

RELEASE - APD Releases Details of Recent Officer-Involved Shooting on Garfield Ave S.E.

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For immediate release

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Friday, Sept. 4, 2020

APD Releases Details of Recent Officer-Involved Shooting on Garfield Ave S.E.

ALBUQUERQUE, N.M. – The Albuquerque Police Department released details today of the Aug. 11, 2020 officer-involved shooting at 2718 Garfield Ave. S.E.

Summary of Incident

Officers in APD's Southeast Area Command were dispatched during the early morning hours of Aug. 11 to calls of shots fired and a possible residential burglary in progress. Kenneth Reiss, the homeowner who reported that he shot intruders, called 911 from outside his home as he traveled on foot along westbound Garfield Ave. and southbound along Princeton Dr. S.E. Mr. Reiss communicated with the 911 operator for about 5 minutes but he stopped responding for the rest of the 11-minute call as the operator tried getting a description of Mr. Reiss so officers would know what he looked like or what he was wearing. The operator also tried to pin down his location and she told him to put his gun down when officers arrived in the area, but Mr. Reiss still did not respond.

Officers began to arrive on scene at 12:27 a.m. Five officers and a supervisor met at Girard and Garfield S.E. where they discussed a force array and their approach plan. Rescue Personnel were staged at Garfield and Columbia S.E. As officers walked west on Garfield Ave., they heard a gunshot to the west of them believed to be from the area near 2817 Garfield S.E. The officers yelled, "Police! Drop your weapons! Police! Put the weapon down!" The officers did not receive a response. This later appeared to be when Mr. Reiss accidentally shot himself in the leg, but officers did not know that at the time.

At that point, officers observed the front doors to 2718 Garfield Ave to be open, but they could not see anyone inside the residence. Officers split up as three went to the residence and the other three officers decided to continue west on Garfield Ave.

The officers who went to the residence noticed bullet holes in the doors and front window with spent shell casings on the ground in and outside of the residence. They did not observe any signs of forced entry, or of someone being shot.

Officers walking on Garfield Ave. looked for the subjects who may have been shot and were possibly armed. They observed a subject run west on Garfield and south on Princeton and advised this over the police radio. Officers also encountered an individual crouching down on steps leading toward the apartments just west of Mr. Reiss's apartment. They determined he was not involved and he was not armed or injured. That witness said he had called 911 and told officers someone was behind a car, had fallen down and was injured. Officers asked the witness if this person was armed, and he responded, "He has a gun. Yes."

Officers followed a blood trail around the corner of Garfield and Princeton, and continuing south on Princeton. Officers later said during their interviews they believed the person running from the scene was the reported suspect of the home invasion. Officers indicated they believed this for the following reasons:

- They received reports the suspect(s) had been shot.
- They assumed the suspect was bleeding and they saw a blood trail to the west of the scene.

The area was dark, so officers used their weapon-mounted lights to search for anyone as they continued south on Princeton. The officers noticed blood droplets turned sharply to the east behind a gold-colored Toyota Scion parked on the east side of the street in front of 506 Princeton S.E. The officers suddenly observed an individual, later determined to be Mr. Reiss, move from the rear passenger side of the Scion toward the front, along the passenger side. The officers began to yell commands to the individual to show his hands. Mr. Reiss responded by saying, "No. You're not the cops. No, you're not cops!"

One officer reported seeing the man move his head up near the hood of the passenger side of the Scion, while staring directly at him. The officer stated he yelled for the individual to show his hands, but the individual lowered his head back behind the passenger side of the Scion.

The officer suddenly observed the individual raise his handgun over the hood of the passenger side of the Scion and point it at him. The officer stated he saw a muzzle flash come from the individual's black handgun, and the officer proceeded to immediately return fire multiple times. Another officer stated he saw a muzzle flash and believed he heard a shot come from the passenger side of the vehicle. That officer discharged his handgun one time toward the individual. The third officer stated he heard a gunshot he believed to be fired from the individual. The officer believed he was going to be shot, so he discharged his rifle at the male alongside the Scion to stop him from shooting them.

The officers observed the individual sitting down and leaning toward his left side. The officers noticed the individual had his left hand over the handgun which was on the ground by the left rear of his body. The officers gave loud commands: "Drop the gun! Don't reach for the gun! Please!" The individual did not comply with the commands. One officer stated he observed the individual's hand move back toward the grip of the gun, and he believed the individual was going to attempt to shoot at them again. That officer discharged his firearm again to stop the individual's actions.

AFR personnel arrived quickly and transported the individual to UNMH where he succumbed to his injuries.

A few minutes after the shooting, one officer is heard telling another officer: "We followed the blood trail and he was right there. He was hiding behind there and we passed him. And all of a sudden he popped out and started firing shots at us."

