect evidence.



Above left: Nissan van on the center median of Durango Drive and Agate Avenue.

Above right: Apparent blood on the side of the Nissan van to the rear of the driver's door.



Above left: Camouflage jacket worn by Justin Davidson.



Above right: Tactical vest with body armor worn by Justin Davidson.



Above left: Additional magazines located inside Justin Davidson's tactical vest.



Above right: Knife located inside Justin Davidson's tactical vest.

## OFFICER WEAPON COUNTDOWNS

On December 27, 2023, Officers Mekeel and Brooks, along with Troopers Kincaid, Moran, and Villanueva had their duty weapons counted down at Durango Drive and Pebble Road to determine the number of rounds each officer fired during the incident. Subject and witness officers were photographed by CSI personnel for appearance purposes and their weapons were photographed for identification purposes.

### Officer Mekeel

Officer Mekeel's countdown occurred at approximately 1105 hours. Officer Mekeel 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 Mekeel wore a black duty belt with attached tools and equipment as part of his position in patrol. Officer Mekeel's handgun was carried on the right side of his body and secured in a holster.

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

<b>Make</b>	Glock
<b>Model</b>	17
<b>Serial Number</b>	BFLA345
<b>Caliber</b>	9mm
<b>Weapon Mounted Light</b>	Yes
<b>Ammunition</b>	Speer
<b>Cartridge in Chamber</b>	1
<b>Magazine from Weapon</b>	Capacity: 17 cartridges
	Countdown: 8 cartridges
<b>Spare Magazine #1</b>	Capacity: 17 cartridges
	Countdown: 17 cartridges
<b>Spare Magazine #2</b>	Capacity: 17 cartridges
	Countdown: 17 cartridges

At the completion of the countdown, it was determined Officer Mekeel discharged his firearm nine times during this incident. When compared to evidence at the scene, detectives concluded Officer Mekeel discharged his firearm nine times. Officer Mekeel's firearm, magazines used during the OIS, and cartridges were photographed and impounded by SCSA Madonna.

### **Officer Brooks**

Officer Brooks' countdown occurred at approximately 1120 hours. Officer Brooks 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 Brooks wore a black duty belt with attached tools and equipment as part of his position in patrol. Officer Brooks' handgun was carried on the right side of his body and secured in a holster.

Prior to countdown Officer Brooks stated he carried 16 cartridges in the magazine loaded in his firearm and one cartridge in the chamber (16+1, 17 total).

<b>Make</b>	Smith and Wesson
<b>Model</b>	M & P 2.0
<b>Serial Number</b>	NAS2413
<b>Caliber</b>	9mm

<b>Weapon Mounted Light</b>	Yes
<b>Ammunition</b>	Speer
<b>Cartridge in Chamber</b>	1
<b>Magazine from Weapon</b> *Reload conducted during OIS	Capacity: 17 cartridges
	Countdown: 17 cartridges
<b>Spare Magazine #1</b>	Capacity: 17 cartridges
	Countdown: 3 cartridges
<b>Spare Magazine #2</b>	Capacity: 17 cartridges
	Countdown: 17 cartridges

During the incident Officer Brooks conducted a tactical reload, replacing the magazine from the magazine well of the firearm with a full capacity magazine, and then secured the original magazine on his person.

At the completion of the countdown, it was determined Officer Brooks discharged his firearm 13 times during this incident. When compared to evidence at the scene, detectives concluded Officer Brooks discharged his firearm 13 times. Officer Brooks' firearm, magazines used during the OIS, and cartridges were photographed and impounded by SCSA Madonna.

### **Trooper Kincaid**

Trooper Kincaid's countdown occurred at approximately 1247 hours. Trooper Kincaid was dressed in a standard NHPS long sleeve uniform. He wore NHP patches on each shoulder and a NHP badge over his left breast. Trooper Kincaid wore a black duty belt with attached tools and equipment as part of his position in NHP. Trooper Kincaid's handgun was carried on the right side of his body and secured in a holster.

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

<b>Make</b>	Sig Sauer
<b>Model</b>	P320
<b>Serial Number</b>	58H165774
<b>Caliber</b>	9mm
<b>Weapon Mounted Light</b>	Yes
<b>Ammunition</b>	Hornady
<b>Cartridge in Chamber</b>	1
<b>Magazine from Weapon</b>	Capacity: 17 cartridges
	Countdown: 7 cartridges
<b>Spare Magazine #1</b>	Capacity: 17 cartridges
	Countdown: 17 cartridges
<b>Spare Magazine #2</b>	Capacity: 17 cartridges
	Countdown: 17 cartridges

At the completion of the countdown, it was determined Trooper Kincaid discharged his firearm 11 times during this incident. When compared to evidence at the scene, detectives concluded Trooper Kincaid discharged his firearm/rifle 11 times. Trooper Kincaid's firearm, magazines used during the OIS, and cartridges were photographed and impounded by SCSA Madonna.

### **Trooper Moran**

Trooper Moran's countdown occurred at approximately 1145 hours. Trooper Moran was dressed in a standard LVMPD long sleeve uniform. He wore NHP patches on each shoulder and an NHP badge over his left breast. Trooper Moran wore a black duty belt with attached tools and equipment as part of his position in NHP. Trooper Moran's handgun was carried on the right side of his body and secured in a holster.

Prior to countdown Trooper Moran stated he carried 28 cartridges in the magazine loaded in his rifle and zero cartridges in the chamber (28+0, 28 total).

<b>Make</b>	Smith and Wesson
<b>Model</b>	M & P 15
<b>Serial Number</b>	.223
<b>Caliber</b>	.223
<b>Weapon Mounted Light</b>	No
<b>Ammunition</b>	Speer
<b>Cartridge in Chamber</b>	0
<b>Magazine from Weapon</b>	Capacity: 30 cartridges
	Countdown: 25 cartridges
<b>Spare Magazine #1</b>	Capacity: 30 cartridges
	Countdown: 27 cartridges
<b>Spare Magazine #2</b>	Capacity: 30 cartridges
	Countdown: 28 cartridges
<b>Spare Magazine #3</b> *Located at OIS scene, Evidence Item 5	Capacity: 30 cartridges
	Countdown: 6

During the incident Trooper Moran conducted a speed reload, replacing the magazine from the magazine well of the firearm with a full capacity magazine, and allowed the original magazine to drop from the firearm and be left on scene. It should also be noted that one cartridge was located in the same vicinity as the magazine, but not secured inside the magazine.

At the completion of the countdown, investigators were unable to determine the number of times Trooper Moran discharged his weapon during this incident.

### **Trooper Villanueva**

Trooper Villanueva's countdown occurred at approximately 1232 hours. Trooper Villanueva was dressed in a standard NHP long sleeve uniform. He wore NHP patches on each shoulder and an NHP badge over his left breast. Trooper Villanueva wore a black duty belt with attached tools and equipment as part of his position in NHP. Trooper Villanueva's handgun was carried on the right side of his body and secured in a holster.

