

OFFICE OF THE WASHOE COUNTY DISTRICT ATTORNEY

July 31, 2026



REPORT ON THE NOVEMBER 24, 2021
OFFICER INVOLVED SHOOTING
OF NATHANIEL ANDREW BAILEY

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LIST OF ABBREVIATIONS

Abbreviation	Full Term
Nathaniel*	Nathaniel Andrew Bailey, Civilian/Defendant
Trooper Bailey	NHP Trooper Taylor Bailey
Deputy Michitarian	Off-Duty Douglas County Sheriff's Office Deputy Conner Michitarian
Kaitlyn	Kaitlyn Michitarian, Citizen Witness
Brad	Brad Corn, Citizen Witness
Patricia	Patricia Bailey, Nathaniel Andrew Bailey's Mother
Detective Digesti	WCSO Detective Joseph Digesti
Detective Fitzmier	WCSO Detective Trisha Fitzmier
Detective Coats	SPD Detective Nate Coats
BWC	Body Worn Camera
CCSO	Carson City Sheriff's Office
DCSO	Douglas County Sheriff's Office
FCC	Fired Cartridge Casing
FIS	Washoe County Forensic Investigator
NHP	Nevada State Police, Highway Patrol Division
NRS	Nevada Revised Statute
NSP	Nevada State Police
OIS	Officer-Involved Shooting
SPD	Sparks Police Department
WCCL	Washoe County Crime Laboratory
WCDA	Washoe County District Attorney's Office
WCSO	Washoe County Sheriff's Office

***Civilians in officer-involved shootings are typically referenced by their last name. Because the citizen in this case is named Nathaniel Andrew Bailey and is not related to the involved officer, NHP Trooper Taylor Bailey, he is referenced by his first name, Nathaniel, in this document to avoid confusion.**

INTRODUCTION¹

On November 24, 2021, at 1417 hours, the Nevada State Police (NSP) received a report regarding a multi-vehicle traffic collision at Interstate Route 580 Northbound and Bellevue Road, in Washoe Valley, Washoe County, Nevada, wherein the responsible vehicle fled the scene. A key eyewitness to the collision, off-duty Douglas County Sheriff's Office Deputy Conner Michitarian (Deputy Michitarian), contacted dispatch to report that he had witnessed the crash and was actively observing the fleeing suspect vehicle. Deputy Michitarian provided a detailed description of the suspect vehicle as a green Honda with the front hood damaged during the collision and that the hood had flipped up covering the windshield as it drove.

Deputy Michitarian provided additional information to NSP dispatch, indicating that the suspect vehicle had exited Interstate Route 580 at Bowers Mansion Road and was presently stationary at the Chocolate Nugget Candy Factory in Washoe Valley. Subsequent updates from Deputy Michitarian indicated that the driver, identified as a white male, was observed walking west along Parker Ranch Road and was hiding on the side of the road beneath the Interstate Route 580 freeway overpass.

Trooper Taylor Bailey (Trooper Bailey) of the Nevada State Police was on duty in an official capacity conducting an unrelated traffic stop when she received information from dispatch regarding a vehicle crash in Washoe Valley. In response, Trooper Bailey advised dispatch that she would proceed to the crash site at Interstate Route 580 and Bellevue Road.

While enroute to the crash site, Trooper Bailey received updated information from dispatch indicating that the vehicle responsible for the crash had fled the scene. Dispatch specified that the vehicle in question, identified as green, was being pursued by an off-duty police officer driving a white vehicle. Before Trooper Bailey reached the location, dispatch informed her that the driver of the vehicle suspected of causing the crash had parked in the Chocolate Nugget Candy Factory parking lot and was observed walking from the vehicle towards Parker Ranch Road.

As Trooper Bailey turned onto Parker Ranch Road, Deputy Michitarian saw her and directed her to an area near the jersey wall underneath the Interstate Route 580 overpass where he had observed the driver of the green Honda hiding. Trooper Bailey exited her vehicle, drew her duty weapon, and approached the jersey wall. As she approached, she observed a man (later identified as Nathaniel Andrew Bailey, no relation to Trooper Bailey) lying on the ground on the south side of the wall. Nathaniel Andrew Bailey (Nathaniel) was lying on his right side, facing away from Trooper Bailey.

¹ The WCDA office received the submitted investigation on September 18, 2023. Review for the purposes of this report began after Nathaniel Andrew Bailey was sentenced and his criminal case concluded.

Trooper Bailey immediately issued verbal commands for Nathaniel to show his hands, as she did not have a full view of them. Once he complied, she asked if he was able to move. Nathaniel told her *“No”* and stated he needed to *“get to the FBI, because he was being chased by somebody.”* While speaking with Nathaniel, Trooper Bailey detected the odor of an unknown alcoholic beverage emanating from him. She asked if he had been drinking, and he responded that he *“had a little bit to drink.”*

Trooper Bailey asked Nathaniel if he could stand, and he said he would need help. At that point, Trooper Bailey transitioned from her firearm to her Taser and told Nathaniel he was at *“Taser point,”* warning that if he moved, he would be tased. Nathaniel said he understood. Trooper Bailey asked again if he could stand, and he repeated that he would need help. She then asked how he had arrived at that location if he could not walk, but he did not respond. As she continued trying to speak with him, Nathaniel became increasingly agitated, said he would not answer any more questions, and told her she could speak with his attorney.

While Trooper Bailey was verbally responding to his noncompliance, Nathaniel quickly rose up from his prone position behind the jersey wall and advanced toward her. Trooper Bailey immediately retreated from the jersey wall between them and gave verbal commands to *“Stop!”* and *“Stand Down!”* Nathaniel ignored all orders and climbed over the jersey wall, charging Trooper Bailey in an aggressive manner.

While backing away from Nathaniel, Trooper Bailey discharged her Taser with the intention of stopping him from advancing toward her. She observed the Taser darts deploy but they had no effect on Nathaniel, who proceeded to swipe the prongs and Taser lines from his body. As Nathaniel continued to advance on Trooper Bailey, he stated: *“You think a fucking taser is going to fuck with me bitch?”* Trooper Bailey pressed the trigger on the Taser a second time, however it was again ineffective, so she dropped the Taser and transitioned to her firearm. Trooper Bailey pointed the firearm at Nathaniel and yelled at him to stop while she continued to create distance by backing away. He kept closing the distance on her in an aggressive manner, forcing Trooper Bailey to fire four shots at Nathaniel, striking him all four times.

