

**OFFICE OF THE WASHOE COUNTY
DISTRICT ATTORNEY**

July 8, 2022



REPORT ON THE MAY 5, 2020, OFFICER INVOLVED
SHOOTING OF JOSEPH PATRICK WILLIAMS

CHRISTOPHER J. HICKS

WASHOE COUNTY DISTRICT ATTORNEY

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INTRODUCTION

Just after midnight on May 5, 2020, Joseph Patrick Williams ("Williams") drove his lifted 1976 Chevrolet truck to the ampm ARCO gas station located at 1701 Victorian Avenue, Sparks, Washoe County, Nevada. After parking his truck, Williams entered the gas station, walked to the beer cooler in the back of the store, and took a can of beer and another beverage from the cooler. Williams approached the counter, talked to the cashier, and exited the store without paying for the items.

Williams got into his truck and re-parked it next to another vehicle in the parking lot. Williams then poured an unknown liquid into the gas tank of the other vehicle. The owner of the vehicle, who was inside the gas station, called the police to report that Williams was "vandalizing" his vehicle. The clerk at the store also reported the stolen alcohol at the same time. Williams was described as a male in his late twenties, approximately 6 feet tall, and wearing a black sweatshirt, red shorts, and driving a gray and black truck.

On May 5, 2020, at approximately 12:10AM, Officer Charles Colborn of the Sparks Police Department ("SPD") responded to the ampm ARCO gas station in his marked SPD patrol vehicle and located Williams' truck, which was parked at a gas pump. Upon activating his overhead lights, Williams immediately drove away and headed southbound on Rock Boulevard. Officer Colborn then activated his sirens in addition to his lights. Williams turned west onto Hymer Avenue, where he briefly stopped his truck, and drove off again. SPD Officer Vern Taylor, who joined in the pursuit, heard Williams' truck backfire or a shot fired, and he communicated that information over the radio.

Williams turned onto 21st Street and headed southbound until he turned east onto Glendale Avenue. Williams ran a red light at the intersection of Glendale Avenue and Rock Boulevard. Williams continued fleeing from officers until he turned onto Dermody Way, which is a dead-end road surrounded by a fence in an industrial area with warehouses. Numerous additional SPD officers responded to Dermody Way.

Williams stopped at the dead end and began talking to officers who were commanding him to exit his truck. Williams would not exit his truck, but instead invited officers to meet with him at

the driver's side door. Officers attempted to negotiate with Williams for approximately eleven minutes. Throughout the encounter Williams revved his truck engine and became more agitated.

After the eleven-minute standoff, Williams placed his truck in gear and drove through the fence separating the dead-end road from the industrial warehouses. He drove a short distance, made a U-turn, and drove head-on towards the pursuing officers. Williams avoided hitting any officers and made it back to Glendale Avenue where he drove eastbound.

SPD Officer Arik Sitton attempted a pursuit intervention technique ("PIT maneuver"), which is a police pursuit tactic where a police vehicle attempts to strike a target vehicle to stop it from fleeing. Officer Sitton's PIT maneuver caused Williams' vehicle to spin out but did not prevent him from continuing to flee from officers. Williams ran another red light at the intersection of Glendale Avenue and McCarran Boulevard.

Officers attempted several more PIT maneuvers, but Williams' erratic driving behavior thwarted their efforts. Williams reached the end of Glendale Avenue, which consists of a turn connecting Glendale Avenue to Meredith Way, but he missed the turn. Instead of making the turn, Williams drove through a parking lot and landscaped embankment where he made it to Kleppe Lane.

Williams proceeded from Kleppe Lane to Greg Street, and eventually drove onto Interstate-80 ("I-80") eastbound. Williams entered I-80 from Greg Street near Vista Boulevard. His headlights were not illuminated. On I-80, Williams maintained fluctuating speeds around 65 miles per hour and swerved from lane to lane.

SPD Officers contacted the Nevada Highway Patrol ("NHP") and arranged for a Trooper to place spike strips on I-80 at exit 32 to end the pursuit. The deployment was successful. Williams drove over the spike strips, as did one of the pursuing officers, and his vehicle began to slow. Officers attempted another unsuccessful PIT maneuver.

Williams exited the freeway at exit 36. He crossed over the freeway and entered I-80 westbound, but then turned around and

drove eastbound in the westbound lanes. He drove over the median to head eastbound in the eastbound lanes.

Officer Colborn attempted another PIT maneuver, but Williams tried to ram him. SPD Lieutenant Chris Rowe was driving a large, unmarked SPD truck and attempted a final PIT maneuver, which was successful. The PIT maneuver caused Williams to spin out into the I-80 center median in the area of Derby Dam Road and created a large dust cloud consisting of dirt and debris that limited visibility.

As Williams' vehicle spun out, Officer Colborn thought he was going to be struck by William's truck as he heard the truck's engine racing and saw it coming straight for him. Williams attempted to drive into SPD Officer Mateo Terrasas' marked police car. SPD Officer Nathan Janning's patrol vehicle pinned Williams' driver's side door and Officer Terrasas pinned Williams' passenger side door.

Williams continued trying to drive as his back tires spun. Officer Colborn thought that Williams was trying to run over officers. He also feared for the safety of the public if Williams got away. This fear was shared by multiple officers on scene. Officer Colborn fired his weapon at Williams' truck. SPD Officers Gibson, Janning, Taylor, and Terrasas also fired their weapons contemporaneously with Officer Colborn. Over seventy rounds were fired between the five officers. The entire pursuit from the ampm ARCO gas station until the time of the shooting lasted approximately 42 minutes.

Williams was struck twice and survived. While being treated at Renown Regional Medical Center, medical staff removed a bullet projectile from Williams' left bicep area near his armpit and another bullet projectile was removed from the back of his neck at the base of his skull.

On August 9, 2021, Williams was sentenced to prison for his conduct that night.

Consistent with the regionally adopted Officer Involved Shooting ("OIS") Protocol, the Washoe County Sheriff's Office ("WCSO") led the investigation into the shooting of Williams. The Reno Police Department ("RPD") provided secondary investigative support, and the Washoe County Sheriff's Office Forensic Science Division ("FIS") provided forensic services. The Washoe County

District Attorney's Office provided assistance in obtaining search warrants and seizure orders in this case.

The investigation included interviewing witnesses; collecting physical evidence from the shooting scene, the pursuit, and Williams' truck; photographing the scene of the Dermody Way standoff, the location of the shooting and seized evidence; forensically testing collected evidence; examining and analyzing the firearms used; canvassing the area for video footage; reviewing the involved officers' body worn cameras ("BWCs") and dash cameras; reviewing medical records of Williams; interviewing witnesses, which included all of the officers that fired their weapons and others on scene; and reviewing the police reports associated with the case.

Upon completion of the investigation, all police reports along with available FIS forensic reports, collected documentation, photographs, witness statements, recorded audio and video of the incident by way of BWCs, dash cameras, dispatch recordings, and recorded interviews were submitted to the Washoe County District Attorney's Office on January 26, 2021, along with an additional FIS report on May 5, 2021, for a final determination of whether the shooting of Williams was legally justified.¹ WCSO did not recommend any criminal charges against SPD Officers Colborn, Gibson, Janning, Taylor, or Terrasas.

The District Attorney's evaluation included reviewing over eleven-hundred pages of reports and documents, which included interviews of police and civilian witnesses; review of the provided photographs, and numerous video and audio recordings from the BWCs and dash cameras. This report follows.

Based on the evidence and the applicable legal authorities, it is the opinion of the District Attorney that the shooting of Williams by SPD Officers Colborn, Gibson, Janning, Taylor, and Terrasas was justified and not a criminal act.

¹ While the Washoe County District Attorney's Office received the initial submission of investigation on January 26, 2021, WCSO submitted an additional FIS report relating to a trajectory analysis on May 5, 2021. Review of the investigation for purposes of this Report did not commence until August 9, 2021, which is the day Williams was sentenced and his criminal case concluded.

I. STATEMENT OF FACTS²

A. Initial Call for Service at ampm ARCO Gas Station

On May 5, 2020, Williams entered the ampm convenience store located at the ARCO gas station at 1701 Victorian Avenue, Sparks, Washoe County, Nevada.³ Williams arrived in a black and gray 1976 Chevrolet lifted pickup truck and parked on the north side of the store. Williams entered the store, walked to the beer cooler and took a can of beer and another beverage from the cooler. The clerk thought Williams took two cans of Sam Adams beer. Williams approached the cashier, placed the items on the counter and motioned to the clerk that he is taking the items. Williams stated to the cashier that the customer in front of him would pay for the beer and that he would "pass it on." The customer ignored Williams. Williams walked out of the store and towards his truck. A customer in line followed Williams out of the store. The customer then re-entered the store and paid for Williams' beer.

Outside of the store, Alejandro Aguirre-Ramirez parked his black 2000 Pontiac at a gas pump. Mr. Aguirre-Ramirez and his passenger went into the store. Williams backed his truck out of his parking spot and parked next to Mr. Aguirre-Ramirez's Pontiac. Williams then approached the Pontiac and poured a liquid into the gas tank. He then went back to the driver's seat of his truck, walked back to the Pontiac, and poured something else into the gas tank. Williams got back into his truck, pulled forward, and then stopped. He opened the hood of his truck, walked back and forth, then stood near the rear of the truck and smoked a cigarette.

² The Statement of Facts is synopsised from all the materials provided to the Washoe County District Attorney's Office at the conclusion of WCSO's and RPD's investigation.

³ The investigation also included follow up with Lisa Garrison ("Garrison") who was in a dating relationship and has a child in common with Williams. SPD Detective Shawn Congdon and SPD Sergeant Danny James interviewed Garrison and learned that Williams had stayed the night at her apartment on April 30, 2020, and that she kicked him out on May 1, 2020. She stated that Williams called in sick to work the morning of May 1, 2020, and she thought Williams was "fucked up." She is aware that Williams uses methamphetamine, and he does "crazy shit." The last time she saw him was the morning of May 3, 2020, when he drove by her apartment. Garrison texted Williams and asked why he was driving by her apartment. He responded by asking for a car back that he gave Garrison in exchange for not paying child support.

Mr. Aguirre-Ramirez called the police and reported that his vehicle was being vandalized.⁴ Since Mr. Aguirre-Ramirez did not know the address of the ampm, the clerk spoke to dispatch and provided additional information about the location and Williams stealing drinks. Williams was described as a male, approximately six feet tall, in his late twenties, with a medium build, and last seen wearing a black sweatshirt and red shorts. Williams was described as driving a gray and black truck.

At approximately 0010 hours, SPD Officer Charles Colborn was dispatched to the ampm based on the report that a suspect stole two drinks from the ampm and was actively vandalizing a vehicle parked at the gas station by pouring liquid into the gas tank from one of the stolen drinks. Officer Colborn located Williams in his truck, bearing Nevada license plate NV PL2919, at a gas pump at the ampm ARCO gas station.

Officer Colborn pulled in behind Williams' truck, activated his overhead lights, and exited his marked patrol vehicle. Williams then drove off. A lengthy pursuit ensued with multiple marked units from SPD with their lights and sirens activated in which Williams ran multiple red lights, sped, evaded numerous PIT maneuvers, ignored officers' commands to comply, participated in an eleven minute stand-off at a dead end road, drove through a fence, attempted to lure officers out of their patrol cars before eluding again, drove through landscaping, swerved all over the road, drove the wrong way on I-80, tried to ram an officer with his truck, and other erratic behavior. Officers eventually stopped Williams with a successful PIT maneuver in the center median of I-80 where officers, in fear for their lives, the lives of other officers, and innocent bystanders, fired their weapons at Williams' truck.

⁴ On June 8, 2020, Detective Krista Murray followed up with Alejandro "Alex" Aguirre-Ramirez and confirmed that a liquid that smelled like beer was poured into his gas tank by Williams that night, which resulted in his vehicle stalling on his way home from ARCO that night and damage to his vehicle's fuel filter and fuel pump. Video surveillance from ampm confirms that Williams got out of his truck, approached the vehicle, poured something into the gas tank, went back to his truck, and then poured another liquid into Aguirre-Ramirez's gas tank. Mr. Aguirre-Ramirez was out of pocket over \$1,600 in repair and expenses related to Williams damaging his car. Aguirre-Ramirez stated that he stayed inside the gas station because he thought that Williams was dangerous.

Williams' conduct after fleeing from Officer Colborn breaks down into three separate acts that will be more fully described below, which include (1) his erratic behavior and driving pattern during the pursuit, (2) the standoff at the end of Dermody Way, and (3) the shooting that occurred in the center median of I-80 that ended the pursuit. The following sections further detail each of the events.

B. Witness Accounts of the Pursuit, Standoff at Dermody Way and Shooting

1. SPD Officer Charles Colborn

At the time of the shooting, Officer Charles Colborn had been employed by SPD for 5 years. On May 5, 2020, WCSO Detective Stefanie Brady and RPD Detective Chad Crow interviewed Officer Colborn. The following is a summary of Officer Colborn's interview with Detectives Brady and Crow.

On May 5, 2020, Officer Colborn was working his normal shift as a patrol officer from 9:00PM to 7:00AM. That night, Officer Colborn was wearing his standard blue SPD uniform with an outer carrier vest containing handcuffs, a taser, metal SPD police badge, name badge, two SPD patches, and a yellow "Police" patch. Officer Colborn also wore his duty belt with his firearm, which was a Glock 17 with a tactical light, and a flashlight. Officer Colborn carries his firearm with a seventeen round magazine and two additional seventeen round magazines. Officer Colborn loaded his magazines with department issued ammunition. He also wore a department issued BWC that he activated during the incident. Officer Colborn drove a department issued Chevrolet Caprice with SPD insignia, functioning lights, sirens, and dash camera.

After midnight on May 5, 2020, Officer Colborn responded to a larceny call for stolen alcohol at the ampm Arco gas station located at 1701 Victorian Avenue in Sparks. As Officer Colborn pulled up to the gas station and began to exit his vehicle, he identified a male matching the description of the suspect, later identified as Williams, getting into a truck. Officer Colborn got back into his car, activated his emergency lights, and heard Williams start the truck and drive south on Rock Boulevard and

then turn west onto Hymer Avenue. He then activated his sirens as well.

SPD Officer Vernon Taylor caught up with Officer Colborn as Williams failed to yield to their lights and sirens. Williams abruptly stopped his truck on Hymer Avenue. Officers Colborn and Taylor got out of their vehicles, believing that Williams would be compliant, but Williams placed the truck in gear and drove off again. Officer Colborn did not know whether Williams was "trying to bait [them] or something" by stopping and taking off.

Officers Colborn and Taylor continued pursuing Williams as he proceeded through a red light on Glendale Avenue. Williams abruptly stopped again and Officer Colborn thought he was being baited because he did not understand what Williams was doing. Officers Colborn and Taylor got out of their vehicles again, and Williams took off eastbound on Glendale Avenue. Officer Colborn estimated that Williams' speeds reached fifty to sixty miles an hour as he ran another red light on Rock Boulevard. Williams abruptly slowed down, turned left down Dermody, which Officer Colborn knew was a dead-end street.

Williams stopped at the end of Dermody Way and Officers Taylor and Colborn exited their vehicles and pointed their weapons at Williams who was still inside his vehicle. Officer Colborn stated that "he didn't really know what's gonna happen at that point." Officers Colborn and Taylor yelled at Williams that they needed to talk to him, and he stuck his hands out of his truck several times and continued reaching around the vehicle. Officer Colborn recalled a strange comment made by Williams that "he had been asking for help for the last few days and that we haven't helped him." Officer Colborn offered help, but Williams refused. Other officers began arriving on scene.

