

**Office Of Internal Oversight Review**  
**KEY CONCLUSIONS, RECOMMENDATIONS AND OUTCOMES OF A CATEGORICAL USE OF FORCE INCIDENT**  
**Officer-Involved Shooting-8335 Gilded Crown Court – December 31, 2015**

**Purpose:**

The purpose of this report is to publish key conclusions, recommendations and outcomes of the Las Vegas Metropolitan Police Department's (LVMPD) 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 December 31, 2015 at 8:00 AM, U.S. Marshals set up surveillance on Keith Childress who was wanted for several felony crimes involving firearms out of Arizona. The U.S. Marshals received information that Childress was in Las Vegas staying with a family member. The family member was unaware of Childress' fugitive status out of Arizona. While conducting surveillance at the family members' residence, U.S. Marshals established a custody plan. At 1:45 PM, U.S. Marshals observed Childress and his family member walk toward a vehicle in the parking lot of the apartment complex. As U.S. Marshals moved in to arrest Childress, he fled on foot north bound through the apartment complex and into the adjacent residential area just to the north of the complex. U.S. Marshals called for LVMPD assistance via radio while chasing Childress on foot.

An LVMPD patrol sergeant was the first to arrive in the neighborhood along with the LVMPD Air Unit. U.S. Marshals on the north end of the perimeter last observed Childress as he attempted to hide. Childress fled between houses and was seen walking along backyard walls by the LVMPD Air Unit. Childress continued to flee south bound to the driveway of 8335 Gilded Crown Court. Sergeant Bohanon and Officer Walford confronted Childress from behind a vehicle parked in an adjacent driveway one house to the east. Childress stood behind a pillar at the porch of 8335 Gilded Crown Court with his body bladed off making it difficult to see his right side, specifically his right hand. Childress held what officers believed to be a black firearm in his right hand down to his side near his pocket. Sergeant Bohanon issued multiple verbal commands for over two minutes commanding Childress to, "drop the gun." The Air Unit was also heard over the radio identifying that Childress had something in his right hand and was not complying with officer's commands. Despite Sergeant Bohanon's verbal commands, Childress advanced toward Sergeant Bohannon and Officer Walford. Sergeant Bohanon commanded Childress to stop moving towards them or he would be shot, however he ignored the command. As Childress continued to advance upon the uniformed officers, his right hand was clutching what Sergeant Bohanon communicated to Officer Walford and the U.S. Marshals on scene, was a firearm. At 2:22 PM, as Childress continued to advance upon Sergeant Bohanon and Officer Walford, both officers fired their weapons at Childress, striking him. Childress fell to the ground but continued to make movements and would not drop what Sergeant Bohanon, Officer Walford and U.S. Marshals believed to be a firearm.

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A team of officers was assembled, to include a K9 Officer. Childress continued making minor movements and failed to comply with commands to drop what was in his hand. A K9 Officer deployed his K9 partner who moved up to assist in taking Childress into custody. Medical personnel responded and pronounced Keith Childress deceased at 2:35 PM. It was later discovered that the item Childress held in his right hand was a cell phone, no firearm belonging to Childress was found at the scene.

**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 Sergeant Bohanon and Officer Walford was heard by the Critical Incident Review Process/Use of Force Review Board on November 17, 2016. The Board's finding was, "Administrative Approval." The Use of Force Review Board determined the officers' actions were within policy. The Sheriff approved the Board's recommendation.
2. The internal Tactical Review Board concluded the performance of Sergeant Bohanon, Officer Walford and other members of LVMPD was in accordance with Department standardized tactics and training with few exceptions.

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

**1) Communication**

When the U.S. Marshal broadcast on Enterprise Area Command radio channel he needed a perimeter set up to contain and apprehend Childress, the dispatcher was unaware of the U.S. Marshal's identity or their location. U.S. Marshals had established an event earlier in the day, however the U.S. Marshal who gave his call sign over the radio was not assigned to the event. This initially caused confusion within LVMPD communications center. The dispatcher did a good job of getting a general location for the U.S. Marshal, assigning an event and getting units to assist in a timely manner.

- The Critical Incident Review Team (CIRT) concluded the dispatcher's performance was within standardized LVMPD training and policy.

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## **2) Officers' Approach**

A perimeter was established around the area Childress fled as officers attempted to contain him. The Air Unit was requested and arrived in the area, where they were able to locate Childress. As Sergeant Bohanon arrived in the area, the Air Unit immediately advised him, using the number on his patrol vehicle, where to go. The Air Unit was able to guide Sergeant Bohanon directly to Childress' location.

- CIRT concluded the initial approach to this incident was within standardized LVMPD tactics, training and policy.