Summary of 911 Calls

- At 12:22 a.m., an anonymous individual called 911 and reported hearing a male and a female screaming at the corner of Garfield and Vassar S.E. The caller advised he heard about 5 or 6 gunshots but he could not see if the male or female was armed with a gun.
- A second caller reported hearing 3 or 4 gunshots south of the area of 2629 Garfield Ave. S.E. The caller also heard people yelling about 30 seconds after hearing the last gunshot.
- At 12:23 a.m., Mr. Reiss called 911 and stated he need police immediately. Mr. Reiss reported two men armed with guns broke into his residence and threatened to kill him. Mr. Reiss stated he believed he shot one of the subjects and both men were still inside his residence, one with injuries and the other without injuries.
- At 12:24, Mr. Reiss stated he was outside of his house and still armed with his gun. He said one of the men was exiting the house. The 911 operator advised Mr. Reiss to hide. Mr. Reiss stated it would be difficult because this person had their sights on him and was going to shoot him.
- The 911 operator asked Mr. Reiss if he knew who the men were. He explained they were friends of someone, not his friends, but he was in trouble with some "bum skinhead punks."
- Mr. Reiss stated the dispute was over a woman and occurred over the weekend, but he was not 100% sure.
- During subsequent interviews with neighbors who were home during the incident, they did not see or hear Mr. Reiss communicating with anyone prior to officers arriving.
- Neighbors also stated they did not hear an argument coming from inside the house. Neighbors also advised they did not see anyone inside of the house or exit the house.
- At 12:25 a.m. the 911 operator asked Mr. Reiss if the woman was inside the

- house, and Mr. Reiss answered, "Yes, two guys and a woman."
- The 911 operator asked again about the two men and Mr. Reiss stated he believed he shot one of the men three times and the other man once while insisting they were trying to kill him.
 - The 911 operator asked Mr. Reiss to identify the woman, but he stated he did not know her.
 - At 12:27 a.m. Mr. Reiss asked where the police were. The 911 operator said they were on their way. She told him to tell her where he would be. She also asked Mr. Reiss if the two men were armed with handguns or rifles, and he answered that he was armed with a pistol.
 - At 12:28 a.m., the 911 operator asked Mr. Reiss what he was wearing and that she needed to know where he was located so he could speak to officers.
 - At 12:29 a.m. Mr. Reiss could be heard conversing with another male subject and told him to, "get down, get behind that car, and don't worry about that." He was later heard stating, "If they're not cops, we're in trouble." Another caller advised 911 a subject had just shot across the street and was not running up the street with a gun.
 - An additional 911 call advised there was a male standing in the middle of the street holding a gun and a cell phone.
 - At that point, Mr. Reiss had an open line but was no longer responding to questions from the 911 operator. Investigators believe he may have put the phone in his back pocket.
 - At 12:29 a.m., the 911 operator said officers were in the area and she needed to know where he was.
 - At 12:30 a.m., the 911 operator heard a gunshot, as well as a verbal reaction from Mr. Reiss to the gunshot. She asked him: "Did you fire your gun again? Ken, who are you shooting at? My officers are there. I need you to put your gun down. Officers are there."
 - At 12:33 a.m., officers are heard over Mr. Reiss' phone saying, "Let me see your hands." Mr. Reiss responded: "No. You're not the cops. No, you're not cops!"
 - Shots are fired at 12:34 a.m. and the phone line is disconnected.

Investigation Update

The investigation into the entire incident is ongoing. In addition to interviews with the involved officers, detectives with the Multi-Agency Task Force have talked to witnesses, neighbors, family members and others about events leading up to the shooting.

Investigators did not locate any signs of forced entry into Mr. Reiss's home. The front door was open when officers first arrived. There was evidence of shots being fired both from inside and outside the house. Four bullet casings were collected inside and five casings were collected outside of the home that were later determined to have been fired from the handgun Mr. Reiss had with him during the exchange of gunfire with officers. Another casing was found on Garfield Ave. at the spot where detectives believe Mr. Reiss accidentally shot himself. That casing also matched the handgun Mr. Reiss

had. A final casing from Mr. Reiss's handgun was discovered at the scene of the shooting with officers.

So far, detectives have not discovered any evidence that people were shot inside of Mr. Reiss's home, despite his claims to the 911 operator. Officers checked area hospitals and there were no reports of gunshot victims related to this incident. There was no blood and no signs of struggle inside the house. Neighbors also told detectives they did not see anyone in the house immediately after the shootings, and they did not hear any commotion from the house until gunshots were fired.

Detectives interviewed a woman who appears to be the individual Mr. Reiss mentioned during the 911 phone call. The woman said she was with Mr. Reiss the weekend before the incident, and she said Mr. Reiss used narcotics in her presence. However, detectives determined the woman was not at Mr. Reiss's home the night of the incident. Investigators will not be able to determine if drug use was a factor in this incident until the toxicology report is completed.

Detectives are also aware of a 911 call Mr. Reiss made in May 2020 in which he said someone with a rifle was outside of his residence. Responding officers did not locate any suspects or evidence to substantiate the claim.

Involved individual: Kenneth Reiss

The officers involved in the shooting were:

- Ø **Officer James Morehead**, who has been with the department since 2017, has not been involved in any prior officer-involved shootings.
- Ø **Officer Jacob Smith**, who has been with the department since 2017, has not been involved in any prior officer-involved shootings.
- Ø **Officer Maxwell Smith**, who has been with the department since 2017, has not been involved in any prior officer-involved shootings.

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