Officer Colborn thought that Williams might have a weapon because he kept reaching around inside the vehicle. Earlier in the pursuit he heard somebody say over the radio that there may have been a gunshot and "it sounded like a gunshot. I thought it was like a backfire" because he saw black smoke coming out of the exhaust. He told other officers that he thought it was a backfire, but he was not sure after watching Williams acting

erratically and reaching around the vehicle while parked at the dead end on Dermody Way.

Officer Colborn stated that Williams kept asking officers to "come to my door and talk man to man with me," but it was not something that could be done under the circumstances. Officer Colborn felt that he was being baited because Williams continued to reach around the car while asking officers to approach. Williams eventually became upset and stopped talking to officers.

Officer Colborn heard Williams rev the truck engine and heard Williams say something to the effect that he was going to go through the fence. Officer Colborn heard Williams shift the truck into gear while revving the engine and drive through the gate. Williams had nowhere to go after driving through the gate, so he turned around, and nearly hit SPD Lieutenant Chris Rowe's vehicle while traveling head-on towards him. Officer Colborn stated "Lieutenant Rowe had nowhere to go so he's...him and the suspect were head on, so it looked like he was gonna head on Lieutenant Rowe. Lieutenant Rowe um...got over enough for him to scoot by um...so it was a near collision."

Williams continued fleeing down Glendale Avenue, and an SPD officer attempted another PIT maneuver that did not disable the truck. Officers attempted another PIT maneuver as Williams continued driving erratically to avoid officers. As Williams approached a red light on McCarran Boulevard, he "blew through the light." Officer Colborn observed Williams continue to travel at a high rate of speed and drive through a parking lot and through landscaping.

Officer Colborn observed Williams get onto I-80 and, "he's kinda just all...all over the road, number one and two lane." Officer Colborn stated that speeds were too high to attempt more PIT maneuvers, but he heard somebody request spike strips from NHP. Williams acted like he was going to swerve off the freeway at one of the exits but continued traveling eastbound on I-80.

Williams hit the spike strip and continued driving as his passenger tires deflated and sparks began to fly. Officer Colborn felt speeds were still too fast for another PIT maneuver for the safety of officers and Williams. Officer Colborn did

not recall the exact exit, but he observed Williams abruptly exit I-80 and try to go westbound on I-80. Officer Colborn thought that Williams was going to head westbound on I-80 while in the eastbound lanes. Officer Colborn heard Lieutenant Rowe instruct officers to put an end to it as Williams tried to drive the wrong way.

Officer Colborn attempted another PIT maneuver after seeing Williams drive the wrong way on I-80. However, Williams intentionally tried to ram Officer Colborn as he approached by swerving into his lane. Officer Colborn saw Lieutenant Rowe successfully PIT Williams' truck, which spun out of control and stopped in the center median. Dirt and rocks obstructed Officer Colborn's view of the truck. Officer Colborn heard the truck's engine racing and saw it coming straight for his car. Officer Colborn had nowhere to go and stated, "I just sat there and thought he was going to ram me." Williams crashed into two patrol vehicles. Officer Colborn got out of his car and saw that Williams had pinned two cars. Officer Colborn pulled out his weapon as Williams continued spinning his tires and fired his weapon.

Officer Colborn said: "I thought he was trying to run over some officers that fired...cause at that point we tried to PIT him, we tried verbal commands and that point I...felt he was intentionally trying to kill one of us and if he got away from us he...was so erratic I thought he woulda um...killed a citizen or something like that, so at that point I fired my weapon trying to...stop the pursuit, stop him cause if we let him get out he was gonna...hurt somebody."

Officer Colborn shot one entire magazine towards the truck and then loaded another one while Williams was held at gunpoint. Officer Colborn stated he fired his weapon because Williams "just wasn't stopping and I just, I knew at that point um...he was trying to run over officers, intentionally hitting cars. Um...we had already went from verbal to a PIT maneuver to a spike strip and he wasn't stopping and at that point I...I...I felt we exhausted all options and we needed him to stop... We needed to get him stopped because he's gonna hurt or kill somebody."

Officer Colborn believes he heard someone call out to stop firing but could not recall. At some point, Williams' truck

turned off and officers attempted to take him into custody. Officer Colborn heard officers give verbal commands for Williams to exit the vehicle and he continued to make erratic movements in the vehicle.

Officer Colborn heard SPD Sergeant Chris Bare ask for someone to use 40mm sponge rounds to break the truck's rear window as a less lethal means to assist in getting Williams out of the vehicle; however, the rear window was made of plexiglass, and the 40mm sponge rounds did not break it.

As an alternative way to get Williams out of the truck, Officer Terrasas' patrol vehicle, which was pinning the passenger side door of the truck, was moved and officers approached with a ballistic shield. Officer Colborn recalls Williams continuing to be uncooperative, but eventually going to the ground as directed. Officer Colborn observed Williams bleeding from his head and saw blood on his shirt.

At the direction of Sergeant Bare and with the assistance of another officer, Officer Colborn placed handcuffs on Williams and used metal shears to cut Williams' clothes so that they could render medical aid. At that time, SPD Sergeant John Vasquez pulled Officer Colborn off the scene and told him that he would no longer be involved.

2. SPD Officer Austin Gibson

At the time of the shooting, Officer Austin Gibson had been employed by SPD for two and a half years. He worked as a patrol officer in Kansas for three years prior to beginning at SPD. On May 6, 2020, WCSO Detective Joseph Aceves and RPD Detective Chad Crow interviewed Officer Gibson. The following is a summary of Officer Gibson's interview with Detectives Aceves and Crow.

On May 5, 2020, Officer Gibson worked his 9PM to 7AM graveyard shift, which he worked Monday through Friday as a patrol officer. That night Officer Gibson wore his SPD issued uniform with police badges, patches, and a BWC. He also wore a duty belt with a Smith and Wesson 9mm handgun loaded with 17 rounds in the magazine and one in the chamber, along with two additional loaded 17 round magazines. Officer Gibson drove a marked SPD Chevrolet Caprice sedan.

That night Officer Gibson was assisting with another officer involved shooting when he heard Officers Taylor and Colborn over the radio attempting to stop a vehicle that would not pull over. Officer Gibson proceeded to their location near Rock Boulevard with his lights and sirens activated and heard that either the vehicle backfired or that shots were fired. Officer Gibson then went to the end of Dermody Way when he heard that the vehicle stopped there.

When Officer Gibson arrived at Dermody Way, he saw Williams' truck parked and Williams inside the vehicle. Officer Gibson gave commands for Williams to get out of his truck, but he failed to comply. Officer Gibson observed Williams yelling back at officers and moving around and reaching down in his truck while "becoming increasingly agitated." Officer Gibson heard Williams rev his truck engine, which made Officer Gibson "worried at that point that he was going to backup into officers."

Officer Gibson continued to command Williams to turn off the vehicle, but he put his truck in gear and accelerated through a gate at the end of Dermody Way. Officer Gibson and other officers pursued Williams through the fence when he observed Williams make a U-turn, which put him traveling back towards officers. Officer Gibson made a U-turn as well and Williams stopped his truck near Officer Colborn's patrol vehicle. Officer Gibson exited his vehicle. Williams drove off again and officers pursued him. Officer Gibson was not at the forefront of the pursuit, but he heard that Williams was on Glendale Avenue and that officers attempted several PIT maneuvers. Since Officer Gibson was not at the front of the pursuit, he decided to block intersections in case of any traffic so that they would not be involved in the pursuit.

Officer Gibson heard over the radio that Williams was heading towards I-80 and that spike strips were successfully deployed on the interstate. He was aware that Williams tried to ram Officer Colborn. He also heard that Williams exited the freeway. Officer Gibson saw Williams "going westbound in the eastbound lanes straight towards...towards me and other officers." As he saw "him coming towards us, I saw him ramming other police vehicles..."

Officer Gibson observed Williams' truck in the center median with dirt and dust in the air obscuring his view. Officer Gibson saw that Williams' truck rammed two other patrol vehicles, including a marked SPD Dodge Charger belonging to Officer Janning that Williams had driven over. Williams' truck was stuck on top of Officer Janning's front end.

Officer Gibson stated: "it looked like he hit Janning's car; looked like he was driving over the top of Janning's car, so I knew I was the next car there on...on uh...I-80 and I was afraid that he was gonna...if he'd go over Janning's car, which is a Charger, mine's lower than his car, I was afraid that he was gonna drive over the top of mine, straight through my windshield and crush me. So I jumped outta my car, ran to the back of my vehicle, um...so I look down and I saw Janning on the ground. I wasn't sure if anybody had been struck by him, um...Janning had his weapon out."

Officer Gibson stopped in front of Williams' truck and was in fear as Williams continued to rev his truck engine in an effort to free it from the Dodge Charger, which he had rammed. Officer Gibson feared that if Williams broke free he would run over Officer Gibson's patrol vehicle and crush him. Officer Gibson believed Williams had every intention of causing harm.

He stated "so I believe due to his behavior and due to my training and experience that if he...he got off those vehicles he was gonna try and to...to kill me or Janning; run us over or he's gonna try and run over any other officer on scene or he's gonna go down the road and go head on with uh...other responding officers or civilian vehicles and kill them. Um...due to that I believe he was an imminent threat, and I fired my duty weapon into the driver's side of his vehicle." At this time, Williams' truck tires were spinning and throwing up dust as if he was trying to get free to run into him or other officers.

Officer Gibson does not recall how many rounds he fired, but he changed his magazine, placed it in his pocket, and reloaded his firearm. He stopped firing once he did not see any movement in Williams' truck even though it was still accelerating, and the tires were spinning. Officer Gibson could still hear the truck engine revving.

Officers then attempted to use 40mm less lethal projectiles to shoot out the rear window of the truck, but he heard that the window would not break. Officer Gibson observed a marked SPD SUV move from the truck's passenger side in order to allow the truck door to open. Officer Gibson assisted officers with placing Williams into handcuffs. Officer Gibson was then removed from the scene due to his involvement in the shooting.

3. SPD Officer Nathan Janning

At the time of the shooting, Officer Janning was employed by SPD as a police officer and assigned to the SWAT team for the past three years with two years of experience as a SWAT sniper. He trained regularly on situations involving barricaded subjects. RPD Detective Javier Lopez and WCSO Detective Stephanie Brady interviewed Officer Janning on May 5, 2020. The following is a summary of Officer Janning's interview with Detectives Lopez and Brady.

On May 4, 2020, Officer Janning was working his regular Monday through Friday swing shift schedule from 2PM until midnight. On that day, he was wearing his patrol uniform, carrier vest, duty belt, and visible police badges on the front and back of his duty uniform.

On May 4, 2020,⁵ as Officer Janning concluded his shift, he heard a call over the radio that involved a suspect barricaded in a truck, so he decided to respond to the call based upon his SWAT training, which included dealing with barricaded subjects. As he responded, Officer Janning heard over the radio that either Williams' truck backfired or shots were fired. Officer Janning arrived at Dermody Way where he saw Officer Sitton, who he knows is a trained hostage negotiator, and Officer Taylor, who is another member of the SWAT team. Officer Janning observed Williams leaning out of his truck talking to officers. Officer Janning decided to provide cover to Officer Sitton when a supervisor on scene requested the use of a less lethal option.

⁵ The officer involved shooting occurred on May 5, 2020. That night, Officer Janning was concluding his 2PM to midnight shift. His shift carried over from the late-night hours of May 4, 2020, until May 5, 2020, to assist in this matter.

Officer Janning then grabbed a 40mm less lethal weapon from Officer Butler's truck. Williams refused to step out of his truck and asked officers to come to his window, which is not something they would do for officer safety reasons. Officer Janning observed Williams rev his truck engine and threaten to drive through the gates at the end of Dermody Way. Williams then drove through the fence when Officer Janning heard that Williams had turned around and was proceeding back out through the gate he just drove through. Officer Janning thought "based on his erratic behavior he was gonna ram into Vas...Sergeant Vasquez's vehicle..." Williams drove by Officer Janning and asked "are they gonna have a conversation now" or "are we gonna talk now," but Williams drove off. Officer Janning was at the end of the pursuit at this time.

Officer Janning was instructed to block off some of the roads as the pursuit continued and he lost sight of the chase. Officer Janning rejoined the pursuit once Williams got onto I-80, and he purposefully stayed in the back to prevent civilians from catching up to the pursuit. Officer Janning heard that spike strips were successfully deployed, but a subsequent PIT maneuver was unsuccessful. At this time, the pursuit slowed down and Williams exited the freeway, went over the overpass and entered the westbound lanes of I-80. Williams then did a U-turn and began traveling eastbound in the westbound lanes.

Officer Janning observed Lieutenant Rowe attempt a PIT maneuver that Williams accelerated out of and began traveling head on at officers. Officer Janning then was able to ram Williams' truck in an effort to "put an end to this dangerous situation for the public..." This caused Officer Janning to drive underneath Williams' truck and high center the truck on his hood. Officer Janning then knew that he was in danger being underneath the truck. He exited his vehicle and saw Williams try and accelerate towards officers in their marked police vehicles. Officer Janning "was afraid that he was...if he was able to gain traction or those rear wheels were able to get traction on my vehicle and go over the top of it, he was gonna go straight into that officer and any other officers that were over there, break out of it and continue to drive off and endanger the public as he already done in a horrific manner." Officer Janning feared

for the safety of the other officer and knelt by his police car and discharged his firearm towards the truck.

Officer Janning recalls firing 8 to 12 rounds and Williams still trying to accelerate off his police car. Officer Janning said he fired an additional 3-5 rounds. Officer Janning stated:

"I was afraid for the officer that was parked there that I saw in it...right there that if he was able to accelerate through it he was going right into them and that's when I fired a volley of eight to twelve rounds into the driver's door from right outside of my driver's door. Um...I remember thinking that he had driven right into the middle of us, basically rammed right through the group of us until I had um...been able to stop his vehicle at least momentarily."

He further stated that he saw "Officer Austin Gibson was in the car that was nose to nose with the suspect vehicle and that was the vehicle that I'd see was...that's...that was my primary concern was he was gonna get ran over, hurt, killed whatever if the suspect was able to drive off." Officer Janning conducted a tactical reload but did not fire his weapon again.

Officer Janning heard Officer Taylor mention that the suspect was still moving. Officer Janning grabbed a pry bar in case it was needed to access the truck, and he was also concerned about Williams barricading himself once again. At that time, 40mm less lethal rounds were unsuccessfully fired at the truck. Eventually, Officers apprehended Williams and medics provided aid.

4. SPD Officer Vern Taylor

At the time of the shooting, Officer Taylor had been employed by SPD for four years, assigned to the patrol division, and also a member of the SWAT team. On May 6, 2020, RPD Detective Jason Daniels and WCSO Detective Joseph Aceves interviewed Officer Taylor. The following is a summary of Officer Taylor's interview with Detectives Daniels and Aceves.

On May 5, 2020, Officer Taylor was working his regularly scheduled graveyard shift that he works Sunday through Thursday. He was wearing his SPD issued uniform with SPD patches, duty belt, and SPD hat. On that night, Officer Taylor responded to

the ampm ARCO gas station in Sparks on Victorian Avenue relating to a larceny call. Dispatch provided a description of the suspect, who was later identified as Williams. As Officer Taylor arrived, he saw Officer Colborn pursuing the truck south on Rock Boulevard. He turned on his lights and sirens to assist Officer Colborn.

Officer Taylor observed Williams stop his car in the middle of the road on Hymer Avenue, which he thought "was odd." Officer Taylor then heard a loud bang. He was unsure whether it was a gun shot, but he did not see any bullet holes in his window. He heard Officer Colborn say he thought the truck backfired. Officer Taylor broadcast over the radio that he was not sure whether he heard gunfire or that the truck backfired. Williams then drove off and headed east on Glendale Avenue. Williams, once again, stopped his vehicle in the middle of the road. Officer Taylor thought Williams' car died. Officers began giving Williams commands, but "all of a sudden the truck starts up again and it takes off...it almost sounds like a monster truck."

