

Las Vegas Metropolitan Police Department

Office of Public Information

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Joseph Lombardo, Sheriff

March 3, 2015

FOR IMMEDIATE RELEASE

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Officer Miguel Garcia

Undersheriff Kevin McMahill Discusses February 25, 2015 OIS

Undersheriff Kevin McMahill met with the media today, March 3, to discuss additional details of the February 25, 2015 officer involved shooting. At approximately 12:20 a.m. LVMPD patrol officers were dispatched to the 5300 block of East Craig Road to investigate a report of an armed and suicidal male.

Responding patrol officers attempted to make contact with the subject, who was identified as 43 year-old Francis (Frank) Spivey. When officers made contact with Spivey, he was wearing his United States Air Force dress blue uniform and was armed with an AR-15 assault rifle. Spivey told officers numerous times that he wanted to kill officers and began firing multiple rounds from his rifle.

Due to Spivey firing rounds, officers were unable to evacuate the surrounding apartments and SWAT was requested to the scene. SWAT snipers Bradley Cupp, Charles Moser, and Jessie (John) Wiggins arrived and deployed inside of the complex. Their mission was to gain intelligence on the situation and provide cover to the officers as they attempted to evacuate the surrounding apartments and rescue the occupants.

As officers were still attempting to help rescue citizens, Spivey exited his apartment once again and fired numerous rounds from his rifle in the direction of officers, as well as into an adjacent apartment which had not yet been evacuated. Officer Cupp, fearing for the lives of the officers under fire and the potential victims in the adjacent apartment, fired one round from his rifle, striking Spivey. Spivey immediately went down, and appeared as though he retreated back into his apartment.

SWAT officers subsequently made entry into the adjacent apartment, which was unoccupied. The SWAT officers saw that Spivey did indeed retreat into his apartment and closed the door. A robot was utilized to open the door. Officers made entry and found Spivey, who was on the floor with additional rifle magazines next to him and his rifle. A tactical medic was brought up to

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the apartment to render medical attention to Spivey, who was subsequently pronounced deceased at the scene.

The video of today's press conference can be viewed by clicking on the following link:

<https://www.youtube.com/watch?v=P5TkAG17tao>

Body worn camera footage from the incident can be viewed by clicking on the following links:

<http://youtu.be/dGg9FNHG07I>

<http://youtu.be/kdGPa2UlcAs>

This is the 2nd officer-involved shooting of 2015. The LVMPD Force Investigation Team is currently investigating the officer's use of force in this case. Their findings will be forwarded to the Clark County District Attorney for review.

An examination of this event is being conducted by the LVMPD Critical Incident Review Team. This review will focus on policy, tactics and training as it relates to this use of force.

Anyone with any information regarding this incident is urged to contact the LVMPD Force Investigation Section at 702-828-8452. To remain anonymous, contact Crime Stoppers by phone at 702-385-5555, or on the internet at www.crimestoppersofnv.com.

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