

**Office Of Internal Oversight Review**  
**KEY CONCLUSIONS, RECOMMENDATIONS AND OUTCOMES OF A CATEGORICAL USE OF FORCE INCIDENT**  
**Officer-Involved Shooting— 7230 South Las Vegas Boulevard Las Vegas, Nevada on June 25, 2014**

**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 no action is required or determine 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 department 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 June 25, 2014, at approximately 0008 hours, LVMPD Dispatch received a call from a resident of the Manor Suites apartment complex located at 7230 South Las Vegas Boulevard. The resident stated a white female adult (WFA), later identified as Mimi Goldberg, appeared mentally ill and was banging on walls and yelling.

At approximately 0015 hours, the LVMPD dispatcher responsible for South Central Area Command (SCAC) radio channel broadcasted the call. The broadcast was heard by LVMPD Homeland Security Saturation Team (HSST) Officer MPhillips and his partner. Both officers were working in LVMPD patrol uniforms and were partnered together for the shift.

After hearing the radio broadcast, Officer MPhillips and his partner assigned themselves to the incident due to the details given by the LVMPD SCAC dispatcher and recognizing they were near the address where the incident was occurring.

Upon arriving at Manor Suites, Officers MPhillips and his partner made contact with two citizens near the front of the apartment complex. The citizens advised officers of Goldberg's actions and advised Goldberg was armed with a knife. The two citizens then brought the officers to the last location where they observed Goldberg at which was by building F.

As officers neared the ground level of building F, they observed Goldberg, who was on the second level, pacing back and forth in front of apartment F-227 armed with a knife. Officer MPhillips' partner, who is a Crisis Intervention Team (CIT) officer, attempted to verbally communicate with Goldberg while Officer MPhillips provided cover. Although Goldberg acknowledged the presence of the officers, she did not comply with the officer's verbal commands.

While officers were attempting to communicate with Goldberg to de-escalate the incident, Goldberg climbed through the window of apartment F-227. Immediately after Goldberg climbed through the window a civilian witness, who was on the second level and could see into apartment

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F-227, yelled out that Goldberg was stabbing a female inside the apartment. As this transpired, Officer MPhillips and his partner ran up the stairs to apartment F-227. Officer MPhillips positioned himself at the window Goldberg had climbed through and his partner attempted to open the door of apartment F-227, but it was locked.

At the window, Officer MPhillips observed Goldberg standing in the living room of the apartment. Goldberg was standing in close proximity to a female, who was sitting on a couch. Goldberg still held the knife and Officer MPhillips observed blood on the arms and legs of the female on the couch. Officer MPhillips gave verbal commands to Goldberg to drop the knife, but Goldberg did not comply.

As Officer MPhillips gave verbal commands for Goldberg to drop the knife, a young child exited the bedroom which was on the opposite side of where the female was sitting on the couch. When the child exited the bedroom, Goldberg turned and faced the child, still holding the knife. Goldberg took a step toward the child and Officer MPhillips discharged his firearm twice in an attempt to stop the threat of Goldberg attacking the child with the knife. After Officer MPhillips discharged his firearm, he assessed Goldberg's actions. Goldberg still had the knife in her possession and continued to step toward the child. After reassessing, Officer MPhillips discharged his firearm three more times causing Goldberg to change direction and move away from the child and the female victim on the couch.

After discharging his firearm a second time, officers were able to make entry into apartment F-227 where they located Goldberg in the bathroom. With the help of additional arriving officers the scene was secured and medical units arrived.

Goldberg was transported to UMC Hospital where she was pronounced deceased.

#### **The Criminal Investigation:**

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 submission, the District Attorney's Office determined that, "Based on the review of the available materials and application of Nevada law to the known facts and circumstances, it has been determined that the actions of the officers were reasonable and legally justified."

#### **LVMPD's Critical Incident Review Process and Internal Review:**

1. The matter involving Officer MPhillips was heard by the Critical Incident Review Process/Use of Force Review Board on June 11, 2015. The Board's finding was,

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“Administrative Approval.” The Use of Force Review Board determined Officer MPhillips’ actions were within policy. The Sheriff approved the Board’s findings.

2. The internal Tactical Review Board concluded the officers performance was in accordance with Department standardized tactics and training.

Below are the recommendations made after the Use of Force Review Board and the internal review were completed:

#### **1) Communication**

Upon dispatch receiving the call and broadcasting the details, many of the South Central Area officers were assigned to another high priority call that occupied the SCAC radio channel. Officer MPhillips and his partner switched over to the Convention Center Area Command (CCAC) radio channel and were able to receive updates. They learned the event was a STAR Protocol (weapon involved in the hands of someone making threats to use it) and that a CCAC Sergeant was assigned to the call due to no SCAC Sergeants being available to respond. Once arrived, the officers had problems transmitting with their radios as officers were attempting to communicate with both the SCAC and CCAC dispatchers.

The Critical Incident Review Team (CIRT) requested an analysis of radio traffic for this incident to the Radio Systems Bureau. Due to the transition to the new radio system, a radio analysis could not be completed. CIRT concluded at the time of this incident LVMPD's radio infrastructure was through the old radio system which caused the problems with transmission. The old radio system infrastructure has been replaced with a new infrastructure provided by the new radio system.

#### **2) Officers’ Approach**

In review of the incident, Officer MPhillips and his partner discussed their tactical approach. It was decided that Officer MPhillips would provide lethal coverage, and his partner would provide Less Lethal coverage as well as serve as the “contact officer.” They decided that one would be lethal cover, the other non-lethal cover, while MPhillips’ partner would be designated the “contact officer”, due to being CIT certified. Tactics, however, changed when Goldberg entered the victim’s apartment and began to attack her with a knife.

CIRT concluded the officers adjustments were within standardized LVMPD tactics, training, and policy.

#### **3) Tactics and Use of Force**

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Before officers moved to the second floor, they knew that Goldberg was armed with a knife and appeared to be mentally unstable. While positioned at the window, Officer MPhillips observed Goldberg standing over the victim, still holding the knife. The victim had blood on her arms and legs. After several commands to drop the knife, Goldberg moved toward the young child. Officer MPhillips perceived Goldberg as an imminent deadly threat to the child and fired a total of five rounds at her.

Officer MPhillips' decision to draw and exhibit a firearm, as well the assessment of the backdrop and target identification was within standardized LVMPD tactics, training, and policy.

#### **4) Supervision (Command and Control)**

In evaluating the supervision (command and control), of this incident, CIRT noted:

- CCAC Sergeant went en route to the incident when advised by the CCAC dispatcher the incident was a STAR Protocol and there was no supervisor from SCAC assigned to the incident.
- SCAC Sergeant arrived at the scene four minutes after the officer involved shooting.
- SCAC Sergeant took control and managed the scene assigning arriving officers to various duties.
- SCAC Sergeant obtained a Public Safety Statement (PSS) from Officer MPhillips.
- Lieutenant, who was also the valley watch commander, responded to the scene.

CIRT concluded the supervisors managed the incident to an LVMPD standard.