

# OFFICE OF THE WASHOE COUNTY DISTRICT ATTORNEY

October 30, 2024



REPORT ON THE JANUARY 8, 2023,  
OFFICER INVOLVED SHOOTING OF  
SCOTT KENNEDY AND JEREMIAH GRAHAM

CHRISTOPHER J. HICKS  
WASHOE COUNTY DISTRICT ATTORNEY

# TABLE OF CONTENTS

<b>INTRODUCTION</b> .....	3
<b>I. STATEMENT OF FACTS</b> .....	7
A. Witness Accounts.....	7
1. Officer Travis Look .....	7
2. Officer Tyler Bristol .....	10
3. Schalia Buxton .....	13
4. Michael Garcia .....	14
5. Officer Michael Frady .....	15
<b>II. PHYSICAL EVIDENCE</b> .....	16
A. Shooting Scene .....	16
B. Countdown and Forensic Testing of Officer's Firearms .....	19
1. Officer Look .....	19
2. Sergeant Mayfield.....	20
C. Body Worn Camera Footage .....	20
1. Sergeant Mayfield.....	20
2. Officer Look .....	24
D. Evidence Collected.....	28
E. Autopsy.....	31
<b>III. CRIMINAL PROSECUTION</b> .....	31
<b>IV. LEGAL PRINCIPLES</b> .....	31
A. The Use of Deadly Force in Self-Defense or Defense of Another .....	32
B. Justifiable Homicide by Public Officer .....	33
C. Use of Deadly Force to Effect Arrest .....	33
<b>V. ANALYSIS</b> .....	33
<b>VI. CONCLUSION</b> .....	34

## INTRODUCTION<sup>1</sup>

On January 8, 2023, at approximately 6:11 p.m. Reno Police Department (hereinafter “RPD”) Officers were dispatched to 1570 Sky Valley Drive, Building D, regarding suspicious circumstances. The reporting party, Corrine Sacterfield, stated that her grandson lives in Building D and called to tell her someone had tried to open his apartment door, following which he heard a gunshot.

Upon arrival, RPD officers heard a female yelling in the vicinity of Building D, outside of apartment D301. Assuming the initial call for service was related to the female heard yelling, officers responded outside of apartment D301 and met with a female by the name of Anna Doyle (hereinafter “Doyle”). Doyle’s face was bloody, bruised, and appeared to be swollen. Doyle explained that she lives in apartment D301 with her boyfriend, Scott Kennedy (hereinafter “Kennedy”), Kennedy’s brother, Jeremiah Graham, (hereinafter “Graham”), and Graham’s girlfriend, Salina Cruz (hereinafter “Cruz”). Doyle, who appeared to be intoxicated, told officers that she had been in a physical altercation with Graham and Cruz. After she was battered by both Graham and Cruz, Cruz pushed Doyle out of the apartment and would not let her re-enter. Doyle explained that she didn’t want to press charges but requested that the officers help her gain access to the apartment so she could gather her belongings and leave the area.

RPD Officers attempted contact with the residents of D301. After a considerable amount of time had passed, Cruz answered the door and passed the officers a note indicating that she was sorry it took so long to answer but that she was sick and was sleeping. Cruz denied knowing what happened to Doyle but gave permission to the officers to enter the apartment with Doyle to collect her belongings.

When officers asked if they could do a security sweep of all the rooms in the apartment, Cruz denied the officers access to her room but allowed them to do a sweep of the remainder of the rooms of the apartment. Doyle and Cruz were asked whether any weapons were in the residence and they both indicated there were no weapons in the apartment. Cruz returned to her room, closed, and locked the door. Cruz did not come out of her room while the officers were on scene assisting Doyle. Doyle explained to officers she shared a room with her boyfriend, Kennedy, and needed to obtain clothes out of that room. As the officers escorted Doyle to her bedroom, they walked through the living room and observed an empty handgun holster resting on top of an aquarium located in the room. While in her bedroom, the officers noticed an AR rifle hanging from a sling on the bedroom wall, a shotgun leaning against the wall, and several Glock handgun cases strewn throughout the room.

---

<sup>1</sup> The Introduction is synopsised from 911 calls, police reports, witness interviews, Body Worn Cameras (hereinafter “BWC”) and forensic reports.

Once Doyle had her belongings, the officers and Doyle left apartment D301 and went to the parking lot so that REMSA could check the injuries to her face. As REMSA attended to Doyle, an adult black female approached the officers. She asked if they were there because of the shooting that had occurred earlier in the day and provided the officers with a general location in the parking lot where she believed the incident took place. Upon inspecting the area, officers discovered .40 caliber bullet casings and red stains consistent with the presence of blood.

While officers were discussing the varying incidents that had taken place, Doyle separated from REMSA and refused to fill out a witness statement. Doyle explained to officers she had changed her mind and no longer felt safe. Doyle told officers that while she was with REMSA, she received a phone call from her mother telling her to leave the area because Graham was threatening to harm Doyle if she pressed charges. Despite being urged by officers to continue to fill out a statement, Doyle left the area. Once Doyle left the area, officers shifted their attention to the alleged shooting in the parking area where the bullet casings were located.

As officers were discussing the incident, Sergeant Steven Mayfield (hereinafter "Sergeant Mayfield") arrived on scene. Sergeant Mayfield was briefed on the incidents that occurred since the officers arrived. Sergeant Mayfield explained that another call for service had come into RPD. According to the caller, Shane Downder (hereinafter "Downder"), he was the victim from the parking lot shooting and was presently waiting to be interviewed at the Wrightway Market at 330 Evans Avenue, Reno. Sergeant Mayfield sent officers to this location to interview Downder (Reference RPD Case #23-462).

During the time that the officers were responding to Wrightway Market, Sergeant Mayfield, and Officer Travis Look (hereinafter "Officer Look"), remained at 1570 Sky Valley Drive to maintain the parking lot crime scene and monitor any activity occurring at apartment D301. Officer Look and Sergeant Mayfield grew concerned due to the large number of firearms found in apartment D301 and suspected the incidents might be connected. As a result, they devised a plan to approach the occupants of D301 if they were observed leaving the apartment. Sergeant Mayfield positioned his vehicle to the rear of apartment D301, while Officer Look positioned his vehicle on the opposite side, giving him a clear view into apartment D301. During their surveillance, Officer Look noticed movement in the bedroom where multiple firearms were stored, the room shared by Doyle and Kennedy.

During their surveillance, Officer Look observed two male subjects, who were later identified as Kennedy and Graham, walking near Building D and entering apartment D301. Once inside, Officer Look noticed movement in the bedroom shared by Doyle and Kennedy where multiple firearms had been previously located. While still in his vehicle, Officer Look saw Kennedy and Graham leave the apartment. As Officer Look reported the situation to dispatch, Sergeant Mayfield exited his patrol vehicle and attempted to approach Kennedy and Graham on foot.