After being struck, Nathaniel slowed his advance as Trooper Bailey still continued to back away. As he fell to the ground, Nathaniel asked Trooper Bailey if the bullets were real. Trooper Bailey asked where he was hit and he responded, *“in the stomach.”* After several moments Deputy Michitarian walked over from his parked vehicle and helped Trooper Bailey handcuff Nathaniel. Other law enforcement personnel arrived soon after and medical aid was provided to Nathaniel.

Consistent with the regionally adopted Officer Involved Shooting Protocol (OIS), the Washoe County Sheriff's Office (WCSO) led the investigation into Trooper Bailey discharging her firearm. Additional investigative support was provided by the Sparks Police Department (SPD), and forensic services were provided by the Washoe County Sheriff's Office Forensic Science Division (FSI). The investigation included witness interviews, the collection and examination of physical evidence, review of Body Worn Camera footage (BWC) and dashcam footage, video surveillance footage, and forensic examination of evidence and the shooting scene.

During the course of the investigation, the Axon Body Worn Camera (BWC) worn by Trooper Bailey, was reviewed by Investigators and corroborated her rendition of events. Nathaniel Andrew Bailey was subsequently charged and on June 26, 2023, he pled guilty to the crime of Assault on Protected Person by Probationer, a violation of NRS 200.471.2d, a category D felony.

On August 14, 2023, Nathaniel was sentenced to a term of 48 months in prison with parole eligibility commencing after 19 months have been served. In accordance with standard procedure, the review of the OIS and the release of this public report was held pending the criminal proceedings against Nathaniel, in order to preserve the integrity of the prosecution.

Upon completion of the entire investigation, all police reports along with FIS forensic reports, collected documentation, photographs, witness statements, recorded audio and video of the incident by way of BWC, dispatch recordings, and recorded interviews were submitted to the Washoe County District Attorney's Office on September 18, 2023, for a final determination of whether the shooting of Nathaniel was legally justified.

The District Attorney's evaluation included reviewing over 300 pages of reports and documents, which comprised interviews of police and civilian witnesses. It further included the review of all photographs, video and audio recordings, and examination of the scene of the shooting. This report follows.

Based on the available evidence and the applicable legal authorities, it is the opinion of the District Attorney that the shooting of Nathaniel Andrew Bailey by NHP Trooper Taylor Bailey was justified and not a criminal act.

I. STATEMENT OF FACTS²

A. Initial Call for Service on Interstate Route I-580

On November 24, 2021, at about 1414 hours, Nathaniel was driving a 1997 green Honda Civic northbound on Interstate Route 580 near Washoe mile marker 3 when he made an unsafe lane change through the dirt median to pass traffic. He lost control of his vehicle and struck a 2013 Peterbilt commercial truck. Nathaniel fled the scene in his vehicle before abandoning it at the Chocolate Nugget Candy Factory in New Washoe City and fleeing on foot toward Parker Ranch Road. Trooper Bailey was dispatched to investigate.

B. Witness Accounts

1. NHP Trooper Taylor Bailey

Trooper Bailey was interviewed at the WCSO on November 24, 2021, by WCSO Detective Joseph Digesti (Detective Digesti). Also in attendance was SPD Detective James Hammerstone and Devon Reese, legal representation for Trooper Bailey. Trooper Bailey was advised that the interview was part of a criminal investigation rather than an administrative inquiry and that she was not compelled to speak. Trooper Bailey agreed to proceed, and the interview was audio and video recorded. The following is a summary of the interview.

Trooper Bailey is assigned to the Nevada Highway Patrol (NHP) and works a regular weekly schedule. Her jurisdiction includes Douglas County to the south, Washoe Valley to the north, Dayton to the east, and Lake Tahoe to the west.

Trooper Bailey began her shift on November 24, 2021, at approximately 1405 hours. Her assigned patrol vehicle is a fully marked Ford Explorer SUV equipped with NHP markings and emergency lighting. Trooper Bailey was dressed in her assigned NHP uniform, which consisted of a shirt with NHP patches, her department issued badge and department issued pants. She carried a Sig Sauer 9mm pistol as her duty weapon which was loaded with 17 rounds in the magazine and one round in the chamber, for a total of 18 rounds in her duty weapon. She also carried three additional magazines on her duty belt, and each magazine was loaded with 17 rounds. All rounds were issued by Trooper Bailey's agency, NHP. In addition, Trooper Bailey was also carrying her department issued Taser 7, which was loaded with two cartridges. She confirmed that she does not carry additional cartridges with her.

² The Statement of Facts is a summary of all materials provided to the WCDA office at the conclusion of the WCSO investigation, including 911 calls, police reports, witness interviews, Body Worn Camera (BWC) footage, and forensic reports.

Shortly after Trooper Bailey's shift began, she conducted a traffic stop in Carson City. As she was finishing the stop, she heard a dispatch call regarding a hit-and-run injury collision on Interstate Route 580 near Eastlake Boulevard. When no other units responded, Trooper Bailey returned the driver's information and proceeded Code 3 (emergency lights and sirens activated) to the collision scene. While enroute, dispatch advised that the vehicle responsible for the collision had left the scene and that an off-duty Douglas County Sheriff's Deputy was following it. Dispatch relayed that the suspect vehicle was a green car with its hood raised over the windshield and that the registered owner had a warning for violent tendencies. Trooper Bailey was then advised that the off-duty deputy had reported the vehicle was parked in the Chocolate Nugget Candy Factory parking lot on Old US-395 and had observed the driver walking north on Parker Ranch Road away from the area.