Prior to countdown Trooper Villanueva stated he carried 28 cartridges in the magazine loaded in his firearm and zero cartridges in the chamber (28+0, 28 total).

<b>Make</b>	Smith and Wesson
<b>Model</b>	M & P 15
<b>Serial Number</b>	24763
<b>Caliber</b>	.223
<b>Weapon Mounted Light</b>	Yes
<b>Ammunition</b>	Speer
<b>Cartridge in Chamber</b>	1
<b>Magazine from Weapon</b>	Capacity: 30 cartridges
	Countdown: 20 cartridges
<b>Spare Magazine #1</b>	Capacity: 30 cartridges
	Countdown: 28 cartridges

At the completion of the countdown, it was determined Trooper Villanueva discharged his rifle eight times during this incident. When compared to evidence at the scene, detectives concluded Trooper Villanueva discharged his rifle eight times. Trooper Villanueva's rifle, magazines used during the OIS, and cartridges were photographed and impounded by SCSA Madonna.

## **FORENSIC LABORATORY TESTING**

### **Firearm Examinations**

#### National Integrated Ballistic Information Network (NIBIN)

On December 27, 2023, an LVMPD Forensic Laboratory Request was submitted by Detective Ubbens on the Sig Sauer model 716I and the One Zastava model ZPAP92 for NIBIN comparison.

On December 28, 2023, Forensic Scientist Jeffrey Fuller, P# 19245, submitted the Report of Examination: Firearms. Refer to Appendix J for results.

On December 28, 2023, an LVMPD Forensic Laboratory Request was submitted by Detective Ubbens on the Glock 47 and cartridge cases recovered during the additional grid search.



On December 29, 2023, Forensic Scientist Mark Hatten, P# 9794, submitted the Report of Examination: Firearms. Refer to Appendix K for results.

#### Function Testing and Ballistic Comparison Evidence

On January 4, 2024, an LVMPD Forensic Laboratory Request was submitted by Detective Ubbens on Officers Mekeel and Brooks', Troopers Kincaid, Moran, and Villanueva's firearms for function tests and ballistic comparison evidence. Additionally, a Forensic Laboratory Request on the One Zastava rifle, the Sig Sauer rifle, and the Glock 47 was submitted for function tests and ballistic comparison evidence

On February 29, 2024, Forensic Scientist Austen De Vlaeminck, P# 18955, submitted the Report of Examination: Firearms. Refer to Appendix L for results.

#### Serial Number Restoration

On December 27, 2023, an LVMPD Forensic Laboratory Request was submitted by Detective Ubbens to restore the serial number on the One Zastava semi-automatic rifle.

On December 28, 2023, Forensic Scientist Claudia Inga, P# 17441, submitted the Report of Examination: Firearms. Refer to Appendix M for results.

### **VIDEO EVIDENCE**

#### **BODY-WORN CAMERA FOOTAGE FROM LVMPD AND NHP**

The Axon Flex body-worn camera (BWC) time stamps videos in Zulu Time, also known as Greenwich Mean Time (GMT), 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 and displayed Zulu Time. Axon BWCs also have a "time drift" where the camera's internal clock drifts from actual time based on when the cameras are synced when the camera is docked. Each BWC can display a different time based on a time drift.

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

## **Officer Stoehr**

Officer Stoehr was wearing a BWC at the time of the incident and the camera was activated. Officer Stoehr's camera footage depicted the following:

As Officer Stoehr was responding to the call, the dispatcher could be heard advising a person reporting heard 8-10 rounds fired. Prior to arriving at the scene of the call Officer Stoehr pulled next to another patrol vehicle and spoke with the officer (Officer Sithong). Apparent gunshots could faintly be heard in the background and Officer Stoehr said they sounded like fireworks.

Officer Stoehr drove down a low-lit road and a white truck could be seen driving in reverse towards Officer Stoehr. Officer Stoehr parked next to the white truck and spoke with the driver (Jeffrey Davidson). Jeffrey Davidson told Officer Stoehr that his son (Justin Davidson) was in the wash with a gun. Jeffrey Davidson also told Officer Stoehr he thought Justin had shot Jeffrey's wife (Liza Leveille-Davidson).

Officer Stoehr drove his patrol vehicle, with the overhead lights activated, closer to the wash. As Officer Stoehr exited his patrol vehicle and shined his flashlight into the desert lot, several apparent gun shots could be heard. Officer Stoehr retrieved his rifle from the rear of the patrol vehicle. When Officer Stoehr and Officer Sithong moved back to the rear of Officer Sithong's vehicle another apparent gunshot could be heard. Officer Stoehr and Officer Sithong continued to create distance from the desert lot and moved to the rear of Jeffrey Davidson's truck. While at the rear of the truck, more apparent gunshots could be heard. Officer Stoehr broadcasted over the radio that he believed the gunshots were coming from bushes in the wash in the area. Sirens from other responding units could be heard along with additional apparent gunshots. Officer Stoehr moved behind a wall and additional gunshots could be heard. An officer made several announcements of "Metro Police" announced they were police officers.

As Officer Stoehr maintained his position an officer used a public address system to make police announcements and advised the subject to come out with hands up. Shortly after, two additional apparent gunshots were heard. An officer could be heard on the radio updating that Jeffrey Davidson reported his wife was possible shot by their son, Justin Davidson, in the wash.

Several additional apparent gunshots could be heard. After a pause, an additional barrage of apparent gunfire could be heard. Officer Stoehr moved his position as another officer could be heard saying, "He's getting in a patrol car." Sirens could be heard just before an officer yelled, "He's taking a patrol vehicle."

After other officers left the area in patrol vehicles, Officer Stoehr approached his vehicle and the front driver's door window was shattered. Officer Stoehr used a key to unlock the door. As Officer Stoehr got into the driver's seat apparent bullet impacts could be seen on the windshield. While Officer Stoehr was inside his car, Jeffrey Davidson approached, and Officer Stoehr told him to go back to his truck. Officer Stoehr eventually left the area



with his lights and sirens activated. While Officer Stoehr was driving, his camera was deactivated.

### **Officer Sithong**

Officer Sithong was wearing a BWC at the time of the incident and the camera was activated. Officer Sithong's camera footage depicted the following:

Officer Sithong's footage began with Officer Stoehr parking next to his vehicle on a dimly lit roadway. Apparent gunshots could be heard, and the officers stated it sounded like fireworks. Officer Sithong drove behind Officer Stoehr's vehicle. A white pickup truck drove in reverse and stopped next to Officer Stoehr's vehicle. A male approached the driver's door of Officer Stoehr's vehicle and stood next to the vehicle. Officer Sithong advised the dispatcher they had arrived in the area. Officer Sithong followed behind Officer Stoehr's vehicle.

