



**CLARK COUNTY  
OFFICE OF THE DISTRICT ATTORNEY  
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District Attorney

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## NEWS RELEASE

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For Immediate Release

November 15, 2018

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### **DA's Office Releases Report on the Death of Axell Vivas**

In a report released today involving the death of Axell Vivas, on January 26, 2018, the Clark County District Attorney's Office has determined that the actions of the Las Vegas Metropolitan Police Department (LVMPD) officers involved were legally justified and reasonable.

On January 26, 2018, LVMPD officers responded to a report of a woman being shot several times by her husband. Officers were informed that the suspect was suicidal, armed with a firearm, and waiting for them outside the residence. When officers arrived, they found the woman in her home with multiple gunshot wounds. She was unresponsive, and was pronounced dead at the scene.

The suspect, Axell Vivas, fled the scene before officers arrived. Details about the incident, suspect, and suspect's vehicle were broadcast to law enforcement officers. Shortly after that, a patrol detective located Mr. Vivas' vehicle less than a half mile from the original scene, in the same residential neighborhood where the murder occurred. While waiting for back-up units to arrive, officers saw Mr. Vivas exit his vehicle and point a gun toward them. Mr. Vivas then used his vehicle as cover after pointing his gun at the officers. Officers gave commands for Mr. Vivas to drop his firearm, and also attempted to de-escalate the situation by talking to Mr. Vivas, but he refused to drop his weapon and made suicidal statements while also referencing the murder of his wife. Several additional officers arrived at the scene where Mr. Vivas was located. The officers took cover behind vehicles, and Mr. Vivas again pointed his gun at the officers. Two officers fired at Mr. Vivas, striking him. The LVMPD air unit above confirmed that Mr. Vivas was on his stomach, on the ground, but that he was still holding his firearm in his right hand. An arrest team was formed and the officers moved in to place Mr. Vivas under arrest. He was pronounced dead at the scene.

An autopsy revealed that Mr. Vivas had a prescription muscle relaxer and marijuana in his system, but neither were at a toxic level.

"Mr. Vivas fled after he murdered his wife, with four children in the home," said Clark County District Attorney Steve Wolfson. "When he was located by officers, he made several statements indicating that he was suicidal. During the encounter with officers, he repeatedly pointed his gun at them, and himself. After attempting to de-escalate the situation, the officers used deadly force to protect themselves and the innocent residents in the immediate area."

A Police Fatality Fact-Finding Review was conducted in this incident on October 19, 2018. Clark County Code mandates such a review when a police-involved death occurs, and the prosecutor preliminarily determines that no criminal prosecution of the officer is appropriate.

The determination that the officers acted lawfully in this situation is based upon the evidence available at this time. The case could be reexamined if new information comes to light.

The full report is available on the District Attorney's [Web page](#).