While chasing Williams, Officer Taylor heard that he had a criminal history that included battery with a deadly weapon and eluding. Officer Taylor noted that "speeds never got crazy." Williams swerved onto Dermody Way, which is an area Officer Taylor knew would box in Williams and that the area had a fence around it. When Williams stopped, Officer Taylor got out of his vehicle along with Officer Colborn, and they began giving Williams commands. Williams was asking officers if they remembered an incident that occurred a few weeks earlier at the Rainbow Market and asked about juveniles tampering with his vehicle. Williams kept inviting officers to the window of his truck. Officer Taylor observed Williams' demeanor go from calm to agitated. Officer Taylor thought Williams was under the influence or having a mental breakdown. At one point, Williams was hanging out of his window holding his ID out to officers with both hands. Other officers arrived on scene. Based on Williams' behavior, Officer Taylor wondered if "this guy [is] gonna come out with a gun or what's happening? And then he starts to bait us to come to the door."

Officer Taylor heard Williams continue to rev his engine. He thought Williams was "gonna run over us and [Officer Colborn] drives a Caprice and I'm like this trucks gonna go right over the front of this car and kill us both." Officer Taylor retrieved his rifle from his truck when Williams drove through the fence, made a U-turn, and drove back towards Dermody Way. Officer Taylor saw parts of Williams truck fly off as he drove through the fence.

Officer Taylor heard over the radio that Lieutenant Rowe attempted another unsuccessful PIT maneuver. At this point, Officer Taylor was right behind Officer Butler who was behind Williams. Williams continued swerving back and forth and ran a red traffic light.

Officer Taylor saw Williams drive through a private business on Franklin Way and through a landscaped embankment. Officers avoided driving through the embankment and caught up with Williams on Kleppe Lane. Williams proceeded towards I-80.

As Williams got on I-80, NHP successfully deployed spike strips near USA parkway. Officer Taylor heard that Williams' tire was deflating. Officer Taylor saw Officer Butler braking, which caused the Bearcat (an armored SWAT vehicle driven by Sergeant Jason Edmonson) to nearly rear end Officer Butler. Officer Taylor, who was now several car lengths behind in the pursuit, pulled to the front to try another PIT maneuver. Officer Taylor heard that Williams exited the freeway and was driving in the wrong direction. Officer Taylor thought "this guy's gonna head on someone and we're gonna have multiple deaths and we had opportunities that we thought we could get this done and this is just gonna end terribly." Officer Taylor then saw Williams make a U-turn and begin heading in the correct lane on I-80. He heard Officer Colborn advise that the suspect tried to ram him.

Officer Taylor saw Williams' truck come to a stop and that somehow the truck's rear-end was elevated off the ground. Officer Taylor saw patrol vehicles next to Williams' truck. Officer Taylor heard Williams' truck engine "roar and then dust starts flying everywhere." Officer Taylor thought Williams was going to kill somebody and "decided I need to end this at this point." Officer Taylor fired his weapon at the truck. He

estimates that he shot at least eighteen times, which included firing his chambered round and seventeen round magazine.

Officer Taylor looked at the truck and saw Williams with blood on his face. Officers issued commands for Williams to exit the vehicle. Officer Janning gave Officer Taylor 40mm less lethal rounds to shoot out the truck's rear window. Officer Taylor fired two less lethal rounds, but the window would not break. Officers then decided to move a patrol vehicle to make entry into the truck.

Officer Taylor assisted in getting Williams out of the truck, where he was handcuffed. Officer Taylor thought Williams wanted to talk, but Officers placed him under arrest and provided him with medical aid.

5. SPD Officer Mateo Terrasas

At the time of the shooting, Officer Mateo Terrasas had been employed by SPD for approximately 2 years. On May 6, 2020, WCSO Detective Stefanie Brady and RPD Detective Chad Crow interviewed Officer Terrasas. The following is a summary of Officer Terrasas' interview with Detectives Brady and Crow.

On May 5, 2020, Officer Terrasas was working his shift as a patrol officer in his marked Chevrolet Tahoe SUV patrol vehicle and SPD uniform. He carried a Glock 17 9mm service weapon with two additional loaded 17 round magazines. That night, Officer Terrasas completed another call and heard dispatch asking whether officers needed assistance with a vehicle pursuit. He heard that officers thought they heard a gunshot from the vehicle. Officer Terrasas heard one of the officers reference the suspect vehicle attempting to ram another officer.

Officer Terrasas joined the pursuit on I-80 eastbound. He received a description of Williams' truck and heard that a PIT maneuver was needed to be performed by a larger vehicle. Since Officer Terrasas was driving a SUV, he figured he might be able to PIT Williams with his larger vehicle. Officer Terrasas caught up to the pursuit where spike strips were deployed and heard that Williams drove over the spike strips. He observed Williams travel eastbound on I-80 while swerving between the lanes, exit the freeway, drive over the overpass and enter the

freeway heading westbound "so that he was going into oncoming traffic..." Williams crossed over the freeway and began driving the wrong way in the westbound lanes. Officer Terrasas noticed that Williams did not have his headlights on as he entered I-80 and drove the wrong way. Officer Terrasas saw Williams cross over the median back into the eastbound lanes. Officer Terrasas was able to catch up and was able to cross the median in his larger SUV.

Officer Terrasas observed Lieutenant Rowe pull up on the left side of Williams' truck and conduct a PIT maneuver. Officer Terrasas saw Williams' truck spin out into the center median of the freeway. Williams then accelerated towards Officer Terrasas' patrol vehicle. Officer Terrasas attempted to avoid a collision, but Williams struck his vehicle. He saw Williams strike another police vehicle as Williams continued revving his engine, which caused him to feel his "car rock" and he was "scared that he was gonna flip the car on top of [him] or something." Officer Terrasas "was pretty scared that he was gonna hurt me um... and uh...given that I saw him turn the wheel toward me, I was scared that he was gonna try to get...he was gonna try to hit other officers as well."

Officer Terrasas could feel his vehicle moving as Williams revved his truck's engine. Officer Terrasas heard Officer Colborn yell commands at Williams, but he continued revving his engine, which Officer Terrasas feared would break free and injure or kill officers in the way. Due to this fear, Officer Terrasas fired his service weapon at Williams. Once Williams' truck stopped moving, he stopped firing.

Officer Terrasas heard officers state that they still saw movement in the vehicle and Williams continued to disobey commands to show his hands. Eventually, Williams put his hands out the window, but a patrol vehicle blocked access to the truck. Several less lethal rounds were fired in an unsuccessful attempt to break the back window. Officer Terrasas moved his patrol vehicle, which was blocking the truck's passenger door, so that officers could place Williams in custody. Officer Terrasas gave Williams verbal commands to get out of his car, but Williams kept saying "give me a minute, give me a minute."

Officer Terrasas holstered his weapon and retrieved a trauma kit from his vehicle for Williams.

6. SPD Officer Dustin Butler

At the time of the shooting, Officer Dustin Butler had been employed by SPD for approximately 12 years. Prior to that, Officer Butler was employed as a deputy at WCSO from 2007 to 2008. Officer Butler has previously been assigned to the Regional Crime Suppression Unit. Since January 2020 he has been assigned as a patrol officer. On May 6, 2020, RPD Detective Aaron Flickinger and WCSO Detective Joey Lear interviewed Officer Butler. The following is a summary of Officer Butler's interview with Detectives Flickinger and Lear.

On May 4, 2020, Officer Butler was working his regularly scheduled graveyard shift from 9PM until 7AM.⁶ He wore his SPD uniform and drove a SWAT truck that day, which is a clearly marked patrol vehicle equipped with operating lights and sirens. He started his shift early that day to assist with calls for service due to a prior officer involved shooting earlier that day.

That night, Officer Butler responded to a shoplifting call at the ampm ARCO gas station on Rock Boulevard. Officer Butler heard that the suspect vehicle, later identified as Williams' truck, left the scene after Officer Colborn spotted the truck. Officer Butler responded to the direction of the call and learned that Williams did not stop his truck for Officer Colborn.

Officer Butler heard that Williams stopped several times and that Officers Colborn and Taylor heard the truck backfire or a gunshot come from Williams' truck. Officer Butler heard dispatch relay that Williams had prior criminal history for battery with a deadly weapon and eluding. This history was concerning to Officer Butler and meant that Williams "is probably armed and dangerous."

Officer Butler arrived at Dermody Way where Williams had stopped at a dead end that was fenced off. Officer Butler thinks he was

⁶ Officer Butler's shift began on May 4, 2020, and carried over into May 5, 2020, which was the night of the shooting.

the third or fourth on scene and heard other officers giving commands to Williams, but he was not complying. He recalls lights and sirens on the other patrol vehicles, including his own.

Officer Butler heard Williams "coaxing" officers to approach his truck, which is something officers would not do for safety reasons. Officer Butler was concerned Williams may have a firearm because of his irrational behavior, fleeing from officers, and possibility of officers hearing a gunshot.

Officer Butler saw Officer Sitton, a hostage negotiator, arrive on scene and try to speak with Williams. Officer Butler heard Williams rev his truck engine and become more agitated. He instructed Officer Janning, a SWAT trained officer, to grab a 40mm less lethal round from his SWAT truck.

Williams put his truck in gear and then drove through the fence. Officers pursued Williams and then he turned around. Officer Butler saw that Williams was driving without his headlights on as he eluded officers down Glendale Avenue. Officer Butler attempted a PIT maneuver, but Williams continually cut him off. This conduct caused Officer Butler to think that "this guy clearly is doing everything he can not to be apprehended and he's dangerous and we gotta do whatever we can to apprehend this guy." Officer Butler was unable to perform a PIT maneuver. Williams drove through some landscaping and onto Kleppe way. Williams made his way to I-80 while driving erratically.

After NHP's successful spike strip deployment, Officer Butler did not have enough time to avoid the strips and ran them over, causing a flat tire on Officer Butler's SWAT vehicle. He pulled over to change the tire. By the time he caught back up to the pursuit, the shooting had occurred. Officer Butler realized that his body worn camera was turned off earlier in the pursuit and likely occurred when he slung his rifle over his chest. Once on scene, he reactivated his camera. Officer Butler served as Officer Gibson's attendee until the countdown.

7. SPD Officer Arik Sitton

At the time of the shooting, Officer Arik Sitton had been employed by SPD for approximately 3 years and was a member of

the Hostage Negotiations Team, which he had been a member of for less than one year at the time of this incident. Prior to his employment at SPD, Officer Sitton worked as a sheriff's deputy for the Carson City Sheriff's Office. On May 6, 2020, WCSO Detective Joey Lear and RPD Detective Aaron Flickinger interviewed Officer Sitton. The following is a summary of Officer Sitton's interview with Detectives Lear and Flickinger.

On May 5, 2020, Officer Sitton was working his regularly scheduled shift and wearing his standard issue SPD uniform with visible patches and police identifiers. This included his vest carrier and duty belt. Officer Sitton wore a BWC that was operating from the time he responded to the call involving Williams until the conclusion of the incident. That night, Officer Sitton drove a marked SPD Chevrolet Tahoe.

Around midnight on May 5, 2020, Officer Sitton responded to a call where it was reported that a suspect, later identified as Williams, had stolen alcohol and was drinking it on scene in the parking lot. Officer Sitton was not dispatched to the call. He was in the area of Pyramid Way and Disc Drive and started heading in the direction of the call. Officer Sitton heard Officer Colborn state over the radio that Williams took off from him. Officer Sitton did not know if it was a foot pursuit or vehicle chase.

Officer Sitton heard over the radio that it was a vehicle pursuit and either Williams' vehicle backfired, or Williams fired a shot. Officer Sitton learned that Williams came to a stop at the end of Dermody Way, which is a dead end blocked by a fence. Officer Sitton was the third or fourth officer to arrive on scene. Officer Sitton observed that Williams was not compliant and "clearly agitated." Officer Sitton observed that all other units on scene were marked patrol vehicles with officers in visible police uniforms.

Officer Sitton exited his vehicle and positioned himself behind a pole approximately 10 feet away from Williams. He had a direct view of Williams. Officer Sitton's goal was to communicate with Williams and build rapport.

Officer Sitton stated that Williams wanted officers to come up to his window to talk to him. He explained to Williams why

officers could not approach his truck. Williams told Officer Sitton that he liked him and wanted to talk to him at his truck.

During this exchange, Officer Sitton lowered his firearm to get Williams to talk. Officer Sitton was fearful that Williams may have been armed and would fire at officers if they approached. Williams stated to him that he had been calling them for several days and that someone may have been following him. Officer Sitton believed Williams may have been suffering from a mental health crisis. Williams became agitated and revved his truck engine. He heard Williams say "I'm done talking to you, I'm gonna rev my engine so I can't hear you." Williams claimed that the fences could not hold his truck. Officer Sitton did not want to acknowledge the statements because he thought that if he did, Williams would drive through the fence.

Williams drove his truck through the fence. Officers got back into their patrol cars and Williams turned around. Officer Sitton observed that the truck's headlights were not illuminated. Officer Sitton described Williams "racing" by Lieutenant Rowe's unmarked truck and nearly striking it. Officer Sitton pursued Williams behind Officer Colborn and Sergeant Bare when he heard Lieutenant Rowe advise the units to use a PIT maneuver on Williams. Officer Sitton was concerned that if smaller vehicles attempted a PIT maneuver that they would be crushed. He was also aware that the other officers in their patrol sedans would not be able to perform a successful PIT due to the large size of Williams' truck.

Officer Sitton performed a PIT maneuver on Williams' truck right before Glendale Avenue, which is a maneuver he is trained to conduct. His PIT maneuver did not stop Williams' truck and he heard over the radio that Williams continued driving on Glendale.

Due to the PIT maneuver, Officer Sitton's patrol vehicle got a flat tire. Officer Sitton attempted to drive back to the SPD police station, but he did not make it. He had to call for a tow truck and return to the police station. Officer Sitton learned that shots had been fired. Officer Sitton went to the location of the shooting, but he did not go on scene. SPD Sergeant Vasquez sent him back to Sparks where he later assisted

in locating Officer Janning's bodycam that fell off during the standoff on Dermody Way.

8. SPD Lieutenant Chris Rowe

At the time of the shooting, Lieutenant Chris Rowe had been employed by SPD for over 15 years, and had 14 years of experience of SWAT experience, served on the Regional Gang Unit, as a Police Training Officer, and a Detective in Investigations. On May 5, 2020, WCSO Detective Joseph Lear and RPD Detective Jason Daniels interviewed Lieutenant Rowe. The following is a summary of Lieutenant Rowe's interview with Detectives Lear and Daniels.

Lieutenant Rowe works Monday through Thursday from 2PM until midnight as a Patrol Watch Commander. He was also assigned as the SWAT Commander. On May 5, 2020, Lieutenant Rowe was wearing his issued SPD uniform with police badges, duty belt, vest carrier, and his body worn camera. He drove an unmarked Dodge truck that was equipped with lights and sirens. His unmarked SPD truck was the SWAT Commander's vehicle.

That night, he was at SPD completing his work on a prior officer involved shooting that occurred earlier that day when he heard units responding to a larceny call that turned into a vehicle pursuit. He heard officers advise that the suspect vehicle either backfired or that a shot was fired. Lieutenant Rowe was concerned for the safety of his officers and that they may be in danger. Lieutenant Rowe learned over the radio that the suspect's criminal history included felony eluding and battery with a deadly weapon.

