

REPORT ON USE OF FORCE



Legal Analysis Surrounding the Death of Felicia Rena Guzman on May 16, 2023

INTRODUCTION

On May 16, 2023, North Las Vegas Police Department ("NLVPD") Sergeant Becky Salkoff and Officer Caitlyn Ebert discharged their firearms at 43-year-old Felicia Rena Guzman, who had advanced on the officers while wielding a large knife. Felicia Rena Guzman died after being transported to the hospital from gunshot wounds. The use of force incident took place at approximately 5:23 p.m., at 1414 Basin Brook Drive, North Las Vegas, NV, 89032. The scene was situated in the driveway of a residential home, located within a cul-de-sac of a residential neighborhood.

SYNOPSIS

On May 16, 2023, between 1633 hours and 1707 hours, NLVPD Dispatch received four separate emergency telephone calls regarding a disturbance coming from a house on Basin Brook Drive.

At approximately 1707 hours, NLVPD received the fourth emergency telephone call that provided more details about the house that needed police assistance. The caller informed the dispatcher that a woman in her mid-40's was "hitting the men with knives," and that she had gone "berserk."

At 1709 hours, Officer Caitlyn Ebert was dispatched to 1414 Basin Brook Drive, in reference to the female suspect, later identified as Felicia Rena Guzman ("Decedent"), who had cut the neck of one of her roommates with a knife.

On May 16, 2023, Officer Ebert was operating as a single-officer unit, in her department-issued marked patrol vehicle. Shortly after Officer Ebert was dispatched to the call for

service, Sergeant Becky Salkoff was also dispatched, to provide backup, as an additional single-officer unit, in her department-issued marked patrol vehicle.

Both Sergeant Salkoff and Officer Ebert were, not only driving marked patrol vehicles, but also wearing full NLVPD issued blue police uniforms, with their police badges and patches prominently displayed on their chests and shoulders. Additionally, Sergeant Salkoff and Officer Ebert were wearing duty belts with associated police gear, and both officers¹ were equipped with body worn camera ("BWC") that was operating and recording throughout this incident.

At 1713 hours, Sergeant Salkoff and Officer Ebert arrived separately and each parked within the cul-de-sac where 1414 Basin Brook Drive was located. While Sergeant Salkoff and Officer Ebert were walking to the target home, they encountered O.H., in the middle of the street. After speaking with O.H., officers learned that O.H. was the victim of Decedent's knife attack which prompted the initial emergency telephone call to NLVPD Dispatch.

O.H. showed officers the injury he sustained when Decedent attacked him with a knife, earlier that evening. O.H. explained that he did not need medical treatment for the injury. After officers obtained some preliminary details from O.H., they asked O.H. to go back to waiting at a neighbor's house, across the street, while the officers approached the target house.

As officers walked up the driveway of 1414 Basin Brook Drive, they encountered N.M., another roommate of Decedent. N.M. was seated on a bench, just outside the front porch area of 1414 Basin Brook Drive. Officers stood at the top of the driveway, just outside of the entry porch, and spoke with N.M., about the events earlier that day. While speaking with N.M., officers also learned that Decedent was the only person that remained inside the house.

As N.M. was speaking with Sergeant Salkoff and Officer Ebert, a third officer from NLVPD arrived to assist with the call for service, K9 Officer Kaleb Friedman. After Sergeant Salkoff and Officer Ebert had been speaking with N.M. for approximately 7 minutes, the front door of the house opened. As the front door opened, only Sergeant Salkoff and Officer Ebert were still at the target house's front porch, Officer Friedman had returned to his patrol vehicle to check on his department-issued K9 -- dog.

At approximately 1723 hours, as the front door of 1414 Basin Brook Drive opened, Sergeant Salkoff was the first to call out commands. Sergeant Salkoff initially said: "Hi Felicia, sit down in that chair right there." The "chair," that Sergeant Salkoff was referencing was located at a table inside the front porch, that was separated from the driveway by a small two-to-three-foot pony wall.

¹ Occasionally, Sergeant Salkoff and Officer Ebert will be referred to collectively as "officers," when detailing or describing actions that the pair conducted as an investigative-responding unit on May 16, 2023.

Decedent exited the home and disregarded Sergeant Salkoff's initial instructions.

Sergeant Salkoff reiterated, in a sterner tone, "sit down in the chair."

As Decedent exited the home, she was holding a butcher knife with a 7-inch blade. After Decedent had taken three steps outside the front door, she raised the butcher knife overhead, with the blade facing officers as she advanced.

Once the knife was visible and overhead, Officer Ebert screamed: "Don't," "Put the knife down! Put the knife down! Put it down! Put it down!" While Officer Ebert issued commands to Decedent, Officer Ebert and Sergeant Salkoff were back peddling down the sloped driveway, as Decedent advanced towards them with the butcher knife.

While Officer Ebert and Sergeant Salkoff were retreating, about 13 feet down the driveway, Sergeant Salkoff issued three loud commands for Decedent to "put the knife down."

Decedent refused to comply with orders and continued advancing towards officers with the butcher knife above her head.

As Officer Ebert and Sergeant Salkoff reached the base of the driveway, each of them discharged their handgun three times, at Decedent.

Decedent then fell to the ground, in the middle of the driveway, and as she fell, the 7-inch butcher knife also fell to the ground. After the butcher knife fell to the ground, Officer Ebert kicked the weapon further away from Decedent and approached Decedent to take her into custody.

