

Office Of Internal Oversight Review
KEY CONCLUSIONS, RECOMMENDATIONS AND OUTCOMES OF A CATEGORICAL USE OF FORCE INCIDENT
Officer-Involved Shooting — 1111 South Cimarron Road — June 20, 2017

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 June 20, at 0013 hours, a person reporting called 9-1-1 to report a possible domestic disturbance located at 1111 South Cimarron Road. The person reporting received information, a wife was fighting with her husband, Pedro Ramirez, inside of an apartment. The person reporting arrived at the apartment and heard screaming from the wife and a child inside.

Officer Prior, two patrol officers and a patrol sergeant responded to the domestic disturbance. Upon arrival, the patrol sergeant met with the person reporting while Officer Prior and other officers knocked on the door of the apartment. Officer Prior made contact with the wife and was allowed to enter the apartment with the additional officers to ensure no one else was inside the apartment.

Officers Prior and two patrol officers entered the apartment to conduct a protective sweep. Officers made entry into the master bedroom and checked the master closet. A patrol officer stepped inside a closet and observed Ramirez crouched down behind clothes. The patrol officer ordered Ramirez to stand up and show his hands. Ramirez stated he had a knife, stood up and moved toward officers. The patrol officer backed out of the closet and transitioned to an Electronic Control Device (ECD). Ramirez refused to drop the knife as officers continued to order him to drop the knife. Officer Prior and a patrol officer deployed their ECD's at Ramirez, which were ineffective. Ramirez charged at Officer Prior while swinging the knife. Officer Prior fired three rounds at Ramirez, striking him three times. Ramirez fell to the ground and was taken into custody. Ramirez was transported to an area hospital where he was pronounced deceased.

The Criminal Investigation:

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The 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, "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 Prior was heard by the Critical Incident Review Process/Use of Force Review Board on November 29, 2017. 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.
2. The internal Tactical Review Board concluded the officer's performance, with minor exceptions, was in accordance with Department standardized tactics and training.

Below are the conclusions from the internal review and the Use of Force Review/Tactical Review Board.

1) Communication

CIRT reviewed the performance of the Communications Bureau and learned the appropriate information was entered accurately.

- CIRT concluded the Communications Bureau performed within standardized LVMPD training and policy.

2) Officer's Approach

When the patrol sergeant first arrived and made contact with the person reporting, they obtained the wife's phone number and attempted to call her, however, the line was disconnected. Officer Prior and a patrol officer knocked on the apartment door for over nine minutes, continuously announcing it was "Metro Police." Another patrol officer utilized the Public Address System on his patrol vehicle to notify the occupants of the apartment the police were outside.

- CIRT concluded the initial response of all officers were within LVMPD standardized tactics, training and policy.

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When the wife opened the door to allow officers inside, Officer Prior asked limited questions and needed to wait and gather as much information as possible before entering the apartment.

- CIRT concluded Officer Prior's interview of the wife was not within standardized LVMPD tactics, training and policy.

3) Tactics and Use of Force

Officers made entry inside of the apartment and communicated with each other during the protective sweep. They announced they were police officers multiple times while they moved room to room. All three officers worked as a team and communicated clearly.

- CIRT concluded Officer Prior and the two patrol officers' performance while conducting a protective sweep of the apartment was within LVMPD standardized tactics and training.

Officer Prior communicated several times to the two patrol officers that Ramirez could be inside of the apartment hiding. The closet was the last room officers needed to check. Officers did not communicate a coordinated response with one another regarding roles and responsibilities. Their lack of communication at the closet resulted in two officers deploying their ECD, unaware of who would remain on firearm.

- CIRT concluded Officer Prior and two patrol officer's lack of communication at the closet door was not within standardized LVMPD tactics, training and policy.

Officer Prior and a patrol officer recognized Ramirez was armed with a knife. They deployed their ECD in an attempt to use a less than lethal option to avoid a deadly force encounter. A patrol officer remained on firearm to cover the officers utilizing their ECD's.

- CIRT concluded Officer Prior and a patrol officer's deployment of their ECD was within LVMPD standardized tactics, training and policy.

As Ramirez stood in the closet holding the knife, Officer Prior and a patrol officer had deployed their ECD with one hand, while holding their firearm in the other hand.

- CIRT concluded Officer Prior and the patrol officer's transition was not within LVMPD standardized tactics and training.

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Officer Prior drew his firearm when he conducted his protective sweep. His firearm remained out during the entire protective sweep.

- CIRT concluded Officer Prior's decision to draw his firearm was within standardized LVMPD tactics, training and policy.

Officer Prior fired three rounds at Ramirez and was aware that his backdrop was a closet wall.

- CIRT concluded Officer Prior's assessment of backdrop, target identification and isolation was within standardized LVMPD tactics, training and policy.

In this incident, at the time Officer Prior fired his weapon, he had already given Ramirez several verbal commands and deployed his ECD. Ramirez disobeyed Officer Prior's lawful orders and charged at Officer Prior with a knife. Officer Prior was approximately 2-3 feet from Ramirez when he fired.

- CIRT concluded Officer Prior's threat assessment was reasonable.

In a review of this incident, CIRT found Officer Prior discharged his firearm three times to stop Ramirez from stabbing him.

- CIRT concluded Officer Prior's use of deadly force reasonable.

4) Supervision (Command and Control)

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

The patrol sergeant received information from the person reporting that the incident was potentially a kidnapping and they had observed a child in the window. The information was never relayed to officers on scene or to dispatch. The patrol sergeant did not communicate to Officer Prior and the patrol officer any direction or options if someone was to open the apartment's door. The patrol sergeant did not communicate any of the additional information provided which included Ramirez was potentially inside of the apartment. When officers located Ramirez in the closet, the patrol

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sergeant inserted himself unsafely into the use of force by moving directly in front of a patrol officer providing firearm coverage.

- CIRT concluded a patrol sergeant's incident management was not within LVMPD standardized tactics, training and policy.

Two patrol lieutenants arrived and established incident command. Patrol detectives assisted with command and control.

- In reviewing supervisory response, CIRT concluded incident management post OIS was within standardized LVMPD tactics, training and policy.