Sergeant Mayfield came around the corner of Building E and at approximately 7:33 p.m. reported over the radio that two males carrying firearms were running away from the apartment. Moments after reporting the two individuals, later confirmed to be Graham and Kennedy, Sergeant Mayfield issued a verbal command, shouting, *“Reno Police! Stop! Stop!”* Almost immediately, shots were fired in his direction, prompting Sergeant Mayfield to return fire.

Upon hearing the gunfire, Officer Look exited his vehicle with his AR-15 rifle and quickly moved toward the area where the shots were coming from. At this time, Sergeant Mayfield indicated over the radio that he had been shot. As Officer Look advanced toward Kennedy and Graham, he fell to the ground after he saw bright muzzle flashes coming toward both him and Sergeant Mayfield. After several more shots were fired, Officer Look stood up and returned fire in the direction of the muzzle flashes. Officer Look recalled one subject being in a type of “prone position” on the ground and appeared to be shooting at Officer Look and Sergeant Mayfield. Sergeant Mayfield updated dispatched over the radio, *“two suspects, both down, still shooting. Expediate REMSA!”*

Officer Look fired multiple shots in the same direction. Despite being wounded, Sergeant Mayfield continued to return gunfire at Kennedy and Graham until no further shots were fired. Sergeant Mayfield was found lying on his back in a snow covered, grassy, open area between apartment Building D and E. Officer Look ran to Sergeant Mayfield and discovered that Sergeant Mayfield had been shot multiple times.

Two armed civilians, who had been in the nearby laundry room at the apartment complex, quickly responded to assist and provide cover for both Sergeant Mayfield and Officer Look until additional officers arrived. They assisted in caring for Sergeant Mayfield and helped assess his injuries.

Responding RPD officers arrived on scene and approached both Kennedy and Graham. Kennedy was found deceased and lying on his stomach with an AR rifle still in his hands, extended above his head. He had a Glock 22 handgun in his waistband and three unopened boxes of ammunition nearby. Graham was found alive, having sustained a gunshot wound to his leg. Located next to him was a black backpack containing a firearm, and an AR pistol wrapped in a shirt was discovered near him in the bushes. Graham was handcuffed and transported to Renown hospital for treatment.

Sergeant Mayfield was rushed to Renown Hospital, where he was admitted and underwent emergency surgery to treat multiple gunshot wounds.

Consistent with the regionally adopted Officer Involved Shooting (hereinafter "OIS") Protocol, the Washoe County Sheriff's Office (hereinafter "WCSO") led the investigation into the shooting of Kennedy and Graham. Secondary investigative support was provided by the Sparks Police Department (hereinafter "SPD") and forensic services were provided by the Washoe County Crime Lab (hereinafter "WCCL"). The investigation included witness interviews, examination of physical evidence, review of Body Worn Camera footage (hereinafter "BWC"), video surveillance footage, and forensic examination of evidence.

Graham was subsequently charged and pled guilty to two counts of Possessing a Firearm by a Prohibited Person - a felon. On August 14, 2023, Graham was sentenced to an aggregate sentence of 144 months in prison with parole eligibility commencing after 56 months have been served. As is standard practice, the review of the OIS and the release of this public report was held pending the outcome of Graham's prosecution to maintain the integrity of the legal proceedings against him.

All investigative reports, photographs, documents, video footage, forensic reports, witness statements, and recorded interviews were submitted to the Washoe County District Attorney's Office on October 11, 2023, for the purpose of determining the legality of the actions in the OIS event involving Kennedy and Graham. No criminal charges were recommended by WCSO for RPD Sergeant Mayfield or RPD Officer Look who were involved in the incident. The Washoe County District Attorney's Office evaluation included a thorough review of all submitted investigative materials.

Based on the available evidence and the applicable legal authorities, it is the opinion of the Washoe County District Attorney (hereinafter "WCDA") that the shooting of Kennedy and Graham by RPD Officers was legally justified and not a criminal act.

# **I. STATEMENT OF FACTS**

## **A. Witness Accounts**

### **1. Officer Travis Look**

On January 9, 2023, Officer Travis Look (hereinafter “Officer Look”) was interviewed at the Reno Police Department (hereinafter “RPD”) by WCSO Detective Stephanie Brady and Detective Kyle Congdon. The interview was audio and video recorded. Officer Look explained to detectives that he has worked at RPD for 17 years as a police officer. Officer Look is assigned to the patrol division and works in the Northwest Reno area. Officer Look serves as both an emergency vehicle operations instructor and a firearms instructor.

On January 8, 2023, Officer Look was wearing his full police uniform and operating a marked patrol unit when he responded to 1570 Sky Valley Drive, Building D, regarding suspicious circumstances. According to Officer Look, the initial call for service had to do with a disturbance and he believed someone was trying to get into someone else’s apartment. Officer Look did not have many details regarding the initial call. However, once Officer Look arrived in the parking lot, he heard a disturbance on the front balcony outside of apartment D301. Specifically, he heard a female yelling, later determined to be Doyle. Assuming Doyle was involved in the initial call for service, Officer Look exited his vehicle to check with her.

RPD Officer Tyler Bristol (hereinafter “Officer Bristol”) and Officer Rolfe Leonard (hereinafter “Officer Leonard”) arrived shortly after Officer Look. Officer Bristol and Officer Leonard went to apartment D301 and contacted Doyle who appeared to be in distress. During that time, Officer Look went to the stairwell of Building D to see if he could locate anyone else possibly involved. Eventually, Officer Look rejoined Officer Bristol and Officer Leonard. Officers learned that Doyle lived in apartment D301 but had been locked out by her roommate, Cruz. Doyle wanted to get into her apartment to collect her personal belongings and then leave the apartment. Doyle explained that she was battered by the other occupants of apartment D301, specifically Graham and Cruz, but she did not want to press charges.<sup>2</sup>

---

<sup>2</sup> The manager of the apartments, Wendy Roldan was interviewed by Detective Claire Hoops-Adams (hereinafter “Detective Hoops-Adams”). Ms. Roldan provided the lease agreement for 1570 Sky Valley Drive, apartment D-301 and explained the authorized residents of D301 were Doyle and Kennedy.

Officers contacted Cruz to obtain permission to allow Doyle back into the apartment and then escorted her into D301 to collect her belongings.<sup>3</sup> During that time, Doyle was asked whether there were any firearms in the apartment, to which she responded “no.” However, once officers were in the apartment, they noted numerous firearms, ammunition, and miscellaneous firearm accessories. Specifically, Officer Look saw a shotgun leaning against a wall in the bedroom that was shared by Doyle and Kennedy, and an AR-15 pistol hanging from that same bedroom wall. He saw many Glock factory cases and ammunition throughout.

After officers escorted Doyle out of the apartment, she was attended to by REMSA, however, Doyle became uncooperative with the investigation. It was during this time that officers learned of another incident in the same apartment complex. Officers were told a shooting incident, possibly an Assault with a Deadly Weapon (hereinafter “ADW”), may have occurred in a parking space close to Building D. Through the course of their investigation, officers received information that some of the occupants of apartment D301 may also be involved in the ADW. Officers located two bullet casings and blood in the parking lot near Building D.