Officer Ebert secured Decedent with handcuffs, then began to apply a trauma pack to Decedent and render aid, while she requested medical personnel to the scene.

Officer Friedman began securing the scene and the street while Officer Ebert and Sergeant Salkoff were rendering aid. Within minutes of officers beginning to render aid, additional patrol units and North Las Vegas Fire Department ("NLVFD") Rescue 53 arrived on scene, provided medical aid and transported Decedent to UMC Trauma.

Due to the officer-involved shooting ("OIS") aspect of the incident, detectives from NLVPD Homicide Bureau, responded to the scene, and assumed control of the investigation.

This report explains why criminal charges will not be forthcoming against NLVPD Officer Ebert and Sergeant Salkoff. It is not intended to recount every detail, answer every question, or resolve every factual conflict regarding this police encounter. It is meant to be considered in conjunction with the Police Fatality Public Fact-Finding Review which was held on June 9, 2025.

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

TIMELINE OF EVENTS

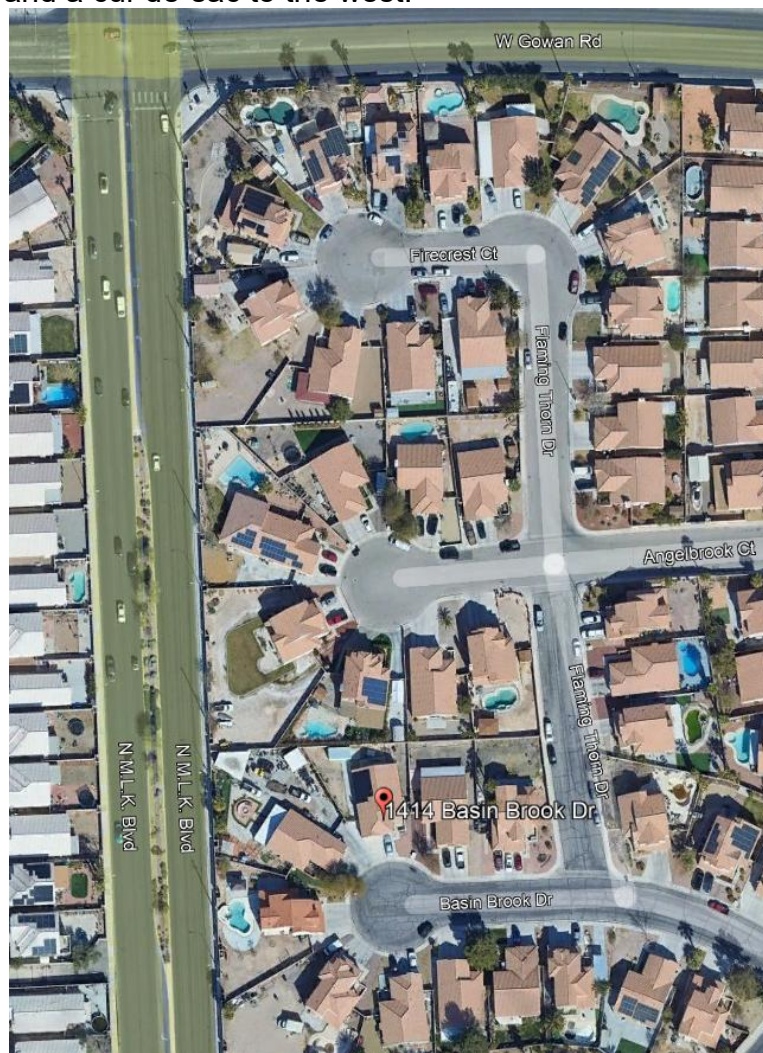
The following timeline is a reconstruction of events which transpired on May 16, 2023, in relation to the fatal OIS that occurred at 1414 Basin Brook Drive, North Las Vegas, NV 89032.

Time (hours)	Description of Event/Action	Source
16:33:15	O.H. called 911 to report his throat was cut by his landlord's girlfriend, Felicia.	Computer Aided Dispatch (CAD)
16:34:14	An anonymous person called 911 because she heard a male and female voice screaming, from within a house, on Basin Brook Drive.	CAD
16:59:34	O.H. called 911 again, asking for police, but the connection was too bad to discern anything intelligible.	CAD
17:07:36	V.M. called 911 to request police because a woman in her mid-40's had gone berserk and was hitting men with knives.	CAD
17:09:13	Officer Ebert had been dispatched and was driving to 1414 Basin Brook Drive.	CAD & BWC
17:09:57	Sergeant Salkoff had been dispatched and was driving to 1414 Basin Brook Drive.	BWC
17:12:04	Sergeant Salkoff had arrived at the target residence and exited her patrol vehicle.	BWC
17:13:36	Officer Ebert had arrived at the target residence and exited her patrol vehicle.	BWC
17:13:50	Officer Ebert had Sergeant Salkoff encountered O.H., in the middle of the street, outside the target house.	BWC
17:15:14	Officer Ebert and Sergeant Salkoff walked up the driveway of 1414 Basin Brook Drive and began speaking with N.M.	BWC
17:23:21	Decedent exited the front door of 1414 Basin Brook Drive and immediately began advancing on officers with a butcher knife in her hand.	BWC
17:23:27	After officers retreated for 6 seconds while issuing commands for Decedent to put the knife down, the first shot was fired.	BWC
17:23:28	6 rounds (3 from each officer) were discharged in one second, and the gunfire ceased.	BWC

Time (hours)	Description of Event/Action	Source
17:24:29	Decedent was taken into custody and secured in handcuffs. Officer Ebert and Sergeant Salkoff began rendering medical aid.	BWC
17:29:20	Additional patrol units have arrived, the perimeter was being set up, other patrol officers have taken over the attempted medical aid for Decedent, and NLVFD Rescue 53 arrived.	BWC

DESCRIPTION OF THE SCENE

The scene was located within a residential neighborhood that was located just east of Martin Luther King Boulevard, and south of Gowan Road. The residential neighborhood was the 1400 block of Basin Brook Drive, which consisted of 10 homes between the Flaming Thorn Drive, to the east, and a cul-de-sac to the west.