As she turned off the Carson-Reno Highway (Alt US-395) onto Parker Ranch Road, Trooper Bailey turned off her overhead lights so as not to "*spook*" the suspect. She observed a green vehicle matching the suspect vehicle, parked with its hood raised. as she proceeded onto Parker Ranch Road. The occupants of a nearby vehicle pointed toward the south side of the road, indicating the person she was looking for was on the opposite side of the jersey barrier. After exiting her patrol vehicle, Trooper Bailey drew her duty weapon based on the dispatch warning and "*coded the channel*" (restricting radio traffic for safety) as she approached the wall. She observed the suspect, later identified as Nathaniel, lying on his right side facing away from her. Because his hands were not visible, Trooper Bailey immediately issued verbal commands for him to show her his hands. Once Nathaniel complied, she transitioned to her Taser and warned him that he would be Tased if he moved. When Nathaniel stated that he could not stand and needed assistance, Trooper Bailey detected the odor of alcohol coming from him.

Trooper Bailey stated that Nathaniel then became very agitated and, without warning, he "*got up very fast*" and began advancing towards her. She moved backward in an attempt to create distance while she deployed her Taser. The Taser darts had no effect, and Nathaniel swiped the probes away while continuing to charge toward her. Trooper Bailey transitioned back to her handgun and after Nathaniel again ignored her commands to "*stop*" she fired what she believed were three shots. Nathaniel then began to slow down before falling to the ground. Trooper Bailey immediately radioed that shots had been fired and requested medical assistance at her location. Shortly after this, the off-duty DCSO Deputy approached and assisted Trooper Bailey in handcuffing Nathaniel. She then maintained her position, holding Nathaniel at gunpoint until additional NHP Troopers arrived.

Trooper Bailey became visibly upset during the interview as she recounted the events. She could not recall specific statements made by Nathaniel during the altercation, other than him asking after being shot whether the bullets were real. She described Nathaniel as significantly larger than herself and stated she believed he posed a lethal threat, making her actions necessary to prevent serious bodily harm or death. Trooper Bailey recalled coding the channel due to the dangerous nature of the call and the warning from dispatch regarding Nathaniel's violent tendencies, which she believed were obtained from the vehicle registration.

Nathaniel had prior warnings for obstructing and resisting law enforcement, a history of Domestic Battery by Strangulation, and additional cautions related to weapon use, alcohol abuse, and violent behavior. At the time of the shooting, Nathaniel was on probation with two separate judgments of conviction for Battery (NRS.200.481.2A) and Attempted Trespass Not Amount to Burglary (NRS.207.200.1). The probationary term was in effect until November 9, 2022.

2. Off Duty Douglas County Sheriff's Officer Conner Mitcharian

Deputy Conner Mitcharian was interviewed at the WCSO on November 26, 2021, by Detective Digesti. The following is a summary of the interview.

Deputy Mitcharian is a police officer with the Douglas County Sheriff's Office (DCSO) and has worked in law enforcement for approximately seven years. Prior to his current role, he served as an NHP Trooper with the NSP.

On the day of the incident, Deputy Mitcharian was traveling with his wife, Kaitlyn, and their infant daughter along Interstate Route 580 Northbound when they observed a traffic crash involving a dark-colored sedan and a semi-truck. Kaitlyn asked if she should call 911 to report the crash, however as they were in front of the incident, they continued driving north and did not make the call immediately. Moments later, Deputy Mitcharian noticed the same sedan driving behind them with the vehicle's hood up, obstructing the driver's view. Concerned, Deputy Mitcharian instructed Kaitlyn to call 911.

While Kaitlyn was on the phone with 911, Deputy Mitcharian pulled over near the Bowers Mansion off-ramp, intending to position himself behind the sedan to update dispatch as he followed it. However, the sedan also exited the highway, pulling onto the off-ramp behind Deputy Mitcharian. To avoid any confrontation, Deputy Mitcharian stopped his vehicle and moved as far to the left side of the road as possible. The sedan passed him on the right and re-entered Interstate Route 580. As the vehicle passed, Deputy Mitcharian noticed the driver (later identified as Nathaniel) was wearing a black sweatshirt.

Deputy Mitcharian followed the sedan until it stopped in the parking lot of the Chocolate Nugget Candy Factory. He watched as Nathaniel exited the vehicle and began walking along Old US-395 toward Parker Ranch Road. Deputy Mitcharian observed that Nathaniel was holding a black object, though he could not determine what it was.

Nathaniel continued walking west on Parker Ranch Road, eventually climbing over the jersey wall and out of sight. Deputy Mitcharian and Kaitlyn drove to Corry Way Road to maintain visual contact and from their location, Kaitlyn noticed Nathaniel was now lying on the ground. Around the same time, Deputy Mitcharian observed an NHP vehicle traveling on Parker Ranch Road. He exited his vehicle and pointed to the location where the individual was lying to direct the NHP Trooper's attention. He then returned to his car and continued to observe.

Deputy Mitcharian watched the NHP Trooper (later identified as NHP Trooper Taylor Bailey) remove her firearm and approach the jersey wall, although from his position, he could not hear the conversation between Trooper Bailey and Nathaniel. At one point, Deputy Mitcharian witnessed Nathaniel suddenly stand up, climb over the jersey wall, and begin advancing toward Trooper Bailey. He then observed Trooper Bailey deploying her Taser, which had no visible effect on Bailey, who continued to close the distance aggressively, prompting Trooper Bailey to discharge her firearm. Following the gunfire, Nathaniel fell to the ground and after several moments, Deputy Mitcharian exited his vehicle and identified himself as an off-duty police officer to Trooper Bailey while he assisted her in handcuffing Nathaniel.

During his interview, Deputy Mitcharian stated that he was fearful for the safety of Trooper Bailey during the incident. Based on his law enforcement experience, he believed she was in imminent danger and at a significant disadvantage due to her smaller stature compared to the larger, aggressive male subject. Deputy Mitcharian expressed that Trooper Bailey's use of force was necessary and appropriate under the circumstances to prevent serious injury or harm.

3. Citizen Witness Kaitlyn Mitcharian

Kaitlyn Michitarian (Kaitlyn) was interviewed at the WCSO on November 26, 2021, by WCSO Detective Trisha Fitzmier (Detective Fitzmier) and SPD Detective Nate Coats (Detective Coats). The following is a summary of the interview.

Kaitlyn, a Registered Nurse currently working in an Emergency Room, provided her account of the events that transpired while she and her husband, Deputy Michitarian, were traveling northbound in Washoe Valley.