Lieutenant Rowe drove his full-size SPD police truck and responded to officers at the dead end of Dermody Way. He observed uniformed officers with their red and blue lights activated with their weapons drawn. Lieutenant Rowe saw Williams leaning out of the window of his truck yelling at officers and acting agitated and yelling back at officers. Lieutenant Rowe stated that he was "gonna err on the side of caution that shots had been fired, although that wasn't confirmed, but that was obviously a concern in my mind."

A trained hostage negotiator was present on scene engaging with Williams. Lieutenant Rowe intended to use less lethal force if necessary to make contact with Williams, and he wanted to determine if Williams was armed.

While Lieutenant Rowe was in his vehicle, Williams drove through a fence, made a U-turn, and eventually began driving head on at him and "accelerated even more" at him. Lieutenant Rowe was concerned because "at that point that there was possible shots fired, that he was noncompliant in the vehicle, now he's rammed through a fence...it was clear that his... he was displaying aggressive behavior, he wasn't gonna comply with our verbal commands."

Lieutenant Rowe got out of his vehicle as fast as possible to avoid being hit. He was "in fear that he was gonna strike [him] while [he] was seated in the vehicle so [he] got outta the truck." Williams then drove past Lieutenant Rowe. He could not tell how close Williams came to his vehicle. Due to exiting his car to avoid being struck, Lieutenant Rowe fell behind as officers pursued Williams. Lieutenant Rowe told officers to perform a PIT maneuver if they could.

Over the radio, Lieutenant Rowe heard that officers attempted an unsuccessful PIT maneuver as they chased Williams from Glendale Avenue, to Kleppe Way, to Vista Boulevard, and eventually onto I-80. He heard that Williams tried to ram another officer's vehicle and thought "he's clearly not in his right state of mind, whether that's caused by a mental break or alcohol or drugs or something." He believed that "there's a high likelihood that he's armed because of how he's acting."

When Lieutenant Rowe caught up to the pursuit, he saw that Williams had no rear taillights illuminated, which concerned him due to a recent accident where an individual was killed by a vehicle driving without illuminated headlights. He was worried about innocent people on the freeway. Lieutenant Rowe later confirmed that Williams did not have his headlights illuminated.

Once on I-80, Lieutenant Rowe informed NHP Troopers that Williams may have fired at officers or that his truck backfired. He wanted to ensure that NHP knew that Williams may have fired shots or it may have been a backfire, but that it was

inconclusive. He made them aware because "there was a significant concern for officer safety at that point that he may have shot at officers and if...he sees you, he might shoot at you." He observed Williams failing to maintain his travel lane and traveling at varying speeds that did not exceed 65 miles per hour. Lieutenant Rowe did not believe it would be safe to attempt another PIT maneuver at those speeds.

After NHP successfully deployed the spike strips, Williams' truck began to slow, and Williams exited the freeway; he went over the overpass and began heading westbound on I-80 when he made a U-turn and began driving eastbound in the westbound lanes. Williams' front tire was almost down to the rim due to the spike strips. Lieutenant Rowe saw that the vehicle had no illuminated headlights while driving in the wrong direction and that officers needed to do whatever was necessary to stop Williams to protect the public. Lieutenant Rowe considered ramming Williams and thought that he needed to "get him off the road, he doesn't have headlights on, he's in a lifted Chevy truck, he's gonna kill somebody." He further stated "now we have not just officers in danger because they mighta been shot at, but now everybody that's driving on I...I...Interstate 80 westbound is in danger."

Lieutenant Rowe then determined that speeds were safe to conduct a PIT maneuver as Williams was traveling approximately 30 miles per hour. Additionally, there was no traffic in the area. Lieutenant Rowe is trained to execute PIT maneuvers and had recently received a refresher course on the tactic and believed that the speeds and conditions were safe. Lieutenant Rowe executed a PIT maneuver and Williams' truck spun. At the same time, Williams accelerated out of the PIT maneuver and was now facing Lieutenant Rowe who saw that he was going to get directly hit. Lieutenant Rowe stated, "here he comes, he's gonna ram me, and all of a sudden he changes direction and he starts driving westbound in the eastbound lane...and I hear him impact police vehicles behind me."

Williams continued to try and accelerate, but a large cloud of dust limited Lieutenant Rowe's visibility. He thought Williams was trying to run over and kill officers or pin officers in their vehicles. As Lieutenant Rowe exited his vehicle, he heard

gunfire, but his visibility was limited due to the dust and debris in the air. Lieutenant Rowe waited for a pause in the gunfire and radioed whether it was safe for him to move out of the line of fire. Once clear, he drove his vehicle out of the way and saw Williams facing westbound in the eastbound lane, and that he had driven on top of a police car.

Once away from the middle of the scene, Lieutenant Rowe heard over the radio from Sergeant Bare that Williams was still moving in his vehicle. Lieutenant Rowe's handheld radio was not working and communicating with dispatch, so he returned to his truck to tell dispatch to keep the highway closed in both directions because he did not want anyone else to get hurt. He also radioed for medical personnel to assist.

Lieutenant Rowe observed that Williams was pinned inside of his truck and continuing to talk to officers. Lieutenant Rowe ordered Sergeant Bare to use non-lethal 40mm foam rounds to break out the rear window of Williams' truck so that officers could apprehend Williams. The rounds were unsuccessful in breaking the truck's window but did cause enough damage to make it easier for officers to communicate with Williams.

Officers decided to move Officer Terrasas' vehicle that was blocking Williams from getting out of his truck. Lieutenant Rowe observed Williams' continued refusal to comply with officer's commands. Williams eventually complied and officers took him into custody. Lieutenant Rowe saw blood on Williams' head as he continued speaking to officers and requested medics to expedite their response to the scene. Lieutenant Rowe observed further blood on Williams and asked if he was shot. Williams was conscious and speaking with officers. Lieutenant Rowe initiated the OIS protocol.

9. SPD Sergeant Chris Bare

At the time of the shooting, Sergeant Chris Bare had been employed by SPD since 2006 and was assigned as a patrol sergeant. On May 5, 2020, WCSO Detective Arick Dickson and RPD Detective Chad Crow interviewed Sergeant Bare. The following is a summary of Sergeant Bare's interview with Detectives Dickson and Crow.

On May 5, 2020, Sergeant Bare was working his normal shift from 9:00PM to 7:00AM. On that day, Sergeant Bare was in his patrol uniform, with an authorized exterior vest with patches, a badge, and driving a marked SPD patrol vehicle equipped with lights and a siren.

Sergeant Bare stated that he was on patrol in Sparks assisting with an unrelated call when he heard Officer Colborn over the radio attempting to stop a vehicle. Due to poor radio reception in the area, Sergeant Bare could not tell exactly what was going on, but he heard that the underlying reason for the traffic stop involved a larceny and that the vehicle failed to yield. Sergeant Bare heard Officer Taylor state "shots fired" or a "shot fired" over the radio.

Sergeant Bare continued monitoring his radio as he finished his prior call when he learned that Lieutenant Rowe was on the radio. Sergeant Bare headed towards Dermody Way with his lights and sirens activated in his marked patrol vehicle. He heard that the driver of the suspect vehicle, later identified as Williams, was uncooperative and trying to get officers to approach the vehicle. This conduct concerned Sergeant Bare.

When Sergeant Bare arrived at Dermody Way, other units were already on scene and Williams was still sitting in his truck as officers had their weapons drawn. Sergeant Bare met with Officer Taylor to clarify whether shots had been fired as he thought he heard over the radio. Officer Taylor stated that he heard a loud bang and saw a puff of smoke and thought that the vehicle may have backfired or a shot fired off from the vehicle. Sergeant Bare did not get more information from Officer Taylor because Williams continued revving his truck motor and was yelling out of his vehicle. Sergeant Bare told the officers to get out of the way if Williams starts driving at them. Sergeant Bare began coordinating the movements of police vehicles to get them out of the way so that Sergeant Edmonson, who was arriving in an armored vehicle, would have straight access to Williams' vehicle.

During this time, Sergeant Bare saw Officer Sitton, a negotiator, attempting to speak with Williams. Sergeant Bare heard Williams yell out of his truck "This is your fault; you'll

see what happens" or words to the effect and that Williams was trying to place blame on someone else.

Williams continued revving his vehicle and then drove westbound and ran through a gate and fence causing damage. The officers got back into their vehicles to pursue Williams, and Williams turned around. Sergeant Bare was concerned Williams might ram him or his vehicle and cause serious injury or death. Sergeant Bare also saw who he believed to be Lieutenant Rowe running towards Lieutenant Rowe's vehicle.

Sergeant Bare pursued Williams as he proceeded from Dermody Way to Glendale Avenue. Sergeant Bare allowed one of the patrol vehicles take the lead to conduct a PIT maneuver on Williams' truck. Sergeant Bare observed Williams spin out, kick up dust, and then continue heading eastbound down Glendale Avenue while running a red light through McCarran Boulevard. Sergeant Bare also observed several other PIT maneuver attempts on Williams' truck.

Sergeant Bare radioed dispatch to notify NHP because he was concerned Williams would enter the freeway given his direction of travel towards I-80. Sergeant Bare observed Williams get on I-80 eastbound from Vista Boulevard while periodically swerving in traffic. Sergeant Bare declined requests for further PIT maneuvers because the speeds were too fast. He heard Officer Colborn say that Williams had rammed him.

Sergeant Bare heard Lieutenant Rowe radio that the pursuit would be terminated if NHP could not lay spike strips. NHP successfully placed spike strips on I-80 and USA Parkway that Williams ran over. Sergeant Bare believed that the front passenger tire was deflated, and Williams' speed decreased down to approximately thirty miles an hour.

Sergeant Bare wanted to attempt another PIT maneuver, but Williams exited I-80, went over the overpass, and got back on I-80 heading westbound. Williams drove over the median to head eastbound on I-80. Williams was driving directly at Sergeant Bare. Sergeant Bare thought Williams was going to strike him head on and kill him. Shortly before impact, another officer hit Williams' vehicle before he could collide with Sergeant Bare.

Sergeant Bare exited his vehicle and heard the truck engine revving, and he could see patrol vehicles near Williams' truck. Sergeant Bare heard gunshots but did not see any officers firing their weapons. At some point, the truck engine turned off. Sergeant Bare and other officers attempted to approach the vehicle from the front and Williams eventually raised his hands and complied. Sergeant Bare saw that Williams was bloody.

Sergeant Bare observed that patrol vehicles blocked the driver and passenger side doors. To make entry, an officer fired two to three 40mm rounds towards the back window with no effect. Williams told officers that the window was plexiglass and to move the police vehicles and he would get out. Sergeant Bare stated that Williams continued to be uncooperative, but he eventually exited the vehicle and was handcuffed by officers who began medical treatment.

Sergeant Bare logged the officers that fired their weapons, which included Officers Janning, Taylor, Terrasas, Gibson, and Colborn and turned off their BWCs pursuant to policy.

10. Sergeant Jason Edmonson

At the time of the shooting, Sergeant Jason Edmonson had been employed as an SPD police officer for over twenty-five years. WCSO Detective Michael Almaraz and RPD Detective Javier Lopez interviewed Sergeant Edmonson on May 5, 2020. The following is a summary of Sergeant Bare's interview with Detectives Almaraz and Lopez.

On May 5, 2020, Sergeant Edmonson was working his regularly scheduled shift and wearing his standard SPD police uniform, which consisted of a dark blue SPD issued uniform with chevron stripes on each shoulder that identified him as a sergeant.

On May 5, 2020, around midnight, Sergeant Edmonson was assisting with an officer involved shooting that occurred earlier that day. Over the radio, Sergeant Edmonson heard the larceny call to the ampm ARCO gas station on Victorian Avenue and later heard that Officer Colborn attempted to stop the suspect's vehicle, later identified to be Williams. Sergeant Edmonson heard that the pursuit was continuing and that Williams' vehicle hit an officer's vehicle in the area of Dermody Lane. He also learned

that Williams was attempting to get officers to come to the vehicle. He heard the officers giving Williams verbal commands and heard officers state that Williams was noncompliant.

Sergeant Edmonson asked Lieutenant Rowe if he wanted him to get the Bear Cat in an attempted to pin William's vehicle to end the pursuit. The Bear Cat is a large, armored vehicle with subdued markings identifying it as belonging to SPD. It is also equipped with red and blue lights and a siren. The Bear Cat is not equipped with a dash camera.

Sergeant Edmonson knew that it was not safe for officers to approach Williams' vehicle given his behavior; erratic driving pattern, which included maneuvering out of a PIT attempt; the presence of other unknown threats; and Williams' history of eluding, obstructing and resisting, and assault or battery with a deadly weapon. Sergeant Edmonson also learned that Officer Colborn heard Williams' vehicle backfire or fire a shot.

Sergeant Edmonson proceeded to Dermody Way when he heard that Williams drove through a fence and was on the railroad tracks. He heard Lieutenant Rowe ask for railroad operations to shut down since Williams was driving on the tracks. Sergeant Edmonson heard officers attempt to conduct another unsuccessful PIT maneuver.

Sergeant Edmonson never caught up to the pursuit on the surface streets and learned Williams was on I-80 from Vista Boulevard heading east. He heard Lieutenant Rowe and Sergeant Bare request assistance from NHP. Lieutenant Rowe directed Sergeant Edmonson to move up in the pursuit so that once the spike strips disabled Williams' vehicle, the Bear Cat could be used to stop Williams' truck.

Sergeant Edmonson first saw Williams' truck once he was in the area of USA Parkway. Two other patrol vehicles were in front of Sergeant Edmonson when he learned that the spike strips were successful and that one of Williams' tire was deflating.

While Williams was traveling eastbound on I-80, Sergeant Edmonson observed Williams exit the freeway on exit 36, go over the onramp and begin to proceed westbound on I-80. However, Sergeant Edmonson saw Williams make an immediate U-turn and

begin driving eastbound on I-80 in the westbound lanes. Williams then crossed over the median and headed eastbound in the eastbound lanes. Sergeant Edmonson described the overall traffic during the pursuit as "pretty light" due to the time of day.

Sergeant Edmonson did not want to drive the Bear Cat against traffic, so he backed up over the on-ramp to access I-80 eastbound, which put him several minutes behind the pursuit. Sergeant Edmonson heard officers talk about using a Chevrolet Tahoe to conduct another PIT maneuver if conditions permitted. He heard over the radio that a Tahoe was in position for a PIT maneuver, and he then heard a "terrifying silence." The next thing he heard was "shots fired." Sergeant Edmonson arrived on scene a few minutes later.

Sergeant Edmonson described what he meant by "terrifying silence." In his experience, when something critical has occurred, nobody talks on the radio because a threat has presented itself that must be dealt with before talking on the radio. Sergeant Edmonson was fearful that officers may have been hurt.

When Sergeant Edmonson arrived on scene, he saw that three SPD vehicles were in contact with Williams' truck and that all the vehicles were in the median. Sergeant Edmonson advised other officers that they could use the Bear Cat for cover.

Sergeant Edmonson heard Williams yelling at officers and officers yelling back. He heard Williams state that he could not exit his truck because two SPD vehicles had pinned the doors. Sergeant Edmonson saw Williams continue to move his hands around inside the truck.

Sergeant Bare met Sergeant Edmonson at the Bear Cat and stated that he wanted to use 40mm less lethal rounds in an attempt to break the back window and apprehend Williams. Edmonson provided Sergeant Bare with the launcher and three blue sponge rounds. Sergeant Edmonson also provided officers with a ballistic shield. Sergeant Edmonson positioned himself in the Bear Cat's turret. He saw that the less lethal rounds failed to break the back window.