Above: Aerial Map depicting the general area of the surrounding neighborhood, with 1414 Basin Brook Drive indicated at the bottom of the image.

The OIS scene was the driveway of 1414 Basin Brook Drive, a residence indicated on the north side of the cul-de-sac.



Above: Aerial Map, zoomed-in, depicting the driveway of 1414 Basin Brook Drive. The red dot indicates the shooting scene.

1409 Basin Brook Drive was the neighbor's home that O.H. waited at after speaking with Officer Ebert and Sergeant Salkoff.



Above: Photo indicating the parking locations of the officers marked patrol vehicles when they arrived on scene to handle the emergency call for service.

Screenshots from Officer Ebert's BWC as Decedent Advanced

The five photographs embedded below are screenshots taken from Officer Ebert's BWC, depicting Decedent and the knife in her hands, as she refused to obey commands and advanced on officers.

The images that follow are only able to demonstrate the threat to officers in a two-dimensional moment in time. However, the BWC captured the repeated commands and pleas that were issued for Decedent to obey and drop the knife. Moreover, the three-dimensional aspect of the threat is not adequately expressed in a photograph or video, without considering that officers were retreating backwards, down a sloped driveway, with a large blue vehicle parked in the driveway that limited the ability to maneuver in one direction and the rock landscaping limiting movement in the other direction.





Above: The red circle indicates the knife in Decedent's hand.



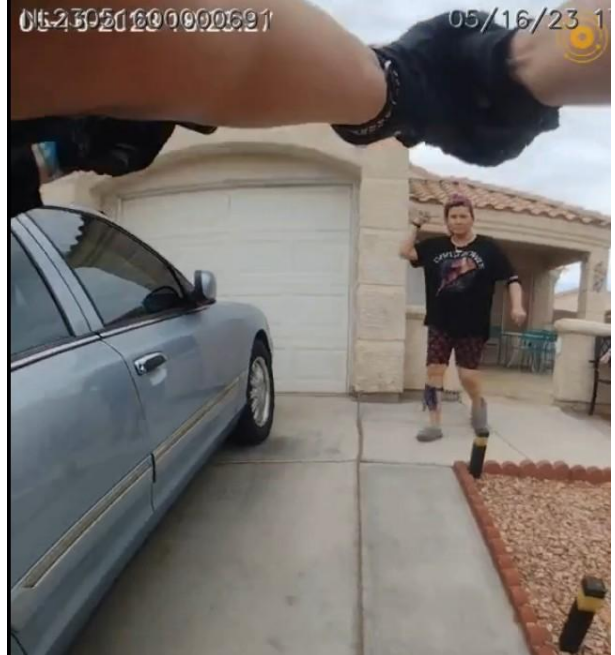


Above: The red circle indicates the knife as it began to be dislodged from Decedent's hand during the OIS.

Screenshots from Sergeant Salkoff's BWC as Decedent Advanced

The five photographs embedded below are screenshots taken from Sergeant Salkoff's BWC, depicting Decedent and the knife in her hands, as she refused to obey commands and advanced on officers.







Above: The red circle indicates the knife falling from Decedent's hand.

Screenshots from Officer Kaleb Friedman's BWC

When Decedent exited the house, Officer Friedman had walked over to his patrol vehicle. Officer Friedman was checking on his K9 – dog, when he heard the loud orders that Officer Ebert and Sergeant Salkoff were issuing to Decedent.

The two photographs embedded below are screenshots taken from Officer Friedman's BWC the moment before and during the OIS.



Above: Decedent advancing on officers with a butcher knife overhead. Officers can be seen at the base of the driveway, just before firing their duty weapons.



Above: Officers are depicted at the exact moment of neutralizing the threat posed by Decedent as they fired their handguns.

Scene & Evidentiary Items



Above: the location of Decedent's knife after falling from her hand.