While driving North on Interstate Route 580, Kaitlyn's husband exclaimed, "*Oh my God,*" after seeing what he believed was a major accident behind them. Kaitlyn looked in the rear-view mirror and saw a plume of dust. As they continued northbound, a green sedan with its hood up and engine smoking rapidly approached them from behind. Kaitlyn stated that her husband exited Interstate Route 580 at Bowers Mansion, assuming the sedan would continue on. After pulling over, they called 911 to report the crash, described the sedan, and informed dispatch of their suspicion that the driver was involved in a hit-and-run. Unexpectedly, the sedan also exited at Bowers Mansion Road and appeared to be following them. To allow it to pass, Kaitlyn said her husband pulled fully off the roadway.

Once behind the sedan, they noted its license plate number and relayed it to dispatch. They followed the vehicle at a safe distance until it pulled into the Chocolate Nugget Candy Factory parking lot. Kaitlyn and her husband then drove past, made a U-turn, and parked on the shoulder of the road, maintaining a safe distance where the driver, Nathaniel, could not see them. They watched Nathaniel exit the sedan and walk up a nearby hill. Kaitlyn did not know the name of the road but clarified it was the one where the subsequent incident occurred. They stayed on the phone with dispatch, providing updates as they observed Nathaniel jump over a guardrail before losing sight of him. After disconnecting from dispatch, they began driving again and turned onto a road. While making a U-turn, they saw Nathaniel lying flat on the ground near some rocks behind the jersey wall underneath the Interstate Route 580 overpass.

Shortly after this, Trooper Bailey arrived on scene and was flagged down by Kaitlyn and her husband. They pointed out where the male subject, Nathaniel, was lying and watched from their car, with the doors closed and windows up, as Trooper Bailey exited her vehicle, drew her firearm, and approached the area. Trooper Bailey appeared to speak with the man for approximately one minute before holstering her gun and drawing her Taser. Kaitlyn stated that the male suspect, Nathaniel, then stood up and advanced aggressively toward Trooper Bailey, whom she described as a "*small girl,*" while referring to the suspect as a "*big guy.*"

Kaitlyn witnessed Trooper Bailey deploy her Taser as the suspect yelled something unintelligible and continued advancing toward her. She stated that at this point, Trooper Bailey drew her firearm as the suspect charged at her, firing approximately three times and causing him to fall to the ground. Kaitlyn and her husband waited approximately 30 seconds to a minute before her husband exited the vehicle to assist Trooper Bailey in handcuffing Nathaniel. Shortly afterward, another NHP Trooper approached their vehicle and requested medical assistance from Kaitlyn, who had identified herself as being an Emergency Room Nurse.

While she rendered aid to Nathaniel, the second Trooper stayed near Kaitlyn's vehicle to watch over her eight-month-old daughter, who was still inside. Upon arrival, Kaitlyn assessed Nathaniel and noted four bullet wounds, including one exit wound. She and another individual worked to expose Nathaniel's injuries, raising his shirt and lowering his pants to better examine the wounds. Kaitlyn applied gauze provided by a Trooper and maintained pressure on one of the wounds while ensuring he remained conscious. When paramedics arrived, Kaitlyn assisted in transferring Nathaniel onto a stretcher. The paramedics then transported him from the scene. Kaitlyn also recalled a man arriving in a vehicle and parking in front of the NHP Trooper's car. She could not recall when he arrived but noted that he did not aid or interfere and remained off to the side.

Kaitlyn provided a drawing to indicate the positions of her vehicle, Trooper Bailey's vehicle, the suspect vehicle, and the area where Nathaniel was standing.

4. Citizen Witness Brad Corn

Brad Corn (Brad) was interviewed at the WCSO on November 24, 2021, by Detective Fitzmier and Detective Coats.

Brad, a residential real estate appraiser, witnessed the incident while driving to a newly constructed house in St. James for reinspection. His two sons were with him that day because school was out. After finishing the inspection, Brad approached a stop sign near the Chocolate Nugget Candy Factory, preparing to turn left toward Virginia Street, he noticed a police car with its emergency lights activated. Upon making the left-hand turn, he observed a police officer on the right side of the road with her back to him. The officer had her weapon drawn, and a man stood on the opposite side of a concrete barrier.

Brad described the officer as backing up slowly while the man suddenly jumped over the barrier and began to walk toward her in an *"aggressive"* manner. Brad could not hear the interaction because his car windows were rolled up, but he decided to intervene after seeing the man's behavior. Brad exited his vehicle, instructed his sons to stay down inside the car, and asked the officer if she needed assistance. The officer did not respond. Meanwhile, the man continued advancing toward the officer. Brad could not recall the exact words the officer used, but she was commanding the man to stop.

When asked what *"aggressive"* meant to him, Brad explained that it was a combination of body language and demeanor. Drawing on his past experiences with people in athletics, he said the man had a *"look"* that conveyed bad intentions, which prompted him to step out of his car to assist the female officer.

Despite the officer's commands, the man did not stop. Brad then witnessed the officer fire what he believed to be three shots at the man, who slowed down and slumped to the ground in front of Brad's vehicle, approximately 12 feet from the concrete barrier. Afterward, the officer kept her weapon pointed down and told the man to stay still.

Brad noted seeing a trickle of blood from the man and observed that the officer appeared "*shaken up*," breathing rapidly. Shortly thereafter another man exited from a parked vehicle nearby and identified himself as an off-duty Douglas County Deputy. The Deputy approached the officer, showed his badge, and asked if he could assist. The Deputy offered to handcuff the man, which they did, and then mentioned that his wife, an ER nurse, could help treat the man's wounds. The Deputy's wife arrived shortly after to provide first aid. Witnessing the incident firsthand, Brad stated he believed the officer did the right thing.

5. Patricia Bailey, Mother of Nathaniel Andrew Bailey

Patricia Bailey (Patricia) was interviewed at her home on November 29, 2021, by WCSO Detective Joshua Swanson and CCSO Detective Kevin Murray. This is a summary of that interview.