Sergeant Edmonson observed officers move the SPD Tahoe SUV pinning Williams' passenger door and approach with a ballistic shield. Williams exited the vehicle but did not immediately comply with officers' commands to get on the ground. From the turret, Sergeant Edmonson could not see officers placing Williams in handcuffs, but he observed Williams' lack of compliance and unwillingness to perform small tasks, such as keeping his hands visible. Once in handcuffs, Sergeant Edmonson exited the Bear Cat and saw Williams sitting on the ground with red marks on his body as medical personnel and officers rendered aid.

Sergeant Edmonson stated that all the patrol vehicles involved in the pursuit were marked and had their overhead lights and sirens activated. There was only one plain-clothed Sergeant that arrived on scene at the conclusion of the pursuit and incident.

11. NHP Trooper Anthony Marengo

At the time of the shooting, Trooper Marengo was employed by NHP. On May 5, 2020, WCSO Detective Joseph Aceves and RPD Detective Chad Crow interviewed Trooper Marengo. The following is a summary of Trooper Marengo's interview with Detectives Aceves and Crow.

On May 4, 2020, Trooper Marengo began his shift at 3PM, which carried over until May 5, 2020, when the pursuit and shooting occurred. As Trooper Marengo was traveling westbound on I-80 from Fernley towards a NHP substation on USA Parkway, he heard a request over the radio from dispatch asking if anyone had spike strips and could respond to a call on I-80 east of Sparks. Trooper Marengo had spike strips and responded that he could assist.

Trooper Marengo, who was heading westbound from Fernley, exited the freeway at USA Parkway, crossed the bridge and got onto I-80 heading eastbound. He parked his marked patrol vehicle off to the right of the offramp with his vehicle lights off for tactical reasons. He laid spike strips across the eastbound lanes with pull cables to remove the strips. He then crouched behind the guardrail and waited for the target vehicle. Trooper

Marenco had trouble with his handheld radio and was listening to the radio from his patrol vehicle for updates.

He observed flashing lights heading east on I-80. Trooper Marenco observed that Williams' truck headlights were not illuminated. Trooper Marenco saw and heard Williams drive over the spike strips. He then removed the spike strips from the freeway and conducted traffic control to stop eastbound vehicles. Trooper Marenco did not participate further in the pursuit.

C. Countdown and Forensic Testing of Firearms

The officers involved in the shooting included SPD Officers Colborn, Gibson, Janning, Taylor, and Terrasas. Each of their respective firearms and magazines were collected after the shooting. A collective countdown of the firearms and magazines from the involved officers reflect that prior to the shooting, the five officers had a total of 269 bullets amongst them. After the shooting, the five officers had a collective 192 bullets remaining and 77 were missing. On scene, detectives collected an additional empty 17 round Glock magazine and another 17 round Glock magazine with three remaining bullets. This led detectives to determine that the five officers collectively fired 74 rounds on scene. Detectives recovered 72 fired cartridge casings on scene.

The following is an individual countdown that occurred after the shooting at SPD relating to each of the five officers that fired their weapons on scene and as documented in Forensic Report #10. It also includes a FIS analysis of a disassembled handgun found in Williams' truck.

1. Countdown and Forensic Testing of Officer Charles Colborn's Firearm

Officer Colborn carried a total of 52 bullets for his Glock 17, 9mm handgun. Officer Colborn kept a 17 round magazine loaded in his Glock 17 with one bullet in the chamber. He carried two additional 17 round magazines that he stored on his outer ballistic vest carrier.

At the countdown, detectives located a 17-round magazine loaded with 16 bullets in Officer Colborn's Glock 17 with one round in the chamber. The 17-round magazine from Officer Colborn's tactical

reload was not located since it was dropped at the scene on I-80. The 17-round magazine in his pouch contained 17 bullets. All bullets located were Speer 9mm Luger bullets. Officer Colborn's total count was 34 bullets remaining with 18 missing.

A FIS Criminalist subsequently examined and test-fired Officer Colborn's firearm and determined it to be in normal operating condition with no noted malfunctions. A microscopic examination of the fired cartridge cases collected on scene identified 18 9mm Luger cartridge cases as having been fired from Officer Colborn's firearm.

2. Countdown and Forensic Testing of Officer Austin Gibson's Firearm

Officer Gibson carried a total of 52 bullets for his Glock 17, 9mm handgun. Officer Gibson kept a 17 round magazine loaded in his Glock 17 with one bullet in the chamber. He carried two additional 17 round magazines that he stored on his outer ballistic vest carrier.

At the countdown, detectives located 17 bullets in the magazine loaded in Officer Gibson's Glock 17 with one round in the chamber. The 17-round magazine from Officer Gibson's tactical reload contained 8 bullets. The 17-round magazine in his pouch contained 17 bullets. All bullets were Speer 9mm Luger bullets. Officer Gibson's total count was 43 bullets remaining with 9 missing.

A FIS Criminalist subsequently examined and test-fired Officer Gibson's firearm and determined it to be in normal operating condition with no noted malfunctions. A microscopic examination of the fired cartridge cases collected on scene identified 9 9mm Luger cartridge cases as having been fired from Officer Gibson's firearm.

3. Countdown and Forensic Testing of Officer Nathan Janning's Firearm

Officer Janning carried a total of 52 bullets for his Glock 17, 9mm handgun. Officer Janning kept a 17 round magazine loaded in his Glock 17 with one bullet in the chamber. He carried two additional 17 round magazines that he stored on his outer ballistic vest carrier.

At the countdown, detectives located 17 bullets in the magazine loaded in Officer Janning's Glock 17 with one round in the chamber. The 17-round magazine from Officer Janning's tactical reload contained 2 bullets. The 17-round magazine in his pouch contained 17 bullets. All bullets were Speer 9mm Luger bullets. Officer Janning's total count was 37 bullets remaining with 15 missing.

A FIS Criminalist subsequently examined and test-fired Officer Janning's firearm and determined it to be in normal operating condition with no noted malfunctions. A microscopic examination of the fired cartridge cases collected on scene identified 15 9mm Luger cartridge cases as having been fired from Officer Janning's firearm.

4. Countdown and Forensic Testing of Officer Vernon Taylor's Firearm

Officer Taylor carried a total of 61 bullets between his primary and secondary firearms. Officer Taylor's primary weapon was a S&W M&P 2.0, 9mm handgun. Officer Taylor's secondary weapon was a S&W M&P Shield, 9mm handgun.

Officer Taylor carried 52 bullets for his S&W M&P 2.0 (primary) handgun. Officer Taylor kept a 17 round magazine loaded in his S&W M&P 2.0 with one bullet in the chamber. He carried two additional 17 round magazines that he stored on his duty belt. All bullets were Speer 9mm Luger bullets.

Officer Taylor carried 9 bullets for his S&W Shield (secondary) handgun with an 8-bullet magazine with one in the chamber for a total of 9 bullets.

At the countdown, detectives located 16 bullets in the magazine loaded in Officer Taylor's S&W M&P 2.0 (primary) handgun with one round in the chamber. The 17-round magazine from Officer Taylor's tactical reload contained no bullets. The 17-round magazine in his pouch contained 17 bullets. All bullets were Speer 9mm Luger bullets. Officer Taylor's total count in his S&W M&P 2.0 handgun was 34 bullets remaining with 18 missing.

Officer Taylor did not fire his S&W Shield (secondary) handgun that night as all 9 bullets were present and remaining. All bullets were Speer 9mm Luger bullets.

A FIS Criminalist subsequently examined and test-fired Officer Taylor's S&W M&P 2.0 (primary) handgun and determined it to be in normal operating condition with no noted malfunctions. A microscopic examination of the fired cartridge cases collected on scene identified 18 9mm Luger cartridge cases as having been fired from Officer Taylor's firearm. Officer Taylor's S&W Shield (secondary) handgun was also found to be in normal operating condition with no noted malfunctions

5. Countdown and Forensic Testing of Officer Mateo Terrasas' Firearm

Officer Terrasas carried a total of 52 bullets for his Glock 17, 9mm handgun. Officer Terrasas kept a 17-round magazine loaded in his Glock 17 with one bullet in the chamber. He carried two additional 17-round magazines that he stored on his outer ballistic vest carrier.

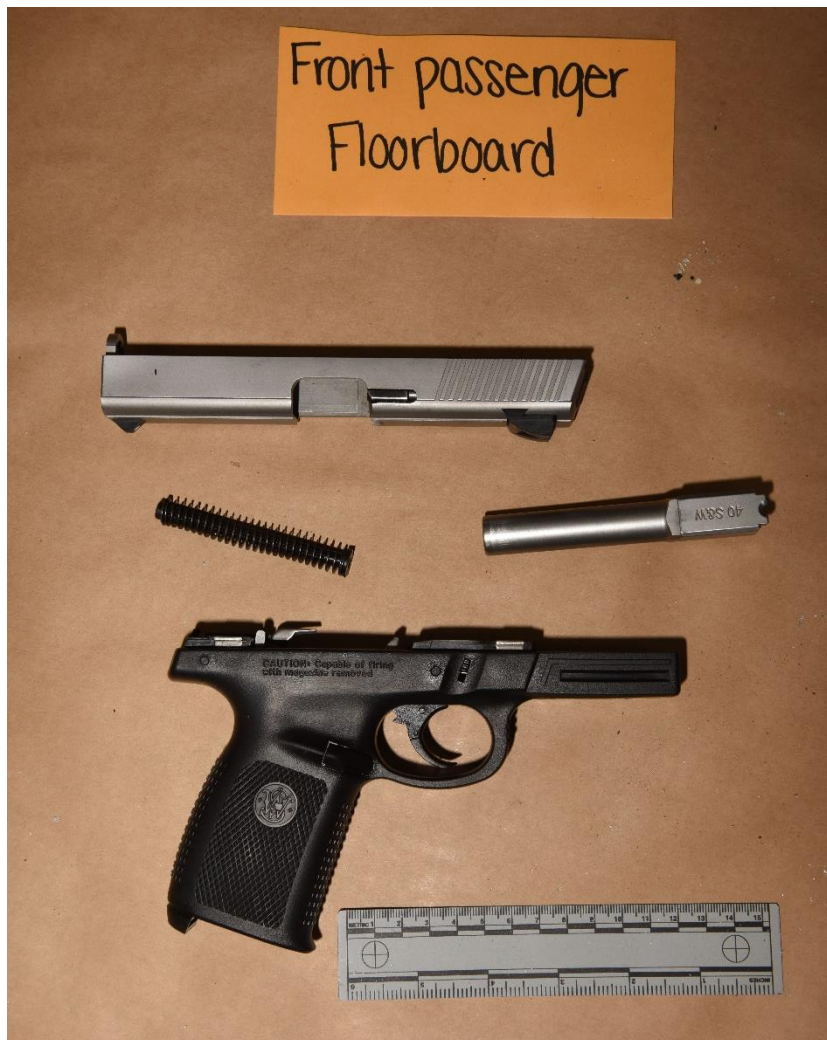
At the countdown, detectives located 17 bullets in the magazine loaded in Officer Terrasas' Glock 17 with one round in the chamber. The 17-round magazine from Officer Terrasas' tactical reload was not located since it was dropped at the scene. The 17-round magazine in his pouch contained 17 bullets. All bullets were Speer 9mm Luger bullets. Officer Terrasas' total count was 35 bullets remaining with 17 missing.

A FIS Criminalist subsequently examined and test-fired Officer Terrasas' firearm and determined it to be in normal operating condition with no noted malfunctions. A microscopic examination of the fired cartridge cases collected on scene identified 12 9mm Luger cartridge cases as having been fired from Officer Terrasas' firearm.

6. Forensic Testing of a Smith & Wesson Pistol (Serial Number DVV934)

On May 11, 2020, WCSO Detective Richard Spaulding served a judicially authorized search warrant on Williams' truck and located several items, including a Smith & Wesson .40 caliber pistol with serial number DVV9342, which was inside a gray beanie on the floorboard of the truck. The gun was disassembled when located with the barrel, slide, and recoil spring separated

from the frame. FIS reassembled the pistol and found it to be in normal operating condition with no malfunctions.



A disassembled Smith and Wesson handgun (S/N DVV9342) was located by FIS on the floorboard of Williams' truck as documented in Forensic Report #11 and found to be functioning when assembled by FIS in Forensic Report #10.

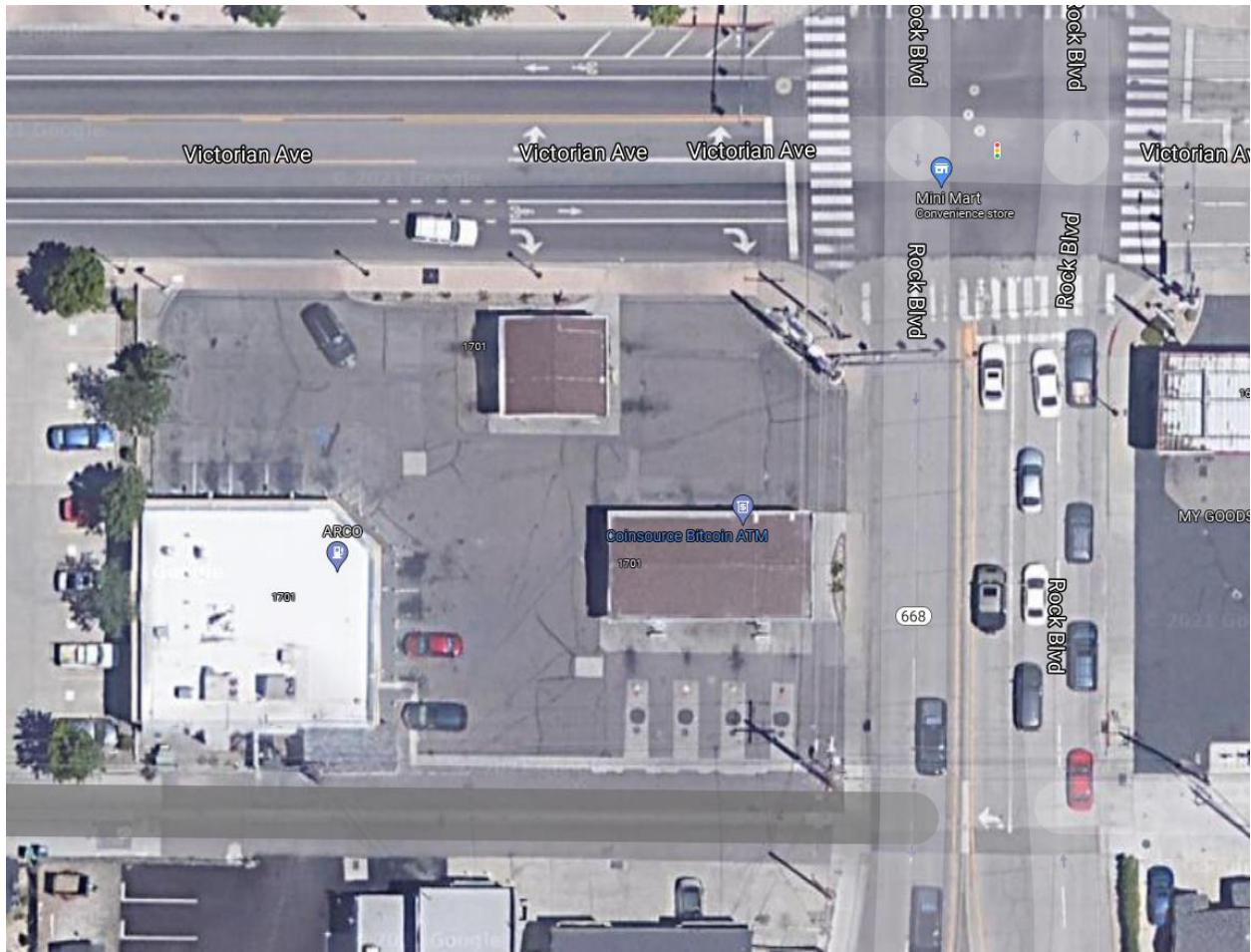
D. Area Overview

The locations where the pursuit, standoff, and shooting took place include three primary locations.