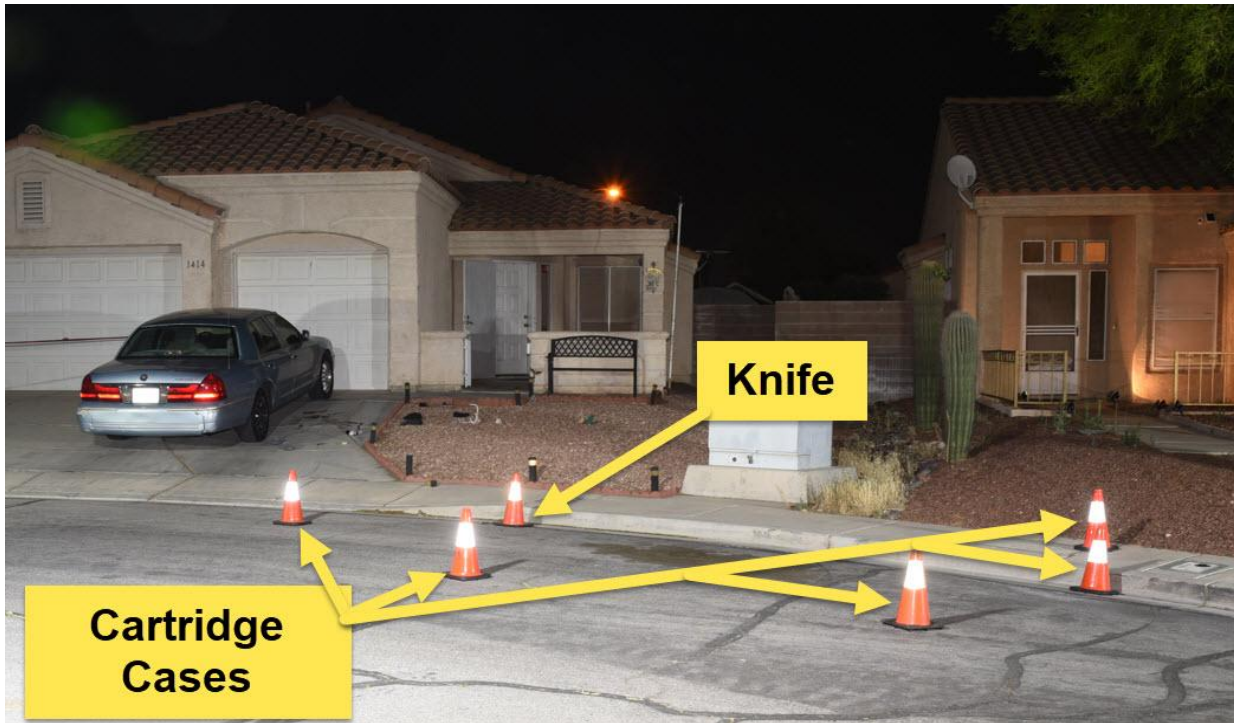


Above left: Photograph of Decedent's knife, when recovered on scene.



Above right: Photograph of Decedent's knife, back at the CSI Lab.

Below: Evidentiary items and crime scene documentation on the night of the OIS.



INVOLVED-OFFICER INTERVIEWS

Officer Ebert

On May 19, 2023, at approximately 1209 hours, Officer Ebert was interviewed by NLVPD homicide detectives. During the interview, Officer Ebert relayed the following information:

- When the call from dispatch came over the radio for 1414 Basin Brook Drive, Officer Ebert had just concluded a different call for service. She was around Delhi Street and Clayton Street, attempting to finish typing up the report from her prior call.
- Officer Ebert volunteered to respond to the call because she was only typing up her report. Thereafter, Sergeant Salkoff informed dispatch that she would also be assigned the call for service to provide backup.
- Sergeant Salkoff and Officer Ebert arrived at the location of the call for service around the same time and parked their patrol vehicles.
- When they got out of their cars, O.H. was walking in the street, in the direction of the target house. Officer Ebert noticed blood on O.H.'s neck and noticed a minor cut to his neck. O.H. informed officers about his female roommate, Decedent, and the incident that occurred earlier that day which prompted the emergency response call.
- Officers informed O.H. that he should return to 1409 Basin Brook Drive, while the officers contacted Decedent at 1414 Basin Brook Drive.
- While Officer Ebert was walking towards the target house, she noticed N.M. sitting on a front porch bench. N.M. was "wheezing" and breathing from an oxygen tank
- Because of N.M.'s condition, officers spoke with him in the front yard, rather than trying to move him. During the conversation with N.M., Officer Ebert took a tactical position at the top of the driveway near the corner of the garage.
- Officer Ebert remained hidden from the front door while peeking around the corner to watch the front door. Sergeant Salkoff was positioned lower down the driveway and had a view of the front door.
- N.M. told the officers about Decedent's attack on O.H., earlier that day. Additionally, N.M. had taken away the knife that Decedent used earlier that day. N.M. gave that knife to officers.
- After a few minutes of Officer Ebert and Sergeant Salkoff speaking with N.M., Officer Friedman arrived on scene. Officer Friedman obtained a short briefing from Sergeant Salkoff and returned to his vehicle to retrieve his dog.

- While Officer Friedman was back at his vehicle, the front door of 1414 Basin Brook Drive opened, and Decedent exited with a large silver “chef’s knife.”
- Officer Ebert noticed that Decedent was holding the knife in a stabbing fashion, with the knife over her shoulder.
- Officer Ebert ordered Decedent to: “Drop the knife.” or “Put the knife down.” Decedent ignored all commands and walked faster towards the officers while holding the knife over her shoulder.
- Officer Ebert retreated from Decedent, down the driveway, and continued giving verbal commands. Officer Ebert drew her handgun. Officer Ebert believed that Decedent intended: “To kill me or hurt me.”
- When Decedent was approximately five to eight feet away from Officer Ebert, she discharged her handgun.
- Officer Ebert said: “I discharged my firearm because I knew she was going to come at me, and I knew she wasn't gonna stop, and if she got to me, she was gonna stab me.”
- Officer Ebert stated that she made the decision to shoot to: “stop the threat.”
- Officer Ebert stated that she stopped shooting because the threat had been eliminated, and Decedent went to the ground.
- Officer Ebert holstered her handgun, kicked the knife away from Decedent’s reach, placed Decedent in handcuffs, and started to administer medical assistance.
- Officer Ebert described Decedent’s eyes as having a “a thousand-mile stare.”