Officer Sithong got out of his vehicle and walked towards the middle of the road. A male (Jeffrey Davidson) exited a white pick-up truck and approached Officer Sithong. Three apparent gunshots could be heard, and Officer Sithong advised Jeffrey Davidson to stay in the car. Officer Sithong went to the rear of Officer Stoehr's vehicle as Officer Stoehr retrieved his rifle. Officer Sithong went to his vehicle and retrieved his rifle as more apparent gunshots could be heard. As Officer Sithong and Officer Stoehr moved to the rear of Jeffrey Davidson's truck, additional apparent gunshots could be heard. When Officer Stoehr moved to a different location, Officer Sithong moved to the rear passenger side of Jeffrey Davidson's truck. More apparent gunshots could be heard as Officer Sithong stayed at the rear of the truck. Officer Sithong announced, "Metro Police, come out with your hands up" along with several other announcements identifying police presence.

While Officer Sithong knelt by the truck, additional apparent gunshots could be heard. Officer Sithong stood up and announced to other officers that he saw a gun. After several more apparent gunshots, Officer Sithong said the subject was firing at a patrol car. He informed another officer the subject had a black rifle. A nearby officer could be heard saying the subject was getting into a patrol vehicle. A siren could be heard and a nearby officer announced the subject was taking the patrol vehicle.

After the stolen patrol vehicle left the scene, Officer Sithong got into the passenger seat of another patrol vehicle while another officer drove with lights and sirens activated. Officer Sithong told the other officer that he had his work phone in the stolen patrol vehicle and could possibly track the phone. Officer Sithong used a cell phone to look at a map. Radio traffic could be heard of other officers attempting to pursue the stolen vehicle. Officer Sithong advised the dispatcher that based off the phone location, the suspect was on the southwest corner of Durango Drive and Warm Springs Road. When they arrived, Officer Sithong advised the officer who was driving, that the stolen police vehicle was there and to let him out to get his car.

When Officer Sithong exited the vehicle, he was approached by a citizen who reported the subject took his truck. As Officer Sithong approached his patrol vehicle shattered glass could be observed on the driver's seat and bullet impacts could be seen in the driver's door. Several citizens described the suspect to Officer Sithong and reported the suspect was armed with a rifle and tactical gear. The citizens reported they were in their truck pumping gas and the suspect pointed a rifle at them. Officer Sithong stood by at the scene with the citizens and conducted crime scene preservation duties until his camera was deactivated.

### **Officer Calleja**

Officer Calleja was wearing a BWC at the time of the incident and the camera was activated. Officer Calleja's camera footage depicted the following:

Officer Calleja's footage began with him getting into his patrol vehicle to drive to the call. While Officer Calleja was driving, the dispatcher could be heard advising a person reporting heard 20 shots fired. The dispatcher could be heard advising units which direction to arrive from and which direction the officers on scene believed the shots were being fired from. As Officer Calleja drove down a low-lit road, red flashing lights could be seen ahead of him. Officer Calleja parked behind another patrol vehicle and exited his vehicle. When he got out of his vehicle, he stated he could smell the gunfire. Officer Calleja was advised by another officer that the driver of the truck (Jeffrey Davidson) was behind a wall and that Davidson reported his wife was in the wash and might have been shot.

Officer Calleja approached Davidson and asked him questions to obtain more information. Davidson told Officer Calleja his son's name was Justin Davidson. Davidson also told Officer Calleja that he and his wife were trying to get their son from the wash. As Officer Calleja stood with Davidson, a barrage of gunfire could be heard. Officer Calleja asked other officers if the shots were from an officer. Davidson told Officer Calleja that he did not know where his son got the gun and that his son might have taken drugs.

Several more gunshots were heard. Officer Calleja told Davidson to stay down, and other officers could be observed kneeling behind a wall and a vehicle. After more gunshots were heard, a siren was activated. Officer Calleja asked nearby officers if the suspect was in a patrol vehicle. Officer Calleja got into his patrol vehicle and drove up to Officer Stoehr's vehicle. Officer Calleja broadcasted over the radio that the windows were shattered to Officer Stoehr's vehicle and that the suspect had shot towards officers.

Officer Calleja left the shooting scene with his lights and sirens activated. He advised dispatch that he was pursuing the suspect from a distance. Officer Calleja told the dispatcher to have an officer check the desert area for a victim. Officer Sithong could be heard on the radio advising the suspect was at the corner of Durango Drive and Warm Springs Road. Another officer announced on the radio that the suspect stole a blue truck and was southbound on Durango Drive. As Officer Calleja continued to drive with his

lights and sirens activated, other officers could be heard on the radio updating the suspect's direction of travel.

An officer updated over the radio that the suspect was in a collision at the Circle K gas station, located at Durango Drive and Blue Diamond Road, and exited the truck he was driving. Officer Calleja drove by the Circle K as a radio update stated the suspect stole a maroon sport utility vehicle (SUV). An officer stated over the radio that the suspect was shooting from the vehicle. Officer Mekeel announced over the radio that he shot at the suspect.

Officer Calleja continued to drive with his lights and sirens activated as the dispatcher updated over the radio that NHP was in pursuit of the suspect and the suspect was shooting at Durango Road and Windmill Drive. Updates were made over the radio that the suspect stole another vehicle and was fleeing in a white van. Updates were broadcasted that the suspect was at Durango Drive and Pebble Road.

Officer Calleja arrived at an intersection and worked to block traffic from traveling through the intersection. Officer Calleja locked his vehicle in the intersection then followed another officer on foot to a gas station parking lot. Officer Calleja, Officer Stoehr, and Officer Hawkins stood-by next to a block wall. Officer Calleja left the other officers, ran through a car wash to direct a civilian vehicle out of the area, then returned to Officers Stoehr's and Hawkins' location.

Officer Calleja told the other officers that SWAT was taking position, and they should move their position to the front of the convenience store. The officers stayed in their position and Officer Calleja's camera was deactivated shortly after it was announced over the radio that the suspect was deceased.

### **Officer Hawkins**

Officer Hawkins was wearing a BWC at the time of the incident and the camera was activated. Officer Hawkins' camera footage depicted the following:

Officer Hawkins was driving and activated the lights and sirens on her patrol vehicle. Officer Hawkins arrived at the original shooting scene and announced over the radio she was deploying her rifle. As she exited her patrol vehicle, several apparent gunshots could be heard. Officer Hawkins put on a tactical vest which altered the view of the camera. The camera appeared to be facing towards the ground and the view was partially blocked.

Additional gunshots were heard followed by an officer making several announcements identifying themselves as police officers. Officer Hawkins appeared to be next to a white truck as more apparent gunshots could be heard. Officer Hawkins' camera was deactivated.

