



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.

## **FORCE INVESTIGATION TEAM**

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## **Force Investigation Team Report Officer-Involved Shooting**

Incident: Officer Involved Critical Incident

Agency(s) Involved: Ogden City Police

Relevant case numbers: 25G34762, 25CS437

Date of Incident: 05-13-25

Time of Incident: 02:12 hrs

Location of Incident: 2200 Wall Ave

FIT Lead Investigator: Steve Haney

Involved Officer(s): Rhet Povey

Involved Subject(s): Brady Dupont

**Weber County Attorney's Office  
Criminal Investigation  
Officer Involved/Deadly Force Used  
Date: 05-13-25  
Investigator Steve Haney  
Premise: 22<sup>nd</sup> Wall Ave  
City: Ogden City**

Agency Involved: Ogden City Police Department  
Ogden City Police Case # 25G34762  
CSI Case #25CS437

**INTRODUCTION**

On May 13th, 2025, the Ogden City Police Department reported that there had been an officer-involved critical incident 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)

**Overview/ Summary**

Involved: Officer Rhet Povey- Ogden City Police

Subject: Brady Dupont-

Witness: Chuck Beaman-

Witness Officer: Adrian Garcia- Ogden City Police

On May 13<sup>th</sup>, 2025, Officer Rhett Povey radioed to Weber Dispatch that he would be out of his vehicle and talking with a pedestrian in the 2200 block of Wall Ave at approximately 02:12 hrs.

Officer Povey contacted Brady Dupont on the east side of Wall Ave. Dupont appeared to be compliant and provided personal identification and admitted being on supervised parole.

Officer Povey investigated further and asked Dupont about possessing illegal drugs and weapons. Dupont produced two edged weapons from his pocket and took an aggressive stance towards Officer Povey.

Officer Povey fired his duty weapon, striking Brady Dupont who was transported to a local hospital as result of the gunshot wounds.

Footage from body worn cameras of the officers has been collected.

### **22<sup>nd</sup> Wall Ave**

The area of 22<sup>nd</sup> and Wall Ave is a business district and railroad area. The IRS building is on the east side of the roadway for the entire block. On the west side of the roadway there is a vacant lot for half the block going towards the south and then a parking lot for the UTA Frontrunner train begins. Below is a photograph of the area.



### **Investigation**

I was contacted by Chief Investigator Steve Zaccardi, who advised me that there had been an Officer Involved Critical Incident. Due to the protocol

this investigation would be handled by the Weber County Attorney's Office Investigation Force Investigation Team.

I arrived and met with Sgt Swenson who briefed me. I was advised that Officer Rhet Povey was the officer involved and had been transported to the Ogden City Police station after the scene was secure. The suspect who had been identified as Brady Dupont had been wounded and then transported to McKay Dee Hospital. The area had been secured with crime scene tape at both ends of the 2200 block of Wall Ave.

Sgt Swenson said Officer Povey was a one-man patrol unit and had signed out on a pedestrian prior to asking for another unit to assist him and then calling out on the radio that shots had been fired.

CSI Grogan was on scene and had begun to photograph the scene. Povey's vehicle was parked on the east side of Wall Ave and was facing north. The emergency lights of the marked patrol vehicle were still on.

There was a grey backpack on the grass next to the curb. There were two fixed handle knives on the blacktop street in front of Povey's vehicle along with medical bags and debris.

#### **Witness Officer Adrian Garcia- OPD**

I then spoke with Officer Garcia who was the first officer to arrive on scene. Officer Garcia said he arrived after shots had been fired and rendered aid to Dupont who was conscious but was lying on his back in the street in front of Officer Povey's vehicle. I asked Officer Garcia if Dupont was saying anything. Officer Garcia advised me that he was saying, "I'm sorry" a few times and then later asked for water.

#### **Officer Rhet Povey**

I arrived at OPD and met with CSI Seng who would be collecting the firearms for processing. Officer Povey was photographed as they looked at the time of the incident. I then counted the number of bullets remaining in his duty weapon. CSI Seng video recorded the bullet count. Below are the photographs of Officer Povey and his duty issued 9mm Glock.



**Glock 9mm Model 45, Serial Number  
15 Rounds in gun and inserted magazine.  
Duty carries 18 rounds- Fired 3 times  
(2) Spare magazines- both had 17 rounds in them.**