Sergeant Salkoff

On May 19, 2023, at approximately 1400 hours, Sergeant Salkoff was interviewed by homicide detectives. During the interview, Sergeant Salkoff relayed the following information:

- Sergeant Salkoff was around Commerce Street and Cheyenne Avenue when she heard dispatch relaying the details of the call for service.
- Sergeant Salkoff was en route to another call when she heard Officer Ebert was dispatched to 1414 Basin Brook Drive.
- Sergeant Salkoff knew that no other officers were available to provide back-up to Officer Ebert, so she diverted from her intended call, and was re-assigned to 1414 Basin Brook Drive.

- Sergeant Salkoff and Officer Ebert arrived at Basin Brook Drive, at about the same time. Sergeant Salkoff parked on the south side of the street and Officer Ebert parked on the north side of the street.
- Both officers spoke with O.H. about the problems that Decedent had caused and that she “slit his neck,” earlier in the day, while he was sitting in a recliner.
- O.H. had blood on his throat, but Sergeant Salkoff thought that the wound did not appear serious and was no longer actively bleeding.
- Sergeant Salkoff and Officer Ebert approached the target house and began speaking with N.M., who was seated outside the home, using an oxygen machine. N.M. confirmed that Decedent had cut O.H.’s neck with a knife. N.M. had taken the knife from Decedent and provided the knife to Officer Ebert.
- N.M. informed officers about the unusual way that Decedent had been acting. Decedent had been acting aggressive, paranoid, and crazy lately.
- Sergeant Salkoff remembered that at some point, Officer Friedman went to get his dog. While Officer Friedman returned to his patrol vehicle, Decedent exited the front door.
- Sergeant Salkoff observed Decedent holding a large butcher knife over her head and in her right hand.
- Sergeant Salkoff described Decedent carrying the knife like: “The Psycho Movie.”
- Sergeant Salkoff remembered thinking to herself – “Holy Fuck, that’s a big knife.” Sergeant Salkoff called Decedent by name, and commanded “Felicia” to sit in one of the chairs that was next to the front door
- Decedent ignored commands and advanced towards the officers. Decedent continued to ignore all commands, while looking directly at officers.
- Sergeant Salkoff and Officer Ebert retreated down the driveway, to the street. Sergeant Salkoff was scared that Decedent was going to kill her, or hurt N.M.
- When Decedent got approximately 8 feet from officers, Sergeant Salkoff discharged her handgun at Decedent.
- Sergeant Salkoff no longer perceived Decedent as a threat when she fell to the ground and dropped the knife.

PUBLIC SAFETY STATEMENT

Sergeant Salkoff and Officer Ebert provided a Public Safety Statement. The questions asked of the officer are reflected in italics, and the officer's responses to those questions are reflected in bold italics.

Sergeant Salkoff

Is anyone injured?

No

Are there any outstanding suspects?

No

Direction of travel?

N/A

Vehicle involved?

N/A

Time lapse since last seen?

N/A

What crime was committed?

Battery with a Deadly Weapon/Assault with a Deadly Weapon

Is there probable cause to arrest?

Yes

What type of weapon do you believe they have in their possession?

Kitchen knife

Did you discharge your weapon?

Yes

How many rounds did you fire?

Maybe 4

What direction did you fire your firearm?

North toward front of the house

Do you know if any other officer fired their firearm(s)?

Yes, Officer Ebert

Did the suspect(s) fire their firearm(s) at you?

No

From what direction were the rounds fired at you?

N/A

Are there any weapons/evidence located at the scene that needs to be secured?

Yes

Location of the evidence?

Kitchen knife in the street

Are there any witnesses?

Yes

Where are they located now?

1409 Basin Brook

Where were they located during the incident?

1409 Basin Brook

Officer Ebert

Is anyone injured?

No

Are there any outstanding suspects?

No

Description of outstanding suspects?

None

Direction of travel?

N/A

Vehicle involved?

N/A

Time lapse since last seen?

N/A

What crime was committed?

Battery with a Deadly Weapon/Assault with a Deadly Weapon

Is there probable cause to arrest?

Yes

What type of weapon do you believe they have in their possession?

Kitchen knife

Did you discharge your weapon?

Yes

How many rounds did you fire?

Maybe 2

What direction did you fire your firearm?

North toward front of the house

Do you know if any other officer fired their firearm(s)?

Yes, Sergeant Salkoff

Did the suspect(s) fire their firearm(s) at you?

No

From what direction were the rounds fired at you?

N/A

Are there any weapons/evidence located at the scene that needs to be secured?

Yes

Location of the evidence?

Kitchen knife in the street

Are there any witnesses?

Yes

Where are they located now?

1409 Basin Brook

Where were they located during the incident?

1409 Basin Brook

NEIGHBORHOOD CANVASS

NLVPD conducted a canvass of the neighborhood for witnesses and video surveillance. After a complete canvass of the neighborhood there were no cameras, with recording capability that captured the scene of the OIS.