Less than one minute later, Officer Hawkins' camera was reactivated. The camera appeared to be partially pointing towards the ground. As Officer Hawkins moved, the

footage showed an officer with a rifle on the hood of a patrol vehicle. Multiple apparent gunshots were heard as Officer Hawkins knelt next to the truck. An officer asked if the gunshots were from an officer and Officer Hawkins responded, "negative." Additional apparent gunshots could be heard just prior to Officer Hawkins announcing that the suspect was in a patrol vehicle. Sirens were activated and Officer Hawkins yelled to other officers that the suspect was taking a patrol vehicle.

Officer Hawkins' camera was briefly obstructed as she got into a patrol vehicle. She exited the vehicle and stood near a white truck. Officer Hawkins got back into the patrol vehicle obstructing the view of the camera; however, sirens and the police radio could be heard. Radio traffic updating the suspect's location and direction of travel could be heard on the police radio. Officer Hawkins' camera remained obstructed during the course of the pursuit until Officer Hawkins exited her patrol vehicle near the termination point.

Officer Hawkins coordinated with other officers to direct traffic. Officer Hawkins walked to a block wall where she stood with Officers Calleja and Stoehr. Officer Hawkins' camera was deactivated for approximately four minutes while she stood with the officers. The camera remained activated until it was broadcasted over the radio that the suspect was deceased.

### **Officer Gunn**

Officer Gunn was wearing a BWC at the time of the incident and the camera was activated. Officer Gunn's camera footage depicted the following:

Officer Gunn's camera was activated as he was leaving the area command parking lot and drove with his lights and sirens activated. Once in the area, Officer Gunn advised the dispatcher he heard apparent gunshots in the area of Maulding Avenue and Gillespie Street. Officer Gunn parked along the side of the road with his overhead emergency lights activated. Officer Gunn exited his vehicle and stood by the rear of the patrol vehicle. Officer Gunn advised the dispatcher to inform officers not to arrive southbound on Gillespie Street from Warm Springs Road because Officer Gunn heard rounds going over his head from the east to the west. An apparent gunshot could be heard while Officer Gunn stood near his vehicle.

Officer Gunn got into the patrol vehicle, turned off the overheard emergency lights and drove to the other officers on Placid Street. Officer Gunn parked across the from Jeffrey Davidson's truck and deployed the rifle from his patrol vehicle. After several apparent gunshots were heard, Officer Gunn briefly proned onto the ground then stood back up and supported his rifle on the hood of a patrol vehicle. Additional gunshots were heard followed by an officer announcing the suspect was getting into a patrol vehicle. Officer Gunn announced the suspect was on the hood then another officer announced he was in the back of the car. Officer Gunn advised the dispatcher the suspect was taking a patrol vehicle. Officer Gunn stated the suspect went northbound then stopped. After the suspect left in the patrol vehicle, Officer Gunn got into his vehicle and drove with the lights and

sirens activated. The view of the camera was obstructed; however, radio traffic from other officers and the dispatcher could be heard updating the suspect's location and direction.

Officer Gunn exited his patrol vehicle and appeared to be in a desert lot. Officer Gunn's camera continued to be partially obstructed by clothing. While in the desert lot, Officer Gunn appeared to use a flashlight to search the lot. Officer Gunn advised the dispatcher that he was in the wash and located an AK-47 rifle. As Officer Gunn was walking through the lot, he encountered Jeffrey Davidson who reported to Officer Gunn that his wife was shot by their son in the wash. Officer Gunn continued to search the lot until he located a person (Liza Leveille-Davidson) lying face down in brush. Officer Gunn advised the dispatcher she appeared deceased and requested medical. As Officer Gunn scanned through the lot with his flashlight, a rifle could be seen on the ground. Officer Gunn requested an additional officer to assist with crime scene preservation. Officer Gunn advised Jeffrey Davidson to go back in his house and wait for further information because the fire department was responding to assist with Leveille-Davidson.

While standing by on the scene, Officer Gunn adjusted his camera and removed the obstruction. When another officer arrived on scene, Officer Gunn advised the additional officer of Leveille-Davidson's location and instructed the officer on how big of an area needed to be contained. Officer Gunn moved his vehicle to a better position to block traffic on the street. When medical personnel arrived, Officer Gunn escorted them to Leveille-Davidson's location. When asked by Officer Gunn, the medical personnel advised their unit number was 627 (Community Ambulance). The medical personnel evaluated Leveille-Davidson and confirmed she was deceased. Shortly after the medical personnel left the scene, Officer Gunn deactivated his camera.

### **Officer Mekeel**

Officer Mekeel was wearing a BWC at the time of the incident and the camera was activated. Officer Mekeel's camera footage depicted the following:

Officer Mekeel's was driving his patrol vehicle as his camera was activated. The dispatcher could be heard advising there were multiple persons reporting hearing gunfire. While enroute, Officer Mekeel used the radio to ask officers on scene if they wanted responding units to set up a perimeter or respond to the illegal shooting location. An officer on scene responded by requesting other responding units respond to the scene to avoid a potential crossfire situation.

When Officer Mekeel arrived on Placid Street, he exited his vehicle and put on his patrol jacket, which partially obstructed the camera view. Officer Mekeel walked over to Jeffrey Davidson's truck when an officer could be scene kneeling next to the truck. Officer Mekeel used the radio to give the dispatcher the license plate number of Jeffrey Davidson's truck. Shortly after, several gunshots could be heard.

Officer Mekeel walked to a nearby wall where Officer Calleja was standing by with Jeffery Davidson. Jeffrey Davidson could be observed kneeling next to a block wall. After more

gunshots could be heard, Officer Mekeel ran and stood by at the rear of a patrol vehicle. More apparent gunshots could be heard. Officer Hawkins could be heard announcing the suspect was getting into a patrol vehicle. Officer Mekeel advised the dispatcher the suspect entered a patrol vehicle. Officer Mekeel got into his patrol vehicle and drove northbound on Placid Street while other officers updated the suspect's direction of travel.

Officer Mekeel advised the dispatcher that he was in pursuit of the stolen patrol vehicle westbound on Warms Springs Road from Gillespie Street. Officer Mekeel advised the dispatcher the suspect was westbound through Dean Martin Drive. As Officer Mekeel approached intersections he stated, "clear." Officer Mekeel updated that the suspect continued westbound through Decatur Boulevard.

Officer Mekeel arrived at the intersection of Durango Drive and Warm Springs Road shortly after a radio broadcast that the suspect stole a blue truck. Officer Mekeel updated the dispatcher that the suspect was southbound on Durango Drive. Taillights could be observed ahead of Officer Mekeel's patrol vehicle. Officer Mekeel used the radio to instruct other officers to stay to the right of the suspect vehicle while in pursuit due to the suspect being armed with a rifle.

As Officer Mekeel continued to pursue the truck, the truck can be observed moving from the number one and number two southbound lanes. While the intersection of southbound Durango Drive and Blue Diamond Road had red traffic lights displayed, the truck entered the intersection without stopping and drove in a southeastern direction into a desert lot. The taillights of the truck could be seen as the suspect entered the Circle K parking lot.

