

Weber County Attorney's Office
Criminal Investigation
Officer Involved/Deadly Force Used
Date 06-06-2023
Investigator Steve Haney
Premise:

City: Ogden

Agency Involved: Ogden City Police Department

Ogden City Case # 23G41529

CSI Case #23CS650

PURSUANT to URCrP, Rule 16(e)
and UCS §77-38-6, the victim(s)
and witnesses' identifying
information has been redacted
from the enclosed documents.

INTRODUCTION

On June 6th 2023, the Ogden City Police Department reported that there had been an officer involved shooting involving members of their department. The officer involved critical incident protocol for Weber County was initiated.

This force investigation was handled by the Weber County Attorney's Office as outlined in the protocol. The information provided in this document is a summary of the complete and thorough investigation conducted by the Weber County Attorney's Office Force Investigation Team. The following investigators were utilized;

Weber County Attorney's Office Force Investigation Team Involved:

Investigator Steve Zaccardi- (WCAO)

Investigator Cameron Hartman- (WCAO)

Detective Ty Hebdon- (WCSO)

Detective Brain Hough- (SOPD)

Detective Brian Shultz- (SOPD)

The Following were members of the Weber Morgan Homicide Task Force who were also utilized.

Detective Dustin Stewart- (WCSO)

Detective Will Smith- (WCSO)

Detective Terance Lavelly- (WCSO)

Detective Jose Leon- (WCSO)

Detective Michael Roche- (WCSO)

Detective Caleb Rivera- (WCSO)

Detective Val Truscott- (RCPD)

Detective John Frawley- (RCPD)

Detective Robert Lovato- (RIPD)

Overview/ Summary

Involved: Joe Wilson- Ogden City Police

Involved: Wendi O'Doherty- Ogden City Police

Involved: Carter Larson- Ogden City Police

Involved: Keyton Moore- Ogden City Police

Involved: Tyler Lunt- Ogden City Police

Involved: James Tracy- Ogden City Police

Involved: Johnathan Sidhu- Ogden City Police

Involved: Drew Rentmeister- Ogden City Police

Subject/deceased: Brian Simonton-

Victim: Lindy Long

Witness/Complainant: Jenny Wright

Witness Officer: Jared Neilsen- Ogden City Police

Witness Officer: Robert Griggs- Ogden City Police

On June 6th 2023, there were multiple 911 calls that call into Weber Are Dispatch Center asking for an officer to respond to on the report of a male who was present and was refusing to leave after he violated a valid protective order. One of the caller

was the victim in this order violation. It was also relayed that the offender in this case, Brian Simonton, was known to carry a gun.

Officers from Ogden City Police were confronted by Simonton who brandished a handgun and fired rounds at them. One officer was struck by a bullet and wounded. Officers returned fire with their duty weapons and struck Simonton multiple times. Simonton died as a result of the gunshot wounds.

This incident started in the parking lot of an apartment complex and moved to another portion behind two apartment complex buildings. There were numerous witnesses from residents who lived there and also multiple body cameras and surveillance footage video.

Investigation

I was contacted and advised that an officer involved critical incident had taken place in Ogden and we were being summoned to investigate the incident per Weber County Protocol.

I arrived on scene at the Washington Park apartment complex located at . There was already a massive police presence at the location and a crime scene log had been started by an Ogden patrol officer. I met with Lt Buss who advised me that there were multiple officers who fired their duty weapons and they had been extracted from the scene. Officer Wilson had been hit by a bullet in the arm and was already at McKay Dee Hospital. I had already been informed that FIT Detective Brian Shultz was at McKay Dee Hospital and would assist in the collection of evidence there.

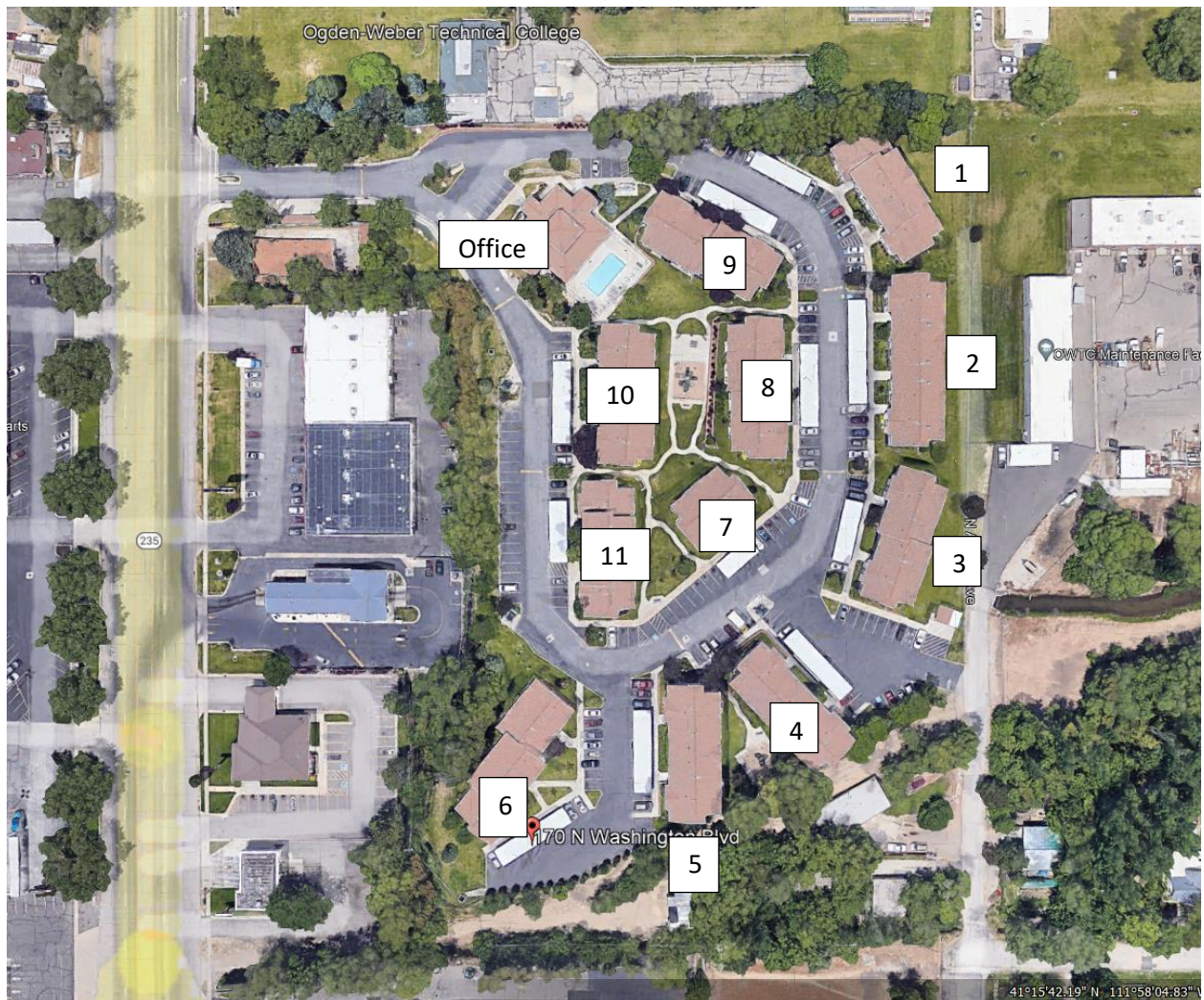
Lt Buss did not have much information about the incident and what had exactly happened. The suspect was deceased and laying on the ground in the parking lot in front of building #1.

I saw a group of detectives from the Weber Homicide Task Force standing on the perimeter. I directed them to start filling in where there were still OPD officers still in the inner perimeter. I also asked them to start identifying witnesses in the apartment complex.

Detective Hebdon who is a on the FIT team was present. He told me that this incident started with a 911 phone call about a protective order violation and the caller was supposedly at the complex management office. I asked Det. Hebdon to follow up on that and try and locate the caller.

Investigator Zaccardi arrived on scene and we had a briefing about what was known so far and where we needed to shore our resources up. I decided that I would go to the Ogden Police Station and process the involved officers while Investigator Zaccardi would stay and supervise the crime scene.

The Washington Park apartments are located on the east side of Washington Blvd. The drive way leads towards the east and wraps then wraps around in a circle. There are 11 different apartment buildings that each have multiple floors of separate apartments in them. There is also a management building in the complex. Along the driveway around the complex, there are parking stalls for vehicles in front and around all the buildings. Below is an overhead look at the Washington Park Complex. The numbers in the photo are the building numbers.



This apartment complex runs parallel to the Ogden Weber Applied Technology College campus that is directly to the north and east of this complex.

Processing the officers

I arrived at OPD and met with CSI Gerard who would be collecting the firearms for processing. Each officer was sequestered in a separate office. I was then advised that 8

different officers fired their weapons including Officer Wilson. Each officer was photographed as how they looked at the time of the incident. I then counted the amount of bullets remaining in their firearms. Below are the photographs.

Officer Drew Rentmeister





Glock 9mm Model 45 Serial #
11 Bullets in Magazine- Duty carries 18 rounds- Fired 7 times

Officer Keyton Moore





Glock 9mm Model 45 Serial #

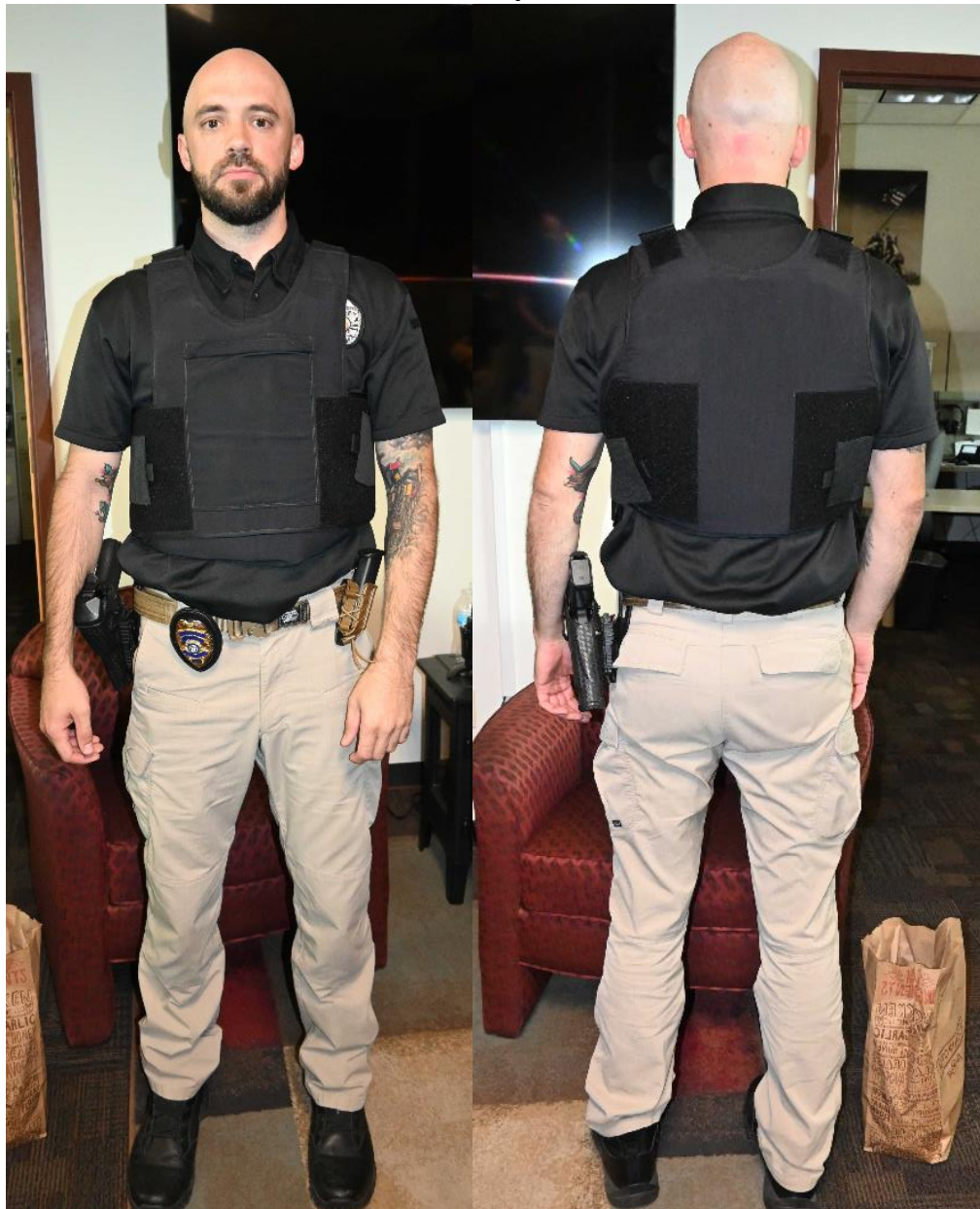
4 Bullets in Magazine- Duty Carries 18 rounds- Fired 14 times

Officer Wendi O'Doherty



Glock 9mm Model 45 Serial #
14 Bullets in magazine- Duty carries 18 rounds- Fired 4 times

Detective Tyler Lunt



Glock 9mm Model 45 Serial

12 Bullets in magazine- Duty carries 18 rounds- Fired 6 times

Officer Carter Larson



Glock 9mm Model 17 Gen 4, Serial #
1 empty magazine- 1 Bullet in magazine- Duty carries 18 rounds- Fired 34 times

Officer Jonathan Sidhu



Glock 9mm Model 45 Serial #

13 Bullets in magazine- Duty carries 18 rounds- Fired 5 times

Detective James Tracy



Glock 9mm Model 45 Serial #
11 Bullets in magazine-Duty carries 18- Fired 7 times

Officer Joey Wilson



Glock 9mm Model 45 Serial #

11 Bullets in magazine- Duty Carries 18- Fired 7 times

Officer Wilson sustained a bullet wound injury to his right arm. The bullet struck his right forearm and traveled up his arm and exited near his right armpit and striking the right side of his chest but not penetrating. The physician on duty at the emergency room believed the bullet was stopped by the very inside of Officer Wilson's bullet proof vest.