**Officer Povey declined to give a statement in this investigation.**

**Brady Dupont**



**Utah State Criminal History**

Total number of incidents: 10

Total number of incidents with convictions: 6

Total number of incidents with a felony: 8

Total Number of felony convictions: 4



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

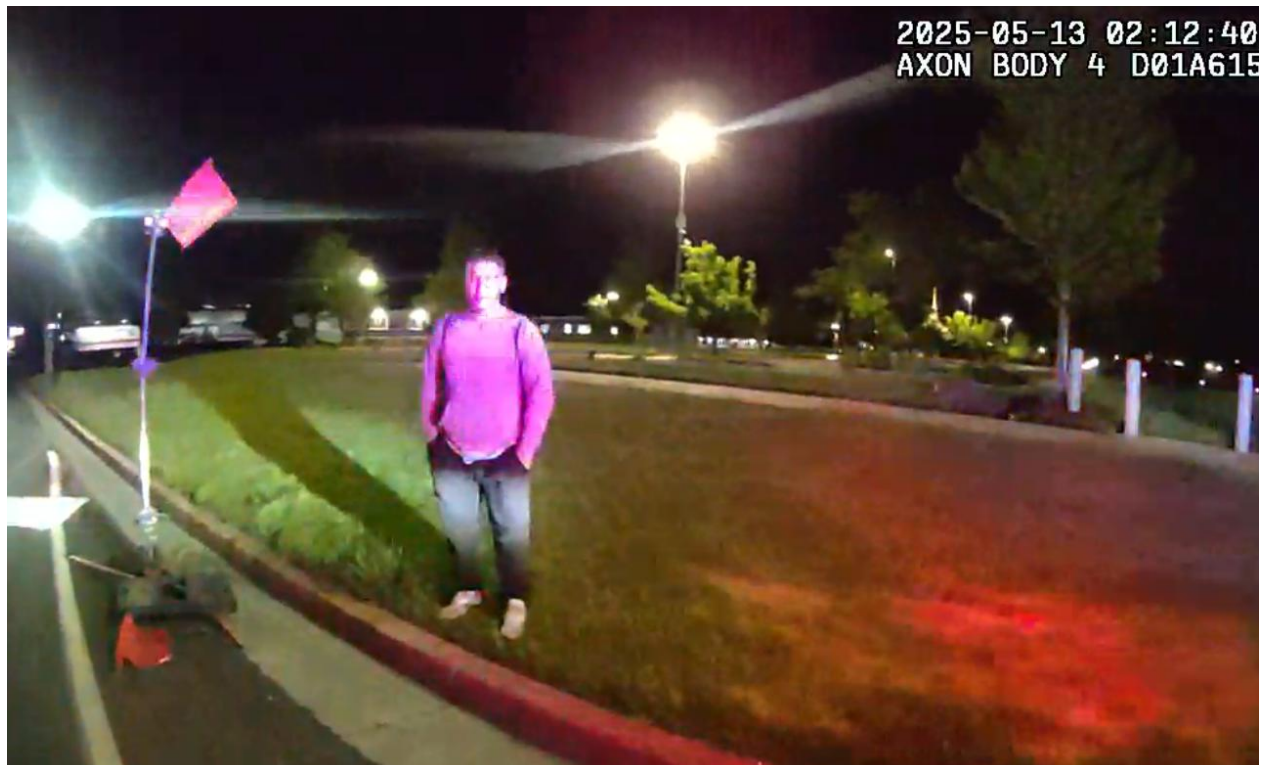
There is a date and time stamp on the right upper corner of this footage. I will be using this time stamp as I refer to key moments of this footage.

The recording starts at 02:11:57 hrs. The steering wheel and center console can be seen along with an open laptop computer to the right of the screen. Officer Povey seems to be traveling northbound on Wall Ave due to the buildings and traffic light seen on the right side of the screen. The traffic light at 23<sup>rd</sup> can be seen as the vehicle continues through that intersection.

The audio starts at 02:12:27 and Officer Povey stops the vehicle and gets out at 02:12:33. Officer Povey asks, "why were you walking down the middle of the road?"

As Povey turns to face the front of his vehicle, Dupont can be seen standing on the grass near the east curbing of Wall Ave (02:12:37). Dupont is wearing black pants, a gray long sleeve hooded sweatshirt, and a dark gray with black trim backpack.

Dupont tells Officer Povey that he "couldn't find a sidewalk, sir". (In the photograph below shows the area is well lit above the sidewalk to the east.)



Officer Povey asks Dupont for his identification and Dupont tells him it's in his backpack. Dupont volunteers to Officer Povey that he is on parole and that he is homeless. Dupont states that he did not mean to come to Ogden, but he fell asleep on the bus and ended up in Ogden.

Officer Povey asks Dupont to stay where he is while he runs his information on his computer. Dupont is very compliant and polite. (02:13:55)

Officer Povey returns to his vehicle at 02:14:00 and spends the next four and a half minutes running Dupont name through his computer systems. Officer Povey exits his vehicle at 02:18:30.

Officer Povey asks Dupont if he has anything illegal on him. Dupont states that he has some syringes and admits to using drugs as recently as "yesterday or the day before". Dupont tells Officer Povey that the syringes are empty and are in his backpack. Officer Povey then asks Dupont if he has anything on his person. Dupont stands up and starts moving back onto the grass. As he does this, Dupont puts his hands in his pockets and states that he has two knives. (02:19:37)



Officer Povey can be heard making a radio transmission asking for another officer to be sent to his location. Dupont is standing on the grass and is pulling out two knives from his left pants pocket. Officer Povey asks Dupont, "just put them down for me, ok?"