Officers remained in the apartment complex while investigating the varying calls for service when Sergeant Mayfield arrived. Officer Look stated that Sergeant Mayfield was also wearing his full police uniform and driving a marked patrol unit. At some point, the officers learned that the victim of the ADW wanted to make a report and both Officer Bristol and Officer Leonard left to meet with the victim at a nearby convenience store. The only two that remained on scene at the apartment complex were Officer Look and Sergeant Mayfield. Based upon the multiple investigations that were taking place, Sergeant Mayfield and Officer Look made the decision to watch the comings and goings of apartment D301. Sergeant Mayfield positioned himself in his marked patrol vehicle on one side of the apartment building while Officer Look positioned his marked patrol vehicle on the other side of the apartment building.

---

<sup>3</sup> Later that night on January 8, 2023, Doyle was interviewed by Detective Hoops-Adams. Doyle had been arrested after leaving the apartment complex for DUI. When Doyle was interviewed by Detective Hoops-Adams, she observed significant swelling and bruising to Doyle’s face. She observed several lumps on her forehead and her left eye was black and swollen shut. Her nose appeared to be swollen and was bleeding. Doyle claimed she lived at 1570 Sky Valley Drive, apartment D301 with Kennedy, Graham, and Cruz. The four of them have lived in D301 since October of 2021. On January 8, 2023, while she was home Doyle and Graham got into an argument about Kennedy. At some point during the argument, Graham pushed Doyle, after she was pushed, Doyle she started hitting Graham and then Graham hit Doyle in the face. Doyle remembered ending up on the ground and that’s when Cruz kicked and hit Doyle. Doyle threatened to call the police, Cruz then threw Doyle out of the apartment, locking the door behind her. At some point during the investigation, Doyle became uncooperative and did not want to pursue charges against Graham or Cruz or be involved with the OIS investigation.



While watching apartment D301, Officer Look saw two males who were later identified as Kennedy and Graham, walk directly into apartment D301. Upon witnessing this, Officer Look moved his patrol vehicle to get a clear view of the inside of apartment D301. Officer Look explained that he blacked out his vehicle, enabling him to watch the apartment and not be seen. While observing Kennedy and Graham, Officer Look notified dispatch that there was movement in the bedroom where the guns were located. Sergeant Mayfield had positioned himself on the other side of the building to watch that entrance. While Officer Look was observing Kennedy and Graham, he called Sergeant Mayfield to develop a plan if Kennedy and Graham exited the apartment. During this discussion with Sergeant Mayfield, Officer Look saw Kennedy and Graham exit the apartment wearing dark clothing. Almost immediately after learning that Kennedy and Graham had exited the apartment, Sergeant Mayfield exited his vehicle on foot, ahead of Officer Look, to contact Kennedy and Graham.

Officer Look retrieved his AR-15 rifle, exited his patrol vehicle, and while running toward Buildings D and E he heard shots being fired and saw those shots coming in the direction of him and Sergeant Mayfield. Officer Look explained that because it was dark, he could only see muzzle flashes coming in his direction. In describing how he felt in that moment, Officer Look said that he felt like he and Sergeant Mayfield were *“going to get killed right now.”* Officer Look returned fire in the direction of the muzzle flashes. He stated Kennedy, who he believed had the AR rifle, looked like he was in a prone position firing in his direction. Officer Look continued firing towards Kennedy and once the firing stopped, Officer Look moved to a position to cover Sergeant Mayfield until more officers arrived.

Several armed civilians came to provide cover for Sergeant Mayfield and Officer Look. Officer Look asked the civilians to provide cover and a tourniquet for Sergeant Mayfield. Officer Look noted Kennedy was not breathing but still had the AR rifle in his hand. When Officer Look and another officer approached Kennedy, they found him lying on his stomach with the AR rifle in his hands with his head facing toward Officer Look and Sergeant Mayfield. Officer Look dislodged and put the AR rifle aside. He also noted Kennedy to have a handgun in his waistband and a box of ammunition near him. Once Kennedy was secured, Officer Look stayed with Graham, who was still breathing, until he was relieved from the scene.

Once Kennedy and Graham were detained, Officer Look was removed from the scene and taken to the police station where his BWC and firearms were turned over to the OIS investigative agencies.

## 2. Officer Tyler Bristol

Officer Bristol was interviewed at RPD on January 8, 2023, by Detective Joseph Lear of the WCSO and Detective Vern Taylor of the SPD. The interview was audio and video recorded.

Officer Bristol has been employed with RPD for 7 1/2 years. Officer Bristol is assigned to the patrol division and works in the Northwest Reno area.

Officer Bristol explained that he and Officer Leonard<sup>4</sup> were dispatched to respond to a *"trouble unknown"* call, with the reporting party residing out of state. The reporting party advised dispatch that her grandson had called her and told her that someone was trying to open his apartment door. The grandson explained that he heard a gunshot and screaming. Although the grandson refused to give his address, the call for service was located at 1570 Sky Valley Drive, Building D.

Upon arrival, no contact was made with the original reporting party. Officers Bristol, Leonard, and Look all arrived at the call within minutes of each other. Officer Look advised over the radio he had contact with one person on the third floor of apartment Building D. When Officer Bristol arrived on scene, Officer Look was with a female, later identified as Doyle. Doyle was not following Officer Look's instructions, appeared to be intoxicated and her face was swollen, red, and there was a cut on her cheek. Doyle claimed that her boyfriend's brother, Graham, beat her up and then Graham's girlfriend, Cruz, pushed Doyle out of her apartment. Doyle explained that she wanted to get her belongings from inside the apartment and then go back to her mom's house in California. Officer Bristol and Officer Leonard attempted contact at apartment D301 which Officer Bristol estimated the time to be around 6:00 pm. Officer Bristol and Officer Leonard knocked on the door aggressively with a flashlight and a baton for approximately five to ten minutes, but no one answered. After some delay, Cruz answered the door and appeared to be heavily intoxicated. Cruz gave officers a note that referenced some sort of medical condition and being heavily medicated which caused her to be sleepy. Officers Bristol and Leonard explained they wanted to get Doyle's belongings so she could leave. Cruz agreed to allow Doyle to get her property and left the front door open, retreated to her bedroom and did not respond to the Officers attempts to hail her. Officers had no further contact with Cruz on scene and based upon this interaction, Officer Bristol believed Cruz was the only person inside the apartment.

---

<sup>4</sup> Officer Leonard was not separately interviewed by WCSO detectives. However, Officer Leonard did complete a police report in RPD 23-450, Supplement 38, detailing his involvement with the events that took place on January 8, 2023. Additionally, Officer Leonard's BWC footage was uploaded and available for review. Officer Leonard detailed a similar course of events as Officer Bristol in his police report.

Since Cruz was not responding to him, Officer Bristol asked Doyle if she had a bedroom inside apartment D301. Doyle advised that she shared a room with Kennedy, and she agreed to be escorted inside to retrieve her property. Prior to entering the apartment, officers asked Doyle if there were any weapons in the apartment and she said, "[n]ot that I'm aware of." Officers escorted Doyle into the apartment and down the hallway, into her bedroom. They entered the bedroom on the left-hand side of the hallway from the living room.