Officer Wilson Injuries



Witness Officer Jared Neilsen-K9

While I was at the Ogden PD Station, I learned that a K9 was used on scene to approach Simonton after the shooting had stopped. I was told that it was Officer Neilson who was the K9 handler. I spoke with Officer Neilsen who told me that he had arrived and heard the gunfire but by the time he reached the area where officers were set up between building one and two, the shots had ceased and commands were being given to Simonton to show officers his empty hands and to surrender.

Officer Neilsen said a large revolver was on the ground near where Simonton was laying and due to the fact that he had already fired and struck an officer, extreme caution was being used. It was decided that Officer Neilson would deploy his K9 using a long line from cover and drag Simonton to where cover could be utilized to safely take him into custody. Officer Neilsen said his K9 grabbed Simonton in the shoulder area and dragged him west towards where Neilsen and other officers used a shield as cover and placed handcuffs on Simonton. He was then further dragged by officers to the parking lot and placed there for medical personnel to safely come in and render aid.

911 Call

Lindy Long- Victim

Jenny Wright- Witness

Detective Hebdon met with Jenny Wright who is the manager of the apartment complex and was still in the main office. Det. Hebdon learned that this incident started with a phone call to Wright from a resident who reported that a male was on the premises and was putting a strange dog in the dog park area. Wright went to the area and encountered this male, Brian Simonton

Wright reported that she approached the male as he was standing outside of his truck and he had the rear passenger side door open while petting a large brown dog sitting inside on the seat. Wright advised that she did not recognize the male as one of the residents of the apartment complex so she said hello and asked him who he was there to see. Wright informed me that the male (later identified to be Brian Simonton) told her that he was there to see Lindy, whom she knew to be Lindy Long in . Jenny told me that Simonton informed her that the dog belonged to Lindy and that he was dropping it off to her but she was not home. Wright reported that around that same time Lindy pulled into the parking lot and approached the two of them. Jenny advised that she then left Simonton and Lindy to discuss what they needed to do about the dog and she (Jenny) returned to her office.

Jenny stated that around five to ten minutes later Lindy then came into her office and was visibly distraught and shaking. Jenny reported that Lindy told her that Simonton was her ex-husband whom she had a protective order against and that Brian was trying to make her take the dog but the dog is very sick and Simonton would not leave. Jenny said that Lindy asked her if she should call the cops to come and take the dog and she (Jenny) told her that she should call the cops because of the protective order. Jenny stated that Lindy did not want Simonton to get charged but she did want him to leave so Jenny told her that she could just report him as trespassing. Jenny reported that Lindy asked that she be given another chance to get Simonton to leave before calling the cops and they agreed. Jenny told me that Lindy left the office for approximately five minutes before returning and advising that Simonton was still refusing to leave.

Jenny told Det. Hebdon that Lindy stayed in her office and then called 911 to report Simonton's presence. Jenny said that she heard Lindy tell dispatch that he was known to carry firearms. Jenny stated that around this time her maintenance supervisor, Troy Wilbur, also called 911 because he had gotten into a confrontation with Simonton. Jenny said that Lindy told her that the situation was probably not going to end well so she went outside to tell residents to get inside. Jenny reported that while she was outside of her office she saw an officer and she directed him toward Simonton's location. Jenny stated that she saw the officer draw his firearm and she had everyone nearby get inside of her office. Jenny reported that she heard the officer tell Simonton to "put down the weapon" and that he also identified himself as Ogden Police. Jenny stated that she then locked the doors to the main office and got people out of the pool next to the office. Jenny stated that while they were going into the office she heard several gunshots. Jenny told Det. Hebdon that she had everyone, including Lindy, go into the living room of the front office and they awaited officers to come tell them the scene was safe.

Lindy Long

Det. Hebdon then interview Lindy Long. She told Det. Hebdon that she and Simonton had a "common law" marriage but divorced in 2019 because of Simonton's drug use and violent behavior. Simonton had a history of meth and fentanyl use while they were together.

In her statement to Det. Hebdon, Lindy said she believed that Simonton was still using drugs and had become more erratic and had left her voicemails about being homeless and suicidal. Lindy said that day Simonton physically looked as bad as she had ever seen him, and described him as "unrecognizable".

Simonton wanted Lindy to take their dog that he had been caring for and now wanted her to take. Lindy informed me that she was at work today and as she was finishing her shift

when she was contacted by her daughter, Lyliana (Lily), who was at home alone. Lindy stated that Lily told her that Simonton had come to the home and knocked on the door. Lily told Lindy that she did not answer the door because she had looked out of the peephole and saw that it was Simonton and also thought that he looked bad. Lindy stated that Lily told her that Simonton had left after not receiving an answer. Lindy reported that she then came straight home.

Lindy reported that when she got home she saw Jenny speaking with Simonton and she approached them. Lindy stated that Jenny left her and Simonton to talk. Simonton spoke with her (Lindy) about taking the dog. Lindy told me that she wanted Simonton to leave so she took the dog and placed him in her house and told Simonton to leave but he refused. Lindy told me that she told Simonton that she would have management make him leave and she then went into the office and spoke with Jenny. Lindy spoke about how she wanted to try to get Simonton to leave without police responding so she went back out to try to get Simonton to leave but he still refused. Lindy reported that she warned Simonton that the police were going to be contacted if he refused to leave and Simonton told her that if the police came then "it would not end well" and that it would be her fault.

Lindy stated that she was afraid of Simonton and what would happen and contacted 911. Lindy advised that she believed that police were going to have issues with Simonton but she did not know that it would turn out how it did. Lindy reported that while she was in the office with Jenny that the maintenance man came in and said that Simonton was outside threatening him and that he had a gun. Lindy reported that she stayed in the office speaking with dispatch and that while she was in the office she heard multiple gunshots.

These interviews were captured and recorded on Det. Hebdon's body camera.

Processing the Scene

After returning to the scene and being debriefed by Det. Hebdon about Simonton's contact with Lindy Long and the management of the apartment complex, I met with CSI Grogan about the processing of the scene. CSI Grogan was confident that the areas of where officers had fired from had been identified by where 9mm bullet casings had been located. A large revolver had been found on the grass behind building #2 where witnesses had said Simonton was positioned and where he was firing from.



Taurus Serial 45 caliber revolver "The Judge"



One fired bullet casing found inside the cylinder. (44 Mag bullet)



Four fired bullet casings found near the revolver. (44 and 45 casings)



It appeared that Simonton was using both 45 caliber bullets and 44 Mag bullets in a 45 caliber revolver.

At this point, investigators learned through witness statements that the confrontation between Simonton and the initial officer (Wilson) had started in the northeast parking lot area just east of the main office building. Shots were fired by both Simonton and Officer Wilson at this location.



Red arrow- Officer Wilson
Yellow arrow- Simonton

Simonton fled to the east when other officers arrived on scene. Simonton ran between apartments one and two which led to a grassy area and a fence that borders the Ogden Technology College. Below is a photograph showing fired 44 mag and 45 caliber bullet casings behind building #1. These would be from Simonton's firearm, indicating that he reloaded the gun at one point.



From where 9mm bullet casings were located, it was determined that officers had fired from the marked areas below on this map of the apartment complex.



The scene was scanned with Farro 3D imaging devices and casings were collected. Simonton's vehicle was towed to the secure CSI facility.

Brian Simonton



Body Camera Footage from Officer Wilson
(Axon Camera-30 second delay until sound starts)

The first images in this footage is the steering wheel of Officer Wilson's patrol vehicle. Officer Wilson arrives at the apartment complex and is exiting his vehicle at 15:31:34. The sound turns on at 15:31:36. It appears that Officer Wilson has parked west of the main office building and swimming pool area.

Officer Wilson is walking fast towards the center of the courtyard behind buildings #8, #9, and #10. There is a cement pathway that Office Wilson follows east to the middle of the courtyard and then turns and starts walking north behind apartment building #9. There are people that can be seen near the entrance to the office building as Officer Wilson walks that direction. A woman can be seen pointing Officer Wilson to the east.

Officer Wilson rounds the corner and walks into a parking area where there are carport covers over a row of parked cars. At 15:32:21, Officer Wilson stops and draws his duty sidearm quickly. Officer Wilson starts walking backwards and puts a transmission out of his radio, "Step it up, he's just pulled a gun. All units, he's got a gun in his right hand". (Simonton is not visible in the footage)

Officer Wilson yells, "Drop the gun now!" as Simonton can now be visible in the footage. He is walking westbound in the middle of the parking lot between the rows of cars.

Officer Wilson yells, "Drop the weapon!" (15:32:32) Simonton is shown below in the white tank top and white hat in the center of the frame. (Red Arrow)



Officer Wilson retreats to cover from apartment building #9 and relays that Simonton has an "88" in his hand. (An "88" is law enforcement radio 10- code for "gun") Officer Wilson again yells at Simonton to "drop the weapon now". (15:32:40)

In the still shot photo below, Simonton can be seen moving towards Officer Wilson with a long barreled gun in his right hand. (Red Arrow)



Officer Wilson yells again to Simonton to “drop the weapon”. In the photo below, Simonton raises his right arm and points the gun right at Officer Wilson. (15:32:45)



Officer Wilson retreats again to cover behind the northwest corner of apartment building #9 and appears to look at his sidearm. Officer Wilson again radios and says that Simonton is pointing the gun at him. Officer Wilson advances back to the parking area.

Simonton has moved back to the east and is now behind the row of parked cars in front of building #9. Simonton is yelling things at Officer Wilson that are inaudible.

Officer Wilson yells, "drop the firearm now!" and then moves east to the very first vehicle in the row of cars parked. Officer O'Doherty is heard asking Officer Wilson where he was. Officer Wilson retreats backwards and speaks on his radio, telling Officer O'Doherty that he is left of his vehicle and in the parking lot. Officer Wilson again says over the radio that Simonton has a gun.

Officer Wilson is in the parking lot facing east. Simonton cannot be seen in the footage at this time. Officer Wilson again examines his sidearm. (15:33:14)

Officer Wilson moves around and comes up closer to the first vehicle parked. Officer Wilson then calls out using Simonton's first name, "Brian, drop the firearm now!"

Officer Wilson continues to move forward and again gives multiple commands to Simonton to drop the gun. Officer Wilson then takes cover behind the vehicle and Simonton can be heard saying something to Officer Wilson that appears to be, "It's gonna be like that!"

Officer Wilson is kneeling down behind the vehicle and that obstructs the camera view. Officer Wilson yells again to Simonton to "drop the weapon", Simonton is saying inaudible things back to Officer Wilson.

Officer Wilson yells, "drop it" and Simonton yells back "I can't". Officer Wilson warns Simonton that he "will shoot" him. Simonton is talking back but it is inaudible. (15:34:18)

Officer O'Doherty can be heard asking Officer Wilson over the radio where he is located in relation to his vehicle. Officer Wilson again yells at Simonton to drop his weapon and then gets on the radio and replies to Officer O'Doherty that he is in "on the opposite side". Officer Wilson then screams at Simonton, "Drop the firearm!"

Officer Wilson now moves to the front of the parked vehicles and up on the sidewalk in front of building #9. Officer Wilson again examines the side of his duty weapon.

Below is a still frame photograph of Officer Wilson facing east. Simonton can be seen moving north through the window of the white jeep looking back at Officer Wilson. (15:34:52) (Red

Arrow)



Officer Wilson moves back north into the parking lot and towards the rear of the first parked vehicle. Officer Wilson sends a radio transmission that he cannot get a shot at Simonton because of the parked vehicles. Officer Wilson again yells, “Drop the firearm!”

Officer Larson can be heard asking, “White tank top, white hat?” Officer Wilson replies, “Affirm”, and then yells, “drop it!” at Simonton.

Simonton starts yelling back at Officer Wilson very aggressively. Officer Wilson again yells, “drop it!” and Simonton yells back, “you drop it!”

Officer Wilson then moves closer between the parked vehicles. Officer Wilson raises his duty weapon and fires towards the white Jeep and Simonton had been seen moving behind. There is other shots that can be heard that are different from Officer Wilson's.

Officer Wilson moves to the north end of the parked vehicles and then turns east. Simonton can be seen in the footage towards the east. Simonton is facing south and firing his weapon towards the south. Officer Wilson fires his weapon at Simonton.

Below are still frame images of Simonton firing multiple times. The smoke is of the gun powder can be seen.







Officer Wilson then transmits on his radio that Simonton is fleeing east and that shots have been fired. Officer Wilson also reports that Simonton is going behind building #1. Officer Wilson yells at Officer Larson and Officer O'Doherty that Simonton is headed, "that way", and to "cut him off!"

Officer Wilson pursues Simonton and follows where he last saw him go. Officer Wilson runs east between apartment buildings #1 and #2 and turns south behind #2. An image of Simonton standing there looking back at Officer Wilson can be seen. Simonton's right arm is up and extended towards Officer Wilson. A shot can be heard.

Below is a still frame images of Simonton standing at the fence behind apartment building #2. (Red Arrow)



Below is the still frame that shows the gunpowder explode from Simonton firing the gun at Officer Wilson. (15:35:39)



Officer Wilson is struck by this bullet in the right forearm.