- 1405 Basin Brook Drive: This residence had at least one video camera above the driveway, but nothing was recovered from the surveillance system.
- 1409 Basin Brook Drive: O.H. and V.M. were located at this house during the incident.
- 1410 Basin Brook Drive: The surveillance system did not have historical footage due to the subscription service, at that time.
- 1413 Basin Brook Drive: The resident was interviewed, but no witnesses or video from this address.
- 1417 Basin Brook Drive: The house had a doorbell camera, but it was not directed toward the shooting scene.
- 1422 Basin Brook Drive: The residents were interviewed, but they did not witness the events surrounding the OIS. Additionally, this house had a motion activated camera, but it did not capture the shooting incident. The camera had historic footage that detectives viewed, but it was only relevant for background information about Decedent.
- 1418 Basin Brook Drive: Residents were interviewed, but no one witnessed the OIS. The house had a video surveillance system, but it had been malfunctioning for the prior four days and did not capture the OIS.

OFFICER WEAPON COUNTDOWN

Sergeant Salkoff (9mm Glock 19)



Sergeant Salkoff's Glock 19, 9mm semi-automatic pistol, was secured and impounded by crime scene analysts for documentation and the countdown process. During the countdown process of Sergeant Salkoff's Glock 19, the magazine was removed from her handgun and (13) cartridges remained within the magazine that had a stated capacity of 15 rounds.

Additionally, while in the process of rendering Sergeant Salkoff's Glock 19 safe, crime scene analysts recovered (1) spent cartridge case from within the chamber of the firearm.

The spent cartridge case had the headstamp "WCC +P+ 19."

Each of the 13 remaining cartridges, from the within the magazine, were documented as having the following headstamps:

- "WMA +P+ 19" (4),
- "WCC +P+ 19" (7)
- "WCC +P+ 18" (2).

During Sergeant Salkoff's interview with detectives on May 19, 2023, she informed detectives about her habit and custom when loading her firearm in preparation for duty. Sergeant Salkoff explained that she would load her duty weapon with 15, plus 1, meaning that she would chamber a round into her Glock 19, then top-off her magazine to capacity, before inserting the magazine into her firearm.

Accordingly, Sergeant Salkoff's duty weapon would have contained 16 live rounds, prior to any discharge on May 16, 2023.

At the completion of the countdown (and in conjunction with the results from the forensic examinations), it was determined that Sergeant Salkoff discharged her firearm three times during this incident.

Officer Ebert (9mm Glock 45-MOS)



Officer Ebert's Glock 45, 9mm semi-automatic pistol, was secured and impounded by crime scene analysts for documentation and the countdown process. During the countdown process of Officer Ebert's Glock 45, the magazine was removed from her handgun and (15) cartridges remaining in magazine. The magazine from within Officer Ebert's firearm, indicated that the magazine had a "17 round capacity." However, Officer

Ebert had an extender attached to that magazine that enabled it to contain (2) additional rounds. Accordingly, Officer Ebert's magazine had a (19) round capacity.

Each of the 16 remaining cartridges (15 in the magazine and 1 in the chamber), were documented as having the following headstamps:

- "WCC +P+ 19" (5),
- "WCC +P+ 18" (1)
- "WMA +P+ 20" (6)
- "WMA +P+ 19" (3)
- "WMA +P+ 20" (1 – from within the chamber)

During Officer Ebert's interview with detectives on May 19, 2023, she informed detectives about her habit and custom when loading her firearm in preparation for duty. Officer Ebert explained that she would load her magazine to the capacity, meaning 19 cartridges. Then, she would insert the magazine and rack the slide to chamber a round.

Accordingly, Officer Ebert's duty weapon would have contained 19 live rounds, prior to any discharges on May 16, 2023.

At the completion of the countdown (and in conjunction with the results from the forensic examinations), it was determined that Officer Ebert discharged her firearm three times during this incident.

FIREARM EXAMINATIONS

LMVPD Forensic Scientist Claudia Nolasco Inga examined Sergeant Salkoff's Glock 19 and Officer Ebert's Glock 45. Per her report, dated August 9, 2023, both firearms were examined, test fired and were found to be operational with no noted malfunctions.

A total of six cartridge cases were also examined: (5) recovered from the scene and (1) recovered from within the chamber of Sergeant Salkoff's Glock 19.

Three of the cartridge cases from the scene were identified as having been fired from Officer Ebert's Glock 45 handgun.

Two of the cartridges cases from the scene and the cartridge case from within Sergeant Salkoff's chamber (for a total of three cartridge cases) were identified as having been fired from Sergeant Salkoff's Glock 19 handgun.

During Decedent's autopsy, two deformed bullets were recovered from within Decedent's body. The bullet recovered from Decedent's left pelvic area was identified as having been fired from Officer Ebert's Glock 45 handgun. The bullet recovered from the right side of Decedent's back was eliminated as having been fired from Officer Ebert's Glock 45 and was determined to have similar general rifling characteristics to Sergeant Salkoff's Glock 19 handgun.

DNA EXAMINATIONS

LMVPD Forensic Scientist Christine Whittle conducted forensic testing on several of the items of evidentiary significance and the swabbing of those items. Christine Whittle authored a report, dated October 19, 2023, detailing the results and conclusions of his analysis.

The DNA finding of relevance to the unknown facts of May 16, 2023, was the following:

The DNA profile developed from – Decedent's left hand fingernail clippings was a mixture of 2 contributors.

O.H. was individually included as having been a contributor to the DNA profile underneath Decedent's left fingernail clippings.

The possible evidentiary significance of this conclusion was in relation to the witness accounts that detailed Decedent having grabbed O.H. by the throat earlier in the day with her left hand and holding a knife with her right hand.

