

**Office Of Internal Oversight Review**  
**KEY CONCLUSIONS, RECOMMENDATIONS AND OUTCOMES OF A CATEGORICAL USE OF FORCE INCIDENT**  
**Officer-Involved Shooting — 1 Main Street, Jean, NV — January 21, 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 January 21, 2017, at approximately 0935 hours, at 1 Main Street in Jean, NV, a witness was walking along an elevated walkway between the two hotel towers which overlooked the pool area. The witness observed a naked male, later identified as Paul Palmer. Security was notified and responded to the parking lot area near the pool. A security guard approached Palmer who emerged from behind a parked vehicle with a knife in his hand. Palmer raised the knife above his head and walked towards the security guard. The security guard also observed Palmer had several wounds which were bleeding along his arms and legs. Security gave verbal commands for Palmer to drop the knife.

Clark County Fire Department (CCFD) firefighters arrived on property for an unrelated reason and observed Palmer chasing the security guard with a knife. A witness observed the event unfold and notified 9-1-1. At 0938 hours, the LVMPD received several calls regarding Palmer.

Officer Bicsanszky assigned himself to the call and responded. A sergeant was dispatched along with two officers to assist from another area command. Officer Bicsanszky arrived at the hotel and observed the CCFD ambulance parked in the parking lot and positioned his vehicle in front of it. Officer Bicsanszky asked where Palmer was last seen, and he was pointed in a west direction.

Officer Bicsanszky observed Palmer naked and armed with a knife approximately 35 feet away. Officer Bicsanszky deployed his low lethal shotgun with the intention of de-escalating the situation. Palmer had the knife raised over his head and sprinted toward Officer Bicsanszky who was standing behind the driver's side door of his patrol vehicle. Officer Bicsanszky fired his low lethal shotgun at Palmer two separate times then paused to re-assess. Palmer was still advancing with the knife raised. Officer Bicsanszky fired a third low lethal round, striking Palmer with no effect, and attempted to

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retreat backwards to create distance. Palmer was still moving toward him with the knife, when Officer Bicsanszky fired a fourth low lethal round and transitioned to his handgun. Officer Bicsanszky continued to order Palmer to drop the knife.

Palmer temporarily slowed down, then raised the knife again and charged toward Officer Bicsanszky. From approximately six (6) feet away, Officer Bicsanszky fired one (1) round from his firearm striking Palmer. Palmer continued to advance towards him when he fired a second round and Palmer fell to the ground.

Palmer was still armed with the knife when he suddenly sat up and threw the knife towards Officer Bicsanszky's direction. Palmer fell back to the ground and Officer Bicsanszky issued verbal commands for several seconds. He then realized Palmer was not responding and needed medical attention. Officer Bicsanszky approached and took custody of Palmer. Medical responded and pronounced Palmer deceased at the scene.

**The Criminal Investigation:**

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 Bicsanszky was heard by the Critical Incident Review Process/Use of Force Review Board on August 10, 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 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.

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**1) Communication**

During the incident, the Communications Bureau worked collectively to ensure the dispatcher, Officer Bicsanszky and CCFD had the resources they needed. California Highway Patrol (CHP), Nevada Highway Patrol (NHP) and medical were quickly advised of the situation and were requested to assist. As additional patrol officers arrived at the hotel, they worked together with the other law enforcement entities to control and manage the scene.

- CIRT concluded the information sharing between Communications Bureau, LVMPD and the other law enforcement agencies was within LVMPD training and policy.

The incident auto-populated on the computer screen allowing officers and dispatchers to view the details. Officer Bicsanszky assigned himself to the call just prior to a dispatcher broadcasting a “Person with a Knife.” The dispatcher also broadcasted the call met the criteria of a Supervisors Tactic for Armed Subject Response (STAR) Protocol. The dispatcher knew Officer Bicsanszky would have limited resources available and requested units from another area command to be en-route to assist him.

- CIRT concluded the dispatcher’s broadcasting techniques were within standardized LVMPD Communications training and policy.

**2) Officer’s Approach**

When Officer Bicsanszky arrived, he pulled in front of the CCFD ambulance and asked where Palmer was located. After being pointed towards Palmer’s location, Officer Bicsanszky observed Palmer as he appeared to have “popped up” from behind a parked vehicle. Officer Bicsanszky believed Palmer was approximately 35 feet away. Officer Bicsanszky parked his patrol truck and made the decision to exit while deploying his low lethal shotgun based on the distance between himself and Palmer.

- CIRT concluded Officer Bicsanszky’s approach was within standardized LVMPD tactics and training.

Officer Bicsanszky parked his patrol truck, unlocked his low lethal shotgun and took a standing position behind his front door. He utilized his patrol truck as cover while he aimed the low lethal shotgun toward Palmer while giving him verbal commands to stop.

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- CIRT concluded Officer Bicsanszky's use of cover was within standardized LVMPD tactics and training.

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

Officer Bicsanszky realized the low lethal rounds had no effect on Palmer, who continued to charge at him with a knife in his hand. Officer Bicsanszky curled the low lethal shotgun with his left hand and drew his firearm with his right hand. He took a stance and aimed his firearm at Palmer's center mass.

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

Officer Bicsanszky was aware of his target identification and backdrop as he deployed his low lethal shotgun. He described his backdrop as a vast parking lot with no one behind Palmer.

When Officer Bicsanszky transitioned to his firearm and tracked Palmer, the South Tower was his backdrop. Officer Bicsanszky was aware the South Tower was undergoing new renovations and the guests would be assigned to stay in the North Tower. He also described Palmer as standing in front of him, about five to six feet away with a knife.

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

In this incident, Officer Bicsanszky first observed Palmer approximately 35 feet away. Palmer began to charge directly towards Officer Bicsanszky with a knife held over his head. Officer Bicsanszky fired four rounds from his low lethal shotgun at Palmer while moving backwards. The low lethal rounds had no effect and Officer Bicsanszky transitioned to his firearm. Palmer continued to charge at Officer Bicsanszky closing the distance to within six feet away from him.

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

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

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

Officer Bicsanszky locked down the scene, isolated witnesses, set up a command post, requested several NHP units to be enroute to assist at the scene.

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When the patrol sergeant arrived Officer Bicsanszky relinquished control to the patrol sergeant. The patrol sergeant obtained the Public Safety Statement from Officer Bicsanszky and set up a media staging area. The patrol sergeant and other supervisors, along with NHP and hotel security set up a unified command at the command post.

- In reviewing supervisory response, CIRT concluded the incident was managed to an LVMPD standard.