1. ampm ARCO Gas Station Overview

The ampm ARCO gas station located at 1701 Victorian Avenue, Sparks, Washoe County, Nevada. This is the location where Williams stole alcohol, poured liquid into the victim's gas tank, and drove off upon Officer Colborn's arrival.

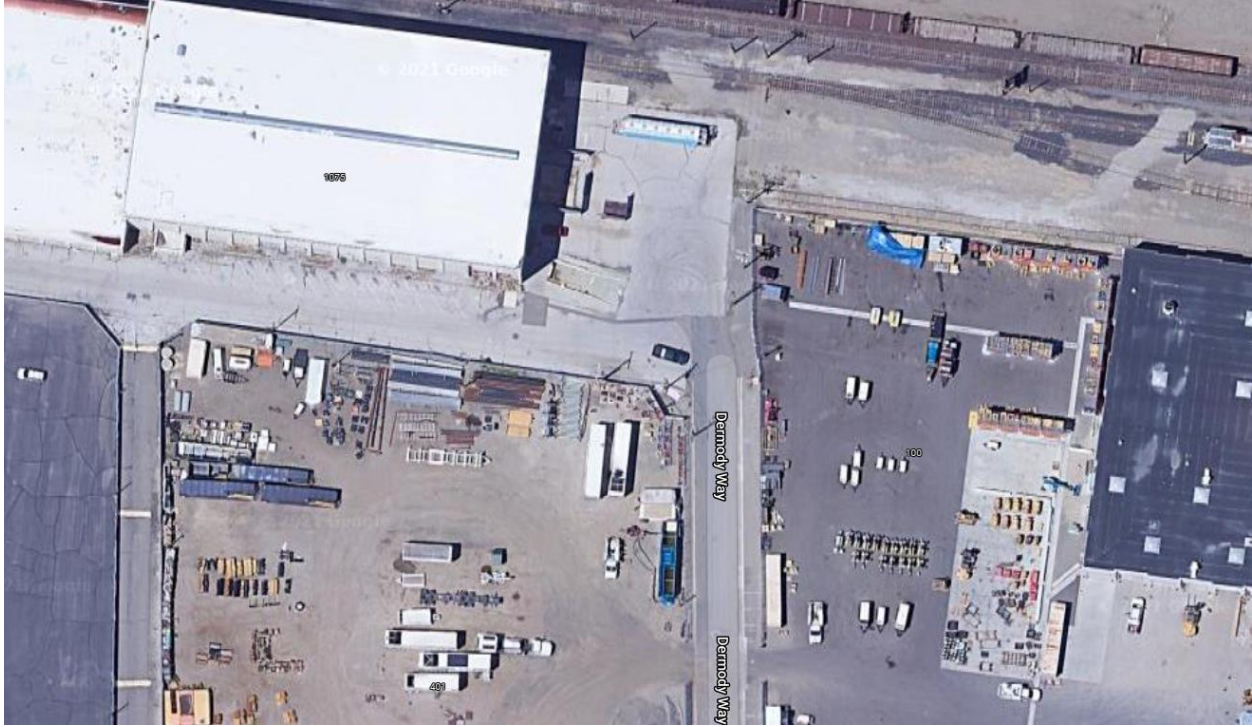
The ampm ARCO gas station has a convenience store and is located on the corner of Victorian Avenue to the north and Rock Boulevard to the east.



Google satellite image (cir. 2021) depicting 1701 Victorian Avenue, Sparks, Washoe County, Nevada where the call for service originated to which Officer Colborn responded. Williams stole alcohol from the labeled ampm ARCO gas station and vandalized the Pontiac parked at the gas pump.

2. Dermody Way Overview

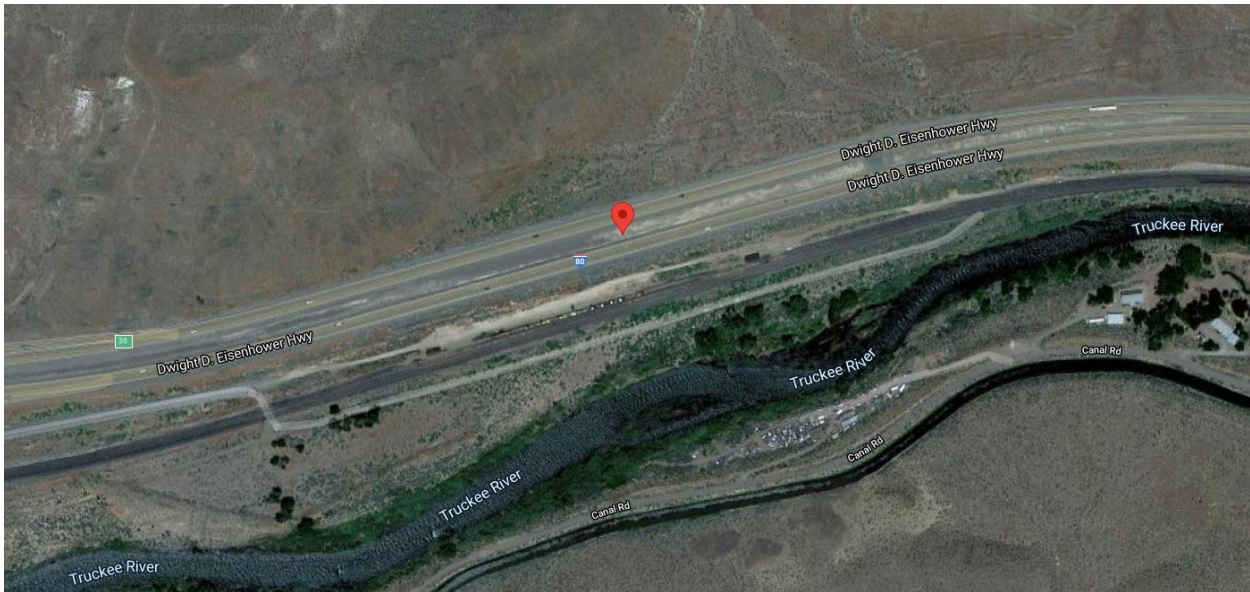
The approximate 11-minute Dermody Way Standoff occurred at the end of Dermody Way before Williams drove through a fence, made a U-turn, and eluded onto I-80.



Google satellite image (cir. 2021) image depicts where Dermody Way ends and the location of the chain link fence that Williams drove through. It is an industrial area with numerous warehouses.

3. Shooting Scene on I-80 Overview

The shooting took place on eastbound interstate-80 near the Derby Dam Exit near mile marker 36. The Derby Dam exit is over 20 miles from 1701 the ampm ARCO gas station at located 1701 Victorian Avenue. The shooting occurred at a latitude of 39.590556 and longitude of -119.418889. This stretch of I-80 is paved with asphalt and has two travel lanes in both directions. The travel lanes each run from east to west. The roadway is marked with yellow fog lines on both sides of the travel lines. There are no structures or significant geographic features adjacent to the roadway.



Google satellite image (cir. 2021) image depicts a latitude of 39.590556 and longitude of -119.418889 where shooting occurred, which is just east of Derby Dam Road.

E. Statements of Williams during the Dermody Way Standoff and After the Shooting

1. Statements made by Williams during the Dermody Way Standoff

The first contact officers had with Williams was after he stopped at the fence at Dermody Way during the 11-minute standoff. During the standoff, Williams was heard telling officers "I just want to come talk to you," when asked to step out of his truck he said, "that's not what's happening," "I didn't do anything wrong," "I ain't got nothing," "I am going to roll up my other window," "I want to talk man to man." He also told officers to come up and "grab his ID," "let's have a little chat and figure out what the fuck to do from here," "I don't fucking care what you say is going to be best," "I don't have to calm down," "I don't want to fucking go through the goddamn fence," "It's my last fucking day," "I have been asking for the last three fucking days to talk to somebody in your department and look what it takes to fucking do it...," "you've got one minute and I'm going through that fucking fence."

Williams made all these statements while ignoring officers' repeated commands, including placing his hands back in the vehicle and reaching around. His demeanor was agitated and

combative with officers. He continued to invite officers to approach his truck and revved his truck's engine to prevent them from communicating easily.

2. Statements Made by Williams After the Shooting

After the shooting, officers removed Williams from the truck. Once officers moved the Chevrolet SUV marked police vehicle blocking Williams' passenger door, he continued to make comments to officers. As captured on numerous BWCs, including Officer Colborn's BWC and Sergeant Bare's BWC, when officers asked him to exit the truck, Williams stated, "I am. Just give me a second. Bro, have you ever been shot like 40 times? It takes a second," "is someone going to come talk to me?" "I am not gonna relax - look at what you did - who is the supervisor?" "Not a single weapon. I told you that when my hands were up. You guys shot anyway," "Are you guys gonna help," "It's mind boggling how ridiculous this is - Janning you're comfortable with this right now?" "Wow. Sparks police is crooked," "You can't move the crime scene," "we are gonna lie about everything."

Throughout the arrest, Williams was slow to respond to commands and argumentative with officers as aid was administered.

F. Interview of Williams

Williams invoked his Miranda rights and, therefore, law enforcement did not conduct an interview. Additionally, while at Renown Regional Medical Center, Williams refused to answer any questions medics had. Williams would only identify himself as "Joe."

G. Williams Nolo Contendere Plea and Sentencing

As a result of his conduct, Williams was arrested by SPD for multiple charges, including assault with a deadly weapon, driver disobeying a peace officer, ex-felon in possession of a firearm, and numerous other offenses. Williams was formally charged, by way of a Second Amended Information in the Second Judicial District Court in Washoe County, Nevada with assault with a deadly weapon and eluding a peace officer, each a felony, in case CR20-1386.

On December 11, 2020, Williams pled No Contest to the two offenses. By pleading No Contest, and as articulated in the Nolo Contendere Plea Memorandum which was filed with the District Court and signed by Williams, he did not expressly admit guilt, but admitted that there was sufficient evidence against him which would result in his conviction for the offense of assault with a deadly weapon and eluding a police officer.

On August 9, 2021, Williams was adjudged guilty by the District Court Judge. As to the assault with a deadly weapon charge, the Judge sentenced Williams to 2-5 years Nevada Department of Corrections, and the Judge sentenced Williams to a consecutive term of 2-5 years in the Nevada Department of Correction as it related to the eluding a peace officer charge. Williams received an aggregate sentence of 4-10 years in the Nevada Department of Corrections for his criminal conduct that night.

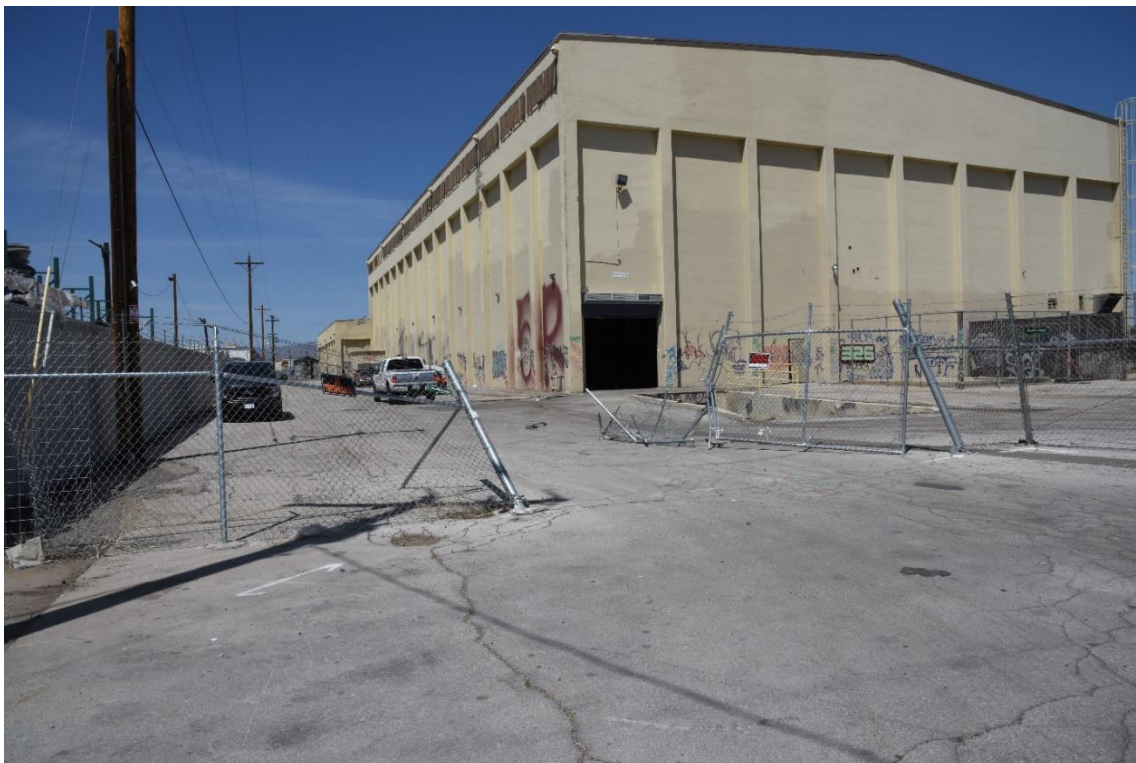
H. Williams' Prior Criminal History

During the pursuit, Officers learned that Williams had criminal history that included battery with a deadly weapon and eluding. Williams' criminal history reflects a 2015 arrest and conviction for felony Driver Disobey a Peace Officer and Battery with a Deadly Weapon from Lyon County, Nevada, in which Williams was sentenced to 28-72 months in the Nevada Department of Corrections in case 16-CR-00235.

II. PHYSICAL EVIDENCE

A. Evidentiary Items Collected from the Dermody Way Standoff

The first portion of the pursuit paused at the end of Dermody Way, which was blocked by a chain link fence. After failing to comply with officers' commands and repeated attempts to deescalate the situation, Williams drove through the chain link fence.



This FIS photograph captures the fence Williams drove through on May 5, 2020, during daylight hours after the pursuit concluded. This is documented in Forensic Report #1.



FIS located vehicle debris believed to be headlight pieces near the east side of the fence at 555 Dermody Way. This is documented in Forensic Report #1.

B. Evidentiary Items Collected from the Shooting Scene

As previously described, the shooting occurred in the median of I-80 near the Derby Dam Road exit. The median separates eastbound and westbound traffic lanes on I-80. The median is dirt and is flat. Numerous items of relevant evidence were photographed in place on and around the I-80 median where the shooting took place and subsequently collected and processed by FIS investigators. The collected evidence includes:

One set of six keys, including 2 "GM" keys; 72 "SPEER 9mm LUGER fired cartridge cases; 5 fired bullets; 1 bullet fragment; 2 "38 SHORT COLT" 40mm less lethal fired cartridge cases; a key, key fob, and tab labeled "2416;" an empty black "Glock 9mm" magazine with a 17 round capacity; one black "Glock 9mm" magazine with a 17 round capacity; 1 black "RVCA" t-shirt that was cut with red staining, defects, and debris; 1 black "Adidas" sweatshirt size 2XL, cut, with red staining, defects, and debris; a white napkin and open "Pall Mall" pack of cigarettes from the "Adidas" sweatshirt; a blue/gray "WESCO" baseball style hat with red staining and defect; 1 gray "Dravus" sweatshirt with defect and debris; 1 pair of red/black/white athletic shorts, size XXL cut with debris; 5 "O'Reilly Auto Parts" receipts dated 5/4/20 and \$80.00 in the left pocket of the athletic shorts; \$116.00 in the right pocket of the athletic shorts; 1 blue foam projectile tip; 1 blue/black 40mm less lethal projectile; 1 brown rag; 1 black "Puma" sock with debris; and 2 black gloves.