Once in Doyle's bedroom, Officer Bristol observed the following:

- 12-gauge Mossberg shotgun - leaned in the corner of the room
- A handgun slide to a 1911 on top of the dresser
- A short barreled AR15 pistol on an exterior wall mount
- Three to four closed Glock gun boxes on the ground
- Small hand safe on floor next to the bed
- Micro Roni Chassis - gray with black base - that runs pistol into rifle platform
  - near the hand safe

Doyle retrieved her property and as they exited the apartment, Officer Bristol observed an empty pistol holster in the living room. At that point, Officer Bristol was confused as to why Doyle was saying there were no weapons in the apartment but thought it could have been due to her intoxication. Officers never entered Cruz's room, which was located across the hallway from Doyle's bedroom.

After leaving the apartment, Officer Bristol escorted Doyle to the ambulance. While on the way to the ambulance, a black adult female came from Building D and approached officers. She stated that a shooting occurred earlier in the apartment parking lot across from Building D, but the police did not respond and pointed to a parking space opposite the area of Building D. She did not provide her name to Officer Bristol or her contact information, but Officer Bristol believed she lived in Building D and was associated with the blue Ford sedan. He described her as having a striped shirt, with curly hair, and a thick accent.

While investigating the parking space shooting, officers located two spent 40 caliber fired cartridge casings and droplets of blood near the parking space pointed out by the black female. Doyle told Officer Bristol that the empty parking space referenced by the BAF was in fact the parking space belonging to Graham.

At that point, Officer Bristol believed they were still investigating separate incidents, and the officers were unsure of the connection between the two incidents. Officer Bristol believed Doyle was the victim of a misdemeanor battery but was unsure of any relation with the parking space shooting. Doyle eventually became uncooperative and refused to provide a written statement and while officers were examining the parking space, they observed Doyle leave the scene without filling out a witness statement.

Sergeant Mayfield arrived on scene around 7:00 pm and officers on scene provided him with a briefing regarding Doyle and the parking space shooting. Sergeant Mayfield advised the officers that the victim of the related parking space shooting was at the Wrightway Market at 330 Evans Avenue. Based on the new information, officers believed both incidents could be related, and they needed to locate all parties for further investigation. After the briefing, a plan was developed and while Officer Look and Sergeant Mayfield remained on scene, Officer Leonard left to locate Doyle<sup>5</sup> and Officer Bristol went to meet with the shooting victim, Downder, at the Wrightway Market.

Downder told Officer Bristol that he was parked at the 1570 Sky Valley apartment complex waiting to pick up a friend in apartment D304. Downder was on his phone and was suddenly startled by a guy pounding on his window. Downder said he felt like it was going to lead to a fight and when he opened his door, he was immediately punched in face. He returned punches and then tried to leave, but the male subject (later identified as Kennedy) fired two rounds into his vehicle. The first round was fired close to Downder's head through the driver open window and as Downder drove away, Kennedy fired the second shot through the windshield of his vehicle. Downder described Kennedy as a white adult male, 6 feet tall, and 230 pounds. Downder's vehicle was processed, searched, and photographed.

After receiving the initial information from Downder, Officer Bristol heard someone say over the radio that they are *"running from apartment with arms full of guns."* Immediately after that radio traffic, Sergeant Mayfield advised over the radio that an officer was shot. Officer Bristol left Downder and responded back to 1570 Sky Valley Drive. Officer Bristol estimated that within minutes, four officers, including himself, had arrived at 1570 Sky Valley Drive.

Officer Bristol exited his patrol vehicle and ran past the grassy area near D301 that was between two Buildings and observed Sergeant Mayfield wounded, down on the ground. Officer Bristol then observed Officer Look and two armed civilians.

Officer Bristol applied a tourniquet to Sergeant Mayfield's left leg while Sergeant Mayfield still held his gun and covered the suspect area. As additional officers arrived on scene, the armed civilian placed Sergeant Mayfield's gun on the ground. Officer Bristol told the armed female civilian (later identified as Schalia Buxton) to take off Sergeant Mayfield's vest and check him for trauma. Officer Bristol observed a gunshot wound to Sergeant Mayfield's upper abdomen that exited his right side.

---

<sup>5</sup> According to Officer Leonard's report, Supp 28, he located Doyle in a gray colored Honda Accord at the 7-eleven gas station at 5105 Summit Ridge Court. Officer Leonard suspected possible DUI and requested a DUI enforcement officer to conduct a DUI investigation on Doyle. After a DUI investigation was conducted by DUI enforcement officer Williams, Doyle was arrested for DUI.

Due to Sergeant Mayfield's injuries, Officers Bristol and Officer Daniels decided to load Sergeant Mayfield into the back of a police vehicle to drive him to a hospital. At that time, REMSA arrived on scene, several officers carried Sergeant Mayfield to an awaiting REMSA gurney, and he was rushed to the hospital.

### 3. Schalia Buxton

Schalia Buxton (hereinafter "Buxton") was interviewed at RPD on January 9, 2023, by Detective Kellie Wright of the WCSO and Detective Chris Dutra of SPD. The interview was audio and video recorded. Buxton was one of the armed civilians who provided cover and aid to Sergeant Mayfield and Officer Look during the OIS incident.

Buxton told detectives she lives at 1570 Sky Valley Drive, Apartment H303. She explained that she was familiar with the suspects that were involved in the shooting. She knew them as Scott and Boogey - later identified as Kennedy and Graham and stated she knew they lived in the apartment complex. A few months prior to this incident, Buxton explained that she had an altercation with Kennedy. In the previous incident, Buxton stated that she intervened when Kennedy was battering his girlfriend, Doyle. She remembered Kennedy dragging Doyle by the hair down the walkway of the apartment complex. She told Kennedy to stop, and he told her to mind her own *"fucking business."* Buxton called the police after that altercation, but Doyle refused to press charges. Buxton had seen Kennedy's brother around the complex previously but did not know his name, only that he goes by *"Boogey."*

Buxton stated on January 8, she and her fiancé, Michael Garcia (hereinafter "Garcia"), decided to do laundry in the laundry room, which is near Buildings D and E. Buxton and Garcia are permitted to carry concealed weapons (hereinafter "CCW") and consistently have their firearms with them. That night Buxton had her firearm with her while doing laundry. On the way to the laundry room, Buxton noticed uniformed police officers in marked patrol vehicles in the parking lot of the apartment complex.

At some point while doing laundry, Buxton saw Kennedy and Graham *"trot"* by the laundry room. When they went by, Buxton saw they were both carrying what she described as *"long guns."* Once she saw the guns, Buxton went to the laundry room door, opened it so she could see out. Immediately after she opened the laundry room door, she heard gunshots. She stated that shells from the firearms were *"flying"* at her. Once the firing started, Buxton shut the laundry room door, grabbed her gun, and took cover. Buxton believes she heard approximately twenty shots fired. As soon as the firing stopped, Buxton described hearing yelling, and she saw an officer was wounded. She asked what she could do to help. An officer asked for a tourniquet, another civilian threw a belt down, and she ran to apply the belt to the leg of the officer down.

