

Office Of Internal Oversight Review
KEY CONCLUSIONS, RECOMMENDATIONS AND OUTCOMES OF A CATEGORICAL USE OF FORCE INCIDENT
Officer-Involved Shooting— 9025 Crystal Rock Circle. July 23, 2013

Purpose:

The purpose of this report is to publish key conclusions, recommendations and outcomes of the Las Vegas Metropolitan Police Department's internal review of this incident. There are a variety of actions that can be taken administratively in response to the Department's review of a deadly force incident. The review may reveal that no action is required or determine that additional training is appropriate for all officers in the workforce, or only for the involved officer(s). The review may reveal the need for changes in departmental policies, procedures, or rules. Where departmental rules have been violated, formal discipline may be appropriate. The goal of the review is to improve both individual and the agency's performance.

Synopsis of Event:

On July 23, 2013, at approximately 1701 hours, LVMPD Dispatch received a call from a homeowner stating he had returned to his residence and discovered an unknown male in his residence. The male was discovered asleep on the living room couch, wearing only underwear and socks. The homeowner confronted the male, later identified as Southaly Ketmany, who responded by requesting the homeowner "kill him." The homeowner immediately fled from his residence and telephoned police.

Officers responded to the residence and made contact with Ketmany through the metal security screen door. Ketmany never responded to the officers ordering him to exit the residence. Officers were able to observe through the metal security door Ketmany was armed with a knife. Recognizing the incident as a barricade situation, the Special Weapons and Tactics (SWAT) team and the Crisis Negotiation Team (CNT) were requested to respond.

A sergeant from South Central Area Command responded and attempted to persuade Ketmany to exit the residence through the security door for approximately thirty minutes, but Ketmany would not vacate the residence. The SWAT commander, advised the sergeant to continue all verbal attempts to get Ketmany to exit, even if unsuccessful.

Dispatch contacted the officers on scene to inform them a Missing Persons Report for Ketmany had been filed by his ex-wife, who also responded to the incident location. Through a patrol vehicle's PA system, Ketmany's ex-wife attempted to talk Ketmany out of the residence. There was no response from Ketmany.

It was further learned Ketmany had been using drugs and friends had reported last seeing him walking in the area, holding a knife. Ketmany was also identified as a suspect from three earlier reported incidents within the same neighborhood.

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After a second request, SWAT and CNT responded. SWAT relieved patrol officers from the inner perimeter and once in position, negotiators moved up to attempt communication. Ketmany who was now armed with both a large kitchen knife and a hammer, never made any attempt to respond or acknowledge officers.

Negotiations continued while SWAT made a plan to enter the residence. The plan was to continue talking to Ketmany through the front security door of the residence while an entry team utilized the rear sliding glass door. The focus of the entry team was to take Ketmany into custody by utilizing options of low lethality force. CNT attempted negotiations intermittently for approximately 43 minutes, receiving no verbal dialog from Ketmany. The decision was made by the SWAT commander to implement the entry plan.

Immediately after SWAT shattered the rear sliding glass door and entered the residence, a K-9 Officer sent his dog into the house. The dog made its way to Ketmany and circled around him, barking. As the team entered the residence, they moved forward through the living room and to a hallway that led to the front of the house, Ketmany turned and faced the officers while holding the knife and hammer.

SWAT gave commands for Ketmany to drop his weapons and surrender, to which he did not comply. A low lethality munition was fired at Ketmany striking him in the lower chest area. The desired incapacitation did not occur and Ketmany moved out of sight from the officers into the dining area. SWAT Detective Doug Ericsson changed his position from the hallway through the kitchen, which extended into the dining room area where Ketmany had moved.

Detective Ericsson was followed by two additional SWAT detectives, to include SWAT Detective Jay James. Ketmany was ordered to drop the weapons and go to the ground. Ketmany did not comply and advanced toward Detective Ericsson who deployed his Electronic Control Device (ECD) striking Ketmany with one prong. The second prong struck the wall behind Ketmany and therefore, did not have the desired effect on Ketmany.

Ketmany charged Detective Ericsson while swinging the knife and hammer. During his retreat back into the kitchen, Detective Ericsson physically backed into Detective James. Detective Ericsson transitioned to his handgun and fired four rounds, striking Ketmany. Detective James, who was behind and to the right of Detective Ericsson, fired three rounds from his M4 .223 caliber duty rifle, striking Ketmany.

Ketmany fell to the ground and was taken into custody by SWAT. Medical personnel, to include a tactical medic, entered the residence and attempted to render aid. Ketmany continued to be combative and punched a female paramedic in the chest. An ECD was deployed as Ketmany continued to fight. After the second application of the ECD, Ketmany was secured. He was transported to UMC where he later died.

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For a detailed narrative of the incident, please reference the LVMPD Force Investigative Team (FIT) Officers Report under Event Number 130723-2985.

The Criminal Investigation:

LETHAL

LVMPD Force Investigation Team (FIT) conducted the criminal investigation of this incident. Their investigation was submitted to the District Attorney's Office for review. In their examination of the FIT case, the District Attorney's Office determined, "the actions of the SWAT Officers involved were reasonable and legally justified."

LVMPD's Critical Incident Review Process:

1. The matter involving Detective James and Sgt. Ericsson was heard by the Use of Force Board on August 20, 2014 The Board's finding was "Administrative Approval." The Use of Force Review Board determined the officer's actions were within policy. The Sheriff approved the Board's recommendation.