Officer Mekeel entered the parking lot southbound from the northeast entrance. Officer Mekeel parked his vehicle near a gas pump, exited the patrol vehicle, and drew his firearm. Officer Mekeel discharged his firearm several times in the direction of a maroon SUV which was parked at a gas pump with the driver's door open. Officer Mekeel yelled, "Get out of the truck." Officer Mekeel went back to his vehicle and drove westbound on Blue Diamond Road from Durango Drive. Officer Mekeel used the radio to notify the dispatcher of the OIS. Officer Mekeel told the dispatcher the suspect had a firearm pointed at citizens during the OIS. Radio traffic could be heard that the suspect was shooting at NHP and then fled in a white van.

Officer Mekeel returned to the Circle K gas station located at Blue Diamond Road and Durango Drive. Officer Mekeel removed crime scene tape from his patrol vehicle and began to secure the scene. As Officer Mekeel arrived on the scene, a sergeant approached and asked Officer Mekeel where the OIS occurred. Officer Mekeel identified the OIS location to the sergeant and stated, "He pointed his firearm at citizens, the citizens moved, I had a clear shot, so I fired." Officer Mekeel continued to secure the scene until his camera was deactivated.

## **Officer Brooks**

Officer Brooks was wearing a BWC at the time of the incident and the camera was activated. Officer Brooks' camera footage depicted the following:

Officer Brooks camera was activated while he was driving to the illegal shooting call. When Officer Brooks arrived on Placid Street, Jeffery Davidson was standing next to his white truck. Officer Brooks walked northbound and joined Officer Stoeher and Officer Sithong at the rear of Officer Sithong's patrol vehicle. The three officers moved southbound on Placid Street. While Officer Brooks was at the rear of a patrol vehicle, Jeffrey Davidson told Officer Brooks that his transmission had been shot so his vehicle could not be moved. Jeffery Davidson also asked if officers could go into the wash and check on his wife. Shortly after, several apparent gunshots could be heard. Officer Brooks advised the dispatcher that shots were fired north of their location.

Jeffrey Davidson told Officer Brooks, "I think he shot my wife." Jeffrey Davidson told Officer Brooks that his wife was in wash. Officer Brooks instructed Jeffrey Davidson to wait over by a driveway. More gunshots could be heard as Officer Brooks moved to the rear of another patrol vehicle. Officer Brooks utilized the public address system to announced police presence and instructed the suspect to drop his weapon and come out of the wash with hands up.

Officer Brooks retrieved the shotgun from his patrol vehicle as additional gunshots could be heard. Officer Brooks moved to the rear of the patrol vehicle. As Officer Calleja arrived, Officer Brooks directed him to Jeffrey Davidson. Officer Brooks used the radio to request the dispatcher to send another officer to block traffic from being able to enter the area from the north of their location.

After more gunshots could be heard, Officer Hawkins announced to the officers that the suspect was inside of a patrol vehicle. Officer Brooks entered his patrol vehicle and Officer Sithong got into the passenger seat. Officer Brooks drove with his lights and sirens activated. A patrol vehicle with emergency lights activated could be observed ahead of Officer Brooks' vehicle.

Officer Sithong stated his cellular phone was inside the stolen vehicle and could possibly be tracked. Officer Brooks continued to drive with his lights and sirens activated until he and Officer Sithong arrived at the Vons gas station located at Warm Springs Road and Durango Drive. Officer Brooks exited the vehicle with his shotgun and approached an unattended patrol vehicle that had the driver's door left open and overhead lights turned on. As Officer Brooks walked back to his vehicle, apparent bullet impacts could be observed on the driver's door of the stolen police vehicle. Officer Brooks advised Officer Sithong he was going to leave in the patrol vehicle.

As Officer Brooks drove southbound on Durango Drive, he saw patrol vehicle with lights and sirens activated driving northbound. Officer Brooks conducted a U-turn to follow the other officers. Officer Brooks approached the intersection of Durango Drive and Mistral

Avenue. Officer Brooks exited his vehicle and positioned himself along the passenger side of a northbound facing NHP vehicle. A white van could be seen parked along the southbound side of Durango Drive.

A horn could be heard as Officer Brooks moved to the passenger side of his patrol vehicle and directed his spotlight towards the van. Other officers could be heard announcing that the suspect was armed with a rifle. As Officer Brooks moved and knelt by the front passenger fender of his vehicle, he discharged his handgun several times towards the white van. A direct view of the van from the camera was partially blocked by the patrol vehicle's spotlight. The driver's door of the van was opened, and the van drove southbound on Durango Drive.

Officer Brooks broadcasted over the radio that shots had been fired and the van fled the area. Officer Brooks got back into his vehicle and drove southbound on Durango Drive. As Officer Brooks drove, the white van could be seen in front of him. The van slowed down and rolled onto the center median. Officer Brooks exited his vehicle and went to the passenger side of his patrol vehicle where he conducted a tactical reload of his handgun. Officer Brooks remained at the side of his vehicle with his handgun pointed towards the van. Sirens could be heard of additional units responding to the area.

An officer approached and instructed Officer Brooks to retrieve the shield from the inside of the patrol vehicle. Officer Brooks got the shield and brought it to the area next to the front passenger door of the patrol vehicle. Officer Brooks and several other officers remained in their position until relieved by SWAT officers. Once Officer Brooks notified a sergeant, he fired his weapon along with NHP, the sergeant escorted Officer Brooks away from the immediate area and instructed him to deactivate his camera to conduct the Public Safety Statement.

### **Trooper Moran**

Trooper Moran was wearing a BWC at the time of the incident and the camera was activated. The camera was collected by Sergeant Iacullo and secured. Trooper Moran's camera footage depicted the following:

Trooper Moran's BWC was mounted to the front center of his uniform. Because of the mounting location the video mainly captured his steering wheel and the interior of his vehicle while he drove.

Trooper Moran entered his vehicle, docked his camera and drove through a parking lot, exiting through an automatic gate. Trooper Moran exited the gate and activated his lights and sirens.

Approximately seven minutes into the footage, Trooper Moran turned the steering wheel sharply and said, "They're shooting at me." Trooper Moran exited his vehicle with his rifle. Several sirens could be heard in the area. As Trooper Moran got out of his vehicle, an apparent gunshot could be heard. Trooper Moran's vehicle was parked on an angle in the



middle of the road crossing travel lines. Trooper Moran moved to the rear of his vehicle. Trooper Moran broadcasted over the radio his location and that the suspect was shooting at officers.

Another officer could be heard warning that the suspect had a rifle. Trooper Moran discharged his rifle several times in the direction of the white van. The van began to drive as Trooper Moran was discharging his rifle. Trooper Moran reloaded a new magazine into his rifle. Trooper Moran broadcasted over the radio that shots were fired, and the suspect killed the driver of the van.