SUMMARY OF RELEVANT WITNESS STATEMENTS

Civilian Witnesses:

There were three (3) civilian witnesses, who were interviewed about the events surrounding the OIS. The civilian witnesses were generally consistent with one another and with the evidence recovered from the scene. The following summaries are included for purposes of this report.

O.H.

On May 16, 2023, at 2145 hours, detectives interviewed O.H. regarding Decedent and the events of the day.

O.H. stated that two to three months earlier, N.M. invited Decedent to live at the 1414 Basin Brook Drive. N.M. had hoped that inviting Decedent to live at the house would facilitate an intimate relationship between himself and Decedent.

A few days prior to this incident, Decedent and N.M. got into an argument which resulted in police being called to the house. On that previous occasion Decedent broke a glass jar over N.M.'s head.

On the day of the OIS, O.H. was lying in a recliner watching television. Decedent used one hand to grab O.H.'s throat and held a knife in her other hand.

After Decedent “attacked” O.H. with the knife, O.H. pushed Decedent away. O.H. exited the home and went across the street to V.M.’s residence, at 1409 Basin Brook Drive.

Once the officers arrived at his home, he watched as Decedent walked out the front door and officers ordered her to put the knife down. O.H. stated that he could clearly hear the officers’ commands from across the street.

N.M.

On May 16, 2023, at 2233 hours, detectives interviewed N.M. regarding Decedent and the events of the day.

N.M. provided background information about Decedent’s drug use and prior living conditions. N.M. informed officers that Decedent’s personality had changed, prior to the OIS. N.M. informed officers about Decedent’s odd behavior and her unusual outbursts of yelling and screaming that had been occurring prior to the OIS.

On the day of May 16, 2023, Decedent was in “one of her moods.” Decedent and O.H. had been arguing when Decedent walked from the kitchen carrying a tactical knife. Decedent had the knife opened and the blade was exposed. Decedent went towards O.H. with the knife. N.M. described the event as though Decedent wanted to kill O.H.

O.H. went outside and called the police. Eventually, two female officers dressed in uniforms arrived and were standing in the driveway area.

Decedent exited the house carrying a “butcher knife” and “charged” at the officers. The officers ordered Decedent to: “Put the knife down,” but Decedent ignored their commands.

N.M. thought he recalled each officer firing twice at Decedent.

V.M.

On May 18, 2023, at 0900 hours, detectives interviewed V.M. regarding Decedent and the events that occurred on the day of the OIS.

V.M. lived at 1409 Basin Brook Drive and had lived across the street from N.M. and O.H. for the past 10 years.

N.M. had recently allowed Decedent to move into the house. V.M. relayed the same concerns about behavior and drug use that were described by N.M. and O.H.

Eventually, two or three police cars arrived, and two female police officers were talking to N.M. while he sat on a bench outside his home.

N.M. and V.M. were in the garage of 1409 Basin Brook Drive and were looking across the street, when they saw Decedent exit the house, "wielding a knife, going directly to the two police officers."

V.M. stated that she heard Decedent screaming and saw the officers draw their firearms and shoot Decedent.

Officer Witnesses

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

Officer Kaleb Friedman

On May 19, 2023, at approximately 1116 hours, detectives interviewed Officer Friedman.

Officer Friedman relayed the following information regarding the OIS. He stated that he was dispatched to 1414 Basin Brook Drive, as backup for Officer Ebert, in reference to a person who had been stabbed in the neck.

Sergeant Salkoff and Officer Ebert were already on scene speaking with N.M. when Officer Friedman arrived. Officer Friedman parked his marked K9 vehicle adjacent to the other officers NLVPD marked patrol vehicles. All three marked police vehicles were fully visible from 1414 Basin Brook Drive.

Officer Friedman returned to his K9 vehicle, to request clearance to deploy his dog on this call for service. While Officer Friedman was preparing his dog, he heard Sergeant Salkoff and Officer Ebert shouting, followed by gunfire.

Officer Friedman's view was obstructed by his K9 vehicle, and he didn't see any of the officers' or Decedent's actions prior to, or during the shooting.

Officer Friedman rushed back to the target house and assisted Officer Ebert in placing Decedent into handcuffs.

Officer Friedman indicated that when he made eye contact with Decedent, she had a "thousand-mile stare," and was under the influence of some type of substance.

BODY-WORN CAMERAS

Officer Ebert and Sergeant Salkoff were equipped with BWC, which were activated at the time of the incident. The BWC footage depicted the following:

Officer Ebert BWC

Officer Ebert's BWC was initiated as she was driving to the call for service. Officer Ebert parked and immediately encountered O.H. in the middle of the cul-de-sac. Officer Ebert and Sergeant Salkoff spoke with O.H. and learned the details that prompted the calls for service.

Officer Ebert and Sergeant Salkoff examined the injury on O.H.'s neck and then sent him back to the neighbor's house at 1409 Basin Brook Drive, while the officers headed to 1414 Basin Brook Drive.

Officer Ebert and Sergeant Salkoff walked up the driveway of 1414 Basin Brook Drive and began speaking with N.M. while he was sitting on the front porch bench. Officers spoke with N.M. for about six to seven minutes before Decedent exited the front door of the house.

Sergeant Salkoff can be heard on Officer Ebert's BWC saying: "Hi Felicia, sit down in that chair right there." Decedent refused to obey any of the commands that Officer Ebert and Sergeant Salkoff issued.