Dupont switches one of the knives to his right hand and now has one knife in each hand with the blades down. (Photo below)



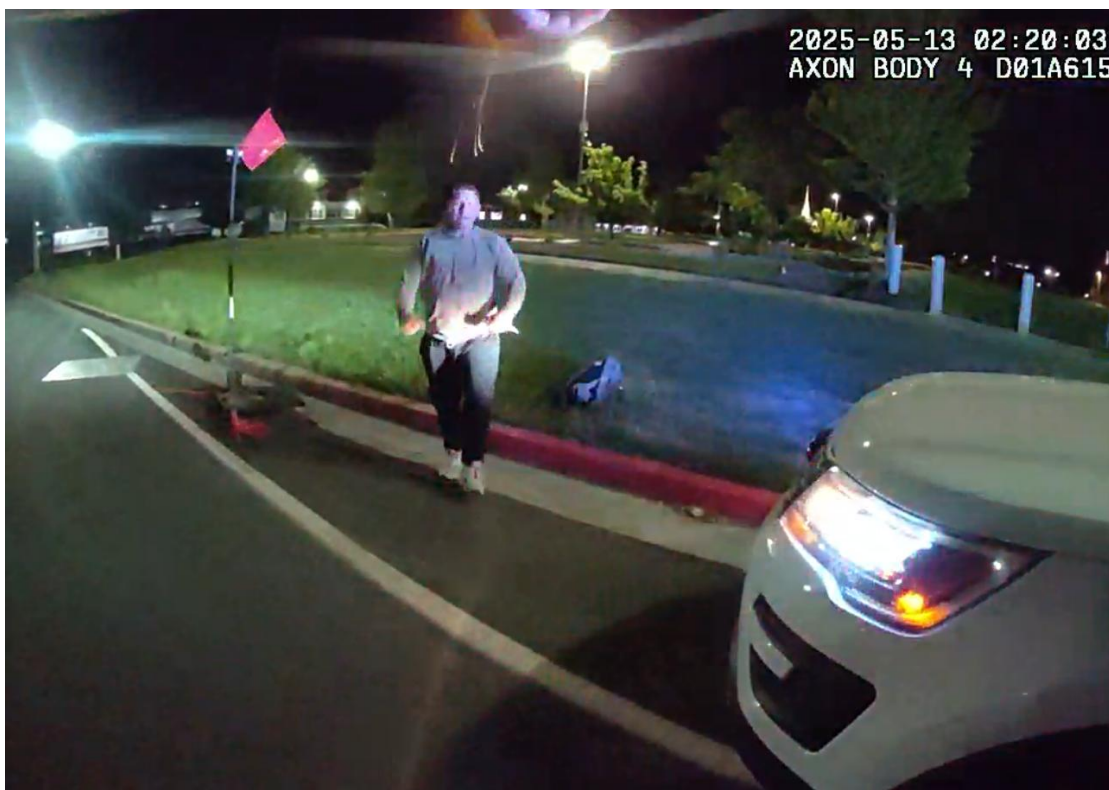
Officer Povey tells Dupont, “Drop the knives, dude.”

Dupont starts to swing his arms back and forth and then walks around on the grass. Officer Povey draws his duty weapon as Dupont states, “You are going to have to shoot me.” Officer Povey can then be heard making a radio transmission telling dispatch, “I’ve got one at gunpoint.”

Dupont can be heard saying, “I’m not going back. Shoot me nigga.” Officer Povey responds that he is not going to shoot him, but Dupont responds that he is “not going back” and that he “doesn’t give a shit, I’m not going back”.

Officer Povey repeatedly commands Dupont to drop the knives. Officer Povey retreats backwards into the street and stops near the front of his vehicle as Dupont starts moving forward toward the curbing.

Dupont steps into the street and is moving towards Officer Povey who warns him not to “take one more step”. Dupont continues to walk forward with the two knives in each hand. Officer Povey fires his duty weapon three times. (02:20:03)



Dupont screams out in pain and falls to the ground. Dupont drops both knives as he is falling and can be seen on the roadway in front of Officer Povey's patrol vehicle.



Officer Povey makes a radio transmission advising that he had fired his duty weapon, but he is okay. (02:20:08)

Sirens can be heard from incoming officers and Officer Povey moves forward and continues to cover Dupont who is lying on his back in the street. Dupont's arms are moving around as he lays there. Dupont calls out to Officer Povey, "I'm sorry man". (02:20:41)

Another voice can be heard asking if Officer Povey is "good". A light comes on and illuminates Dupont on the ground. Officer Povey commands Dupont to roll over and Dupont replies that he cannot roll over.

Officer Povey moves forward and rolls Dupont over onto his stomach. Handcuffs are then placed on Dupont. He is placed on his side.