Trooper Moran got back into his vehicle and drove. Trooper Moran updated the dispatcher that he was in pursuit of the van. Radio traffic could be heard updating that the van was driving slowly and rolled onto a curb where it stopped. Trooper Moran exited his vehicle and went to the rear of his vehicle. A NHP vehicle was positioned to Trooper Moran's left and a LVMPD vehicle to his right. Nearby officer could be heard coordinating additional officers' response and establishing a perimeter. As Trooper Moran moved behind his vehicle, the van could briefly be observed in the middle of the road.

Trooper Moran moved with another NHP Trooper into a nearby desert lot and positioned themselves behind a pile of rocks and dirt. Trooper Moran advised the other trooper he discharged his firearm when the suspect killed the other driver. The other trooper stated they could not see the suspect, so he and Trooper Moran went back to the street and positioned himself to the rear of his vehicle.

Trooper Moran remained on scene as LVMPD SWAT responded and took control of the operations. While standing by on scene, Trooper Moran told two NHP Troopers the following: Trooper Moran said he shot an entire magazine from his rifle into the white van. He continued to explain that he heard a gunshot and took cover. Trooper Moran heard shuffling and saw a bullet hole in the "head area of the window." The suspect pushed the driver out of the van and that is when Trooper Moran fired his rifle. Shortly after, Trooper Moran's camera was deactivated.

### **Trooper Kincaid**

Trooper Kincaid was wearing a BWC at the time of the incident and the camera was activated. Trooper Kincaid's camera footage depicted the following:

Trooper Kincaid got into the driver's seat of the patrol vehicle and Trooper Villanueva could be seen getting into the passenger seat. While Trooper Kincaid drove, his camera was obstructed; however, the audio could be heard. Sirens and radio traffic could be heard as Trooper Kincaid drove. The dispatcher could be heard updating the troopers that the suspect stole a LVMPD vehicle and a blue pick-up truck, which the dispatcher stated was also a LVMPD vehicle. The dispatcher updated the suspect took another vehicle described as a SUV.

Trooper Moran could be heard on the radio that he located the suspect vehicle. Trooper Kincaid exited his vehicle with his handgun drawn. A red SUV could be seen across the street parked in front of a white van. As Trooper Kincaid was near the rear of his vehicle an apparent gunshot could be heard. Trooper Kincaid moved to the passenger side of his vehicle which was parked in the northbound travel lane. Officer Brooks vehicle was parked facing northeast in front of Trooper Kincaid's vehicle. Officer Brooks could be observed kneeling by the passenger side front bumper of the NHP vehicle then moving to the side of the LVMPD vehicle. Trooper Villanueva knelt by the front passenger fender of the NHP vehicle with a rifle pointed across the hood of the vehicle. The troopers could be heard warning each other that the suspect had a rifle.

The troopers announced that the driver of the van was deceased and discharged their firearms several times. As Trooper Kincaid moved from his position, the van was no longer in view of the camera. Troopers Kincaid and Villanueva crossed the street and approached a body (Gerardo Lopez-Martinez) that was face down on the shoulder of the road. The troopers then approached the red SUV, which had the front passenger door left open along with the window to the passenger door shattered. The troopers stated the vehicle was clear.

Trooper Kincaid moved his vehicle to assist with blocking traffic on the street. Trooper Kincaid used flares and cones to block vehicle traffic in the area. Trooper Kincaid unpackaged a foil blanket to place over Lopez-Martinez. As Trooper Kincaid stood near Lopez-Martinez, a rifle could be observed on the ground. Trooper Villanueva directed Trooper Kincaid to look for an area south of the scene for northbound traffic to turn around before approaching the scene. Trooper Kincaid used flares to block northbound traffic south of the OIS scene. Trooper Kincaid was relieved by another trooper then got into his vehicle and drove. When Trooper Kincaid exited his vehicle there were numerous LVMPD and NHP vehicles in the area. Trooper Kincaid was instructed by another trooper to deactivate his BWC.

### **Trooper Villanueva**

Trooper Villanueva was wearing a BWC at the time of the incident and the camera was activated. The camera was collected by Sergeant Iacullo and secured. Trooper Villanueva's camera footage depicted the following:

Trooper Villanueva entered the passenger seat of a patrol vehicle with Trooper Kincaid in the driver's seat. Trooper Villanueva's BWC was mounted to the center front of his uniform, so his camera was obstructed while he was in the vehicle. While Trooper Kincaid drove, Trooper Villanueva held a rifle. The dispatcher could be heard providing updates of the suspect vehicle and direction of travel.

Trooper Villanueva exited the vehicle and went to the rear of the vehicle next to Trooper Kincaid. A red SUV could be observed parked in front of a white van on the other side of the road. An apparent gunshot could be heard, and Trooper Villanueva backed up stating the suspect fired shots. Trooper Villanueva moved to the front passenger fender of the

NHP vehicle. The troopers stated the suspect had a rifle and that the driver was deceased.

Trooper Villanueva was knelt next to the vehicle caused the view of the suspect's actions to be blocked by the vehicle. Multiple apparent gunshots could be heard as Trooper Villanueva knelt next to the vehicle. As Trooper Villanueva discharged the rifle, he stood up and moved towards the middle of the street. The white van drove southbound along the passenger side of the red SUV. The white van continued to drive southbound on Durango Drive.

Trooper Villanueva crossed the street and approached Lopez-Martinez to check his status. Lopez Martinez was face down in the gravel and did not respond to Trooper Villanueva. Trooper Villanueva and Trooper Kincaid approached the red SUV, which had the front passenger door left open. The window to the passenger door appeared to be shattered. Trooper Kincaid stated the vehicle was clear.

While Trooper Kincaid and Villanueva worked to block traffic, Trooper Villanueva put on a yellow traffic vest which blocked the view of the BWC. Trooper Villanueva could be heard working to block traffic and secure the scene. As the dispatcher could be heard checking the status of units on the call, Trooper Villanueva's camera was deactivated.

## **DASHBOARD CAMERA**

### **I. DASHBOARD CAMERA**

Nevada State Police Highway Patrol vehicles were equipped with cameras mounted on the front dashboard of the vehicles.

#### **Trooper Moran:**

Trooper Moran's vehicle left a gated parking lot and was driven with lights and sirens activated. A dispatcher could be heard providing updates of the pursuit, suspect vehicle description, and direction of travel. As Trooper Moran drove to the area, the dispatcher could be heard updating that the suspect stole a dark colored SUV and was northbound on Durango Drive. As Trooper Moran approached an intersection southbound that had a red traffic signal displayed, a vehicle could be observed driving northbound through the red traffic signal. Trooper Moran conducted a U-turn to drive northbound on Durango Drive. Another trooper could be heard on the radio confirming the color of the stolen SUV was described as maroon.