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

When Sergeant Bohanon initially made contact with Childress and began to issue verbal commands he stood behind the open driver's door of his patrol vehicle. He was quickly joined by Officer Walford who moved to the passenger side of Sergeant Bohanon's vehicle. Officer Walford moved to the passenger side of the vehicle to have another angle on Childress as he continued to move away from them. Officer Walford initially began to give verbal commands to Childress but quickly realized Sergeant Bohanon was giving verbal commands as well. With Sergeant Bohanon being closer to Childress, Officer Walford stopped giving verbal commands to ensure that only one person was giving the commands in order to alleviate any confusion for Childress.

- CIRT concluded having two different angles on Childress as well as ensuring only one person was giving verbal commands was within standardized LVMPD training and tactics.

As Sergeant Bohanon drove to the event, he was informed by the U.S. Marshals over the radio that Childress was wanted for attempt murder. Sergeant Bohanon also heard over the radio that a firearm was located inside the vehicle from which Childress fled. As Sergeant Bohanon was guided by the Air Unit to Childress' location, he exited his patrol vehicle and drew his firearm as he issued verbal commands to Keith Childress.

- CIRT concluded Sergeant Bohanon's drawing of his firearm was within standardized LVMPD tactics, training and policy.

Officer Walford monitored the radio while he maintained a perimeter location. As he listened to the radio, he heard the updated information that Childress was wanted for attempt murder and a weapon had been found in the vehicle he fled from. Officer Walford began to move west as the Air Unit called out Childress' location and direction of travel. Officer Walford observed Sergeant Bohanon as he made contact with Childress and drew his firearm as he approached.

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- CIRT concluded Officer Walford's drawing of his firearm was within standardized LVMPD tactics, training and policy

Sergeant Bohanon knew throughout the entire incident his backdrop was a street lined with single family residences. When shots were fired, Sergeant Bohanon knew his backdrop was the garage door of a residence. Officer Walford knew throughout the entire incident his backdrop was street lined with single family residences. When shots were fired, Officer Walford knew his backdrop was the garage door of a residence.

- CIRT concluded Sergeant Bohanon and Officer Walford were aware of their backdrop. Their actions were within standardized LVMPD tactics, training and policy.

### **Sergeant Bohanon**

During this incident, Sergeant Bohanon believed Childress was wanted for attempt murder and knew a firearm was located in the vehicle he fled from. During his encounter with Childress, at no point could Sergeant Bohanon observe Childress fully as he remained bladed off during the duration of their contact. Sergeant Bohanon immediately identified that Childress had an object in his right hand, partially hidden behind his leg.

During the encounter, Sergeant Bohanon issued verbal commands to Childress for approximately two minutes and nineteen seconds. This amounted to a total of almost twenty-five verbal commands. The verbal commands ranged from "get on the ground," initially and escalated to, "drop the gun" and "if you advance us you will be shot" once Sergeant Bohanon identified what he perceived to be a firearm in Childress' right hand.

Childress continued to close the distance toward the officers, refusing to obey Sergeant Bohanon's orders. Once Childress reached a point where he was 44'8" from Sergeant Bohanon, Sergeant Bohanon believed he could not allow Childress to get any closer while he was holding what he believed to be a firearm still partially concealed behind his leg. Sergeant Bohanon felt he had exhausted all options and fired upon Childress four times.

### **Officer Walford**

During this incident, Officer Walford believed Childress was wanted for attempt murder and knew a firearm was located in the vehicle he fled from. During his encounter with Childress, at no point could Officer Walford observe Childress fully as he remained bladed off during the duration of their contact. Officer Walford immediately identified that Childress had an object in his right hand, partially hidden behind his leg. When Sergeant Bohanon verbally identified the object as a gun, Officer Walford felt his own impression of it being a gun was confirmed.

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Officer Walford heard Sergeant Bohanon as he issued verbal commands to Childress for approximately two minutes and nineteen seconds. This amounted to a total of almost twenty-five verbal commands. The verbal commands ranged from “get on the ground,” initially and escalated to, “drop the gun” and “if you advance us you will be shot.” When Childress closed the distance Officer Walford also yelled commands for Childress to stop along with Sergeant Bohanon.

Childress continued to close the distance, refusing to obey Sergeant Bohanon and Officer Walford’s orders. Once Childress reached a point where he was 41’1” from Officer Walford, he believed he could not allow Childress to get any closer while he was holding what he believed to be a firearm still partially concealed behind his leg. Officer Walford felt he had exhausted all options and fired upon Childress four times.

- CIRT concluded Sergeant Bohanon and Officer Walford’s threat perception was reasonable.

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

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

1. The patrol sergeant arrived on scene and took control of the incident.
  2. Sergeant Bohanon’s original plan was to go to the location of the patrol sergeant and give assistance from a command and control standpoint.
  3. The patrol sergeant ensured the scene was secure after the officer involved shooting and obtained public safety statements from the involved officers.
- In reviewing supervisory response, CIRT concluded it was to an LVMPD standard.