Patricia explained that her son, Nathaniel, had been staying with her and that tensions had been building over the past few weeks. He had been upset with her about the clutter in the home, while she grew frustrated that he wasn't picking up after himself and expected her to take care of his daily needs, including cooking and laundry. The situation worsened on the evening of November 21, 2021, when Nathaniel made a disparaging comment that Patricia found hurtful. Angry, she retreated to her room and avoided interacting with him.

Patricia continued to keep her distance from Nathaniel the next day, November 22, 2021. At around 1400 hours, he went into her room and asked her to contact their neighbor via her cell phone to request a cigarette. Patricia explained that Nathaniel and the neighbor had an informal agreement to occasionally trade cigarettes. Still upset from the previous evening, she refused. Patricia reported that Nathaniel then took her purse from the bedroom without her knowledge or permission. She noted that the vehicle keys were attached to the purse, which she believed was his reason for taking it. She later confirmed this by checking her Ring camera footage, which showed him leaving the home with the purse in hand.

Following this incident, Patricia contacted law enforcement to report the theft. On November 24, 2021, a Carson City Sheriff's Office patrol officer arrived at her home shortly after 1500 hours. During their conversation, she overheard radio traffic suggesting Nathaniel was involved in a vehicle pursuit, though the officer did not share any additional information.

Patricia later learned from a news report that her son had been involved in an officer-involved shooting. She said the outcome did not surprise her, explaining that when Nathaniel left, she believed he was likely headed to Reno, as he had followed that pattern before.

She described Nathaniel as having long-standing mental health issues, including depression, bipolar disorder, and multiple personality disorder, though she could not confirm any of those conditions had been formally diagnosed. She said he was not taking medication, reporting that he claimed the pills caused stomach pain. Patricia shared a recent example of his deteriorating mental state, recounting that Nathaniel believed evil spirits were inhabiting her residence and negatively affecting his well-being. According to her, he told her those spirits might instruct him to hurt her. She also witnessed him punching himself in the face, which she believed he did in an attempt to fight off those perceived spirits.

Patricia reported that Nathaniel drank alcohol and that his consumption had recently increased to about three or four beers per day. She frequently found empty cans around the house. Although alcoholism runs in the family, she was unsure whether he met the criteria for alcohol dependence. She did not believe Nathaniel was currently using illegal drugs, though she acknowledged his past intravenous drug use. She believed he had been sober from narcotics for more than a year.

C. Countdown of Trooper Bailey's Firearm

On November 24, 2021, WCSO FIS and WCSO Detective Gomez conducted evidentiary documentation of Trooper Bailey's equipment worn and used during the shooting, including an examination of her used duty weapon and available magazines. The evidence documented is as follows:

- One firearm kit collected from Trooper Bailey, containing:
 - One "Sig Sauer P320 9mm" handgun with "TLR-7 Streamlight" attachment
 - One "Sig Sauer" magazine containing: 7 x "FC 9mm Luger" and 6 x "Speer 19 9mm Luger" cartridges
 - One "FC 9mm Luger" cartridge from chamber
- One "Sig Sauer" magazine (extra magazine #1) from Trooper Bailey's duty belt, containing:
 - 14 x "Speer 19 9mm Luger" cartridges
 - 3 x "FC 9mm Luger" cartridges
- One "Sig Sauer" magazine (extra magazine #2) from Trooper Bailey's duty belt, containing:
 - 9 x "Speer 19 9mm Luger" cartridges
 - 8 x "FC 9mm Luger" cartridges
- One "Sig Sauer" magazine (extra magazine #3) from Trooper Bailey's duty belt, containing:
 - 8 x "Speer 19 9mm Luger" cartridges
 - 9 x "FC 9mm Luger" cartridges

Trooper Bailey's duty weapon was a black Sig Sauer P320 pistol equipped with a 17-round capacity magazine. The countdown confirmed one unfired 9mm cartridge in the chamber and documented the ammunition remaining in the handgun and the three additional magazines carried on her duty belt, as detailed above.



Photograph taken of Trooper Bailey's Sig Sauer P320 9mm firearm.



Photograph taken of Trooper Bailey's magazine contents.

D. Nathaniel Andrew Bailey

1. Interview with Nathaniel Andrew Bailey

On November 29, 2021, WCSO Detective Digesti met with Nathaniel at Renown Regional Medical Center, where he was receiving treatment for his injuries. After Detective Digesti introduced himself, Nathaniel stated that he did not want to continue speaking without an attorney present. At that time, Detective Digesti concluded the interview.

2. Nathaniel Andrew Bailey's Nolo Contendere Plea and Sentence

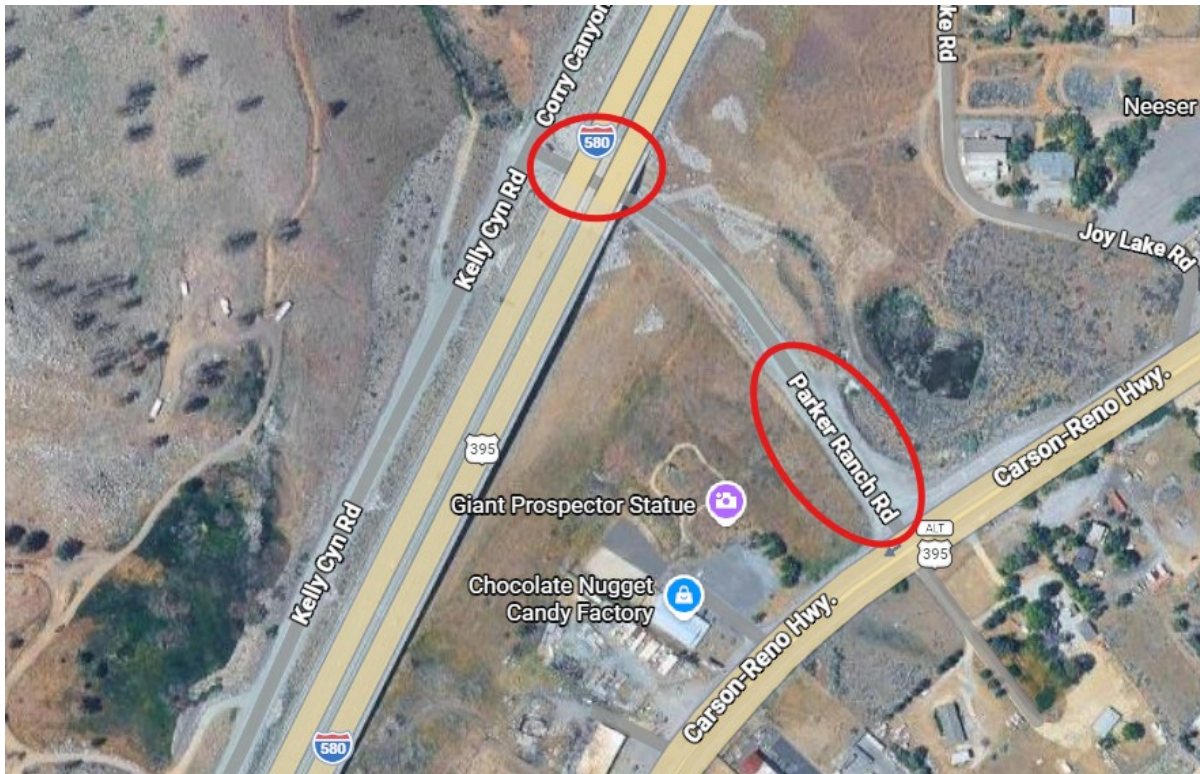
As a result of his conduct, Nathaniel was arrested by WCSO on multiple charges, including the felony offense of Assault on Protected Person by Probationer. He was formally charged in Washoe County District Court by way of an Information with Assault on Protected Person by Probationer, and on June 26, 2023, he entered a No Contest plea to that offense. As reflected in the Nolo Contendere Plea Memorandum filed with the District Court and signed by Nathaniel, a No Contest plea meant he did not admit guilty but acknowledged that the State had sufficient evidence to convict him of the offense.