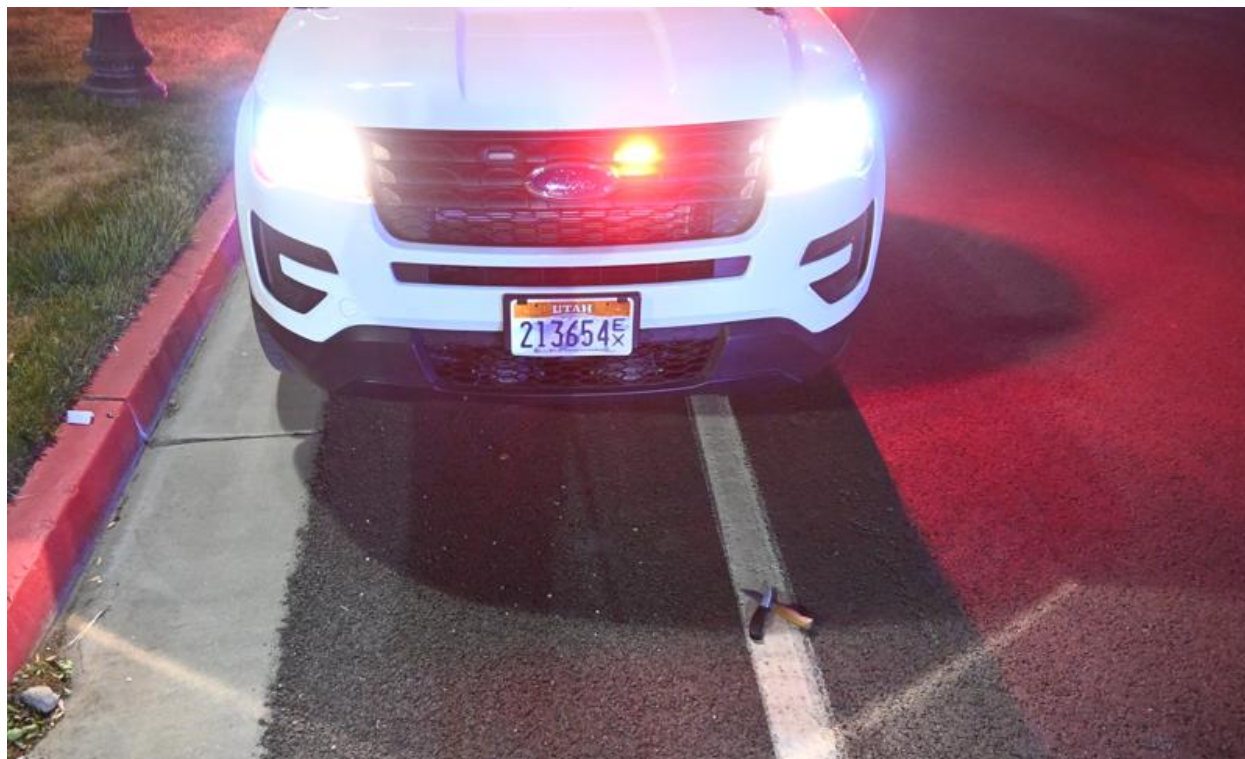
Officer Povey then removes himself from the area and walks to the back of his vehicle and waits there. Officer Povey then moves back to the front of his vehicle to speak with Sgt Swenson. Officer Povey also retrieves rubber gloves from his patrol vehicle to assist other officers who were rendering aid to Dupont.

Officer Povey walks back to the south and stands by another responding patrol vehicle. Officer Povey is then approached by another officer who offers to take him to the police station. Officer Povey walks with this officer to the north and gets into a marked OPD unit. The camera is turned off at 02:26:17.



### Scene Photos

Below is a photograph of the front of Officer Povey's vehicle. The two knives are on the ground on top of the white fog line.





In the above photo the two knives are on the ground and the blades are laying across from each other. The body camera footage of Officer Povey showed the knives landing separately spaced away from each other.

I viewed Officer Garcia's body camera footage to gain some perspective and found that after Officer Garcia had arrived, Officer Povey moved toward Dupont to place the handcuffs on Dupont. When he was moving, Officer Povey kicked both knives back out of the way and they ended up on crossed on the fog line.

Below is a still framed photo from Officer Garcia's body camera showing this moment.





### **Witness Chuck Beaman**

I was notified by Captain Tim Scott of the Ogden Police Department that a citizen had called in wanting contact about seeing a person in the roadway the morning of this incident.

I called Beaman and spoke with him about his wanting to give information. Beaman told me that he works at Autoliv and was on his way home at around 0200 hrs. and was driving north on Wall Ave at about 2100 S. Beaman saw a male walking in the travel lane of Wall Ave and swerved away from him due to being surprised a person was in the middle of the north bound travel lane, walking south.

Beaman said he considered stopping or calling dispatch about this person but then decided that "someone will come along soon". Beaman said he heard the following day on the news that an OPD officer was involved in a critical incident involving a male walking in the roadway of Wall Ave and wanted investigators to know what he had seen in case it was the same person.

I asked Beaman if he could recall what the person he saw was wearing. Beaman said he remembered the male wearing dark colored pants, a gray or

tan colored sweatshirt, and had a black colored backpack strapped on his back. That was consistent with what Dupont was wearing.