Below is a still frame image where Officer Wilson is hit by Simonton's fired bullet. Blood can be seen in this frame coming from Officer Wilson's right forearm. (15:34:40)



Officer Wilson retreats back west to the parking lot and send the transmission on the radio that he has “been hit”. Officer Wilson yells at occupants of the apartment complex to “get in the house!” as he continues to move west into the parking lot. Officer Wilson stops and turns back to the east and then decides to keep moving west. Officer Wilson radios for medical help. Officer Wilson has moved his duty weapon to his left hand at this point.

Officer Wilson then yells at someone for a “tourniquet”. Detective Doug Dunbar then can be seen rendering aide to Officer Wilson and applying a tourniquet on his right arm.

Detective James Tracy is also seen in this moment moving to the east past where Officer Wilson is.

As Det. Dunbar is moving Officer Wilson towards a vehicle, there is a blood trail very visible on the cement from where Officer Wilson has been bleeding. They are now behind the row of mailboxes by the main office building. Numerous shots can be heard coming from the east. (15:37:16)

Officer Wilson asks Det. Dunbar to take him to the hospital. Officer Wilson then runs west to an unmarked police vehicle and gets in the passenger side. Det. Dunbar gets in and starts driving. A voice asks on the radio if “has someone got Joey?”

Officer Wilson is able to transmit that he is with Det. Dunbar and they are on their way to the hospital. They leave in Dunbar’s vehicle and then they stop at a paramedic truck. Officer Wilson gets into the back seat of this truck. Medical personnel start treating him. He is then transferred to an ambulance where they remove his bullet proof vest. The body camera is still attached to the vest. The camera is now covered as it is set down. Audio is still being captured while the ambulance is transporting Officer Wilson to McKay Dee Hospital. Medical personnel can be heard while treating Officer Wilson.

Once they arrive at the hospital, Det. Dunbar takes custody of Officer Wilson’s vest. It is placed in Det. Dunbar’s truck and secured. The camera is still active and remains active and recording. Voices of Det. Dunbar and Det. Shultz can be heard along with CSI Dietrich and CSI Romney as they document the bullet count of Officer Wilson’s duty weapon and spare magazines.

The vest is pulled out of the trunk to be photographed by CSI Romney. Det. Dunbar turns off the body camera at 17:03:21 hrs.

Interview of Officer Wilson

Officer Joseph Wilson was interviewed at the Weber County Attorney’s Office with his FOP attorney present. I asked Officer Wilson to start by just telling us the story of what happened in this incident as best he could recall.

Officer Wilson said he took a call for service in the north end of Ogden City which led to him being close to the apartment complex when it was dispatched. Officer Wilson said he saw that Simonton had a protective order against him and he should not be there. Officer Wilson also read that Simonton was known to carry a gun on him. Officer Wilson said there was second 911 call that came in from the main office about Simonton causing a disturbance.

Officer Wilson said he parked his vehicle near the office and then started walking into the complex and around where the swimming pool was located. Officer Wilson did not know

where Simonton was but then saw three people by the front of the main office and they pointed east trying to show Officer Wilson where Simonton was.

Officer Wilson said he walked through where the parked vehicles were and saw Simonton. Officer Wilson said that Simonton then pulled a large handgun from his pocket or waistband. Officer Wilson described how this was very different from order violations that he has handled in the past and put him on alert.

Officer Wilson said he advised dispatch that Simonton had a gun and described that there was a good amount of distance between him and Simonton at this time. Officer Wilson said he was using cover and seeing what Simonton was going to do. As Officer Wilson was taking cover, he said he was yelling commands at Simonton, telling him to drop the gun multiple times. Officer Wilson said that Simonton raised the gun and pointed it at Officer Wilson.

Officer Wilson said there was still distance between him and Simonton so got cover using a vehicle or the apartment. Officer Wilson said he came back out from cover and re-engaged Simonton in the parking lot. Officer Wilson said that Simonton was yelling things at Wilson and taunted him saying Wilson would not fire due to the apartment building behind Simonton.

Officer Wilson said Simonton then moved over behind the parked vehicles and now he and Wilson had a few vehicles between them. Officer Wilson said Simonton continued to point his weapon at him during these moments. At this point, Officer Wilson said he feared for his life and believed Simonton was going to kill him. Officer Wilson also described that they were in an apartment complex with multiple residents putting others' lives at risk. Officer Wilson fired a shot through a vehicle window at Simonton.

Officer Wilson said two other officers had arrived in the area and were to the south of where he and Simonton were. Officer Wilson said he fired shots through windows of vehicles at Simonton. Officer Wilson said Simonton fired his weapon a couple of times and then started to flee east and went between apartment building #1 and building #2.

Officer Wilson said he chased after Simonton and recalled seeing Officer O'Doherty and another officer with her. Officer Wilson said he yelled at them to go around the south side of the building. Officer Wilson said he then ran between building #1 and #2 and was following where Simonton had gone. Officer Wilson said he saw Simonton as he came around the building and that was when Simonton shot at him, striking Officer Wilson in the right arm.

Officer Wilson said other units were arriving over at the "ATC" and Simonton had turned his attention away from him. Officer Wilson said he transferred his duty weapon to his left hand and examined his wounded arm. Officer Wilson said there was a lot of blood coming from the wound and he decided to retreat to a safe location and find someone with a tourniquet.

As he was moving to safe location, Officer Wilson recalled seeing residents coming out of their apartments and he yelled at them to get back inside. Officer Wilson reached where Det. Dunbar and Det. Tracey were and they placed the tourniquet on Wilson's arm. Officer Wilson then described who Det. Dunbar got him to medical and eventually an ambulance to take him to the hospital.

I asked Officer Wilson about when he first saw Simonton had a gun. Officer Wilson believed Simonton drew the gun from his waistband. Officer Wilson said that Simonton was standing by a vehicle and could have pulled it from inside the vehicle but was fairly sure Simonton pulled it from his waistband. I asked what kind of gun it was, Officer Wilson said it was a long black colored revolver and commented that it was "big".

I asked about Simonton taunting Officer Wilson in the parking lot. Officer Wilson said Simonton was telling him that he would not shoot because of the apartments behind Simonton. Officer Wilson further explained it was during the initial time when Simonton was in the center of the parking lot drive thru lane and it had put Officer Wilson in a bad position. Simonton then walked back to the east almost too where he started.

I asked Officer Wilson about Simonton raising the gun at him. Officer Wilson said that Simonton pointed his gun at him multiple times. The first time Simonton pointed the gun at him, Wilson said he had plenty of distance and took cover. Officer Wilson then said the second time Simonton raised the gun and pointed it at him, he believed Simonton had the intention to cause him harm or to kill him. Officer Wilson also believed that if he did not take immediate action, he or someone in that apartment complex was going to be hurt or killed. Officer Wilson had seen people outside and had been pointed in the direction of Simonton by people who live or work in the complex, he was concerned for their lives as well as his. Officer Wilson also further explained that this complex is always a busy complex with many people who live there. Officer Wilson said he has been there on calls for service on prior occasions and it had always been very busy with residents outside.

I asked Officer Wilson if he recalled when he was chasing Simonton and if he remembered Simonton shooting him. Officer Wilson said he recalled seeing Simonton standing behind the apartment building and facing him with the gun, he then recalled being hit. Officer Wilson said it happened so fast.

I asked Officer Wilson if he was chasing Simonton and believed he was continuing to run south, Officer Wilson agreed that he did. Officer Wilson explained he thought Simonton was going to continue to run south and thought he would be further behind the building. When he saw Simonton, Officer Wilson started to raise his gun when he was struck by Simonton's bullet.

Investigator Zaccardi asked Officer Wilson if he fired his weapon when he encountered Simonton behind the apartment building. Officer Wilson didn't think he had a chance to fire when he was struck by the bullet. Investigator Zaccardi asked Officer Wilson what he recalled

the distance from Simonton was when he first encountered him in the parking lot and then also how far was Simonton when he came upon him behind the building.

Officer Wilson estimated that when he first saw Simonton, he was about seven or eight car lengths away from him. Wilson then said he believed Simonton was about 15 feet away from him when Simonton fired the shot that struck Wilson.

Officer Wilson said he believed that Simonton was waiting for him to come around the corner and was ready to shoot him.

The footage from the body camera was then played for Officer Wilson. As it was playing, Officer Wilson explained that the "Red Dot" optics on his duty weapon malfunctioned when he drew it from the holster. That explained why in the body camera footage, Officer Wilson continued to examine his weapon when he first engaged Simonton.

After we watched the footage, Investigator Zaccardi asked if the Red Dot optics ever came on. Officer Wilson said no and he had to use the open sights.

Officer Wilson was then asked if he recalled what Simonton yelling at him other than when he first taunted him. Officer Wilson said he could not recall what Simonton was saying when they were near the vehicles.

The interview ended at this point.

**Body Camera Footage from Officer O'Doherty
(Axon Camera-30 second delay until sound starts)**

The body camera for Officer O'Doherty starts and displays 15:32:18 on the time counter in the upper right of the screen. Officer O'Doherty is driving a vehicle, only the steering wheel can be seen. Sound starts at 15:32:48, there is radio traffic that can be heard asking officers to "step it up".

Officer O'Doherty asks "74" (Wilson) where he is at in the apartment complex. Officer Wilson replies on the radio that he is "left" after you enter the complex and that the suspect is in the parking lot and has a gun.

Officer O'Doherty announces to dispatch that she has arrived and turns into the complex at 15:33:57. Officer O'Doherty exits her vehicle and starts walking south asking Wilson if he is "west" of the lot. She also asks Wilson where he is in relation to his vehicle and he replies that he is on the "opposite" side.

Officer O'Doherty turns east and Officer Larson can now be seen ahead of her starting to run east through the center of the complex. Officer O'Doherty also runs east. They both stop as they get past building #8 and Officer Larson starts looking north. Officer Larson then can be heard asking over the radio, "white tank top, white hat?" (15:35:03)

Officer Wilson responds, "Affirm". Officer O'Doherty moves up behind Officer Larson on the South east corner of building #8. Officer Larson points out the suspect to Officer O'Doherty. As Officer O'Doherty is moving forward she comments, "He's lifting his gun up at...." (15:35:10) Officer O'Doherty then yells at the suspect, "Hey! Put your gun down!" (15:34:12)

Below: Simonton can be seen in the distance. (Red arrow)



Multiple gunshots can then be heard. Officer O'Doherty tells Officer Larson to get back and to get down as they both move east into the parking area between building #8 and building #2. Officer O'Doherty yells out asking where the suspect has gone. Wilson says over the radio that he has gone east. Officer Larson is running ahead of Officer O'Doherty and turns up between building #2 and #3.

In the picture below, Officer Larson is seen approaching the south east corner of building #2.



As both Officer Larson and Officer O'Doherty approach this area they slow down their movements for safety around the blind corner. As they get to the end of the building, shots can be heard from the north. Officer Larson then returns fire towards the north. Officer Wilson calls out that he has been hit over the radio. (15:35:45)

Officer O'Doherty is heard talking on the radio and giving their location. Officer Larson is firing his weapon to the north. In this photograph below it shows Officer Larson firing.



Officer Larson stops shooting and tells Officer O'Doherty that the suspect has fled back towards the north. They both say they can now see the suspect again coming towards them and Officer O'Doherty tells Officer Larson to "get back".

As they both get cover on the southeast corner of the apartment building, Officer Wilson can be heard on the radio calling for medical.

Officer O'Doherty steps out from the corner and can be heard speaking into the radio telling incoming units where they are at and that the suspect is walking northbound towards them.

There is a voice asking Officer Wilson where he is located, Officer O'Doherty can be heard yelling dispatch that he is located on the north east end of the apartment complex. Officer O'Doherty starts moving to west as if to go to the front of building #2. Shots can be heard coming from Officer Larson firing his weapon. Officer O'Doherty turns around and comes back to the southeast corner of the building with Officer Larson.



The picture above is where Officer O'Doherty has stepped out from cover. Simonton can be seen in the distance. (Red Arrow)

As Officer O'Doherty returns back to support Officer Larson, shots can be heard coming from Simonton's weapon. There is a distinct different sounding shot from Larson's weapon.

In this still frame picture below, Simonton can be seen firing his weapon at Officer Larson and Officer O'Doherty. (Red Arrow)



Smoke can be seen coming out of Simonton's weapon as he is firing. (Red Arrow) An empty magazine is at Officer Larson's feet. (Yellow Arrow)

Officer O'Doherty ducks back behind Officer Larson and then leans out from cover and fires four times. Officer Larson is also firing his weapon as well. It appears that Simonton is attempting to retreat back to the north again as it appears that he is struck by bullets and falls to the ground. (15:36:42)

Below is a still frame photograph from where Simonton falls to the ground. (Red Arrow)



Officer O'Doherty yells that Simonton is down but still has the gun. Officer O'Doherty takes cover behind Officer Larson and the corner of the building. There is another shot fired coming from Simonton's direction that has that same distinct lower sounding shot. Officer Larson can be heard yelling at Simonton to drop the weapon. Officer Larson fires his weapon again.

Officer O'Doherty asks Officer Larson if he can see Simonton. Officer Larson yells, "He still has the gun", more shots are then fired by Officer Larson.

Emergency lights can then be seen towards the north and shouts from that direction can be heard. Officer O'Doherty then tells Officer Larson to watch for cross fire from the other arriving officers.

Officer O'Doherty is yelling at the other officers and directing them to "over here!", and he still has a "gun in his hands".