On August 14, 2023, the District Court adjudicated Nathaniel guilty and sentenced him to four years in the Nevada Department of Corrections, with eligibility for parole after serving 19 months.

II. PHYSICAL EVIDENCE

A. Area Overview

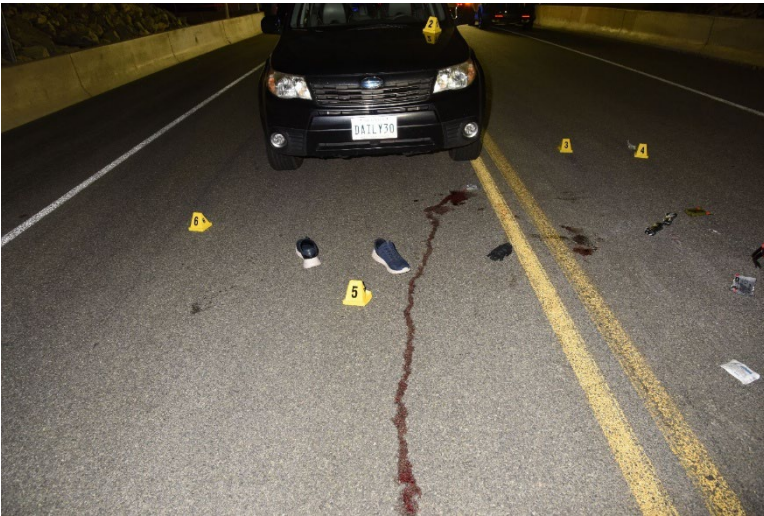
The location where the shooting occurred was on Parker Ranch Road, beneath the Interstate Route 580 overpass, near the Chocolate Nugget Candy Factory in Washoe Valley.



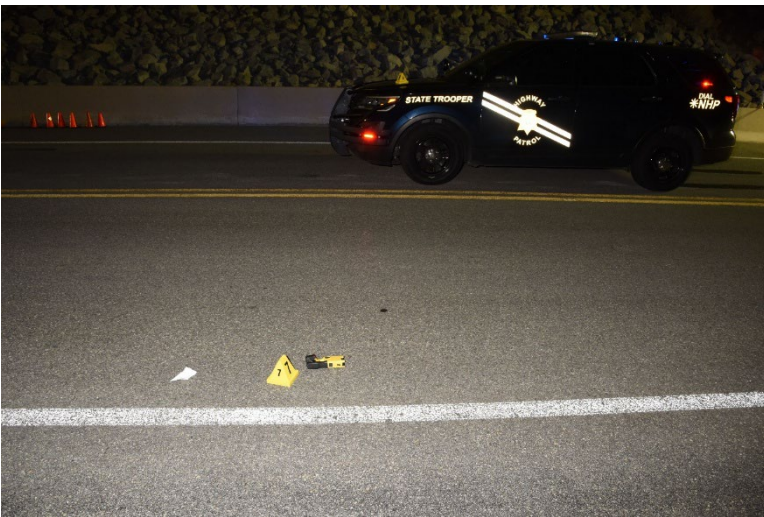
B. Evidentiary Items Collected from the Shooting Scene



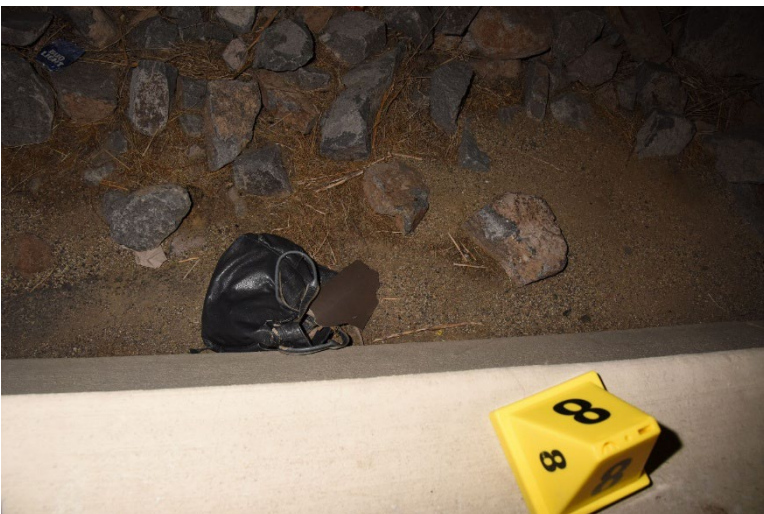
The green Honda parked at the Chocolate Nugget Candy Factory where Nathaniel stopped the vehicle before hiding under the overpass.