Once she got to Sergeant Mayfield, she asked him if he was shot anywhere else, and he told her his stomach. Buxton helped Sergeant Mayfield take his vest off, provided cover, and sat with him until medical help arrived. She believes she put Sergeant Mayfield's gun in his holster. She explained to the other officers where Sergeant Mayfield's vest was located with his BWC.<sup>6</sup>

#### **4. Michael Garcia**

Michael Garcia was interviewed at RPD on January 9, 2023, by Detective Michael Alvaraz of the WCSO and Kevin Dach of SPD. The interview was audio and video recorded. Garcia stated that he has been in a dating relationship with Buxton for years but for the last 10 months has been staying at her apartment at 1570 Sky Valley Drive #H303. Over the last 8 months, Garcia noticed possible drug dealing and/or other illegal activity happening at the neighboring apartment D301. Garcia also spoke about the previous domestic battery incident involving Kennedy and Doyle.

Prior to the OIS incident, Garcia explained that while he and Buxton were doing laundry, Garcia saw Kennedy walking fast and/or jogging away from his apartment near the laundry room carrying in his hands an assault rifle. Garcia remembers Kennedy wearing a hoodie sweatshirt. Garcia also remembers Graham<sup>7</sup> walking fast and/or jogging behind Kennedy, carrying what appeared to be another long gun. According to Garcia, Graham was larger in size than Kennedy. Garcia described Graham as also wearing dark clothing. Garcia saw Graham carrying a black backpack with a crisscross pattern.

Garcia then saw two RPD officers following Kennedy and Graham. Garcia could easily identify the officers wearing their uniforms in a well-lit area of the complex. Garcia explained that the officers may have had their flashlights on. Garcia heard one or more of the officers' giving commands, but Garcia was unable to make out exactly what the officers were saying.

Garcia told detectives that Buxton started to exit the laundry room but then when the gunshots were heard, Buxton quickly shut the door. Garcia told detectives that he is familiar with guns from his time in the military. When Garcia heard the gunfire, he heard 20-30 shots, and he could tell the gunshots were from different caliber weapons. Garcia elaborated, saying some were from rifles and others were from handguns. From inside the laundry room, they could hear fired cartridge casings (FCC) hitting near the laundry room door.

---

<sup>6</sup> Buxton is seen on various BWC providing aid and cover for Sergeant Mayfield and Officer Look.

<sup>7</sup> Garcia did not identify Graham by his name, he recognized him but did not know his name.

Once the shots stopped, Garcia and Buxton exited the laundry room to offer help to the police. Garcia saw Sergeant Mayfield fire two shots while lying down in the direction of Kennedy and Graham. Garcia remembered being asked by an officer to assist Sergeant Mayfield by putting a tourniquet on his leg and to watch apartment D301 to ensure no other suspects exited the apartment. Garcia stated that another civilian brought down a belt to be used as a tourniquet. Garcia attempted to tie the first belt on Sergeant Mayfield's left leg, but the belt broke. Another belt was given to him and Buxton tied the belt on Sergeant Mayfield's leg. Both Garcia and Buxton provided cover and aid to Sergeant Mayfield and Officer Look.

#### **5. Officer Michael Frady**

Officer Michael Frady (hereinafter "Officer Frady") of RPD was not separately interviewed by WCSO detectives. However, Officer Frady did complete a police report in RPD 23-450, Supplement 4 detailing his involvement with the events that took place on January 8, 2023.

Officer Frady responded to 1570 Sky Valley Drive, for officers who were in need of emergency assistance. Over the radio, Officer Frady heard Sergeant Mayfield report that he had been shot and that two suspects were down, but shots were still being fired.

Once on scene, Officer Frady located wounded Sergeant Mayfield on the ground, who was being assisted by at least one armed citizen providing him with cover. It appeared to Officer Frady, that the armed citizen had a 1911 style handgun aiming and providing cover to the south section of the complex. Officer Frady also noted another citizen actively treating a leg injury to Sergeant Mayfield. Officer Frady found Officer Look actively covering a male, Kennedy, who was on the ground, lying face down, but still armed with an AR rifle. It was around this time that Officer Frady believed his BWC was knocked off from his person for the duration of the incident thus he did not have a complete recording from his BWC. Officer Frady noted that Kennedy had an AR rifle under him, brass casings in his proximity, and he had blood on him. As Frady made his way to Officer Look he passed an injured male, identified as Graham, in handcuffs and lying on the ground. Graham was lying to the right of Officer Frady as he approached Kennedy with the AR rifle under him with his head facing toward Officer Look. Officer Look requested Officer Frady to cover him to work on removing the AR rifle from Kennedy's control. Officer Frady watched as Officer Look dislodged and put aside the AR rifle being held by Kennedy.

Once the AR rifle was out of Kennedy's control, Officer Look returned to a cover position and Officer Frady handcuffed Kennedy. Officer Frady noted a possible gunshot wound and blood on Kennedy's wrist when he was handcuffed. Officer Frady rolled Kennedy over onto his back. When he did so, he located a holstered tan framed Glock style pistol in Kennedy's waistband. This firearm was taken off Kennedy and tossed aside. In Kennedy's front sweatshirt pocket, Officer Frady located a loaded black Glock style magazine, which he also put aside from Kennedy. As the front pocket was shaken out and checked further, multiple white boxes of ammunition fell out and were left where they fell, Officer Frady saw several loose live rounds of ammunition spill out to the ground. Officer Frady rolled Kennedy multiple ways to check each of his sides and found no other weapons or ammunition.

Officer Frady then checked Kennedy for a pulse and did not locate one, so he began assessing Kennedy for bleeds by rolling him to his back and starting with his abdomen to his chest. Officer Frady did this as blood was beneath Kennedy during his first contact with him. There was pooled blood under Kennedy's sweatshirt and Officer Frady swept the blood to the side and found gunshot wounds to Kennedy's chest area. Kennedy's wounds were not actively bleeding, his chest did not rise to indicate breathing, and his gaze was fixed with his eyes open. Officer Frady did not locate any signs of life and ceased triage of Kennedy.

Officer Proffit arrived and observed a sign of life from Graham who reportedly moved his foot or leg. It was noted that Graham had a gunshot wound to his left ankle. Graham was taken to the hospital for treatment.

## **II. PHYSICAL EVIDENCE**

### **A. Shooting Scene**

The Southridge Apartments, located at 1570 Sky Valley Drive in Reno, consist of eight three-story buildings, designated A through H. The primary entrance to the complex is accessible via Sky Valley Drive. Apartment D301 is situated on the third floor of Building D. The incident occurred between Buildings D and E.