Officer O'Doherty then starts to yell at Simonton to "show us your hands!" as numerous gunshots then can be heard coming from the north. Officer Larson and Officer O'Doherty stay back behind the cover of the apartment building.

Officer O'Doherty then leans out and both her and Officer Larson converse with another arriving officer that Simonton is down. Officer O'Doherty and the other officers yells for everyone to take cover.

Radio traffic can be heard directing all officers to take and stay in cover positions. Officer O'Doherty can be heard asking Officer Larson if he is okay. Officer Larson says he is okay and then asks where "Joey" (Officer Wilson) is. Officer O'Doherty believes that Officer Wilson is back behind the apartments to the north. Officer Larson and Officer O'Doherty start to call out for Officer Wilson by yelling his name, "Joey!"

An officer asks over the radio if anyone has Officer Wilson. There is a response that he is on his way to the hospital. Officer Larson and Officer O'Doherty realize that Officer Wilson has been hit but is on his way to the hospital. They stay in the cover position behind the corner of apartment building #2.

Officer O'Doherty stays in this position of cover. There is radio traffic advising that a K9 will be approaching Simonton and arrest control will be handled by the team on the northeast corner of building #2.

Officer O'Doherty's camera captures footage of the K9 approaching Simonton as he is on the ground. (15:43:00) Officer O'Doherty comments that Simonton is not moving. The K9 can be seen dragging Simonton to the west.

Officer O'Doherty informs another officer that she had fired her weapon. Officer O'Doherty mutes her camera. (15:43:54)

Officer O'Doherty walks around the area and directs other officers to where evidence needs to be preserved. (This is muted)

Once enough officers had responded for scene security, Officer O'Doherty is then walked out of the scene.

Officer O'Doherty is transported to the Ogden City Police station. Once she arrived the body camera was then turned off. (16:26:52)

Interview of Officer O'Doherty

On 06-14-23, Officer O'Doherty came to the Weber County Attorney's Office with her FOP Attorney present. I recorded this interview with both an audio digital recorder and the video system in the WCAO Investigations office. I started by asking Officer O'Doherty to tell us what she could tell us about what had happened.

Officer O'Doherty said that she was working that day and driving to the police station when she heard Officer Wilson going to the call for service at . Officer Rentmeister had said on the radio that he would be headed that way but was in briefing for his shift.

Officer O'Doherty said she heard Officer Wilson on the radio say that a man had a gun and was pointing at Officer Wilson. Officer O'Doherty started driving that direction with lights and siren. Officer O'Doherty said she saw another OPD vehicle pull into the apartment complex behind her as she arrived.

Officer O'Doherty said she heard Officer Wilson say to go right when they came into the complex and that he was on the west side. Officer O'Doherty said that she and Officer Larson started running around looking for Officer Wilson and then radioed him asking where he was in relation to his vehicle. Officer Wilson radioed back that he was on the opposite side.

Officer O'Doherty and Officer Larson ran east and came up beside building #8. There they could see a male. Officer Larson asked if the male was wearing a "white tank top" and Officer Wilson said yes. Officer O'Doherty said she then recalled a shot being fired from the north and Larson fired twice.

Officer O'Doherty said she lost sight of the suspect but heard Officer Wilson say that he was running east. Officer O'Doherty said she and Officer Wilson ran east to the next building and posted up on the south east corner. Officer O'Doherty said that Officer Larson started firing to the south but she could not see around him. Officer O'Doherty is hearing gunshots coming from the north and hears Officer Wilson call out on the radio that he has been hit.

Officer O'Doherty said she started running back to the west and north of that building to try and reach Officer Wilson but then stopped and went back to Officer Larson because she realized they needed to stop the threat first and then try and reach Officer Wilson. Officer O'Doherty also explained that she did not know where Officer Wilson was but knew he was somewhere to the north of them.

Officer O'Doherty said she recalled peeking out around the building and firing shots but could not recall the sequence and thought it was twice that she leaned out and fired.

At this point, Officer O'Doherty recalled seeing uniformed OPD officers arriving from the northeast of where she and Larson were, she also recalled seeing the suspect on the ground and also shots being fired from the north. Officer O'Doherty told us that the suspect still had a gun in his hands when he was down on the ground.

Other officers then arrived on the scene and Officer O'Doherty explained how a shield arrived and a K9 was utilized to leave cover and approach the downed suspect. Officer O'Doherty said at this point there was no reaction from the suspect when the dog grabbed him and it appeared he was dead.

I asked Officer O'Doherty if she recalled seeing the suspect fire his weapon at the initial encounter where she and Larson first saw him. Officer O'Doherty said she recalled seeing the suspect have a black colored handgun with a very long barrel in his hand.

I asked if she heard shots at this time. Officer O'Doherty said she heard shots and knew that Larson fired twice from the location.

Officer O'Doherty then explained to me that she and Officer Larson ran east and positioned themselves at the corner of another apartment building and that was when she heard gunshots to the north of where they were and Officer Wilson called out that he had been hit.

I asked Officer O'Doherty about when she leaned out and fired her weapon and asked if she could see the suspect. Officer O'Doherty explained to me that she could see him and he had the gun in his hand. She further went on and said that if she and Officer Larson did not take immediate action she believed the suspect would kill Officer Wilson. (Not knowing where Officer Wilson was)

Officer O'Doherty also explained that this was an apartment complex and there were many residents and children in and around the facility and school was out for the summer.

I asked Officer O'Doherty if she believed her actions needed to be taken or someone was going to be killed. Officer O'Doherty said the first person she thought of was protecting Officer Wilson who was wounded, the second thoughts were of her and Larson because the suspect was facing and coming towards them. Officer O'Doherty said that the suspect was not trying to surrender at any point. Officer O'Doherty also said that she thought of the person who called in the protective Order violation and if the suspect was not stopped, he would go kill them too. Officer O'Doherty believed they had no other option but to use deadly force.

Investigator Zaccardi asked Officer O'Doherty if she recalled any commands given to the suspect. Officer O'Doherty could not recall.

Officer O'Doherty asked about the distance that she and Larson were from the suspect when they were engaging him behind Building #2. Officer O'Doherty agreed that the body cameras make it seem like a large distance but she could clearly see the suspect and what he was doing when she peeked out and it was not a great distance.

Officer O'Doherty was then shown the video footage from her body camera. I then asked Officer O'Doherty if there was anything she would like to add to her statement. Officer O'Doherty said she now recalled following Larson east towards the vehicles and that was why she didn't remember seeing the suspect flee east.

There was nothing else and the interview was ended.

**Body Camera Footage from Officer Larson
(Axon Camera-30 second delay until sound starts)**

Officer Larson's body camera starts and displays 15:32:03. It shows the steering wheel of Officer Larson and details him driving to the scene. The sounds starts at 15:32:33, sirens can be heard as Officer Larson continues to drive. Officer Larson pulls into the driveway and turns off his siren at 15:43:00.

Officer Larson stops the vehicle and exits his marked patrol vehicle at 15:34:17 and starts to jog southbound towards Officer O'Doherty who can be seen moving south through the parking area west of apartment building #10. Officer O'Doherty can be heard asking Officer Wilson where he was in relation to his vehicle, when Officer Wilson responds that he on the opposite side, Officer Larson turns east and starts to run through the center courtyard of buildings #7, #8, #9, and #10. (15:34:43)

Officer Larson exits the courtyard between apartment buildings #7 and #8. Officer Larson is now in the parking area on the east side of building #8 and walks up to the south east corner of the building and is facing north. A person is visible towards the north of Larson. Officer Wilson is describing on the radio that Simonton is behind a row of parked vehicles. (15:35:00)

Below is a still frame image. Simonton is visible at the far end of the sidewalk. (Red Arrow)



Officer Larson is heard asking on the radio, "white tank top, white hat?" Officer Wilson can be heard responding, "Affirm". Officer Larson can then be heard pointing out Simonton to Officer O'Doherty.

Officer O'Doherty can then be heard saying Simonton is "raising his gun up at....." Officer Larson has moved out from cover. In this image below, Simonton can be seen with his arm extended west towards Officer Wilson's location.



Officer O'Doherty yells, "Hey! Put your gun down!" Officer Larson also yells "Drop it now!"

A gunshot can be heard from Officer Larson and also in the distance from Officer Wilson. Simonton ducks down and then comes back up and fires his weapon towards Officer Wilson.

Below is a still framed photo of Simonton firing to the west. Smoke from the gunpowder can be seen. (Red Arrow)



Simonton then turns and fires his weapon towards the south where Officer Larson and Officer O'Doherty are. Below is a still frame photo of Simonton firing his weapon as he turns toward the south.



Officer Larson moves toward the east and takes cover behind the truck that can be seen in the photo above. Officer O'Doherty can be heard telling Officer Larson to take cover. Multiple shots can then be heard in the distance.

The shots stop and Officer O'Doherty now moves ahead of Officer Larson and they start running into the parking area in front of building #2. Officer O'Doherty calls out asking where Simonton has gone to. Officer Wilson can be heard directing them, "he's going that way!"

Officer Larson turns south and runs to the grass area that is between apartment buildings #2 and #3 and leads to the back side of the apartment complex and borders the Applied Technology College campus.

Officer Larson runs east between the buildings and slows as he approaches the southeast corner of apartment building #2. Officer O'Doherty can be heard telling Officer Larson to "slow down". A gunshot can then be heard coming from the north. Officer Larson fires his weapon four times at Simonton who can be seen briefly in the footage behind building #2. Officer Larson moves back behind cover and then advances back to the east. Simonton is visible again in the footage and is moving to the north as Officer Larson is firing. Officer Wilson can be heard over the radio that he has been hit.

Officer O'Doherty asks Larson if he can still see Simonton. Officer Larson said Simonton fled back toward Officer Wilson. Officer Wilson can then be heard asking for medical assistance. Officer Larson ejects the magazine from his weapon and replaces it with a full spare magazine. (15:36:11)

Officer Larson is on the very southeast corner of apartment building #2. Officer Larson fires his weapon again to the north multiple times. Officer Larson states, "He's rushing!"

Officer Larson again fires his weapon. Gunshots can be heard from other weapons, and then Officer O'Doherty yells out that Simonton still has the gun. Officer Larson yells out, "drop it now!", and then fires his weapon five times. Officer Larson fires once more and then seeks cover as he and Officer O'Doherty call out "crossfire!" (Simonton is not visible in the footage)

Officer O'Doherty is yelling out, "he's still got the gun in his hands!" and "show us your hands!"

Multiple gunshots can then be heard coming from the north. Another officer can be heard arriving and giving commands for everyone to stop and get cover. Officer O'Doherty screams "get into cover!"

Officer Larson asks where Officer Wilson is and Officer O'Doherty states that she believes he is still north of them. Someone calls out, "Joey!"

A transmission can then be heard by Officer Wilson stating he is with Detective Dunbar and headed to the hospital.

Officer Larson stays posted up on the corner of the building. Radio traffic can be heard discussing how Simonton was going to be approached.

Officer Larson relays that he had fired his weapon in this incident. Officer Larson then mutes his body camera. (15:43:57)

Officer Larson then picks up his empty magazine that he ejected prior and then talk with other responding officers. Officer Larson and Officer O'Doherty then direct where evidence needs to be preserved. (Muted)

Officer Larson walks back to where Simonton is laying in the parking lot. He can be seen handcuffed and face down. (Muted)

Officer Larson is now moved to a marked unit and he gets into the front passenger seat. Officer Larson is then transported to the Ogden Police Station. (Muted)

Officer Larson is placed in the patrol room at the Ogden Police station and another officer stays with him.

Camera is shut off at 16:27:46.

Interview of Officer Larson

Officer Larson was interviewed at the Weber County Attorney's Office with his FOP Attorney present. I asked Officer Larson to tell me what happened at . Officer Larson said he was sitting in his patrol vehicle and had 30 minutes left in his patrol shift. Officer Larson heard the call come in to Officer Wilson and read the call notes and saw the suspect (Simonton) had a history of having knives and guns in his possession.

Officer Larson said he heard Officer Wilson arrive on scene and then a few minutes later, Officer Wilson radioed that the suspect had a gun and requested backup.

Officer Larson described how he turned on his lights and siren and started to go that way and ended up following Officer O'Doherty into the apartment complex. They parked behind Officer Wilson's vehicle but could not find it or hear anything. Officer Larson said Officer O'Doherty radioed Wilson asking where he was located in relation to his vehicle. Officer Wilson replied something about being opposite from his vehicle.

Officer Larson said he ran through the complex and was trying to look down every intersection for Officer Wilson. Officer Larson came to an area he called a "road" and stepped out and saw a male in this roadway to his left, wearing a white tank top and a white hat.

Officer Larson could not see what this male was doing but it looked like he was yelling and was looking intently at something. Officer Larson did not see a gun at this point, but felt this could be the suspect. Officer Larson radioed to Officer Wilson, "white tank cap, white tank top?"

Officer Wilson replied it was the suspect. Officer Larson said he did not recall drawing his sidearm but recalled making the decision to draw it. Officer Larson said he yelled out to the suspect to drop his gun. Officer Larson described that the suspect raised his right arm and had a black colored handgun in his hand and was now pointing it at Officer Wilson.

Officer Larson said the suspect was yelling and now pointing the gun at Officer Wilson and he did not want Officer Wilson to get shot. Officer Larson made the decision to fire his weapon at the suspect and fired. Officer Larson said that the suspect turned towards him and then back at Officer Wilson. Officer O'Doherty yelled at Officer Larson to take cover and he moved towards some parked vehicles.