The exact location of the shooting showing where Brad Corn's vehicle stopped in the middle of Parker Ranch Road.



Trooper Bailey's dropped Taser when transitioning to firearm.



Placard 8 marks the location of Patricia Bailey's purse that she had reported to CCSO as being stolen by Nathaniel.

C. Body Worn Cameras (BWC)

On November 24, 2021, Trooper Bailey was equipped with her department-issued BWC, which was functioning properly. The footage supports the statements she provided in her interview. Specifically, it captures her initial contact with Nathaniel, during which she informs him at the outset that he is at Taser point.



Capture from Trooper Bailey's BWC showing her initial contact with Nathaniel, Taser drawn.

At approximately 14:32:57 hours, Trooper Bailey asked Nathaniel if he could stand, and he replied that he was hurt and unable to do so. His head was covered by a hoodie, and only his hands were visible. At 14:33:03 hours, she asked how he got to that location, and he responded that he *"laid down."* When she questioned him about his car being at the Chocolate Nugget Candy Factory, he said he came to this spot to sleep and denied knowing anything about a car.

At 14:33:17 hours, Trooper Bailey told him that witnesses saw him driving. Nathaniel replied, *"Well you say this and that and I say this and that."* By 14:33:27 hours, he became confrontational, saying, *"I'm no longer fucking talking because you have a fucking attitude."* He then added that he was not moving and that if Trooper Bailey wants anything further, she can speak to his attorney.

At 14:33:39 hours, Nathaniel suddenly removed the hoodie covering his head and advanced over the cement wall toward Trooper Bailey, despite her repeated commands to stand down.



Capture from Trooper Bailey's BWC showing Nathaniel advancing towards her.

At 14:33:40 hours, Trooper Bailey deployed her Taser while repeatedly commanding Nathaniel to *"stand-down"*. The Taser had zero effect, and Nathaniel continued his advance toward her while swiping the Taser wires away from his body.



Capture from Trooper Bailey's BWC showing Nathaniel after the Taser struck him.

At 14:33:43 hours, while Trooper Bailey is retreating, Nathaniel ripped the Taser wires away and stated, *"You think a fucking taser is going to fuck with me bitch?"*



Capture from Trooper Bailey's BWC showing Nathaniel pulling the Taser wires off his body.

At 14:33:45 hours, after repeatedly ordering Nathaniel to stop, Trooper Bailey transitioned to her pistol and fired four rounds, striking him each time as they approached the front of citizen witness Brian Corn's parked vehicle in the middle of the road.



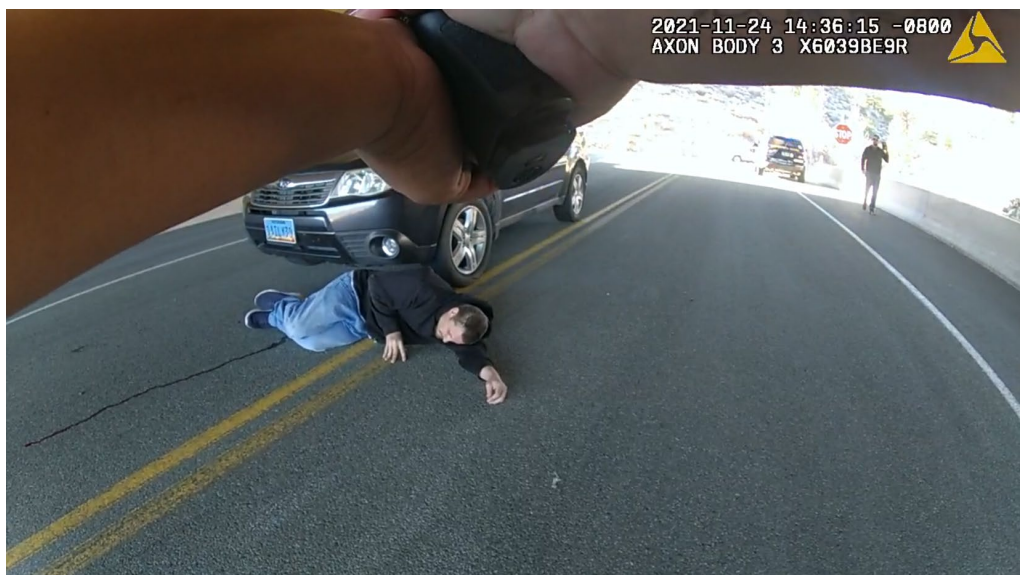
Capture from Trooper Bailey's BWC as she fired her gun at Nathaniel.



Capture from Trooper Bailey's BWC showing Nathaniel on the ground after being shot, in front of citizen witness Brad Corn and his parked vehicle.

At 14:33:51 hours, Trooper Bailey radioed that shots had been fired. At 14:33:57 hours, Nathaniel said, *"I'm done, I'm done."* At 14:34:00 hours, Trooper Bailey asked if he had been shot, and Nathaniel replied, *"I don't know, but I'm done."* At 14:34:12 hours, Trooper Bailey requested that medical be expedited to her location. At 14:34:16 hours, Nathaniel asked, *"Are those real bullets?"* and at 14:34:23 hours, he added, *"Yeah, those are real bullets."* At 14:35:00 hours, he stated, *"I'm so done, I ain't fighting with you, I ain't charging, I ain't doing nothing, I ain't got no weapons, I'm done."*

Trooper Bailey maintained Nathaniel at gunpoint while waiting for medical assistance. At 14:36:09 hours, off-duty DCSO Deputy Mitcharian approached from his parked vehicle, displaying his badge, and offered to help handcuff Nathaniel.



Capture from Trooper Bailey's BWC showing Nathaniel on the ground prior to being handcuffed.

III. INJURIES

A. Nathaniel Andrew Bailey

On November 24, 2021, Nathaniel was transported directly from the scene to Renown Medical Center for medical evaluation and emergency surgery. Nathaniel had three bullet wounds in the abdomen area as well one bullet wound in the upper left leg and an exit wound to the back right side area. After being medically cleared, he was transferred to the Washoe County Detention Facility.