The bulk of the scene was contained within the common grassy area of the apartment complex between Buildings D and E. The common grassy area runs in a North/Northeast direction in between Buildings D and E with a playground area on the north side of Building D. The Buildings are connected by sidewalks, with the common grassy area on the inside of the sidewalks. On the night of January 8, 2023, the common grassy area was covered with snow and ice from a previous storm. This space also houses a storm drainage system where the grassy area slopes from both Buildings D and E into a center drain, running north into further engineered drainage.





Satellite photograph of Buildings E and D. The above photo looks south with Building E on the left with the laundry mat attached and Building D on the right, with the playground next to Building D.



Same photograph but now with identifying circles.



Satellite photograph of Buildings E and D at 1570 Sky Valley Drive. The above photo looks north with Building E on the right and Building D on the left, with the playground, next to Building D. Officer Look and Sergeant Mayfield approached the area from the north parking lot.



Based on the call for service, Sergeant Mayfield requested assistance at 7:34 p.m. on January 8, 2023. That evening, the sunset occurred at 6:53 p.m., and by the time Detective Richard Spaulding (hereinafter "Detective Spaulding") of the WCSO arrived at the scene at approximately 10:00 p.m., the area was dark, lit only by radiant streetlamps and apartment lights. At the time officers were on scene there was no precipitation; however, as the scene investigation continued it began to rain heavily, washing away potential biological evidence throughout the night.

Attached to Building E is an apartment complex laundry mat. The laundry mat area is single-story with stairs outside the door leading to the second story of Building E. At the base of the stairs was a large concentration of Fired Cartridge Casings with head stamps of "FC-12" and "FC-17," totaling 15.

From the base of the stairs, utilizing the walking path heading north, Detective Spaulding observed red staining on the sidewalk, a brown wallet belonging to Graham, and a black 4XL sweatshirt wrapped around a black AR-15 pistol with a drum magazine. These three items were all in proximity to each other and in proximity to where Graham was found.

At the end of the walkway is another set of stairs leading to the second floor of Building E. The grassy area ends shortly beyond the walkway, transitioning into a drainage culvert containing large rocks and other landscaping features. At the end of this grassy area, just before the drainage culvert, the deceased Kennedy was found. A secondary parking lot is located above the culvert, with additional apartment Buildings situated to the North.

## **B. Countdown and Forensic Testing of Officer's Firearms**

### **1. Officer Look**

Officer Look's primary weapon on January 8, 2023, was a Rock River Arms Cal 9 mm Nato LAR-15 rifle (hereinafter "AR-15 rifle")<sup>8</sup>.

On January 8<sup>th</sup> and 9<sup>th</sup>, 2023, Washoe County Forensic Investigator Krista Smith (hereinafter "FIS Smith") collected Officer Look's equipment worn and used during the shooting. The collection of Officer Look's AR-15 rifle<sup>9</sup> and its contents revealed one unfired cartridge in the chamber and twelve (12) unfired cartridges in the magazine.<sup>10</sup> The magazine had a manufactured capacity of 30 cartridges. These items were booked into evidence at the WCSO Forensic Science Division.

---

<sup>8</sup> Officer Look also carried a Handgun, however he did not use that during this incident. A countdown was completed of his handgun – Glock 19 Gen 4 9mm; the handgun contained one (1) unfired cartridge in the chamber and fourteen (14) unfired cartridges; each additional magazine (2x) he carried contained fifteen (15) unfired cartridges.

<sup>9</sup> AR-15 rifle had the following attachments: black sling, "Aimpoint" Comp M2 Optic sight, UTG Pro barrel "Surefire" scout light, and two "YHM" iron sights.

<sup>10</sup> Ammunition: "FC 12" 223 / 5.56

Firearms testing was conducted on Officer Look's AR-15 rifle which found that the AR-15 rifle was in normal operating condition with no malfunctions. Seventeen (17) of the fired cartridge casings recovered from the scene were identified as having been fired from Officer Look's AR-15 rifle.<sup>11</sup>

## **2. Sergeant Mayfield**

Sergeant Mayfield's primary weapon on January 8, 2023, was a Sig Sauer P320, 9mm Luger pistol.

On January 8<sup>th</sup>, 2023, Washoe County Forensic Investigator Victoria Choitz (hereinafter "FIS Choitz") collected Sergeant Mayfield's equipment worn and used during the shooting. The collection of Sergeant Mayfield's firearm and its contents revealed one (1) Speer 9 mm +P cartridge in the chamber of the firearm and a magazine containing 2 Speer 9 mm +P cartridges. The magazine had a manufactured capacity of 17 cartridges. These items were booked into evidence at the WCSO Forensic Science Division.

Firearms testing was conducted on Sergeant Mayfield's firearm which found that the firearm was in normal operating condition with no malfunctions. Fifteen (15) of the fired cartridge casings recovered from the scene were identified as having been fired from Sergeant Mayfield's firearm.

## **C. Body Worn Camera Footage**

### **1. Sergeant Mayfield**

Sergeant Mayfield was wearing a Body Worn Camera (BWC) which was activated. Sergeant Mayfield's BWC of the incident begins recording at 19:32:56 (7:32:56 p.m.)

Sergeant Mayfield is seen approaching the grassy area - to his left is Building D and to his right is Building E with the laundry room attached to Building E.

---

<sup>11</sup> Three (3) fired bullets – could not be identified or eliminated as having been fired from Officer Look's AR-15 rifle.



At 19:33:58 (7:33:58 p.m.) Sergeant Mayfield says into his radio  
*"two males running away with several firearms."*





At 19:34:03 (7:34:03 p.m.) Sergeant Mayfield states  
"Reno Police, Stop, Stop," and holds out his handgun.





At 19:34:05 (7:34:05 p.m.) shots are fired. At 19:34:10 (7:34:10 p.m.), Sergeant Mayfield falls to the ground, gets back up, and states on the radio, *"I've been shot."*



At 19:34:32 (7:34:32 p.m.), Sergeant Mayfield states, *"two suspects both down, still shooting, expediate REMSA!"*  
At 19:34:51 (7:34:51 p.m.), Officer Look appears on Sergeant Mayfield's BWC in front of him.



Sergeant Mayfield is heard asking for a tourniquet. Buxton and Garcia provide aid and cover to both Sergeant Mayfield and Officer Look until 19:39:29 (7:39:29 p.m.).

## 2. Officer Look

Officer Look was wearing a Body Worn Camera (BWC) which was activated. Upon review of Officer Look's BWC, he is seen grabbing his AR-15 rifle and exiting his patrol vehicle at 19:33:55 (7:33:55 p.m.). Officer Look comes from the parking lot with the laundry room and Building E on his right and Building D on his left.



At 19:34:04 (7:34:04 p.m.), Officer Look raises his AR-15 rifle and a muzzle flash is seen.



At around 19:34:06 (7:34:06 p.m.), Officer Look falls to the ground but continues to fire. He gets back up and fires in the direction of the shots being fired at him. Once Officer Look gets back up, he is not behind cover. However, he finds cover when more shots are fired at 19:34:19 (7:34:19 p.m.).