FIS photograph capturing Williams' truck, t-shirt and sweatshirt (placard 71), baseball hat (placard 72), less lethal rounds (placards 73 and 74), and additional clothing (placard 75) as documented in Forensic Report #4.



Williams' truck positioned on top of Officer Janning's patrol vehicle.



The damaged front passenger wheel of Williams' truck due to the spike strips as documented in Forensic Report #4.



Numerous Speer 9mm Luger shell casings (placards 1-9, 13-26) from the scene of the shooting and documented in Forensic Report #4.



Speer 9mm Luger shell casings collected by FIS from the scene (placards 12-26) and documented in Forensic Report #4.



Speer 9mm Luger shell casings recovered (placards 40-57) from the scene of the shooting and documented in Forensic Report #4.

C. Body Worn Cameras

Many of the officers present on May 5, 2020, were equipped with their department issued BWCs, which were also in proper operating condition. The BWCs support the statements of the officers relating to their interactions with Williams during the pursuit, the standoff, and the shooting. Many of the BWCs are further supported by the corresponding dash cameras equipped on the vehicles involved in the pursuit. Additionally, the witness statements, police reports, and dispatch log further corroborate the facts, date, times, and locations of the pursuit and shooting.

Officer Colborn's and Officer Sitton's BWCs, along with several other officers' BWCs captured the eleven-minute standoff on Dermody Way. Upon approaching Williams, Officer Colborn delivered commands to Williams. Williams responded and said, "I just want you to come talk to me," "I didn't do anything wrong." When asked to get out of his truck, Williams said, "that's not happening."

The BWCs show Williams repeatedly holding his hands out the window and then reaching around inside the car. Williams continually failed to show his hands, and he continued being combative with officers when he stated: "I am not the one with guns pointed at me;" "You have eighty fucking guys here." He continually asked the officers to approach his vehicle, which they declined and told Williams it was something they cannot do. The BWCs further captured him saying: "You know what the fuck is happening and you know why it's happening so I don't fucking care what you say is best." When told to calm down, Williams said "I don't have to calm down." Officer Colborn communicated over the radio that Williams was agitated, and his demeanor was reflected throughout the BWCs during the encounter.

Williams complained about "hoodlums doing shit to my truck all day long to fuck it up" and that he's "gonna fuck up their shit up." Williams revved his truck engine making it difficult for officers to communicate.

Williams said, "I don't want to fucking go through the goddamn fence." He then said, "this is my last fucking day - this makes everybody's last day - I don't want to talk to you." He then

talked about trying to speak with SPD in the past about an incident at the Rainbow Market. Williams stated, "you have about one minute, and I am going through that fence." Officers continued to attempt to deescalate the situation, but Williams drove through the fence.

Officer Colborn's BWC captured radio traffic between himself and supervising officers, including Sergeant Bare, as they planned to diffuse the situation through less lethal means and planned how to safely handle the matter.



Officer Colborn's BWC captures Williams hanging his hand outside the window of his truck as he argues with officers. Shortly after this, Williams is seen inside his vehicle reaching around despite officers' commands. The Dermody Way fence that Williams drove through is to the left of his truck.



Officer Colborn's BWC captures Williams' brief stop and interaction with officers after driving through the fence, making a U-turn, and continuing to flee from officers while ignoring their commands.

After Lieutenant Rowe successfully conducted a PIT maneuver, Officer Colborn's BWC, which is consistent with his dash camera, captured Williams driving into and crashing into a marked SPD vehicle. At that time, Officers Colborn, Gibson, Janning, Taylor, and Terrasas fired their duty weapons.



Williams' truck is seen to the left and is constantly revving and emitting smoke from his tires.



After the shooting, Williams' truck engine continued to run, and smoke continued to billow from the tires.

The shots are heard on the BWCs. After the shooting, Williams' truck engine continued to run and a constant cloud of smoke from the tires filled the air.

At the conclusion of the shooting, Sergeant Bare's BWC captured him grabbing a shield from the SWAT truck and approaching the vehicle. He radioed that Williams "is obeying our commands, he's compliant, we've got his hands in sight." Sergeant Bare repeatedly asked Williams if he can get out of the vehicle or open the window because both the doors were blocked. Sergeant Bare advised the officers to break out the back window with 40mm foam less lethal rounds. Williams yelled at officers that the window is plexiglass. Williams told officers that his door works, so officers decided to move the Tahoe blocking his passenger door. Sergeant Bare told Williams that they are going to move the Tahoe and he must keep his hands up at all times. Williams continued yelling at officers.



Officer Terrasas Chevrolet SUV patrol vehicle is seen blocking Williams' passenger door, which was the only operating door. His vehicle was moved so that Williams could exit the vehicle.

After several failed attempts with less lethal rounds to break out the rear window to remove Williams from the vehicle, Officer Colborn's BWC shows Officer Terrasas moving his marked SUV patrol vehicle and Williams continued failures to comply with officers' commands to get on the ground.



2020-05-05 T08:09:40Z
AXON BODY 2 X81269161



With Officer Terrasas's Chevrolet SUV patrol vehicle out of the way, Williams eventually exited his truck.



2020-05-05 T08:11:17Z
AXON BODY 2 X81269687



Williams continued engaging officers while on the ground as officers cut his clothes off.

The BWCs also captured Williams' statements as officers tried to get him out of the vehicle. Sergeant Bare instructed Williams repeatedly to come out of his vehicle and lay down. Williams responded, "give me a second - bro- have you ever been shot 40

times." Williams said "medics aren't doing anything. Can I sit with my hands up?" He continued to not comply and was told he will be shot with a 40mm, and Williams responded "again!" Officers commanded him not to reach for anything. Williams said his hands are out and "not to shoot him anymore. I've done everything you've asked - you've done nothing I have asked;" "I am not gonna relax. Look at what you did. How am I supposed to relax?" Williams asked, "Who is the supervisor?"

While placing handcuffs on Williams, the BWCs captured him saying: "Oh no guys that was all uploaded to my wifi - it just automatically uploaded." He then said, "look not a single weapon - told you." As Williams was rolled over, he asked, "are you guys gonna help?"

When asked by Officer Colborn where he was hit, Williams said "all over the place, how the fuck am I supposed to know - you guys are the ones that put them there." As his clothes were being cut off with trauma shears, Williams said "it's mind boggling how fucking ridiculous this is - you're comfortable with this, let me ask you - sir, you're comfortable with this? Janning you're comfortable with this?" Williams then said "Wow - Sparks police is crooked. You can't just move the crime scene. No. You can't move the crime scene. I am not going to agree with that. The court is going to listen to what I am saying...We are gonna lie about everything. Copy that."

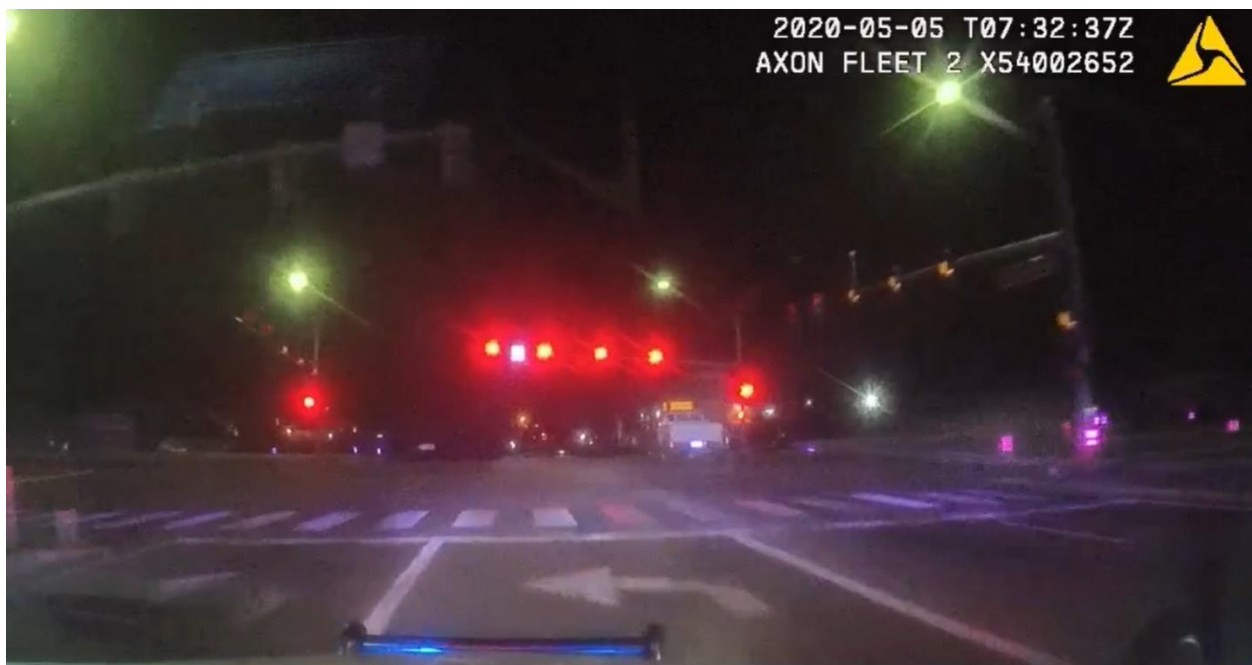
The BWCs also captured the radio traffic between pursuing officers that included discussions of deploying the Bear Cat on Dermody Way, Williams driving with his headlights off, attempted PIT maneuvers, the traffic conditions, and other key pieces of information exchanged amongst officers over the radio supporting the erratic behavior by Williams.

D. Dash Cameras

Many of the vehicles involved in the pursuit were equipped with dash cameras that corroborate and support the officers' account of the events that occurred that night.

Officer Colborn's dash camera reflects Williams driving off from the gas station when he arrived on scene and captured Williams stopping in the middle of the street, running through stop

signs, exceeding the posted speed limit, running red lights, and failing to stop for Officers Colborn and Taylor in their clearly marked SPD police vehicle with activated lights and sirens. His dash camera showed Williams stopping his car in the middle of the street as Officer Colborn got out of his vehicle and then sped off while running another red light. The dash camera captured radio chatter including information on Williams' criminal history that included battery with a deadly weapon and eluding. It also captured the radio traffic demonstrating uncertainty as to whether Williams' truck backfired or a shot was fired.



Williams drove through several red lights while eluding Officers.

Officer Colborn's dash camera captured Williams come to a stop on the dead end on Dermody Way and matches the standoff that occurred on his and other officers' BWCs. It also showed that Williams completely ignored officers' commands to exit the truck as he continually invited officers to approach his truck to talk "man to man." Williams yelled that "he does not have to calm down," and confirmed his name during the exchange. Officers made numerous efforts to deescalate the situation as Williams yelled back at officers. Officers were overheard discussing whether a shot was previously fired or whether the truck backfired. An officer was overheard saying he saw a plume of black smoke out of the tailpipe. The exchange between officers

and Williams at the dead end lasted for approximately eleven minutes before Williams drove through the fence.



Williams drove his truck through the fence at the Dermody way dead end.

Officer Colborn's dash camera captured Williams driving through the abandoned industrial area on Dermody Way, make a U-turn and head towards numerous officers with their lights and sirens activated. Williams briefly stopped, talked to an officer, and sped off. Efforts to conduct PIT maneuvers are broadcast over the radio and an unsuccessful PIT maneuver is captured on the dash camera. Williams continued running numerous red lights and speeding. Williams ran his final red light as he got on to I-80. Officers were aware that Williams' headlights were off, which they believed occurred after he crashed through the fence. He swerved all over the freeway in an erratic manner.



Williams is seen failing to maintain his lane and swerving through I-80.

Officer Colborn's dash camera captured the spike strips being removed from the freeway after Williams ran them over and Officer Colborn became the lead vehicle in the pursuit once again. Williams' tires slowly deflated, his speeds decreased, and he continued to swerve.

Williams exited I-80 while driving on only a rim, drove over the overpass, drove the wrong way, and then tried to ram Officer Colborn. The dash cameras captured eastbound traffic on I-80 as Williams drove the wrong way. His truck began throwing sparks.



After successful deployment of spike strips by NHP, Williams continues driving as his tire deflates and causes sparks. Shortly thereafter, he exits I-80 and travels in the wrong direction.

A successful PIT maneuver is captured on the dash camera. Williams then drove head on at Officer Colborn.



Officer Colborn's dash camera captures Williams driving towards him.



Officer Terrasas' dash camera captures Williams turning into him, striking his vehicle just as another officer exits his patrol vehicle.

The dash cameras captured Williams' driving pattern from several different vantage points that are consistent with the BWCs and witness accounts of the incident. Additionally, portions of the officers firing their weapons are present from the dash cameras well.

E. Dispatch Log

The dispatch log from the incident contains information related to the initial call for service the ampm ARCO gas station with timestamps and event entries that mirror and corroborate the BWCs of the officers and the corresponding dash cameras. The notable timestamps from May 5, 2020, are as follows:

- 00:10:54 - call for service to ampm ARCO gas station at 1701 Victorian avenue relating to a larceny is initiated.
- 00:12:12 - a male is identified as stealing alcohol and is in the parking lot.
- 00:13:14 and 00:13:38 - description of the suspect provided that identifies him as a white male adult in his late twenties, approximately 6 feet tall, medium build, in a black sweatshirt, red shorts and associated with a gray and black truck.

- 00:14:29 - reported no weapons seen on or with suspect.
- 00:14:31 - license plate identified as PG2919, the suspect takes off.
- 00:15:09 - suspect is stopping.
- 00:15:26 - suspect stopping again.
- 00:16:03 - possible backfire or gunshot.
- 00:17:16 - ran red light while eastbound on Glendale.
- 00:17:28 - registered owner of vehicle identified as Williams; and criminal history of eluding and battery with a deadly weapon provided.
- 00:18:19 - headed towards Dermody Way.
- 00:18:46 - 00:29:02 revving vehicle, giving commands, suspect agitated and refusing to get out.
- 00:29:32 - Williams ramming fence.
- 00:36:40 - getting on I-80.
- 00:36:49 - headlights off.
- 00:36:04 - past tense update that he had driving over the rocks at by business on Kleppe and Franklin.
- 00:49:04 - effective strips, subject hit spikes.
- 00:53:18 - 00:55:07 - speeds 35, Williams driving on rims, exiting freeway, no lights, wrong way, then right way, tried to ram Officer Colborn.
- 00:56:28 - 00:57:21 - shots fired, lots of dust, in the median
- 00:59:24 - expedite medics.
- 01:01:30 - eastbound and westbound I-80 traffic shutdown.
- 01:04:38 - firing less lethal at the back window.
- 01:10:23 - Williams still not coming out and is still noncompliant.
- 01:10:35 - 01:11:02 - Williams out of vehicle and prone.
- 01:13:37 - Lyon County advised to expedite medics
- 01:18:17 - medics unable to get to scene, officers are giving lifesaving aid and will transport Williams to meet with medics at USA Parkway.

F. Processing of Williams' 1976 Chevrolet Truck

After securing a judicially authorized search warrant of Williams' truck, WCSO FIS Criminalists processed Williams' 1976

truck (VIN CKU146F383631) that he used to elude officers for evidentiary purposes. The forensic examination and report reflect 71 bullets or defects consistent with bullet impacts throughout the truck. The processing took two days and includes 479 color images of the truck from the first day of processing and 206 color images of the truck from the second day of processing.