### **Interview with Brady Dupont**

I went to the McKay Dee Hospital to speak with Brady Dupont. I had been informed by AP&P that Dupont was now awake and talking. When I got there, I went into the room and Dupont was laying in bed and was having pains from his wounds but he was still coherent.

I asked Dupont some questions to see if he could understand and have a conversation. Dupont answered appropriately so I advised him who I was and why I was there. I then advised him of his Miranda Rights. Dupont said he understood his Rights and was willing to answer questions.

Dupont told me that story of him getting stopped by an officer and how there were syringes in his backpack. Dupont said he then pulled out two knives from his pocket and then the officer shot him.

I asked Dupont about why he had the knives and Dupont claimed they were for self-defense. When I asked Dupont why he did not drop the knives when the officer told him to drop them, Dupont responded that he wanted the officer to shoot and kill him because he did not want to go back to prison.

I asked Dupont where he got the knives from, and he said he got them at Walmart. One was a "bait knife" and a "steak knife".

Dupont claimed he had not intention of hurting the officer, he explained that he forced the officer to shoot him by having the knives out and refused to drop them and then started moving towards him to make him fire his weapon.

I asked Dupont about if he recalled telling the officer to shoot him and Dupont said he remembered saying things to try and get the officer to shoot him.

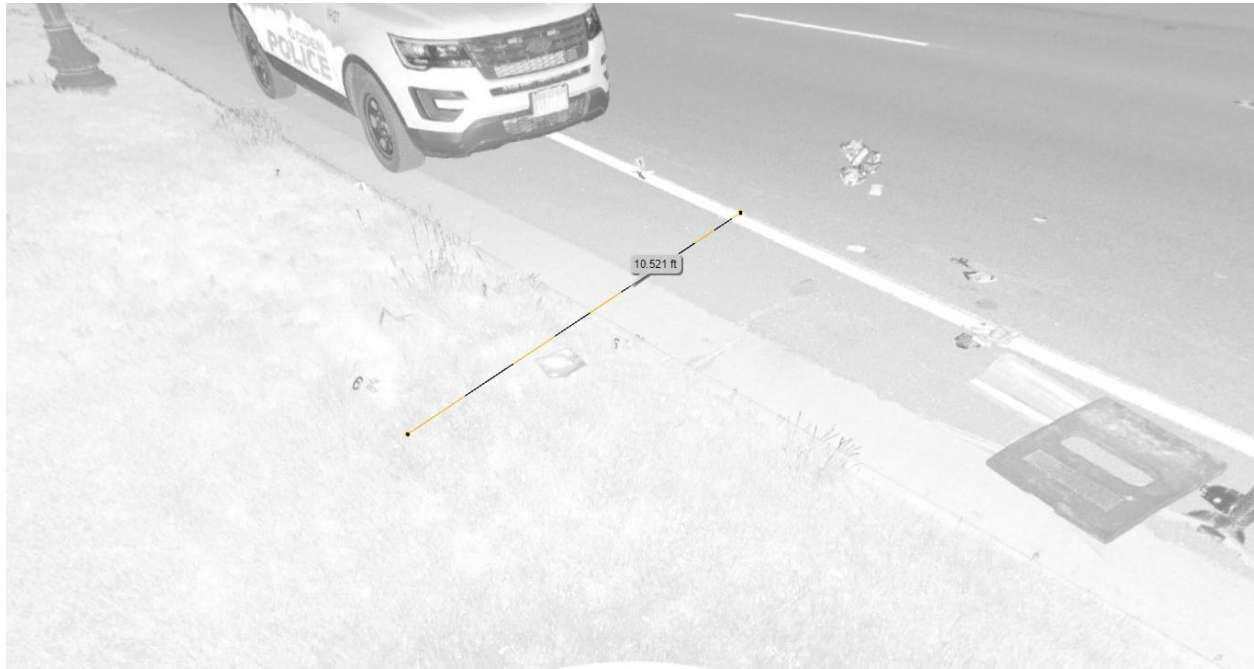
I ended the interview at this point.

### **Faro Scans**

I have reviewed the Faro Scans that were taken by CSI. The Faro scans are 360-degree images where a high-speed Terrestrial Laser Scanner (TLS)

scans in areas of a crime scene and is the most efficient method for 3D measurement and 3D documentation available.