Decedent walked through the front porch and through the opening in the pony wall. Decedent advanced directly at the officers with a large butcher knife overhead.

Officer Ebert and Sergeant Salkoff were loudly stating: "Put the knife down." At least four distinct times, officers can be heard commanding Decedent to "Put the knife down."

Officer Ebert was retreating down the driveway as Decedent advanced.

At 17:23:27 hours, Officer Ebert and Sergeant Salkoff fired their handguns at Decedent. The gunfire lasted only one second and then ceased.

Decedent dropped the butcher knife that she was wielding and fell to the ground.

Officer Ebert immediately notified NLVPD Dispatch, "Shots fired."

After the knife was kicked away from Decedent, Officer Ebert put handcuffs on Decedent and began rendering medical aid.

Sergeant Salkoff BWC

Sergeant Salkoff's BWC was initiated as she was driving to the call for service. Sergeant Salkoff and Officer Ebert arrived at the target house around the same time and began speaking with O.H. in the middle of the cul-de-sac.

Officers spoke with O.H., as previously documented throughout this report.

Thereafter, while Sergeant Salkoff and Officer Ebert were speaking with N.M., the front door to 1414 Basin Brook Drive opened. As soon as the front door opened, Sergeant Salkoff loudly exclaimed: "Hi Felicia. Sit down in that chair right there."

Decedent did not pause or hesitate after Sergeant Salkoff's initial order. After Decedent had taken one or two steps out of the front door, a large butcher knife was visible in her right hand.

Decedent then raised the butcher knife overhead and advanced directly at the officers.

Sergeant Salkoff and Officer Ebert repeatedly commanded Decedent to: "Put the knife down."

Sergeant Salkoff and Officer Ebert were retreating in tandem as Decedent advanced towards them. As Decedent was getting closer to the officers and as officers reached the base of the driveway, shots were fired from both officers' handguns. As soon as Decedent fell to the ground and the knife was dislodged from her hand, the gunfire ceased.

Sergeant Salkoff radioed for medical assistance within six seconds of the final gunshot.

AUTOPSY

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

The toxicology results indicated Decedent had a blood alcohol concentration of .110 at the time of her death.

She also tested positive for Hydromorphone-Free which is a schedule II semi-synthetic narcotic opioid. It is also a metabolite of morphine.

Decedent was also positive for 4-ANPP which is a precursor chemical used in the production of fentanyl. It is also a fentanyl metabolite.

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.² 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].

² NRS 200.120(3)(a) defines a crime of violence to mean any felony for which there is a substantial risk that force or violence may be used against the person or property of another in the commission of the felony.

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

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

1. He is confronted by the appearance of imminent danger which arouses in his mind an honest belief and fear that he [or the other person] is about to be killed or suffer great bodily injury; and
2. He acts solely upon these appearances and his fear and actual beliefs; and,
3. A reasonable person in a similar situation would believe himself [or the other person] to be in like danger.

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

If evidence exists that a killing was in defense of self [or defense of another], the State must prove beyond a reasonable doubt that Decedent did not act in self-defense [or defense of another]. *Id.* at 1051-52.

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

The known facts and circumstances surrounding this incident indicate that Decedent posed an imminent danger to Officer Ebert, Sergeant Salkoff, and N.M.

Decedent failed to comply with at least seven separate instructions or commands from officers. The BWC speaks for itself, as Decedent exited the home and advanced on officers, without the slightest hesitation or diversion from her intended path. Moreover, Decedent raised a butcher knife with a 7-inch blade above her head, as she advanced on officers. Officer Ebert and Sergeant Salkoff retreated down a driveway that had only a narrow pathway that was capable of being traversed, due to the locations of the vehicle and the rocky landscape.

Officer Ebert and Sergeant Salkoff each fired 3 rounds, each fired their rounds during the same one second when they faced the greatest threat from Decedent, and each ceased firing as soon as they neutralized Decedent as a threat.

Thus, the totality of the evidence, to include BWC video footage, witness statements, and the subsequent forensic examinations, illustrated that Officer Ebert and Sergeant Salkoff were reasonable in believing that Decedent would cause great bodily harm or death to others or themselves.

The officers were confronted with the appearance of imminent danger and acted out of a reasonable belief that someone was about to be stabbed or cut by Decedent. Here, the officers reasonably acted in self-defense and defense of others.

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

B. Justifiable Homicide by a Public Officer

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

In this case, the known evidence demonstrated that Officer Ebert and Sergeant Salkoff had probable cause to believe that Decedent posed a threat of serious physical harm to themselves and to N.M. Officer Ebert and Sergeant Salkoff were aware that Decedent had used a knife in an assaultive attack on O.H. earlier that day.

Decedent refused to obey officers’ commands to drop the knife Decedent continued to advance towards officers. When Decedent refused to drop the knife after multiple commands, advanced directly at officers, possessed the tactical advantage of advancing while both officers were retreating backwards, down a narrow path on the driveway, the officers had a reasonable belief that Decedent could cause serious physical harm to themselves, or N.M. Thus, the use of deadly force by Officer Ebert and Sergeant Salkoff 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 Ebert and Sergeant Salkoff were reasonable and/or legally justified. The law in Nevada clearly states that homicides which are justifiable or excusable are not punishable. (NRS 200.190). A homicide which is determined to be justifiable shall be “fully acquitted and discharged.” See NRS 200.190.

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