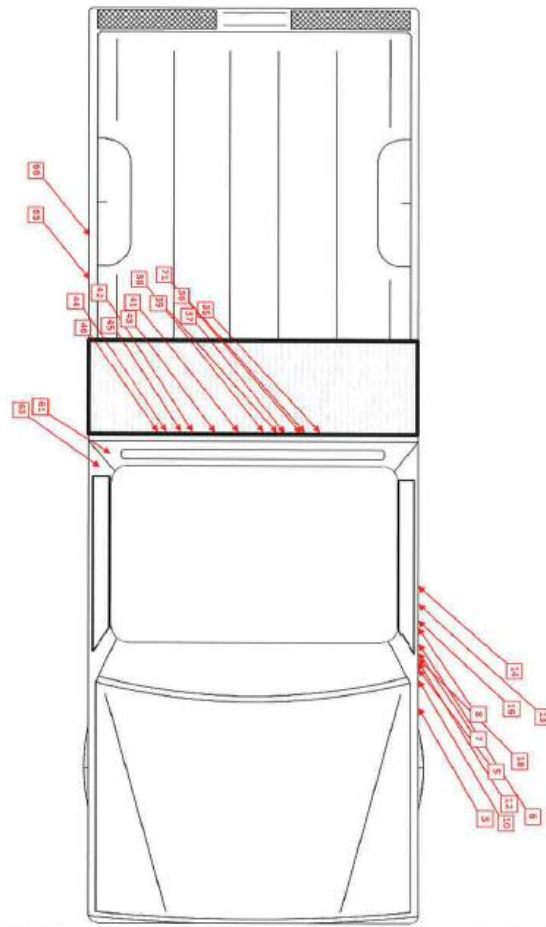


The photograph above is of Williams' 1976 Chevrolet truck (VIN CKU146F383631) while being processed by FIS. This photo illustrates the condition of his truck and the bullets that struck it at the conclusion of the pursuit and is documented in Forensic Report #5.



The photograph above is of Williams' 1976 Chevrolet truck (VIN CKU146F383631) while being processed by FIS. This photo illustrates the condition of his tire after running over the spike strips and fleeing from officers and is documented in Forensic Report #5.

The following illustrates the trajectory analysis of the 71 defects observed on Williams' truck:



Forensic Report #5 contains a trajectory analysis noting 71 defects and a description of the evidence collected from the truck.

Additional evidence collected from the truck included:

a disassembled black and silver Smith and Wesson 40 S&W handgun (serial number DVV9342) that was collected from the passenger floorboard; a clear glass smoking pipe with residue; 3 Hornady 40 S&W cartridges from the driver door panel pocket; an empty Angry Orchard Crisp Apple can from the upper dashboard; 1 Hornady Critical Defense box containing 9 Hornady 40 S&W cartridges, 5 CBC 40 S&W cartridges, and 1 WIN 40 S&W cartridge from the toolbox in the bed of the truck; and fired bullets and bullet fragments located throughout the truck.



FIS located a disassembled Smith and Wesson handgun (S/N DVV9342) inside of a gray beanie on the floorboard of Williams' truck and determined to be functioning when assembled as documented in Forensic Reports #10 and #11.



A clear glass pipe with black residue was collected from the driver's side floorboard of Williams' truck and documented in Forensic Report #11.

G. Processing of SPD Vehicles

FIS processed two SPD vehicles as part of their investigation into the shooting.⁷ Officer Terrasas drove a marked Chevrolet SUV with license plate 66980 that night. His vehicle also blocked Williams' passenger side door after he crashed into Officer Terrasas. A trajectory analysis revealed that officers fired their weapon at the driver's side door of Officer Terrasas' vehicle. The FIS report identifies 19 defects on Officer Terrasas' vehicle, many of which were consistent with bullet strikes and ricochets.

H. Transport of Williams from the Scene and Medical Treatment

After the shooting, numerous officers assisted Williams with medical treatment. Lyon County Fire Ambulance #61 made it on scene and transported Williams to Renown Regional Medical Center for treatment. Williams was conscious and alert after the shooting. Williams continued yelling at officers telling them that he declined any medical treatment.

During transport, Williams stated his name was "Joe" and he was about 33 years of age. Williams refused to answer and medical questions or provide any identifying personal information. Officers observed several injuries consistent with gunshot wounds on Williams left arm near his elbow area and left bicep; a circular wound located under his left pectoral muscle near the top portion of his rib cage; a circular wound to his left hip area; a wound to his middle chest; and a head injury to his forehead and back of the neck consistent with a gunshot wound.

While at the hospital and before Williams was transported to the Washoe County Jail, two bullet projectiles were removed from Williams. One was removed from the inside of the left bicep area near the armpit, and another was removed from the back of

⁷ The second vehicle processed was marked SPD Chevrolet Tahoe identified with license plate 71143 (VIN 1GNLCDEC7HR237503) was not involved in the shooting that night. Forensic report #2 reflects damages to the SUV's front driver wheel. The vehicle was driven by Officer Sitton that night and he suffered a flat tire after attempting a PIT maneuver on Williams' truck after he crashed through the Dermody Way fence.

the neck at the base of the skull. WCSO Deputies took photographs of the projectiles and booked them as evidence.

I. Toxicology Tests

Pursuant to judicially authorized seizure orders obtained by law enforcement, medical personnel collected samples of Williams' blood after the incident. A criminalist at the Washoe County Sheriff's Office Forensic Science Division analyzed samples of Williams' blood for ethanol and controlled substances after the incident. Subsequent analysis revealed no ethanol present in Williams' blood. However, 134 ng/mL (+/- 27 ng/mL) of methamphetamine and 316 ng/mL (+/- 63 ng/mL) of midazolam was present in Williams' blood.

III. LEGAL PRINCIPLES

The Washoe County District Attorney's Office is tasked with assessing the conduct of the officers involved and determining whether any criminality on their part existed at the time of the shooting. Although Williams survived this officer involved shooting, in order 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 authority interpreting justifiable self-defense and defense of others. All of the aforementioned authority is intertwined and requires further in-depth explanation:

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

NRS 200.120 provides in relevant part that "Justifiable homicide is the killing of a human being in necessary self-defense, or in defense of...person, against one who manifestly intends or endeavors, by violence or surprise, to commit a felony..." against the other person. NRS 200.160 further provides in

relevant part that "Homicide 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 public 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 "[w]hen 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."⁸

C. Use of Deadly Force to Effect Arrest

NRS 171.1455 provides in relevant part "If necessary to prevent escape, an officer may, after giving a warning, if feasible, use deadly force to effect the arrest of a person only if there is probable cause to believe that the person...poses a threat of serious bodily harm to the officer or to others.

⁸ A 1985 Nevada Attorney General Opinion limited the interpretation of NRS 200.140 to situations where the officer has probable cause to believe that the suspect poses a threat of serious physical harm either to the officer or to others.

IV. ANALYSIS

On May 5, 2020, SPD Officers Colborn, Gibson, Janning, Taylor, and Terrasas used deadly force on Williams. The use of force by each officer was justified and lawful under Nevada law. Collectively, the conduct of Williams and the imminent danger he posed to officers and the public that night is corroborated through each of the witnesses' interviews, which includes the officers that fired their weapons and other officers involved, BWCs, dash cameras, photographs, FIS analyses of the scene and vehicle, dispatch logs, and all provided documentation. The force used by each officer was reasonable, absolutely necessary under the circumstances, and for the purpose of avoiding death or great bodily injury given that Williams posed an apparent and actual threat to the involved officers and the public.

Officer Colborn was the first to encounter Williams after responding to the ampm ARCO gas station in the normal course of his duties and located Williams in his truck at the gas pump. Officer Colborn turned on his lights, and shortly thereafter his sirens, in his clearly marked patrol car, and Williams fled. Officer Colborn along with numerous other officers in marked police vehicles pursued Williams with their lights and sirens activated for over 20 miles as he eluded officers for 42 minutes. Officer Colborn participated in the entire pursuit and directly witnessed Williams' erratic behavior.

During the pursuit, Officer Colborn witnessed the continuous threat Williams posed to officers and the public. He watched Williams flee from him with his lights and sirens activated; stop in the middle of the road and then take off from him and other officers, which he felt was an attempt to lure or bait him and the other officers; run red lights; swerve all over the road; avoid PIT maneuvers; drive through a landscaped embankment; drive the wrong way on I-80; ram into his patrol vehicle; and drive over police cars after the final PIT maneuver. Additionally, during the eleven-minute standoff on Dermody Way, Williams further demonstrated his unwillingness to comply with Officer Colborn's and other officers' commands. Officer Colborn directly witnessed Williams' agitation, noncompliance, and disobedience through the entire standoff until he erratically and recklessly drove through the fence,

demonstrating the imminent danger he posed. Williams' demonstrated danger, coupled with his agitated statements, such as "this is my last fucking day - this makes everybody's last day - I don't want to talk to you" solidified the reasonableness of Officer Colborn's use of deadly force at the conclusion of the pursuit when Williams drove into officers' vehicles after trying to ram him.

Officer Gibson first arrived on scene at the Dermody Way dead end where he witnessed Williams failing to obey officers' commands, becoming increasingly agitated, revving his truck engine, and driving through the fence. Prior to arriving, Officer Gibson knew that Williams failed to stop for Officers Colborn and Taylor. Williams escalated the situation as he repeatedly ignored Officer Gibson's and other officers' commands during the Dermody Way standoff. Based on Williams' behavior, Officer Gibson reasonably believed that he may backup into the officers.

Officer Gibson further witnessed the direct threat Williams posed to officers and the public on I-80. Officer Gibson saw Williams driving the wrong way and heard that he tried to ram Officer Colborn. After the PIT maneuver, Officer Gibson saw Williams drive over Officer Janning's car and ram other patrol vehicles.

As Officer Janning responded, he was aware that Williams' truck either backfired or a shot was fired and that Williams was now stopped at a dead end and not complying with officers' commands and revving his truck engine. He witnessed Williams drive through the fence. Officer Janning was aware of the dangerous nature of the pursuit and cognizant of the danger Williams posed to officers and the public through his erratic behavior and unwillingness to comply with officers' commands.

Immediately after the final successful PIT maneuver, Officer Janning used his patrol vehicle to ram Williams' truck in a reasonable effort to end the pursuit and protect the lives of officers and the public. However, Williams drove over Officer Janning's vehicle where it became stuck. Officer Janning had a reasonable belief that if Williams got free, he would drive straight into other officers or drive off and further endanger the public.

Officer Taylor also directly witnessed the imminent threat Williams posed to officers and the public because he was involved in the pursuit with Officer Colborn from nearly the outset. He thought that he heard Williams' truck backfire or that a shot was fired, but he was unsure. Based on Williams' conduct and statements on Dermody Way, Officer Taylor thought Williams might come out of his truck with a gun. During the Dermody Way standoff, he also thought that Williams would drive over him and other officers and kill them. He then witnessed Williams run red lights and drive through the landscaped embankment to avoid officers. Officer Taylor further stated he thought that Williams was "gonna head on someone and we're gonna have multiple deaths and we had opportunities that we thought we could get this done and this is just gonna end terribly." His belief was legitimate and reasonable.

Finally, Officer Terrasas caught up to the pursuit on I-80 when he saw Williams go over the overpass and start driving head on at oncoming traffic without illuminated headlights. After the final PIT maneuver, Officer Terrasas faced a legitimate fear of death and great bodily harm when Williams turned his truck to crash into Officer Terrasas along with witnessing Williams drive into and on top of other police vehicles.

Facing the legitimate and immediate fear of death or great bodily injury to themselves or others, Officers Colborn, Gibson, Jannings, Taylor and Terrasas shot at Williams to prevent immediate harm to themselves, other officers on scene, and to innocent civilians traveling on I-80 if he were to break free.

The BWCs, dash cameras, witness statements, police reports, and physical evidence support each officer's version of events from initial contact with Williams until shots were fired on the center median of I-80. Accordingly, each officer had the right under Nevada law to use deadly force against Williams in defense of themselves or others.

Lastly, coupled with the facts contained within this report and analysis, Williams' no contest plea and sentencing to assault with a deadly weapon and eluding a police officer further supports the reasonableness of each officers' individual and collective action.

Pursuant to Williams' plea and conviction for the charges outlined in the Second Amended Information filed on May 17, 2021, in the Second Judicial District Court, Williams did not admit guilt; however, he admitted that there was sufficient evidence against him which would result in his conviction for the offense of assault with a deadly weapon and eluding a police officer.

The assault with a deadly weapon felony crime to which Williams pled no contest acknowledged that he "did willfully and unlawfully attempt to use physical force against another person and/or intentionally and unlawfully place another person in reasonable apprehension of immediate bodily harm" and that the basis of this conduct was the 42-minute vehicle pursuit that resulted in Williams driving his truck towards and striking Officer Terrasas' patrol vehicle.⁹

The eluding a police officer felony crime to which Williams pled no contest further acknowledged that he did "did willfully and unlawfully, while driving a motor vehicle, fail or refuse to bring said vehicle to a stop, or otherwise flee or attempt to elude a peace officer in a readily identifiable police vehicle, when given a signal to bring the vehicle to a stop, and further did proximately cause damage to the property of any other person and/or operate said vehicle in a manner which endangered or was likely to endanger any other person or the property of any other person, upon multiple highways or premises to which the public has access."

⁹ Specifically, Williams pled no contest to the following conduct as it relates to the charge of assault with a deadly weapon, in that Williams drove a deadly weapon, that being:

a pickup truck, upon Interstate 80 eastbound, Sparks, Washoe County, Nevada, to wit: the said defendant led Sparks Police Officers on an approximately 42-minute vehicle pursuit, and following the said defendant's truck being impacted in a Pursuit Intervention Technique (PIT maneuver), the said defendant drove his truck at Sparks Police Department Officer Mateo Terrasas while he was driving his patrol vehicle, thereby causing Officer Terrasas to take evasive measures by turning his patrol vehicle, and despite Officer Terrasas' evasive measures, the said defendant struck Officer Terrasas' patrol vehicle.

The factual basis of the plea includes Williams' acknowledgment that he fled from officers and placed SPD "officers in danger of being struck" by his truck.¹⁰ Once again, this further justifies the officers' reasonable subjective and objective belief that Williams posed an imminent danger and that he would kill or cause great bodily injury to himself or others and the use of force was absolutely necessary under the circumstances.

Williams' no contest plea to each charge is irrefutable evidence that Williams posed an imminent danger to the officers and the public. Coupled with the evidence contained in this investigation, it further compounds each officers' assertions and the reasonableness of their beliefs that Williams' conduct would either kill or cause great bodily injury themselves or others.

Therefore, the use of deadly force on Williams by Officers Colborn, Gibson, Janning, Taylor, and Terrasas was justified and lawful under Nevada law.

¹⁰ Specifically, Williams pled no contest to the following conduct as it relates to the charge of assault with a deadly weapon:

the said defendant drove a pickup truck at nighttime at speeds in excess of posted speed limits, failed to stop at stop signs and stop lights, swerved between lanes of traffic, drove through a gate and upon landscaping, drove at or towards law enforcement vehicles, drove eastbound in the westbound Interstate 80 travel lanes, and drove across the dirt median separating the eastbound and westbound Interstate 80 travel lanes, at times driving without his headlights and taillights illuminated, all of which occurred upon multiple streets within Washoe County, Nevada, beginning at the ampm located at 1701 Victorian Avenue, and continuing upon 21st Street and Glendale Avenue, Dermody Lane, and Interstate 80, among other streets and highways, and in the course of said driving, the said defendant damaged a gate and landscaping, struck and damaged Sparks Police Department vehicles, and/or placed Sparks Police Department officers in danger of being struck by the said defendant's vehicle.

V. CONCLUSION

Based on the review of the entire investigation presented and the application of Nevada law to the known facts and circumstances surrounding the May 5, 2020, officer involved shooting of Williams, the actions of SPD Officers Charles Colborn, Austin Gibson, Nathan Janning, Vern Taylor, and Mateo Terrasas are 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.