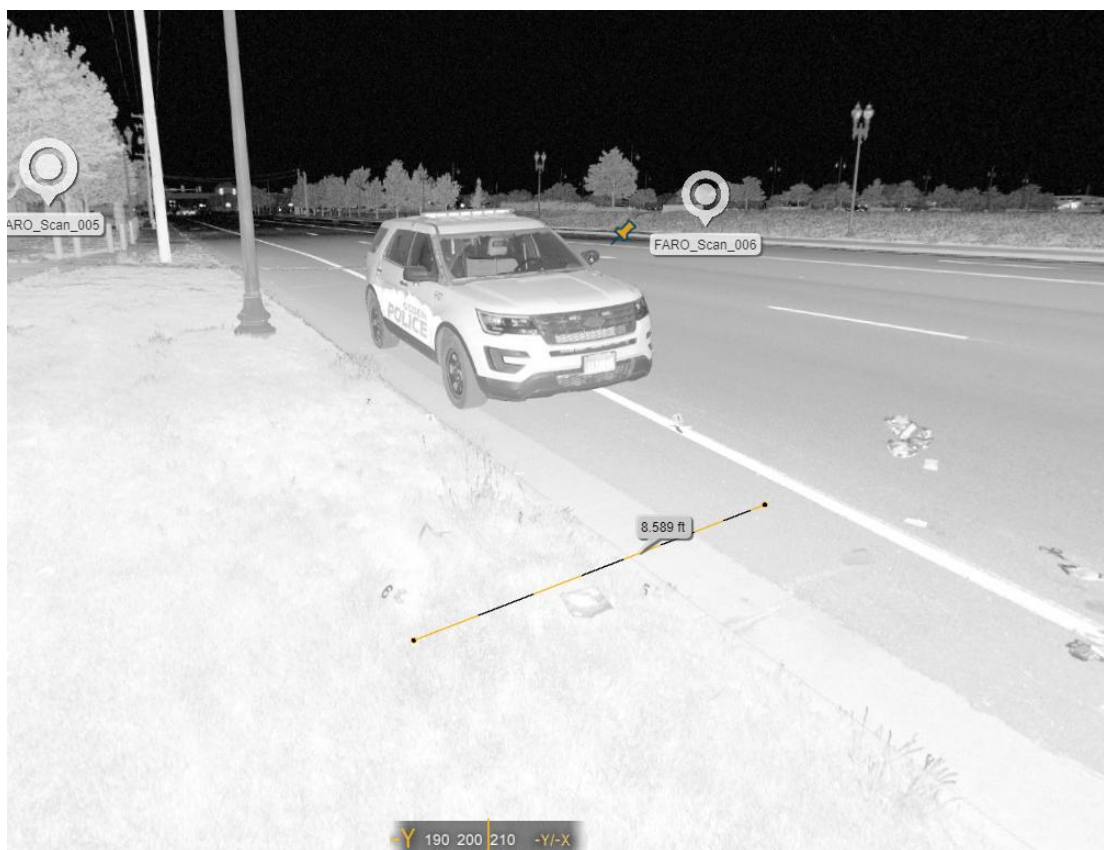
Below is a still framed photo from a scan taken from the scene. Using markings on the roadway and comparing the body camera footage, I was able to determine that when Dupont pulled the knives out of his pocket and had the sudden change in his demeanor, he was approximately 10.521 feet away from Officer Povey



Below is a still framed photo from a scan of the scene that is pointing towards the south. Using marking on the roadway and comparing them to the body camera footage, it shows that Officer Povey retreated 10.687 feet after observing Dupont had the knives.