At 19:34:35 (7:34:35 p.m.), Sergeant Mayfield is seen on the ground with no cover around him, after being shot.



At 19:34:46 (7:34:46 p.m.), Officer Look is heard asking Sergeant Mayfield if he is okay. Officer Look approaches Sergeant Mayfield and in the distance the two subjects are down. Officer Look asks civilians for belt or a tourniquet.



After additional police units appear, Officer Look approaches Graham at 19:37:54 (7:37:54 p.m.), and then Kennedy.



As Officer Look passes Graham the black backpack that Graham was carrying which contained a handgun is seen as well the AR-pistol wrapped in a black sweatshirt.



Kennedy is then seen in the distance as Officer Look approaches him.



At 19:38:40 (7:38:40 p.m.), Officer Look approaches Kennedy with AR 15 still in his hands.



#### D. Evidence Collected

The following relevant evidence was collected and photographed at the scene of the shooting (outside):

- One black and gold "Aero Precision x 15" rifle containing:
  - One "LC-21" cartridge from chamber
  - One black and gold magazine (manufacturer capacity 30) containing:
    - 10 x "LC-21" cartridges
  - Collected near Kennedy (originally in Kennedy's hands).



- Seven (7) x "LC-21" unfired cartridges collected from the following locations:
  - Two (2) cartridges underneath Kennedy
  - One (1) cartridge near Kennedy
  - Three (3) cartridges from snow area near Kennedy
  - One (1) cartridge from snow area near Kennedy
- One black and brown "Glock" firearm collected near Kennedy (initially in Kennedy's waistband), containing:
  - 7 x "G.F.L 40 S&W" cartridges
  - 2 x "BLAZER 40 S&W" cartridges
  - 2 x "Federal 40 S&W" cartridges
  - 1 x "Winchester 40 S&W" cartridge
  - 1 x "WIN 40 S&W" cartridge
  - 1 x "POBJEDA 40 S&W" cartridge
  - 1 x "PERFECTA 40 S&W" cartridge
- One black "GLOCK" magazine with red staining found near Kennedy:
  - 1 x "F.C 9mm Luger" cartridge
  - 1 x "C.B.C 9mm Luger" cartridge
  - 1 x "Z.S.R 9mm Luger" cartridge
  - 1 x "Speer 9x19" cartridge
  - 1 x "WMA20" cartridge



- 18 "LC-21" fired cartridge casings fired by Kennedy from the black and gold "Aero Precision x 15" rifle following locations:
  - Three (3) from snow area west of Building E, near Kennedy
  - Six (6) from snow area west of Building E, near Kennedy
  - One (1) from snow area west of Building E, near Kennedy
  - Four (4) from snow area between Buildings D and E
  - Three (3) from snow area between Buildings D and E
  - One (1) from snow area west of Building E
- Two unopened "Winchester 5.56 mm" cartridge boxes collected from snow area west of Building E near Kennedy
- One black AR style pistol (firearm found in bushes near Graham wrapped in a shirt) containing:
  - One black drum magazine (manufacturer capacity 50) containing:
    - 40 x "G.F.L 223 REM" cartridges



- One Black “MCM” Backpack near Graham containing several miscellaneous items and the following:
  - White box containing a black and gold “VL” handgun in plastic wrap



- 15 "Speer 9mm Luger + P" fired cartridge casings fired by Sergeant Mayfield and located in the following locations:
  - Two (2) from snow area near eastern sidewalk, near RPD patrol vehicle #210368
  - Four (4) from snow area near eastern sidewalk, near RPD patrol vehicle #210368
  - Two (2) from snow area between Buildings D and E, near patrol vehicles #210368 and #200395
  - Two (2) from snow area between Buildings D and E, near patrol vehicles #210368 and #200395
  - Two (2) from snow area between Buildings D and E, near patrol vehicles #210368 and #200395
  - Three (3) from snow area between Buildings D and E, near patrol vehicle #200395
- 12 "FC-12" fired cartridge casings fired from Officer Look and located in the following locations:
  - Two (2) from rock area west of Building E
  - Four (4) from concrete area west of apartment 105, Building E
  - Four (4) from concrete area west of apartment 105, Building E
  - Two (2) from concrete area west of apartment 105, Building E
- 5 "FC-17" fired cartridge casings fired from Officer Look and located in the following locations:
  - One (1) from concrete area west of apartment 105, Building E
  - Three (3) from concrete area west of apartment 105, Building E
  - One (1) from rock area west of laundry Building

## **E. Autopsy**

The autopsy of Kennedy was performed by Washoe County Assistant Medical Examiner Dr. Henry McNett on January 9, 2023, at 9:03 a.m. The final Autopsy Report was issued on March 7, 2023. Dr. McNett determined that Kennedy's cause of death was multiple gunshot wounds. Specifically, the autopsy revealed the following: (1) a perforating gunshot wound to the right upper back (2) a penetrating gunshot wound of the right lateral neck (3) a penetrating gunshot wound to the left parietal scalp (4) a penetrating gunshot wound of the left upper chest (5) a perforating gunshot wound of the left posterior forearm. The order of the listed gunshot wounds is arbitrary and not meant to imply the order in which wounds may have been incurred, or the degree of severity. Toxicology results from Kennedy's blood sample revealed a Blood Alcohol Concentration (BAC) of .184 and positive findings for marijuana consumption.

## **III. CRIMINAL PROSECUTION**

Based on the investigation, WCSO submitted a criminal case to the Washoe County District Attorney's Office for prosecution of Graham. This office filed criminal charges against Graham and on June 7, 2023, Graham pled guilty to two counts of Felon in Possession of a Firearm, a category B felony. These charges were based on Graham's criminal history, which contained three prior felony convictions: two Assault with a Deadly Weapon and one for Felon in Possession of a Firearm. Graham did not provide a statement to the Department of Parole and Probation to be included in his Guilty Plea Memorandum.<sup>12</sup>

On August 14, 2023, the Honorable Kathleen Sigurdson sentenced Graham to the maximum aggregate sentence of a minimum term of imprisonment in the Nevada Department of Corrections for 56 months with a maximum term of 144 months.

## **IV. LEGAL PRINCIPLES**

The Washoe County District Attorney's Office is tasked with assessing the conduct of the officers involved and determining whether any criminality exists on behalf of the officers at the time of the shooting. Although Graham survived this officer involved shooting, to conduct the appropriate assessment the District Attorney's review is controlled by the relevant legal authority pertaining to justifiable homicides. This is because the analysis rests upon the decision to use deadly force, not the result.

In Nevada, there are a variety of statutes that define justifiable homicide. (See NRS 200.120, 200.140, and 200.160) There is also a statute that defines excusable homicide and one that provides for the use of deadly force to effect arrest. (See NRS 200.180 and NRS 171.1455) Moreover, there is case law interpreting justifiable self-defense and defense of others. All of the aforementioned legal principles are interconnected and warrant further detailed explanation:

---

<sup>12</sup> Graham was interviewed by WCSO Detective Stefanie Brady and SPD Detective Kyle Congdon on January 10, 2023. Detectives learned that Graham had been shot two times. While in the hospital, detectives attempted to speak to Graham regarding the January 8, 2023, incident; however, Graham refused to answer questions. Prior to electing not to speak to detectives, Graham indicated that he was "homeless", denying living at 1570 Sky Valley Drive, Apartment D103, despite evidence to the contrary.