Trooper Moran stated on the radio that he located the maroon SUV and was in pursuit of the vehicle. A white van was ahead of Trooper Moran along with the maroon SUV. The van conducted a U-turn followed by SUV which appeared to be immediately behind the van. Trooper Moran also conducted a U-turn and stated, "They're shooting at me." Trooper Moran's vehicle stopped in the middle of the roadway facing southeast. The van was stopped southbound on the gravel shoulder directly in front of a pole holding a stop

sign and street signs. The pole was on an angle as though it was slightly pushed by the van. The maroon SUV was parked on the southbound shoulder in front of the van slightly offset to the west.

A person (Justin Davidson) appeared from the passenger side of the SUV and ran to passenger side of the van carrying a long object similar in appearance to a rifle. Once Davidson was on the passenger side of the van, the van obstructed the view of Davidson's actions. While Davidson was blocked by the van an apparent gunshot could be heard. Trooper Moran broadcasted his location and that the suspect was shooting at him over the radio. A vehicle's horn could be heard and the reverse lights on the rear of the van activated. A spotlight illuminated the van showing apparent damage, consistent with the appearance of shattered glass, to the driver's door side window of the van.

Immediately after Trooper Villaneuva announced the suspect had a rifle, the driver's door of the van opened, and a person (Lopez-Martinez) partially hung out of the door. As the van slowly reversed Lopez-Martinez' arm dangled with no apparent movement. Lopez-Martinez fell to the ground as the van continued to slowly roll backwards. Davidson's silhouette could be seen in the driver's seat. Almost simultaneously to Lopez-Martinez landing on the ground multiple apparent gunshots could be heard. Lopez-Martinez was positioned face down with his legs towards the front of the van and his head towards the rear. The van moved forward, and the rear tires rolled over Lopez-Martinez' head. The van drove on the gravel along the passenger side of the SUV and continued southbound on Durango Drive.

Troopers Villanueva and Kincaid approached Lopez-Martinez and Trooper Moran drove southbound on Durango Drive. Trooper Moran drove behind three LVMPD patrol vehicles. While the van approached the intersection of Durango Drive and Agate Avenue, the van slowed down and drove towards the center median. The van stopped on the center median and was illuminated by a spotlight. Trooper Moran could be heard using the radio to request traffic be blocked at the intersection. The camera was deactivated prior to any contact being made with the van or officers approaching the van.

The following are still images from Trooper Moran's dashboard camera footage:



Above: Justin Davidson (circled) running from the maroon SUV to the white van armed with a rifle.



Above: Apparent damage (circled) to the van driver's window prior to the OIS.

Trooper Kincaid's dashboard camera footage depicted the following:

Trooper Kincaid's vehicle exited a gated parking lot and drove with the emergency lights and sirens activated. The dispatcher could be heard updating the suspect's vehicle description and direction of travel. As Trooper Kincaid drove to the area, the dispatcher could be heard updating that the suspect stole a dark colored SUV and was northbound on Durango Drive. While Trooper Kincaid drove southbound on Durango Drive, Trooper

Moran could be heard on the radio announcing that he was in pursuit of the suspect vehicle northbound. As Trooper Kincaid approached an intersection, Trooper Moran's vehicle could be seen driving northbound. Trooper Kincaid conducted a U-turn at the intersection and proceeded northbound.

Trooper Moran could be seen conducting a U-turn at Durango Drive and Mistral Avenue. Trooper Kincaid parked his vehicle in the northbound travel lane in a northeast direction. Trooper Moran could be observed exiting his vehicle with a rifle and moving to the rear of the vehicle. Officer Brooks parked his vehicle facing eastbound ahead of Trooper Kincaid's vehicle. Officer Brooks walked to the passenger side of Trooper Kincaid's vehicle.

Trooper Villanueva announced the suspect had a rifle then stated, "He shot him." Trooper Moran stood behind his vehicle and discharged his rifle several times. Apparent gunshots could be heard, and smoke appeared across the front of Trooper Kincaid's vehicle. Trooper Villanueva walked in front of Trooper Kincaid's vehicle towards the direction of where the suspect vehicle was located. Officer Brooks went back to his vehicle and drove southbound. Trooper Kincaid's dashboard camera remained activated while Troopers Kincaid and Villanueva conducted crime scene preservation duties.

### **7305 S. Durango Drive (Vons Fuel Station)**

The Vons Fuel Station surveillance video footage depicted the following:

Per the video timestamp, on December 27, 2023, at 0416 hours, a blue Ford Raptor parked at a fuel pump. The driver exited the truck and remained between the truck and fuel pump. A LVMPD police vehicle arrived with the overhead emergency lights activated and parked behind the Ford Raptor. The passenger doors of the Ford Raptor opened and closed. A person (Justin Davidson) approached the driver's door of the Ford Raptor. At 0417 hours, the passenger doors of the Ford Raptor opened, the occupants exited the vehicle and walked away from the truck.

The driver's door closed, and the Ford Raptor accelerated forward crashing into a red concrete pole in front of a fuel pump. The truck reversed, revealing damage to the front driver's side of the truck, and accelerated forward out of camera view. The patrol vehicle that Justin Davidson arrived in remained on scene. An additional patrol vehicle arrived, drove through the parking lot and out of camera view. At 0419 hours, two patrol officers could be observed walking near the patrol vehicle that Davidson arrived in. No other significant activity was observed on video.

## **II. AUTOPSY**

### **Justin Davidson**

On December 28, 2023, at approximately 0825 hours, under CCOCME case 23-07853, an autopsy was performed on the body of Justin Davidson at the CCOCME by Doctor Shaller.

The following persons were in attendance:

- 1) Detective Colon
- 2) Detective Ryland
- 3) CSA Mongrut
- 4) Forensic Technician Miele

The following items of evidence were impounded:

- 1) Buccal swab kit
- 2) Bags from hands
- 3) Blue plastic bag
- 4) Green straw
- 5) Three metal pieces
- 6) Two cartridges
- 7) Gray shirt
- 8) White shirt
- 9) Shorts with attached belt
- 10) Blue boxer shorts
- 11) Shoes
- 12) Socks
- 13) Neck gaiter
- 14) Gloves
- 15) Sheet

The following wounds/injuries were noted on Justin Davidson:

- 1) Abrasions to the face
- 2) Scratches to arms, hands, and legs
- 3) Gunshot wound to the left forearm
- 4) Gunshot wound to the center of the back
- 5) Gunshot wound to the left hip
- 6) Gunshot wound to the left buttock
- 7) Gunshot wound to the back left thigh
- 8) Gunshot wound to the inner left and right thigh
- 9) Gunshot wound to the left calf
- 10) Gunshot wound to the left leg below the knee
- 11) Gunshot wound to the scrotum

Upon the completion of toxicology testing, the following results were noted:

<b>Analyte</b>	<b>Result</b>	<b>Units</b>	<b>Matrix Source</b>
Caffeine	Presump Pos	mcg/mL	001 - Peripheral Blood
Hydrocodone - Free	47	ng/mL	001 - Peripheral Blood
Amphetamine	120	ng/mL	001 - Peripheral Blood
Methamphetamine	2300	ng/mL	001 - Peripheral Blood
Fentanyl	1.3	ng/mL	001 - Peripheral Blood
Norfentanyl	1.2	ng/mL	001 - Peripheral Blood
4-ANPP	0.56	ng/mL	001 - Peripheral Blood
4-ANPP	Presump Pos	ng/mL	004 - Urine
Acetaminophen	54	mcg/mL	004 - Urine
Dihydrocodeine / Hydrocodol - Free	210	ng/mL	004 - Urine
Hydrocodone - Free	2600	ng/mL	004 - Urine
Hydromorphone - Free	33	ng/mL	004 - Urine
Amphetamine	4900	ng/mL	004 - Urine
Methamphetamine	>10000	ng/mL	004 - Urine
Fentanyl	16	ng/mL	004 - Urine
Norfentanyl	>400	ng/mL	004 - Urine

On June 13, 2024, the CCOCME provided FIT with completed reports reference their investigation of the death of Justin Davidson. After a thorough review of facts and circumstances and a complete autopsy, Doctor Nathan Shaller opined Justin Davidson died as a result of multiple gunshot wounds. The manner of death was homicide.

### **Liza Leveille-Davidson**

On December 28, 2023, at approximately 0645 hours, under CCOCME case 23-07851, an autopsy was performed on the body of Liza Leveille-Davidson at the CCOCME by Doctor Shaller.

The following persons were in attendance:

- 1) Detective Ryland
- 2) CSA Mongrut
- 3) Forensic Technician Miele

The following items of evidence were impounded:

- 1) Buccal swab kit
- 2) Bags from hands
- 3) Fingernail clippings
- 4) Swabs of possible DNA
- 5) Bullet
- 6) Black jacket
- 7) T-shirt
- 8) Bra
- 9) Pants
- 10) Underwear
- 11) Shoes



The following wounds/injuries were noted on Liza Leveille-Davidson:

- 1) Gunshot wound to the top left shoulder
- 2) Gunshot wound to the upper left arm
- 3) Gunshot wound to the left breast
- 4) Abrasion to the right hip
- 5) Bruise to right thigh

Upon the completion of toxicology testing, the following results were noted:

**Positive Findings:**

None Detected

On August 20, 2024, the CCOCME provided FIT with completed reports reference their investigation of the death of Liza Leveille-Davidson. After a thorough review of facts and circumstances and a complete autopsy, Doctor Shaller opined Liza Leveille-Davidson died as a result of gunshot of torso. The manner of death was homicide.

**Gerardo Lopez-Martinez**

On December 28, 2023, at approximately 0742 hours, under CCOCME case 23-7852, an autopsy was performed on the body of Gerardo Lopez-Martinez at the CCOCME by Doctor Shaller.

The following persons were in attendance:

- 1) Detective Colon
- 2) Forensic Technician Kirkegard
- 3) Forensic Assistant Starr
- 4) SCSA Goldberg

The following items of evidence were impounded:

- 1) Sheet
- 2) Print Exemplars
- 3) Buccal swab kit
- 4) Blue pants
- 5) Green/blue underwear
- 6) Black/gray socks
- 7) Black boots
- 8) Green tank top
- 9) Black t-shirt
- 10) Blue shirt
- 11) Blue jacket

- 12) Cell phone
- 13) Multiple keys
- 14) Various medical and business cards
- 15) Two white ear buds
- 16) Bullet fragments

The following wounds/injuries were noted on Gerardo Lopez-Martinez:

- 1) Severe facial trauma
- 2) Gunshot wound to the right to left shoulder
- 3) Gunshot wound to left shoulder
- 4) Gunshot wound to the left face
- 5) Gunshot wound to the right foot

Upon the completion of toxicology testing, the following results were noted:

**Positive Findings:**

None Detected

On August 20, 2024, the CCOCME provided FIT with completed reports reference their investigation of the death of Gerardo Lopez-Martinez. After a thorough review of facts and circumstances and a complete autopsy, Doctor Shaller opined Gerardo Lopez-Martinez died as a result of multiple gunshot wounds and blunt force injuries. The manner of death was homicide.

## **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.<sup>2</sup> 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].

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.

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<sup>2</sup> NRS 200.120(3)(a) defines a crime of violence:

“Crime of violence” means 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.

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 the slayer 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 LVMPD Officers Timothy Brooks and Jacob Mekeel as well as NHP Troopers Danny Kincaid, Martin Moran, and Luis Villanueva actually and reasonably believed one or many officers and troopers were in danger of imminent harm. Justin Davidson was armed with a rifle, had already fired shots at the scene, murdered his own mother, stolen multiple vehicles at gunpoint, and directly threatened the lives of civilians and law enforcement officers during his carjackings. Davidson posed a direct and ongoing threat to the public and law enforcement officers throughout the pursuit. Davidson created a situation in which law enforcement had to defend both themselves and the public from imminent danger. At the Vons gas station, Davidson pointed a rifle at a civilian's face during the carjacking. Later, at the Circle K, he again pointed the rifle at the occupants of another vehicle. These actions showed an imminent and ongoing threat to the lives of the public. Davidson continued to display extremely violent behavior by fatally shooting Gerardo Lopez-Martinez and running over his head with the stolen van. This shows he was actively and dangerously escalating the situation, posing a continuous risk of harm to anyone around him.

The totality of the evidence, to include BWC video, dashboard camera video, and witness statements, illustrates that every officer had a reasonable belief that Decedent would cause great bodily harm to anyone he came across. The troopers and officers were confronted with the appearance of imminent danger and acted out of a reasonable belief that Decedent was about to shoot one or both troopers. The troopers and officers reasonably acted in defense of themselves and each other. 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 evidence indicates that officers were confronted with an individual who posed an immediate and serious threat to both the public and law enforcement. Davidson's actions—including multiple armed carjackings, the killing of a civilian, and his continuous attempt to evade capture while armed—created a situation where officers reasonably believed that the use of lethal force was necessary to prevent further deaths or great bodily harm. Thus, the use of deadly force 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 Officer Timothy Brooks, Officer Jacob Mekeel and Nevada Highway Patrol Troopers Danny Kincaid, Martin Moran, and Luis Villanueva were reasonable and/or legally justified. The law in Nevada clearly states that homicides which are justifiable or excusable are not punishable. See 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, unless new circumstances come to light which contradict the factual foundation upon which this decision is made, no charges will be forthcoming against Officer Timothy Brooks, Officer Jacob Mekeel and Nevada Highway Patrol Trooper Danny Kincaid, Martin Moran, and Luis Villanueva.