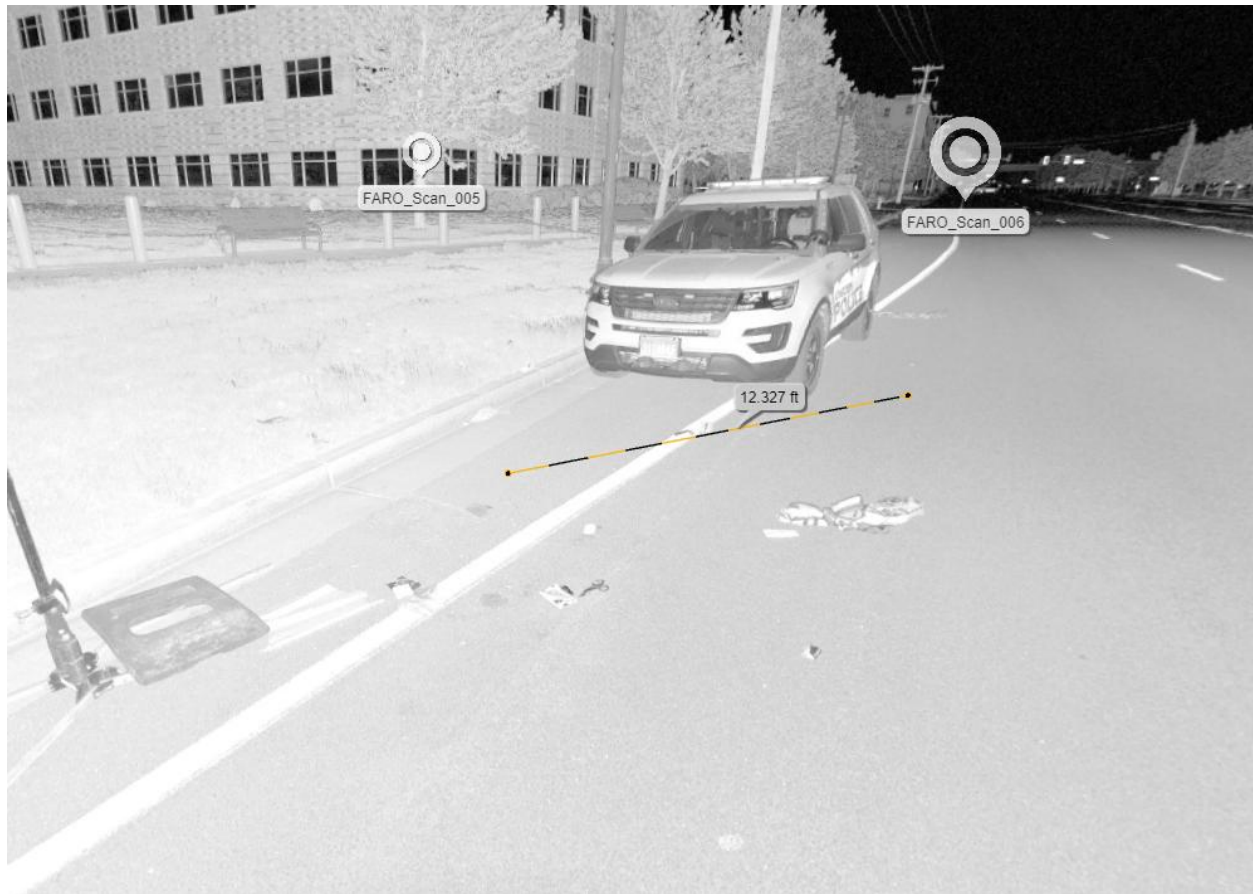


Using the same markings in the roadway, it showed that Dupont advanced 8.589 feet.





Below is a still framed photograph from a scan taken at another angle of the scene. In using the markings of the roadway and comparing them to the body camera footage, Dupont was approximately 12.327 feet away from Officer Povey when he fired.



### Conclusion

On 05-13-25, Officer Rhet Povey was driving northbound on Wall Ave in a marked OPD patrol vehicle and observed a male walking in the travel lane of Wall Ave around 02:11 hrs. Officer Povey stopped his vehicle along the east curb and exited his vehicle.

Officer Povey asked the male why he was walking in the middle of the roadway. The male answered that he could not locate a sidewalk. (In the footage from Officer Povey's body camera, the sidewalk along the east side of Wall Ave is illuminated by the IRS building's lights and can be seen easily behind where Dupont is now standing.)

Dupont is cooperative with Officer Povey and finds his identification in his backpack. Dupont also discloses that he is on parole in Davis County and gives his parole officer's name. Dupont sits on the curb and is complying.

Officer Povey leaves Dupont sitting on the curb in front of his vehicle as he checks Dupont's name in law enforcement databases using a computer inside his patrol vehicle. This takes approximately ten minutes to complete.



During this time, Dupont was sitting on the curb and was seemingly content with the interaction with Officer Povey.

Officer Povey exited his vehicle and returned Dupont his ID. Officer Povey then inquired if Dupont had anything illegal on his person. Dupont admitted that he has some drug paraphernalia in his backpack and admitted that he has been using drugs lately. When Officer Povey gets more specific about what is in Dupont's pockets, Dupont stands to his feet and announces that he had knives on him.

Dupont has moved onto the grass area between the curb and the sidewalk and is pulling two knives out of his left front pants pocket. Officer Povey tells Dupont to drop the knives on the ground. Dupont transfers one of the knives to his right hand and now has one knife in each hand with the blades down. Dupont's demeanor has now changed to a person who is taking a fighting stance and is non-complainant.

Officer Povey commands Dupont to drop the knives. Dupont gives statements of, "You are going to have to shoot me", and "I'm not going back". Officer Povey draws his duty weapon from the holster and commands Dupont to drop the knives. Dupont moves towards Officer Povey with the knives in each hand. Officer Povey fires three times and Dupont drops the two knives as he is struck and falls to the ground.

Dupont apologizes to Officers as he is getting medical treatment. Dupont in his statement said he did not want to go back to prison and was forcing Officer Povey to shoot him.

### **Conclusion Continued**

*The following is a breakdown of what Officer Povey's knowledge at the time of the incident and his subsequent actions.*

Officer Povey's observation of Dupont walking down the middle of the travel lane on Wall Ave were confirmed by witness Chuck Beamon's account of seeing a male walking in the roadway of Wall Ave in the same time frame.

Dupont told Officer Povey that he was on parole. Dupont also admitted he had been using illegal narcotics which would be a violation of his parole agreement. When Dupont was asked about the potential of possessing anything illegal, he produced two fixed bladed knives and took a fighting stance. It is reasonable to believe that Officer Povey felt threatened by

Dupont's sudden change in behavior due to Officer Povey's actions of quickly drawing his duty weapon and commanding Dupont to drop the knives.

Officer Povey retreats backwards into the roadway of Wall Ave as Dupont starts to advance towards him and is making threats of violence. Officer Povey fires his weapon when Dupont is 12.327 feet from him. It is reasonable to believe that Officer Povey has knowledge that a knife can cause serious bodily injury and/or death.