Officer Larson said he looked around the back of the parked vehicle and saw the suspect fleeing to the right of him. Officer Wilson and Officer O'Doherty ran to the other end of the building to the right while Officer Wilson followed the suspect and went to the left of the building. Officer Larson said he posted up on the back corner of this building and looked around the back and saw the suspect running at him with the gun in his hand. Officer Larson said he fired again at the suspect at this point.

Officer Larson said the suspect turned and started running back the other way. Officer Larson continued to fire. The suspect went out of sight and Officer Larson reloaded his handgun with a full magazine. Officer Larson then said the suspect returned into sight and started running at Officer Larson direction with his arm extended and pointing the gun at Officer Larson.

Officer Larson detailed aiming and firing his weapon, trying to stop the suspect from advancing on him. Officer Larson said he did not recall the suspect falling to the ground but remembered him being on the ground with the gun still in his hand. Officer Larson said he could see the suspect still attempting to point the gun at him and other officers while he was on the ground. Officer Larson said he fired his weapon again while yelling, "Drop the gun" two more times. Officer Larson said he fired two more times and then saw other officers arriving in the area and started yelling "crossfire". Officer Larson said he stayed at this position until a K9 dragged the suspect to a safe location to be placed into custody.

I then asked Larson about when he had arrived and found the male suspect in the roadway/parking lot. I asked if he had heard Officer Wilson say the suspect had a gun, Officer Larson said that Officer Wilson had radioed that the suspect had a gun and was actually pointing it at Officer Wilson. Officer Larson said he heard the radio traffic when he was about a block away from the scene.

I asked about seeing the suspect raising the gun and pointing it at Officer Wilson. Officer Larson explains that he could see the suspect was yelling and was in a confrontation. The suspect then raises his arm and points the gun at either where Officer Wilson is or in an apartment complex where there are innocent people.

I asked Officer Larson if he believed if he didn't take immediate action that other could be injured or killed. Officer Larson said yes and also that he believed that every shot that he took was in the defense of himself, Officer Wilson, Officer O'Doherty, responding officers, and every person who resides in the apartment complex.

I asked about when the suspect was running at him and inquired if he was scared. Officer Larson said yes, he was scared for not only his own life, but Officer O'Doherty who was right behind him. Officer Larson described praying at that moment to be able to stop the suspect with every shot. Officer Larson said he and Officer O'Doherty both were firing at this time with the suspect coming at them, pointing his gun in both of their directions.

Investigator Zaccardi asked Officer Larson if he recalled hearing Officer Wilson had been hit. Officer Larson said he did and thought it was when he was posted up on the corner of the house about the time he was reloading his weapon. Officer Larson also recalled getting on his radio and asking where Officer Wilson was. Officer Larson went on to explain that he recalled hearing that Officer Wilson was hit, and fearing he was down somewhere wounded, and then asking where he was and then hearing Officer Wilson was being taken to a hospital.

Investigator Zaccardi asked what exactly Officer Larson knew at the time where Officer Wilson was. Officer Larson said he last saw Officer Wilson giving chase to the suspect around the apartment building but never saw him in a crossfire position. Officer Larson believed Officer Wilson was northwest of where he and Officer O'Doherty were posted up.

Officer Larson did not recall seeing officers on the other side of the fence to the east but did see them to the north and recalled that was why he yelled "crossfire".

I asked Officer Larson if he recalled reloading his weapon and he said he did. Officer Larson said something inside of him was telling him that he needed to reload. Officer Larson said it was not until after they were relieved from the area and he picked up his magazine off the ground and noticed it was empty.

Investigator Zaccardi asked Officer Larson if he recalled the suspect firing his weapon. Officer Larson said he recalled the suspect pointing the gun at him but never saw it fire. Officer Larson also added that he saw it pointed at other officers along with himself and was afraid for his life.

Officer Larson then watched his body camera footage. At the end, I asked Officer Larson if he had anything to add to his statement after seeing the footage, Officer Larson said no. The interview was ended.

**Body Camera Footage of Officer Moore
(Axon Camera-30 second delay until sound starts)**

The footage starts at 15:36:54, Officer Moore is in his patrol vehicle and his steering wheel is visible as he puts it in park and exits his vehicle. As Officer Moore exits he walks toward the front of his vehicle and the backside of the apartment complex can be seen along with the fence that separates the complex and the Applied Technology College.

Officer Moore starts running forward and to his left. It appears Officer Moore is firing his duty weapon at this time. Officer Moore runs again forward and stops. It again appears he is firing his weapon. In the distance on the other side of the fence, Simonton can be seen on the ground but he is moving. (Muted)

Below is a still framed photo from Officer Moore's body camera. Simonton can be seen on the ground. (Red Arrow)



The sound turns on at 15:37:25. Shouting and sirens can be heard in the distance. A voice yells at Officer Moore to move back and take cover. Officer Moore calls out to another officer to his left to move with him to the right. Officer Moore joins up to the fence line with Officer Rentmeister who can now be seen in this footage.

They all decided to get better cover. Officer Moore runs to the north and then around the corner of the fence line and west. Officer Moore meets up with more responding officers and relays the position of the suspect to where they are. Officer Moore climbs the fence and joins this group of officers.

Officer Moore then runs down into the complex until he reaches the front of building #1 and building #2. There are multiple officers posted up at this location. Officer Moore stays in this area. Officer Moore then tells another officer that he fired during this incident and was told that he needed to go seek out a supervisor.

Officer Moore speaks with Sgt. Gerfen who puts Officer Taylor in charge of staying with Officer Moore. Officer Moore tells Sgt. Gerfen that Office Sidhu also fired during this incident. The camera is shut off at 15:45:37.

Interview of Officer Moore

Officer Moore was interviewed at the Weber County Attorney's Office with his FOP Attorney present. Officer Moore was asked to tell us what happened at

Officer Moore said he was still in his patrol squad briefing when he recalled hearing Officer Wilson being dispatched to a call.

Officer Moore said that his squad continued briefing when he heard Officer Wilson say that he needed more units and that the suspect had just pulled a gun. Officer Moore also said that a few moments later, he heard Officer Wilson say that the suspect had just pointed the gun at him and to “step it up”.

Officer Moore said he ran out of the building and to his patrol vehicle. Officer Moore detailed how he drove lights and siren to the area. Officer Moore said he heard the suspect being described as wearing a white shirt and a white hat and had a gun.

Officer Moore said he was following other units into the area and then heard Officer Wilson say he was hit and needs medical. Officer Moore said that he could hear Officer O’Doherty on the radio saying the suspect was running east and they needed more officers immediately. Officer Moore believed the suspect was currently firing at officers who were on scene.

Officer Moore said he passed the drive way to and went to and then turned east. Officer Moore pulled into the Applied Technology College. Officer Moore followed another officer as they pulled up to the backside of the apartment complex. Officer Moore said he then saw the suspect running behind the apartment buildings.

Officer Moore said he pulled into where the campus security building is and parked. Officer Moore exited his vehicle and ran into the grass field. Officer Moore said he saw officers to the south so he moved east to eliminate crossfire. Officer Moore said the suspect was on the ground but he was moving around. Officer Moore said he could see the gun at this point. Officer Moore and the other two officers with him started yelling at the suspect, “don’t move!”

Officer Moore said he believed the suspect was trying to point the gun or get the gun up at the officers to the south and felt all the people in the apartment complex were in danger so he discharged his duty weapon at the suspect. Officer Moore believed that he fired seven times and stopped firing after he observed the suspect stop moving.

Officer Moore said he and other officer took cover and he then went around to the inside of the complex where he met up with other officers.

I asked Officer Moore if he believed the movements of the suspect were a direct threat to the other officers and the people in the apartment complex. Officer Moore said yes. I asked if he felt that if he did not take immediate action that someone would be hurt or killed. Officer Moore again said yes.

**Body Camera Footage of Officer Sidhu
(Axon Camera-30 second delay until sound starts)**

Officer Sihu's body camera footage started at 15:37:37. It shows the back side of apartment building #2. Officer Sidhu is standing in the grass field east of the apartment complex. The bordering fence of the complex can be seen. Simonton is on the ground behind the building. Shooting has appeared to have ceased at this point.

Below is a still framed photo from Officer Sidhu's body camera. Simonton is on the ground. (Red Arrow)



Officer Sidhu moves right and backwards to the fence and trees where Officer Rentmeister and Officer Moore can be seen taking cover. (Muted)

The three officers stand there watching as Simonton can be seen in the distance laying on the ground. The sound comes on Officer Sidhu's body camera at 15:38:07.

At 15:38:18, Officer Rentmeister asks Officer Sidhu if he fired and he replies that he did fire his weapon.

The officers are concerned with crossfire and it is decided that the three officers will move. They start to back out of that grassy area. Officer Sidhu moves behind an electrical box at the northeast corner of the apartment complex property just outside the fence.

Officer Sidhu stayed in this location until he left to go and get a ballistic shield from the rear of his patrol vehicle. He then returns to the edge of the parking lot.

The body camera is muted at 15:43:57 as Officer Sidhu is still standing at the edge of the parking lot with his ballistic shield. At one point Officer Sidhu removes his gun belt and places his gun belt keepers on the hood of a police vehicle. He then puts everything back on his waist.

Officer Sidhu then puts the ballistic shield away in his police vehicle. Officer Sidhu then returns to the fence line of the apartment complex and assists in getting Officer Rentmeister over the fence. Officer Sidhu also climbs the fence and walks into the apartment complex. Sidhu then walks down between apartment building #1 and #2 and into the parking area. Officer Sidhu meets with supervisors and other officers who fired their weapons.

Officer starts to follow Officer Neilsen out of the scene. The footage stops at 15:50:15.

Interview of Officer Sidu

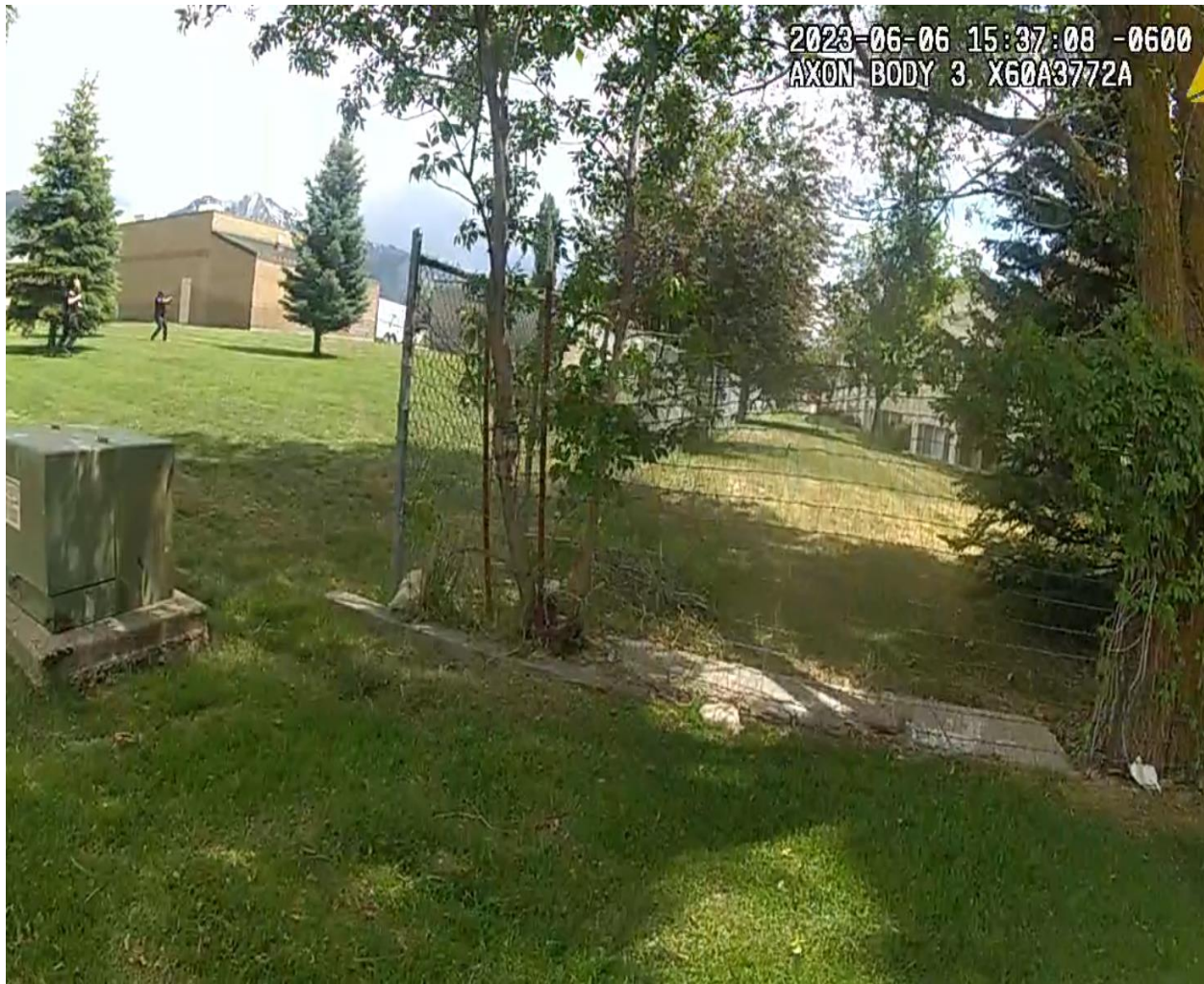
I was contacted by Officer Sidhu's FOP Attorney, Jeremy Jones. I was advised that Officer Sidhu would not be making a statement.