B. Trooper Taylor Bailey

Trooper Bailey did not suffer any physical injuries that required medical attention.

IV. CRIMINAL PROSECUTION

On December 15, 2021, the State filed an Amended Criminal Complaint charging the Defendant with the following crimes:

- Count I: Assault on Protected Person by Probationer, a category D felony
- Count II: Resist Public Officer, a misdemeanor
- Count III: Reckless Driving with Disregard of Safety of Person or Property, a misdemeanor
- Count IV: Duty to Stop at Scene of Accident Involving Damage to Vehicle or Property which is Driven or Attended, a misdemeanor
- Count V: Drive with Revoked Driver's License, a misdemeanor

March 30, 2022: the proceedings were transferred to the Second Judicial District Court for Competency Evaluations. On August 16, 2022, the Defendant was remanded to Lake's Crossing to receive treatment to competency and to attain competence.

February 15, 2023: an Order of Competency and Returning Matter to Reno Justice Court was filed, finding that the Defendant was competent to proceed. A Preliminary Hearing was scheduled for July 11, 2023.

May 30, 2023: the Defendant waived his Preliminary Hearing and agreed to plead No Contest to Count I: Assault on Protected Person by Probationer, a category D felony.

June 26, 2023: the District Court arraigned the Defendant on the Information charging Count I: Assault on Protected Person by Probationer, a category D felony. The Court scheduled sentencing for August 14, 2023.

August 14, 2023: the Court found the Defendant guilty of Assault on Protected Person by Probationer and sentenced him to the maximum sentence allowed by law, 19 months to 48 months in the Nevada Department of Corrections.

V. LEGAL PRINCIPLES

The WCDA was tasked with assessing the conduct of the officer involved and determining whether any criminality on their part existed at the time of the shooting. Although Nathaniel survived this officer-involved shooting, in order to conduct the appropriate assessment, the District Attorney's review is controlled by the relevant legal authority pertaining to justifiable homicides. This is because the analysis rests upon the decision to use deadly force, not the result.

Nevada law contains several statutes that govern justifiable homicide, including NRS 200.120, 200.140, and 200.160. Additional provisions address excusable homicide (NRS 200.180) and the lawful use of deadly force to effect an arrest (NRS 171.1455). Moreover, Nevada case law provides further interpretation of justifiable self-defense and the defense of others. These legal principles are interconnected and warrant further detailed examination:

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

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

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

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

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

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

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

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

If evidence of self-defense is present, the State must prove beyond a reasonable doubt that the defendant did not act in self-defense. If you find that the State has failed to prove beyond a reasonable doubt that the defendant did not act in self-defense, you must find the defendant not guilty. *Id.* 1051-52.

B. Justifiable Homicide by Public Officer

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

C. Use of Deadly Force to Effect Arrest

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

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

VI. ANALYSIS

On November 24, 2021, the use of deadly force upon Nathaniel was justified based on the imminent danger of serious bodily harm or death he posed to Trooper Bailey. The threat Nathaniel presented was corroborated by witness interviews, video evidence, physical evidence from the scene, and forensic examination of the firearm involved.

The evidence shows that on November 24, 2021, law enforcement had been alerted to a vehicle driven by Nathaniel, fleeing the scene of a multi-vehicle crash on northbound Interstate 580. Off-duty DCSO Deputy Michitarian observed him driving recklessly with his view obstructed by the hood of his vehicle, which had flipped over the windshield. Deputy Michitarian then saw him park at the Chocolate Nugget Candy Factory and flee on foot to the Parker Ranch Road underpass, where he hid among the rocks behind a cement barrier.

After responding to the call, Trooper Bailey arrived at Parker Ranch Road and with Deputy Michitarian's direction, located Nathaniel lying prone in the rocks as he attempted to conceal himself. As she approached to investigate, she detected the odor of an unknown alcoholic beverage emanating from Nathaniel. He admitted to consuming a small amount of alcohol but became confrontational when questioned about his vehicle at the Chocolate Nugget Candy Factory and being seen walking from that location to the underpass.

The BWC footage, as well as witness accounts, supports Trooper Bailey's account of events, showing that Nathaniel refused to comply with multiple lawful commands. After a brief exchange, Nathaniel suddenly jumped up from where he had been lying on the rocks, moved over the concrete wall separating them, and charged toward Trooper Bailey in an overt and aggressive manner.

In an effort to deescalate and create distance, Trooper Bailey backed away from Nathaniel while simultaneously deploying her Taser. The Taser had no effect, and Nathaniel continued to, in his own words, "*charge*" at her, rapidly closing the distance and moving with her into the middle of Parker Ranch Road, where Brad Corn had stopped his vehicle.

Trooper Bailey repeatedly ordered him to "*stand down*" and "*stop.*" Nathaniel not only refused to comply with these lawful commands but continued advancing toward her in an aggressive manner.

His refusal to obey, combined with his deliberate and forceful charge toward Trooper Bailey, clearly demonstrated an intent to harm her. That intent was later reinforced through his Nolo Contendere plea to the charge of Assault on a Protected Person by a Probationer. In that moment, Trooper Bailey faced an imminent threat of great bodily harm or death, making the use of deadly force necessary to protect herself. She fired four rounds in self-defense.

Under Nevada law, peace officers are justified in using deadly force to protect themselves or others from imminent threats of serious bodily harm or death. In this officer-involved shooting case, the evidence clearly shows that Nathaniel's actions posed such a threat. He refused to comply with lawful commands and then aggressively charged Trooper Bailey, leaving her with no viable alternative but to use her firearm to protect herself. All evidence supports her belief that she faced a life-threatening situation, and her response was both legally and factually justified. Consequently, Trooper Bailey's use of deadly force was lawful and necessary in self-defense.

VII. CONCLUSION

Based on a comprehensive review of the investigation and the application of Nevada law to the known facts and circumstances surrounding the November 24, 2021, Officer Involved Shooting of Nathaniel Andrew Bailey, the actions of NHP Trooper Taylor Bailey were determined to be legally justified under Nevada law. Unless new information arises that contradicts the factual foundation of this decision, the District Attorney's review of this case is officially closed.