*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***



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August 1, 2025

Chief Jacob Sube  
Ogden City Police Department

RE: OFFICER-INVOLVED SHOOTING; OFFICER R. POVEY

Dear Chief Sube:

Our office has concluded its investigation into an officer-involved shooting wherein Ogden City Police Officer Rhett Povey fired his duty weapon in a confrontation with Brady Dupont. Mr. Dupont was hit three times, but did not die from his injuries. The incident occurred in the early morning hours of May 13, 2025 near the 2200 block of Wall Avenue. Officer Povey did not provide a statement. However, physical evidence from the scene, witness statements, and Officer Povey's body cam footage provide sufficient evidence for us to thoroughly evaluate Povey's use of force.

The incident was investigated by Steve Haney of the Weber County Attorney's Office Force Investigation Team. This letter will provide a summary of the facts giving rise to the conclusions reached herein. The complete investigation report prepared by Steve Haney contains significantly more detail than outlined in this letter. The content of that report should be considered incorporated into this letter in order to provide a full and complete understanding of the factual background. My conclusions are as follows:

**SUMMARY OF THE INCIDENT**

On May 13th, 2025, around 2:00 a.m., Officer Rhett Povey stopped to investigate an individual walking in the roadway. Povey was driving a marked police vehicle, and he radioed to Weber Dispatch that he would be out of his vehicle and talking with a pedestrian in the 2200 block of Wall Ave. Officer Povey, wearing his officially marked police uniform, approached a man standing on the side of the road and asks, "why were you walking down the middle of the road?" The individual, Brady Dupont, stated that he didn't see a sidewalk. Dupont was initially cooperative and provided his identification to Officer Povey and admitted to being on supervised parole.

Officer Povey went to his vehicle to run Dupont's information. He then approached Dupont and asked whether he had anything illegal on him. Dupont stated that he had some syringes and admitted to using drugs as recently as "yesterday or the day before." Dupont told Officer Povey that the syringes were in his backpack. Officer Povey then asked Dupont if he had anything on his person. At this point Dupont stood up and started moving back onto the grass. As he was doing this, Dupont put his hands in his pockets and stated that he had two knives.

Officer Povey called out on the radio for another officer to be sent to his location as Dupont pulled two knives from his left pants pocket. Officer Povey asked Dupont to "just put them down for me, ok?" Dupont did not put the knives down. Instead, he switched one of the knives to his right hand so that he now held a knife in each hand, now standing in an aggressive posture.

Officer Povey told Dupont, "Drop the knives, dude." However, Dupont continued holding the knives and started swinging his arms back and forth, walking around on the grass. Officer Povey then drew his duty weapon and Dupont stated, "You are going to have to shoot me." Officer Povey radioed dispatch stating "I've got one at gunpoint." Dupont then said, "I'm not going back. Shoot me nigga." Officer Povey responded that he was not going to shoot him, and Dupont continues to state that he is "not going back" and that he "doesn't give a shit, I'm not going back".

Officer Povey repeatedly commanded Dupont to drop the knives as Povey retreated backwards into the street, stopping near the front of his vehicle. Dupont started moving forward toward Officer Povey who warned him again not to "take one more step." Dupont ignored Officer Povey's warning and continued to move forward with the knives in each hand. Dupont advanced to within approximately twelve feet of Officer Povey when Povey decided to fire his duty weapon, striking Dupont three times.

Dupont collapsed to the ground, and Officer Povey radioed that he had fired his duty weapon. Other police officers began to arrive at this time and to inquire whether Povey was alright. Dupont could be seen struggling on the ground, and he called out "I'm sorry man!" Officers quickly secured Dupont and began rendering aid.

Investigator Steve Haney later interviewed Dupont at the hospital. When Haney asked Dupont why he did not drop the knives when the officer told him to drop them, Dupont responded that he wanted the officer to shoot and kill him because he did not want to go back to prison. Dupont claimed he did not actually intend to hurt the officer, but that it was his intent to force the officer to shoot him. When asked, Dupont did not remember exactly what he said to Officer Povey during the confrontation, but that he remembered saying things to try and get the officer to shoot him.

## LEGAL STANDARDS AND 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.

Although Officer Povey did not provide a statement, there is sufficient evidence for us to evaluate the reasonableness of his use of force in this case. In addition to the physical evidence, we have Povey's body cam footage (which captured most of the entire incident), and Dupont's admissions. In this case Officer Povey commanded Dupont to drop the knives and even tried to retreat from the threat. However, Dupont kept coming toward Officer Povey with a knife in each hand despite Povey warning him not to take one more step. Officer Povey finally fired on Dupont when he got to within approximately twelve feet of him.

There is no question that it was reasonable for Officer Povey to believe that he was in danger of serious bodily injury or death under these circumstances. Therefore, we conclude that Officer Povey was justified in using deadly force when he shot Brady Dupont.

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

Sincerely,



Christopher F. Allred  
Weber County Attorney