Body Camera of Officer Rentmeister (Axon Camera-30 second delay until sound starts)

The footage from Officer Rentmeister's body camera starts at 15:36:27 hrs. Officer Rentmeister is driving his patrol vehicle and his steering wheel is visible. Officer Rentmeister exits his vehicle at 15:36:48 and starts running along the grass area near the security office of the Applied Technology College. Officer Moore and Officer Sidhu's vehicles can be seen parked. The sound turns on at 15:36:57.

Officer Rentmeister run up to the northeast corner of the fence line and yells, "show me your fucking hands!" Officer Moore can be seen running to the east of the fence line, Officer Sidhu is raising his handgun up pointing it back to the west. Officers are yelling, "show me your hands!"

Below is a photo.



Shots are then fired by Officer Moore, Officer Sidhu, and Officer Rentmeister. Simonton is not visible.

Officer Rentmeister starts to move up the fence line to the east and is yelling commands, "don't move!" (15:37:21)

Officer Rentmeister stops and calls out to Officer Moore to stop and come back towards him. Simonton can now be seen on the ground in the distance. (Photo below Red Arrow)



As Officer Moore and Officer Sidhu move back to where Officer Rentmeister is positioned, a voice on the radio asks where Officer Wilson is. Officer Rentmeister makes a comment that he does not know where Wilson is. A voice then comes across that Officer Wilson is with Det. Dunbar and on the way to the hospital.

Officer Rentmeister moves back to an electrical box at the northeast corner of the fence line and takes cover. Officer Rentmeister eventually moves back to the north and takes cover behind a vehicle.

Officer Rentmeister's camera is muted at 15:43:53. Officer Rentmeister is standing in the security parking lot. Officer Sidhu can be seen removing his duty belt and offers it toward Officer Rentmeister.

Officer Rentmeister does not take it and Officer Sidhu puts the duty belt back on around his waist. (15:44:28 Muted)

Officer Rentmeister moves back up to the fence line and assist another officer in going over the fence. (15:45:28)

Officer Rentmeister then walks back towards his parked vehicle. And then starts to run back to the south when a silver Ford Crown Victoria pulled into the parking lot and parked. The sound comes back on to the body camera. (15:46:22)

The driver of this vehicle was campus security and they quickly go into the security building. Officer Rentmeister then mutes the body camera again. (15:46:45)

Officer Rentmeister then walks back up to the fence line and Officer Sidhu assists him in climbing the fence. Officer Renstmeister then walks into the complex and meets with other officers in the apartment complex parking lot. Simonton can be seen laying on the blacktop handcuffed.

Officer Rentmeister speaks with Sgt. Gerfen and assigned a uniformed officer to stay with. They walk west through the parking area and roadway. Officer Rentmeister gets into the passenger seat of a marked unit. The footage ends at 15:32:34.

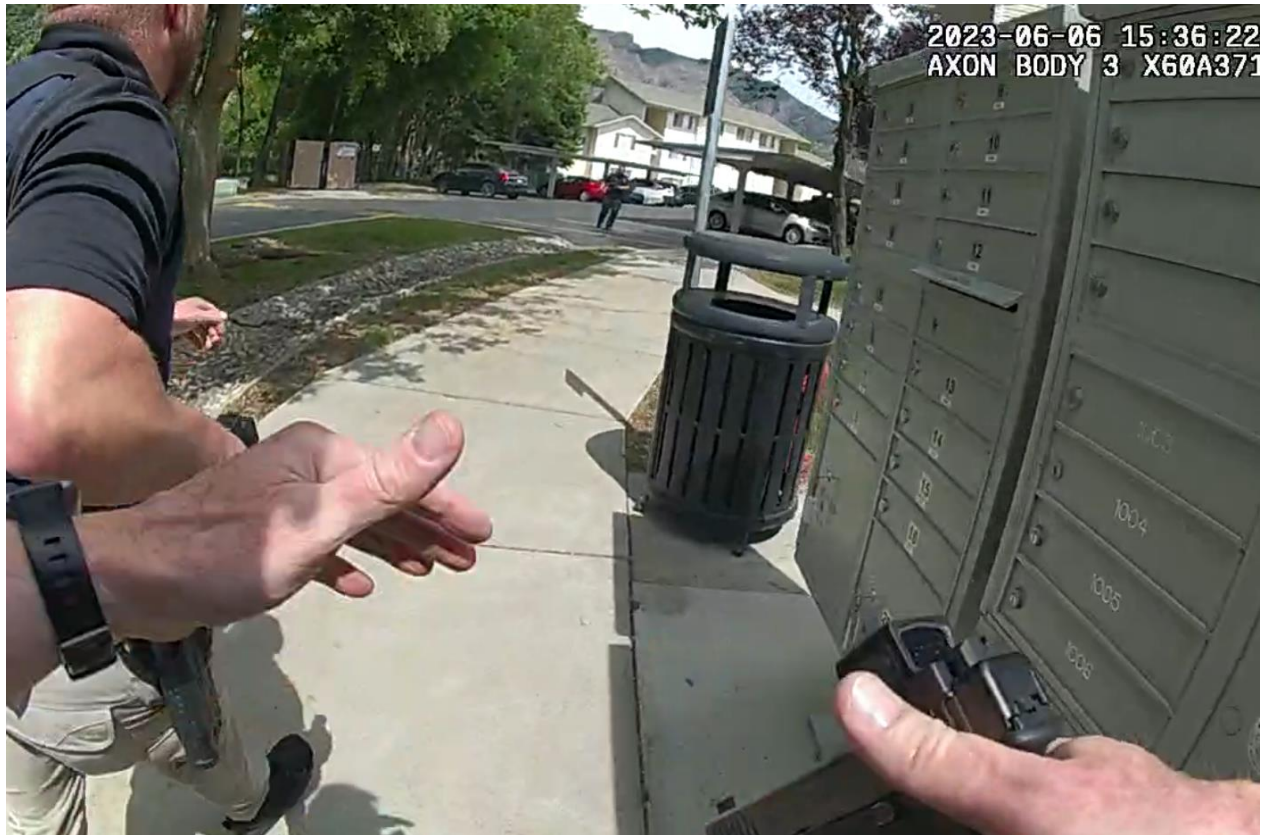
**Body Camera of Detective Tracy
(Axon Camera-30 second delay until sound starts)**

Detective Tracy's body camera starts at 15:35:19 hrs. Det. Tracy is driving and his steering wheel can be seen, Det. Dunbar can be seen in the front passenger seat. Det. Tracy exits his vehicle at 15:35:33.

Det. Tracy opens his trunk. Det. Dunbar and Det. Lunt can be seen getting equipment from inside the trunk. Det. Tracy starts to run east through the parking lot towards the main office area. The sound starts at 15:35:48.

Det. Tracy stops at the northwest corner of the main office building and tells someone to wait. 15:36:14.

Det. Tracy then starts to run eastbound on the northern driveway/parking area of the complex. As Det. Tracy comes to where the mailboxes of the apartment complex are, a wounded Officer Wilson can be seen coming towards him and Det. Dunbar. (Still frame photo below)



Det. Tracy asks Officer Wilson where the suspect is at. Det. Dunbar starts yelling for a tourniquet and takes one from Det. Tracy.

They reach Officer Wilson and he is bleeding profusely and has left a blood trail on the pavement and sidewalk from where he has come from.

Det. Dunbar holsters his sidearm and starts to place the tourniquet on Officer Wilson's arm.

Below is a photograph of Officer Wilson being attended to by Det. Dunbar. The blood trail from Officer Wilson is visible.



Det. Tracy starts to run east in front of apartment building #9 and slows when he can hear shots coming from the distance. As Det. Tracy approaches the parking lot in front of building #1, he calls out to another officer and directs him towards building #1 and #2. Det. Tracy says, "He's back behind this building and points to building #2.

Det. Tracy approaches the grass alleyway between building #1 and #2. Det. Tracy states, "He was running that way behind this building". Shots can be heard coming from that direction as uniformed patrol Officer Griggs, approaches the alley with a ballistic shield. Det. Lunt steps behind Officer Griggs and Det. Tracy is following them. Photo below.



Det. Tracy stops and turns back to the west and approaches the northwest corner of building #2. Shots can then be heard coming from the east. Det. Tracy turns and runs to join where Det. Lunt and Officer Griggs.

Officer Griggs has dropped to a knee behind the ballistic shield. Det. Lunt is behind him firing his handgun over Griggs right shoulder. Det. Tracy fires his handgun as he comes up to the right of Det. Lunt.

Below is two still framed photos of Det. Lunt firing his weapon over the top of Officer Griggs and then Det. Tracy firing next to Det. Lunt. Simonton is not visible in this footage due to the bushes and shrubbery around the edges of Building #2.



Det. Lunt and other officers start to yell, "He's down!" No other shots are fired. Officers start to yell for everyone to hold their positions and take cover. Officer Sidhu and Officer Moore can be seen on the east side of the property fence. Det. Tracy moves his position closer to the northeast corner of Building #2. Someone asks where Officer Wilson is. Det. Tracy advises that Det. Dunbar was putting a tourniquet on him.

Det. Tracy stays in this position and advises over the radio that he can see Simonton's right hand and it is empty. Det. Tracy updates over the radio that Simonton is still breathing but comments that it could be "agonal" and "occasional" breathing. (15:39:13)

A conversation between Sgt. Vandenberg and Sgt. Gerfen can be heard being made about how an arrest team from their cover area will be approaching. Sgt. Vandenberg also starts yelling out commands to Simonton. There was no response by Simonton so a plan to use a K9 was made.

Det. Tracy held this same position and only the corner of the building is visible. As the K9 is released and can be seen moving around Building #2, Det. Tracy yells that he can see a gun in the grass.

Simonton is taken into custody by a team of officers near Det. Tracy. Once he is in custody, Det. Tracy holsters his sidearm. (15:43:47)

Det. Tracy informs Sgt. Gerfen that both he and Det. Lunt fired their weapons. (15:45:25)

Sgt. Gerfen assigns an officer to stay with Det. Tracy. The body camera is turned off at 15:45:56.

Interview of Detective Tracy

I was contacted by Detective Tracy's FOP Attorney, JC Jensen. He advised me that Detective Tracy was not going to be giving a statement.

Interview of Detective Lunt (Detective Lunt was not wearing a body camera during this incident)

Detective Lunt was interviewed at the Weber County Attorney's Office. Lunt's FOP Attorney was present.

I asked Det. Lunt to tell me what he recalled on the day in question. Det. Lunt said he was with Detectives Dunbar and Tracy and was assisting in some follow up gathering of information at the abandoned Village Inn restaurant and explained that they did not anticipate any interaction with anyone so he left his bullet proof vest and body camera in his vehicle that was parked at OPD.

All three detectives were sitting in Det. Tracy's unmarked vehicle at the Village Inn parking lot waiting for CSI to arrive when they heard Officer Wilson on the radio state that he had encountered a male with a gun in his hand and was requesting backup.

The detectives started to drive that way to assist. Det. Lunt said he did not hear the original nature of the call for service but did hear a description of the suspect male, and stated it was "white top and black hat".

Det. Lunt said that neither he nor Det. Dunbar were wearing a bullet proof vest but Det. Tracy said he had a spare vest in his trunk along with a rifle. Det. Lunt said they started discussing plans on deployment once they arrived.

Det. Lunt said that he heard Officer Wilson say on the radio that the suspect was firing his weapon and Officer Wilson was asking for medical assistance.

Det. Lunt said that he was very familiar with this apartment complex from his time in patrol. When they arrived, Det. Lunt said they parked just inside the entrance and then exited the vehicle. Shots could be heard coming from the east.

Det. Lunt said that Det. Dunbar took the spare vest from the trunk but the rifle was inaccessible due to the locking mechanism not working. Det. Lunt said that Officer Griggs pulled in right behind them and he had an extra bullet proof vest and gave it to Det. Lunt.

Det. Lunt stated that he did not recall hearing Officer Wilson say he had been shot, but Det. Lunt knew an officer had been hit. Det. Lunt said it was either from radio traffic or another officer telling him that after they arrived.

Det. Lunt said he started running east through the complex towards where he could hear the shots coming from. Det. Lunt saw little children playing outside and a mother looking very frightened as he ran past. The shots were still being fired but Det. Lunt described them as "periodic". Det. Lunt said he was yelling at residents to take cover and described the moment as "freaky" because he did not know where the suspect was located but was just trying to find a person matching the suspect description and firing at officers.

Once he arrived on the east side of the complex, Det. Lunt said that Det. Tracy pointed out that the suspect had fled behind the apartments to the east and Det. Lunt could hear shots coming from that direction.

Det. Lunt said that Officer Griggs had a ballistic shield in front of him and Det. Tracy was to the side of him as they made their way down the north side of an apartment building. Det. Lunt said he was aware of officers to the south end of this building.

As they came to the northeast corner of the building, Det. Lunt could see the suspect. Det. Lunt said he was stumbling and had a gun in his right hand and was pointing it to the south. Det. Lunt said he was sure from the description that this was the suspect and could see that he was "fighting" and not giving up or complying.

Det. Lunt said it was a scary situation, and knew officers could be killed due to what was happening. Det. Lunt said he had his duty weapon out and fired until the suspect stopped. Det. Lunt said that Det. Tracy fired as he was right next to Det. Lunt and commented that his right ear was still “ringing”.

Det. Lunt said that when the suspect stopped fighting and he rolled over and his weapon ended up on the other side of him. Due to the danger of approaching him, they waited from cover until a K9 could respond. Det. Lunt said Sgt. Vandenburg took Det.’s Lunt’s position with a rifle.

The K9 dragged the suspect to officers and was taken into custody. Det. Lunt said the suspect’s gun was “big” and he could not tell what kind it was other than it seemed large. Det. Lunt said once the suspect was in custody he was removed from the scene.