## **A. The Use of Deadly Force in Self-Defense or Defense of Another**

NRS 200.120 provides in pertinent part that justifiable homicide is the killing of a human being in necessary self-defense, or in defense of a person, against one who manifestly intends or endeavors to commit a crime of violence. NRS 200.160 further provides in relevant part that “[h]omicide is also justifiable when committed... in the lawful defense of the slayer... or any other person in his or her presence or company, when there is reasonable ground to apprehend a design on the part of the person slain to commit a felony or to do some great personal injury to the slayer or to any such person, and there is imminent danger of such design being accomplished.”

The Nevada Supreme Court has refined the analysis of self-defense and, by implication defense of others, in Runion v. State, 116 Nev. 1041 (2000). In Runion, the Court set forth sample legal instructions for consideration in reviewing self-defense cases as follows:

The killing of another person in self-defense is justified and not unlawful when the person who does the killing actually and reasonably believes:

1. That there is imminent danger that the assailant will either kill him or cause him great bodily injury; and
2. That it is absolutely necessary under the circumstances for him to use in self-defense force or means that might cause the death of the other person, for the purpose of avoiding death or great bodily injury to himself.

A bare fear of death or great bodily injury is not sufficient to justify a killing. To justify taking the life of another in self-defense, the circumstances must be sufficient to excite the fears of a reasonable person placed in a similar situation. The person killing must act under the influence of those fears alone and not in revenge.

Actual danger is not necessary to justify a killing in self-defense. A person has a right to defend from apparent danger to the same extent as he would from actual danger. The person killing is justified if:

1. He is confronted by the appearance of imminent danger which arouses in his mind an honest belief and fear that he is about to be killed or suffer great bodily injury; and
2. He acts solely upon these appearances and his fear and actual beliefs; and
3. A reasonable person in a similar situation would believe himself to be in like danger.

The killing is justified even if it develops afterward that the person killing was mistaken about the extent of the danger.

If evidence of self-defense is present, the State must prove beyond a reasonable doubt that the defendant did not act in self-defense. If you find that the State has failed to prove beyond a reasonable doubt that the defendant did not act in self-defense, you must find the defendant not guilty.

Id. 1051-52.



## **B. Justifiable Homicide by Public Officer**

NRS 200.140 provides in relevant part that “Homicide is justifiable when committed by a peace officer . . . when necessary to overcome actual resistance to the execution of the legal process, mandate or order of a court or officer, or in the discharge of a legal duty” *and* “When necessary . . . in attempting, by lawful ways or means, to apprehend or arrest a person” and/or “in protecting against an imminent threat to the life of a person.”

## **C. Use of Deadly Force to Effect Arrest**

NRS 171.1455(1) provides that a peace officer shall use de-escalation techniques and alternatives to the use of force whenever possible or appropriate. These techniques and alternatives should be consistent with the officer’s training and include advisements, warnings, verbal persuasion, and other tactics. If it is necessary for a peace officer to use force, the officer must identify himself or herself if it is possible to do so safely and use only the level of force that is objectively reasonable under the circumstances to bring an incident or person under control and safely accomplish a lawful purpose. To the extent feasible, the level of force used by the officer must be balanced against the force or resistance exhibited by the person and carefully controlled.

NRS 171.1455(2) provides that a peace officer may use deadly force to effect the arrest of a person following a warning, if feasible, but only if there is probable cause to believe that the person has committed a felony which involves the infliction or threat of serious bodily harm or the use of deadly force; or, the person poses an imminent threat of serious bodily harm or death to the peace officer or others.

## **V. ANALYSIS**

On January 8, 2023, the use of deadly force upon Kennedy and Graham was justified based upon the imminent danger Kennedy and Graham posed to Sergeant Mayfield and Officer Look. The danger presented was corroborated by witness interviews, BWC footage, evidence collected at the scene, and evidence collected from apartment D301.

The evidence shows that police were called to Building D due to suspicious activity occurring involving a gunshot and someone trying to enter another’s apartment. When officers arrived, unsure of all the facts of the call for service, they encountered a battered Doyle who was screaming and attempting to re-enter apartment D301 - Kennedy and Graham’s apartment. Upon consensually entering apartment D301 with Doyle, officers saw numerous weapons, despite being told no such weapons existed. Upon leaving the apartment, officers were told about another dangerous incident that had also occurred at the apartment complex involving a shooting in the parking lot outside of Building D. Officers suspected that these incidents may be related thus they continued to further investigate and wait to see whether any activity occurred in D301.

Upon seeing movement in the bedroom where the firearms were located and then seeing Kennedy and Graham exit the apartment, Sergeant Mayfield exited his patrol vehicle to further investigate the dangerous situations reported. When realizing that Kennedy and Graham were carrying guns in their hands, Sergeant Mayfield identified himself as RPD and made the appropriate commands for them to stop. Graham and Kennedy both possessed multiple firearms and did not heed Sergeant Mayfield's commands. In fact, within seconds of making those commands, Sergeant Mayfield was fired upon and shot.

In that moment, Sergeant Mayfield faced imminent danger of great bodily harm or death. It was absolutely necessary for him to use deadly force to protect himself and others. Sergeant Mayfield's injuries are proof of the irrefutable evidence that Kennedy and Graham posed an imminent danger to Sergeant Mayfield, Officer Look, and the public in the area.

Officer Look immediately became aware of the dire situation based on the information already obtained in the investigation and upon hearing gunshots. Once Officer Look came around the corner near the laundry room, he heard more gunshots and saw muzzle flashes pointed in his and Sergeant Mayfield's direction. In that moment, Officer Look faced imminent danger of great bodily harm or death. It was absolutely necessary for him to use deadly force to protect himself, Sergeant Mayfield, and others.

After the activity stopped, FIS and Officers located numerous firearms, ammunition, fired cartridge casings, and unfired cartridge casings. The evidence shows that Kennedy was lying in a prone position and fired an AR-rifle at Sergeant Mayfield and Officer Look 19 times. Furthermore, he had an additional firearm and ammunition on his person. Graham possessed an AR-pistol with a drum magazine containing 40 rounds and another handgun when he disobeyed Sergeant Mayfield's commands to stop, and Kennedy began firing upon the officers.

## **VI. CONCLUSION**

Based on the review of the entire investigation presented and the application of Nevada law to the known facts and circumstances surrounding the January 8, 2023, officer involved shooting of Scott Kennedy and Jeremiah Graham, the actions of Sergeant Mayfield and Officer Look were absolutely warranted and justified under Nevada law. Unless new circumstances come to light which contradict the factual foundation upon which this decision is made, the District Attorney's review of this case is officially closed.