I asked Det. Lunt about his knowledge of what was happening when he responded. Det. Lunt said he heard Officer O’Doherty’s radio traffic that they suspect was shooting at them. Det. Lunt said he could not recall how he knew Officer Wilson had been wounded but he recalled that he did know it was Officer Wilson that had been hit and heard him asking for medical. Det. Lunt also saw many residents including children in the complex as he ran toward the sounds of gunfire.

I asked Det. Lunt about being scared when he saw the suspect. Det. Lunt said he was scared for the officers that were to the south and believed that if he had to stop this suspect or “someone was going to die”.

Det. Lunt also said that he could see blood on the ground as he neared where the suspect was and believed it was Officer Wilson’s blood. Det. Lunt stated he did not know where Officer Wilson was at that time and feared the worst. Det. Lunt also stated that the suspect (Simonton) was “super Determined” to continue fighting.

Investigator Zaccardi asked Det. Lunt about how Simonton was positioned. Det. Lunt said he recalled seeing Simonton stumble and fall. The gun was alongside his body and he was pointing it at the officers to the south and was moving a lot.

I asked about the officer that can be seen in Det. Tracy’s body camera in front of his with the shield, Det. Lunt said that was Officer Griggs and stated he did a very good job giving him cover and communicating his movements.

Investigator Zaccardi asked Det. Lunt if he recalled seeing Det. Dunbar treating Officer Wilson with the tourniquet. Det. Lunt said he did not see Det. Dunbar after they got into Det. Tracy’s trunk and Det. Dunbar took the spare vest. Det. Lunt heard later that Det. Dunbar had taken him to the hospital.

Det. Lunt commented that he looks back on the three detectives being together and was thankful for it due to Dunbar being available to assist Officer Wilson and Det. Tracy being with him in the engagement of Simonton.

Det. Lunt was shown the footage from Det. Tracy's body camera. After it was finished, Det. Lunt asked to watch the segment where he engaged in the shooting again. After watching it again, Det. Lunt was asked where Simonton was in relation to where he was standing. Simonton is not visible due to the bushes and shrubbery. Det. Lunt said Simonton was right there on the other side of the bushes in front of where he was in the video. I asked if Simonton was more towards the fence or the bushes, Det. Lunt said he was right between those points. I asked Det. Lunt how far he estimated he was to Simonton, Det. Lunt was unsure and didn't even recall the bushes being there. Det. Lunt said he had a clear view of Simonton and could see him entirely. Det. Lunt said he was not very far away but could not give an estimate of the distance.

I asked Det. Lunt if he would like to add anything to his statement after seeing the footage. Det. Lunt said no. The interview was ended.

Interview of Officer Robert Griggs (Witness Officer)

Officer Griggs was the patrol officer who provided Det. Lunt with a bullet proof vest and also was in front of Det. Lunt with a shield when Det. Lunt and Det. Tracy fired. I reviewed his body camera footage and found that the ballistic shield covered the lens of the camera and the back of the shield is the only thing visible.

I did however hear in the audio Officer Griggs yell, "Gun, gun!" at the 15:37:15 mark. I made contact with Officer Griggs and requested an interview.

I interviewed Officer Robert Griggs at the Weber County Attorney's Office. I asked Officer Griggs to tell me what he recalled happened at . Officer Griggs said he was on patrol when he heard Officer Wilson request backup and stated there was a gun involved, soon after Officer Wilson called out that shots had been fired. Officer Griggs used his emergency lights and siren to get there quickly and arrived right behind some Detectives.

Officer Griggs stated that two of the detectives ran to the east to where they believed the fighting was coming from. The other detective came back to Officer Griggs vehicle and borrowed a bullet proof vest from Griggs.

Officer Griggs said he grabbed a ballistic shield from his vehicle and he and Det. Lunt started running through the complex trying to find where they could hear the shots were coming from. Officer Griggs said he was directed to go between two apartment buildings because the suspect had been seen there. Officer Griggs stated that when he came to the edge of the building he could see Simonton and he was walking backwards to the north and looking back at the officers to the south.

Officer Griggs said the Detectives who were with him fired their weapons at this point. Officer Griggs took aim to fire but did not fire due to him holding the shield and by the time he found aim with one arm, Simonton was down and dropped the gun. Officer Griggs stayed at that spot until other officers arrived and a plan was developed and Simonton was taken into custody.

I asked Officer Griggs about when he first saw Simonton and describe exactly what he was doing. Officer Griggs said he recalled seeing Simonton on his feet and facing south. Simonton was moving backwards to the north.

Officer Griggs explained that Simonton exact movement were a blur as he was trying to make the assessment that Simonton was a threat and he needed to take immediate action. Officer Griggs determined Simonton was an active and immediate threat and was preparing to take action. When Griggs found his sights and could take action, he determined there was no longer a threat and did not fire.

I explained to Officer Griggs that due to not being able to see Simonton in the body camera footage from where he and the detectives were positioned, I was seeking what he could see at the time.

I then asked Officer Griggs about what he could see when he first saw Simonton. Officer Griggs said he saw Simonton walking backwards to the north. Officer Griggs said he stopped and took a knee behind the shield. I asked if he recalled seeing Simonton fall to the ground. Officer Griggs said he did remember Simonton fall and could see the gun still in his hand. Griggs described the gun and a black colored pistol in his right hand.

Officer Griggs said that this is when he paid more attention to his sights but then saw the gun fall out of Simonton's hand. I asked Officer Griggs if he recalled seeing Simonton on the ground but pointing the gun back to the direction of the officers who were to the south. Officer Griggs did not recall seeing that specifically. Officer Griggs then explained that it could have happened because he had the gun at his side and was "in the fight until he could no longer physically be in the fight".

I asked Officer Griggs if he recalled Det. Lunt and Det. Tracy firing their weapons. Officer Griggs said he did. I asked if they fired and then Simonton dropped his gun. Officer Griggs said yes.

I then asked Officer Griggs if he recalled seeing the officers to the east. Officer Griggs said he did not see them until after the shooting had stopped due to him being focused on Simonton.

The interview was ended at this time.

Conclusion

Law enforcement was summoned to this location on the report that Brian Simonton was currently violating a valid protective order. The victim in this complaint also told dispatch that Simonton was known to carry weapons.

Simonton was also a suspect in a South Ogden Police case from 05-27-23 where he was seen to be carrying a black colored revolver in his waistband and fired a bullet into his mother's garage. Simonton's mother also told officers that Simonton made the comment, "Yeah, let them know I have this" as he was referring to the gun in his waistband. Simonton was also suspected of using methamphetamine during this incident.

The following is a breakdown of what each individual officer's knowledge at the time of the incident and their subsequent actions;

Officer Joseph Wilson

Officer Wilson responded to _____ because of multiple 911 phone calls from Lindy Long and Jenny Wright. Long had a valid protective order against Brian Simonton who had shown up unannounced at her apartment. Wrights was the apartment complex manager who also requested police presence.

Officer Wilson arrived and attempted contact with Simonton in the parking lot just east of the main office. Officer Wilson stated that Simonton immediately pulled a long black colored revolver from his waistband as soon as Wilson saw him. This is confirmed by Officer Wilson's reaction when he first enters the parking lot by drawing his own sidearm and advising dispatch that Simonton has a gun. Officer Wilson was wearing a clearly marked Ogden City Police uniform.

Officer Wilson retreats to cover using the corner of the #? Apartment building. Simonton is captured on Officer Wilson's body camera advancing towards Officer Wilson and at one point raises his arm and points the weapon at Officer Wilson. This is also confirmed by Officer Wilson's radio traffic where he reports Simonton is repeatedly pointing the gun at him.

It is documented in the body camera footage that Officer Wilson repeatedly tells Simonton to "drop the firearm" or "drop the gun". Officer Wilson at one point uses Simonton's first name, "Brian", and asks him to put the gun down. Officer Wilson also warns Simonton that he will shoot him if he does not surrender. Officer Wilson tells Simonton 17 times to put the gun down or a variation of that command.

Simonton can be heard yelling back at Officer Wilson. Most of what Simonton is saying is inaudible on the body camera footage, but a few times it can be understood. At one point, Simonton said, "it's gonna be like that!", and another time Simonton yelled, "You put your gun down!" in response to Officer Wilson command.

Officer Wilson also recalled during his interview that Simonton was taunting him at one point, saying Wilson could not fire due to the backdrop of the apartment complex.

Simonton was hiding behind a row of vehicles but was continuing to point his gun at Officer Wilson. Officer Wilson stated Simonton was pointing the gun at him and it was confirmed by the footage from Officer Larson's footage that not only showed Simonton pointing the gun in Wilson's direction but Officer O'Doherty actually said, "He's pointing it at..." before she called out to Simonton and commanded him to drop the gun.

Officer Wilson stated that he believed Simonton intended to seriously harm or kill him at this point. Officer Wilson said he also feared that Simonton would harm others in the apartment complex if he did not take immediate deadly force action.

Officer Wilson fired his weapon at Simonton at this point. Simonton fired back at Officer Wilson while they were on opposite side of the parked vehicles. This was captured on footage from Officer Larson's body camera.

Simonton started to flee to the east and was firing his weapon to the south where Officer Larson and Officer O'Doherty were positioned. This was documented in Officer Wilson's body camera of Simonton firing his weapon as he ran. Officer Wilson fired his duty weapon at Simonton as he fled.

Officer Wilson gave chase and followed Simonton as he went between building #1 and building #2. Officer Wilson stated that he believed that Simonton would continue to flee, but as he rounded the corner of building #2, Simonton was standing there waiting for him with his right arm raised and gun pointing at Wilson. Simonton fired a shot striking Officer Wilson in the right arm. This is documented in Officer Wilson's body camera footage where Simonton can clearly be seen firing his weapon at Officer Wilson and blood spatter coming from Officer Wilson's right forearm.

Officer Wilson retreated back to the parking lot and assistance arrived. Detective Dunbar applied a tourniquet and transported Officer Wilson to where medical personnel could treat him and take him to the hospital.

Officer Carter Larson

Officer Larson responded to the scene after hearing Officer Wilson radio that Simonton had a gun and was pointing it at Officer Wilson. Officer Larson ran through the apartment complex until he observed Simonton at a distance. Officer Larson confirmed over the radio that it was Simonton by asking Officer Wilson, "white hat, white tank top?"

Officer Wilson confirmed this. Officer O'Doherty then said out loud that Simonton was pointing the gun at Wilson. Both Officer Larson and Officer O'Doherty yelled at Simonton and commanded that he drop the weapon. Officer Larson was dressed in a clearly marked Ogden City Police uniform documented by CSI photographs and in body camera footage.

Officer Larson said he could see Simonton pointing the gun in the direction of Officer Wilson from behind a vehicle. Officer Larson stated he believed he had to stop Simonton from shooting and killing Officer Wilson and fired his weapon at Simonton.

Officer Larson re-engaged Simonton behind apartment building #2 after Simonton fired his gun multiple times at all three officers on scene. Officer Larson had heard that Officer Wilson had been wounded and needed medical attention but did not know where he was. Officer Larson continued to engage Simonton behind Building #2 stating at one point that Simonton was "rushing" towards him. Officer Larson stated he believed if he didn't take immediate action that others could be injured or killed. Officer Larson said he believed that every shot that he took was in the defense of himself, Officer Wilson, Officer O'Doherty, other responding officers, and every person who resides in the apartment complex.

Officer Wendi O'Doherty

Officer O'Doherty responded to the scene after hearing Officer Wilson radio that Simonton had a gun in his possession and was pointing it at Officer Wilson. Officer O'Doherty arrived at the same time as Officer Larson and ran through the complex looking for Officer Wilson.

Officer O'Doherty observed Simonton pointing a gun at Officer Wilson and can be heard on the body camera telling Officer Larson, "he's lifting his gun up at...." Officer O'Doherty then yells at Simonton, "Hey! Put your gun down!"

Officer O'Doherty was in a clearly marked Ogden City Police uniform as she yelled at Simonton. Shots were then exchanged between Simonton and Officer Wilson and Officer Larson. Officer O'Doherty took cover as Simonton fired in her and Officer Larson's direction.

Officer O'Doherty joined Officer Larson as they attempted to re-engage Simonton behind apartment building #2 from the south end. Officer O'Doherty had last seen Officer Wilson pursuing Simonton on the north end of building #2. Officer O'Doherty heard Officer Wilson radio that he had been hit and needed medical assistance. Officer O'Doherty stated that she started to go around the west side of the building in an attempt to help Officer Wilson. Officer O'Doherty stopped and came back to Officer Larson and stayed with him. Officer O'Doherty stated she realized that the threat was still active with Simonton and needed to be stopped.

Officer O'Doherty leaned out around the right side of Officer Larson and could see Simonton behind building #2. Officer O'Doherty explained that she could see Simonton and he had the gun in his hand. Officer O'Doherty said that if she and Officer Larson did not take

immediate action she believed the suspect would kill Officer Wilson. (Not knowing where Officer Wilson was)

Officer O'Doherty fired her duty weapon at Simonton who fell to the ground. Officer O'Doherty stated that Simonton still had the gun in his hand while he was on the ground. This was confirmed on the body camera footage of both Officer O'Doherty and Officer Larson, who were yelling that Simonton still had the gun and were yelling commands at him to drop the weapon as shots then rang out from the other responding officers.

Officer Keyton Moore

Officer Moore responded to the scene after hearing Officer Wilson radio for assistance and that Simonton had a gun and was pointing it at him. Officer Moore heard Officer Wilson radio that he had been wounded and needed medical attention. Officer Moore also heard Officer O'Doherty radio in their location and could hear gunfire in the background and believed officers were being fired upon.

Officer Moore arrived to the east of the complex in a grass area of the Applied Technology College that borders the north and east sides of the apartment complex.

Officer Moore said he ran towards the backside of the apartment complex and saw Simonton laying on the ground but moving around. Officer Moore could see a gun next to Simonton and believed that he was attempting to grab the gun and point it at the officers who were toward the south end of the building. (Larson and O'Doherty)

Officer Moore and the other two officers with him started yelling at the suspect, "don't move!" This was confirmed in Officer Rentmeister's body camera that had audio.

Officer Moore said he believed the suspect was trying to point the gun or get the gun up at the officers to the south and felt all the people in the apartment complex were in danger so he discharged his duty weapon at the suspect. It was confirmed through Officer Moore's body camera that Simonton was still moving as he approached.

Officer Drew Rentmeister

Officer Rentmeister arrived on scene and joined Officer Moore and Officer Sidhu on the east side of the apartment complex from the ATC. Officer Rentmeister can be heard yelling commands at Simonton along with other officers as he stood directly north of where Simonton should be behind apartment building #2. Rentmeister was along the north fence that divides that property and was north of building #1. Simonton cannot be seen in Rentmeister's body camera footage.

Officer Rentmeister fired his duty weapon directly south in the direction of where Simonton would eventually be seen in other footage.

Officer Rentmeister did not give a statement and it is unknown what he could see and what he knew at time of the incident. It can be inferred that Officer Rentmeister, who was dressed clearly in a clearly marked Ogden City Police Uniform and was on duty at the time of the incident, heard Officer Wilson state on the radio that Simonton had pointed a gun at him. Officer Rentmeister most likely heard Officer Wilson call out that he had been wounded and needed medical attention. From other officer statements, it could be assumed that Officer Rentmeister also saw Simonton attempting to fire his weapon at other officers and fired his weapon in the defense of others.

Officer Johnathan Sidhu

Officer Sidhu was also positioned on the east side of the apartment complex on the grass area in the Technology College. Officer Sidhu can be seen in Officer Rentmeister's footage approaching the east fence line and pointing his sidearm in the direction of where Simonton was. Commands to drop the gun can be heard from multiple officers.

Officer Sidhu fired his weapon at this point as he moved south west across the grass area.

Officer Sidhu did not give a statement and it is unknown what he could see and what he knew at time of the incident. It can be inferred that Officer Sidhu, who was dressed clearly in a clearly marked Ogden City Police Uniform and was on duty at the time of the incident, heard Officer Wilson state on the radio that Simonton had pointed a gun at him. Officer Sidhu most likely heard Officer Wilson call out that he had been wounded and needed medical attention. From other officer statements, it could be assumed that Officer Sidhu also saw Simonton attempting to fire his weapon at other officers and fired his weapon in the defense of others. Sidhu was next to where Officer Moore was standing and could have had the same perception that was captured on Officer Moore's body camera.

Detective Tyler Lunt

Detective Lunt responded to this scene with Det. Tracy and Det. Dunbar. They were in the same vehicle when they heard Officer Wilson call for help and radio that Simonton had pointed a gun at him.

Det. Lunt arrived on scene and was provided a bullet proof vest by Patrol Officer Griggs who had arrived at the same time as the detectives. Officer Lunt went with Officer Griggs who had deployed a Ballistic shield.

They moved east through the complex and Det. Lunt made note of the residents and also children in the area. Gunshots could be heard coming from the east and he and Griggs ran towards them. Det. Lunt said Det. Tracy directed them that he had seen Simonton moving behind building #2. Det. Lunt moved east between building #1 and #2 with Griggs in front using the shield as cover. Det. Lunt said he immediately saw Simonton on the grass and had a gun in his hand. Det. Lunt described him as “stumbling” and that he was “fighting” and not giving up or complying.

Det. Lunt fired his weapon when Simonton started to raise his arm and point the gun towards officers that he knew were to the south.

Det. Lunt said it was a scary situation, and believed officers could be killed due to what was happening.

Detective James Tracy

Detective Tracy arrived on scene with two other detectives. It can be inferred that Det. Tracy had knowledge of Officer Wilson’s radio traffic that Simonton was pointing a gun at him due to Det. Lunt hearing this information as they responded to the scene together in the same vehicle. It can also be assumed that Det. Tracy knew shots had been fired by Simonton from the body camera footage of Det. Tracy and Det. Dunbar finding Officer Wilson bleeding and Det. Tracy giving Det. Dunbar his tourniquet to put on Officer Wilson’s wounded arm.

Det. Tracy ran toward the east where gunfire could be heard coming from behind apartment #2. Det. Tracy yelled out to other officers that he saw Simonton and directed them to behind the apartment building. Det. Tracy joined Det. Lunt and fired his weapon at the northeast corner of the building.

Det. Tracy did not give a statement and it is unknown what he could see at the time when he fired his weapon. Simonton is behind bushes and shrubbery and is not visible in this footage. It could be assumed from Det. Lunt’s statement that Det. Tracy could see that Simonton was attempting to point his weapon and fire at officers who were positioned to the south end of the building and fired his weapon in the defense of others.

Conclusion Continued

There is evidence that supports the officers statements that Simonton produced a firearm from his waistband and threatened to fire at officers, pointing the gun multiple times at Officer Wilson before firing at Officer Wilson and then at Officer Larson and Officer O’Doherty. This is captured on body camera footage.

Simonton flees to the east but then positions himself to ambush Officer Wilson behind apartment building #2. Body camera footage captures Simonton standing in the grass area behind building #2 and firing his gun at Officer Wilson, striking him in the right forearm.

There is evidence that Simonton reloaded his revolver behind apartment building #1 after retreating north after Officer Larson engaged him from the south of building #2.

Even after Simonton was hit and had fallen down, he was described as still “fighting” and trying to level his gun at the direction of officers.

The officers who responded to this scene expressed seeing residents along with children outside and vulnerable to being hit by a gunfire.

Simonton was struck multiple times in the neck, torso, and lower body. 10 bullets and 2 bullet fragments were recovered from his body at the time of autopsy. The full autopsy report has not been completed at this time.

A total of 84 rounds were fired by the responding officers. It is believed that Simonton fired 9 times in total. The entire event from where the first gunshot was fired until the last gunshot was fired was approximately 2 minutes and 5 seconds in duration.

All of these factors need to be taken into consideration when determining if the use of deadly force is justified.

***Investigator Steve Haney
Weber County Attorney's Office***



August 18, 2023

Chief Eric Young
Ogden City Police Department
2186 Lincoln Avenue
Ogden, Utah 84401

RE: OFFICER-INVOLVED SHOOTING; OFFICERS WILSON,
LARSON, O'DOHERTY, MOORE, LUNT, TRACY, SIDHU, AND
RENTMEISTER

Dear Chief Young:

County Attorney investigators Steve Haney, Steve Zaccardi, and a number of investigators with the Weber County Force Investigation Team and the Weber County Homicide Task Force, have completed the investigation of the officer-involved shooting involving Ogden City officers Wilson, Larson, O'Doherty, Moore, Lunt, Tracy, Sidhu, and Rentmeister. CSI processed evidence from the scene. Officers and other witnesses who were present during the incident were interviewed and provided statements. However, officers Rentmeister, Sidhu, and Tracy exercised their constitutional rights in refusing to provide a statement or grant an interview.

I have thoroughly reviewed the investigation and discussed it at length with investigators and senior prosecutors in my office. The circumstances and evidence set forth in this letter are just a short summary of the much-more detailed information provided in the full investigation report provided along with this letter. That investigation report undertakes a thorough evaluation of all the physical evidence, audio and video footage, and individual witness statements. The full report should be read closely as it fully supplements this brief summary. My conclusions are as follows:

BACKGROUND.

On June 6th, 2023, there were multiple 911 calls that came into Weber Area Dispatch Center asking for an officer to respond to [REDACTED] on the report of a male who was present and was refusing to leave after he violated a valid protective order. One of the callers was the victim of this protective order violation. It was also relayed that the offender in this case, Brian Simonton, was known to carry a gun.

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Officer Joe Wilson, wearing a fully marked Ogden police uniform, was the first to arrive on scene. Wilson saw Simonton in the parking lot just east of the main office and attempted to make contact. Simonton immediately drew a long black revolver from his waistband upon seeing Officer Wilson. Simonton was pointing the gun at Wilson as Wilson tried to keep the cover of parked vehicles between them. Wilson repeatedly (approximately 17 times) shouted at Simonton to drop the gun, and warned Simonton that he would have to shoot if he did not put his weapon down. Simonton continued pointing his gun toward Officer Wilson, and Wilson feared that Simonton was going to shoot him. Officer Wilson also recalled during his interview that Simonton was taunting him at one point, saying Wilson could not fire due to the backdrop of the apartment complex. In fact Wilson expressed that he was very concerned for the safety of others in the complex, and that others were going to be harmed if he did not take immediate action.

At this point, officers Larson and O'Doherty (also wearing clearly marked police uniforms) had arrived on scene and could see Simonton pointing a gun at Wilson. Both officers shouted for Simonton to drop the gun, and Larson said he believed that Simonton was going to shoot and kill Officer Wilson. Officers Wilson and Larson both fired at Simonton. Simonton returned fire at Wilson and also toward Larson and O'Doherty as he fled toward the back of one of the buildings. Wilson chased after Simonton and believed that Simonton was continuing to flee. However, when Wilson rounded the building Simonton was waiting to ambush him. Simonton immediately shot at Wilson when he came into view, and Wilson was hit in the arm. Wilson retreated back into the parking lot where other officers arriving on scene were able to provide medical assistance.

Officers Larson and O'Doherty ran around the other side of the building and could see Simonton north of them. They had heard over the radio that Wilson had been hit, but they weren't sure where he was. Simonton still had the gun in his hand, and both officers expressed their fears that he could still shoot and kill Wilson and/or others. Therefore, they engaged Simonton from their position. Larson said Simonton appeared to charge toward them, and both fired shots at Simonton. After one of the shots fired by O'Doherty Simonton fell to the ground, but still had the gun in his hand. Both officers continued to shout commands for him to drop the gun as additional police officers arrived from another direction. These officers also opened fire on Simonton.

Officers Moore, Sidhu, and Rentmeister arrived at the east side of the apartment building as shots were being exchanged. All were wearing clearly marked Ogden police uniforms. Moore stated that he had heard Officer Wilson radio for assistance and that he had been shot by Simonton. He also heard Officer O'Doherty call out their location. Moore could hear shots being fired as they ran toward the building. As they approached the building he could see Simonton on the ground but still moving. Moore could see the revolver next to Simonton, and it appeared that Simonton was reaching for the gun. Moore and the other officers shouted "don't move" at Simonton, but Moore believed that Simonton was going to get the gun and continue shooting at officers, so he opened fire at Simonton. Officers Sidhu and Rentmeister also opened fire at this point.

Detectives Lunt and Tracy were in the same vehicle when they heard Officer Wilson radio out that Simonton was pointing a gun at him. They arrived as Wilson was retreating into the parking lot with a gunshot wound to his arm. Tracy provided a tourniquet which another officer helped apply. Lunt and Tracy could hear shooting behind the building, and they went to the northeast

corner of the building where they could see Simonton go to the ground. Det. Lunt said he immediately saw Simonton on the grass and had a gun in his hand. Det. Lunt described him as “stumbling” and that he was “fighting” and not giving up or complying. Detective Lunt fired his weapon when Simonton started to raise his arm and point the gun toward officers that he knew were to the south. Lunt said it was a scary situation and believed officers could be killed due to what was happening. Detective Tracy was next to Lunt at this point, and Tracy also fired at Simonton.

Simonton was hit multiple times and died as a result of the gunshot wounds.

Analysis

Pursuant to Utah Code Section 76-2-404(2) “The defense of justification applies to the use of deadly force by an officer . . . when: (c) the officer reasonably believes that the use of deadly force is necessary to prevent death or serious bodily injury to the officer or an individual other than the suspect.” In *Graham v. Conner*, 490 U.S. 386 (1989), the United States Supreme Court instructed that “reasonableness” for law enforcement officers must be assessed objectively, in light of a “reasonable officer on the scene, rather than with the 20/20 vision of hindsight.” *Id.* At 396 (internal citations omitted). The *Graham* court also explained that “The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation.” *Id.* At 397.

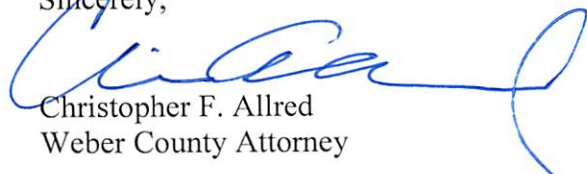
Given the circumstances described above, and more particularly as established by the eyewitnesses, video, audio, and physical evidence, it was objectively reasonable for Officer Wilson to believe that the use of deadly force was necessary to prevent death or serious bodily injury to himself, other officers, and residents of the apartment complex. The totality of the evidence also clearly shows that it would have been reasonable for each of the other officers to believe that the use of deadly force was necessary to prevent death or serious bodily injury to themselves, other officers, or residents of the apartment complex.

CONCLUSION

An objective evaluation of all of the circumstances and evidence in this case supports the conclusion that it was reasonable for each of these officers to believe that deadly force was necessary to prevent death or serious bodily injury to the officers or others, including local residents. Therefore, I conclude that each of the officers were justified in their use of deadly force.

Please feel free to call me if you would like to discuss this further.

Sincerely,



Christopher F. Allred
Weber County Attorney