



Ronald L. Mortensen was born in Las Vegas in 1965. He graduated from Valley High School in May of 1984, lettering in football, track, and band. His post-secondary education began at L.A. Pierce College, where he again lettered in football, and culminated in a Bachelor of Arts Degree from the University of Nevada Las Vegas in 1994 with a major in Communication. While at UNLV, he competed regionally on the Ranger Challenge Military Competition Team and was in Army ROTC.

Ron's education was interrupted when he joined the U.S. Army in January of 1988. He attended A.I.T. in Aberdeen, Maryland and served in Germany for 18 months. He received two Army achievement metals for service as unit armorer and in December, 1990, received an honorable discharge to the Reserves. He served as an SMP Cadet in the Nevada National Guard and ultimately was commissioned as 1st Lieutenant in the US Army Reserves in 1996.

After graduating from UNLV, Ron chose a career in community service. He graduated from the police academy and was commissioned as an officer of the Las Vegas Metropolitan Police Department on January 12, 1996.

He married Zoe Yates, daughter of Linda and Paul Yates, in 1994. They have one child.

On December 29, 1996, Ron was arrested for the shooting death of Daniel A. Mendoza. He was subsequently convicted of first-degree murder and sentenced to life in prison without the possibility of parole.

From the moment Ron was arrested until the guilty verdict came in from the jury, we have been sickened by what has amounted to a miscarriage of justice. To have only one of the two men who were involved in this incident be jailed and then vilified in the press has been difficult to cope with. It was unfair not to have both men jailed while a thorough, unbiased investigation was conducted and the truth found. Worse was having to deal with the realization that his jury was unwilling to consider the overwhelming reasonable doubt rife throughout this case. We believe that Ron is innocent of this crime. Many aspects of this case are circumspect. Our concerns are classified in the following manner:

CONCERNS	
1	LVMPD protectant of Brady
2	Problems with investigation
3	Eyewitness credibility
4	Media influence
5	Judicial procedures

1. LVMPD PROTECTANT OF BRADY

It is our contention that Christopher Brady, a six-year officer of the Las Vegas Metropolitan Police Department (LVMPD) and the driver of the vehicle in this case, was allowed to use his father's veteran status of 27-years as an officer and detective of Metro to influence both the Sheriff and the District Attorney of Clark County in order to shield himself from an arrest for the fatal shooting of Daniel Mendoza in the early morning hours of December 28, 1996.

On December 29, 1996, Christopher Brady offered a statement to the police regarding the Daniel Mendoza fatality.

- **Less than one hour** after giving his only recorded statement (18 minutes duration), the investigation team of the LVMPD made the decision not to arrest Chris Brady in this incident. The decision not to prosecute him for his actions was upheld even when the veracity of his statement became questionable when information obtained from another officer contradicted that of Mr. Brady's.
 - His father was allowed to sit in on his taped interview with police, a fact which the Detective who conducted the interview admitted on the witness stand was anything but common procedure;
 - He was not asked about what clothing he was wearing on the night in question yet was not considered suspect when a couple of months later he voluntarily surrendered a blue shirt as his attire that night even when two eye witnesses stated the "shooter" wore "blue."
 - A recorded statement was obtained from a fellow officer who stated Brady had admitted to being in the area just before the night of the incident.
- In his original statement, Brady admitted to having stuck his gun out the window. This was first adamantly denied by Detective Becker during testimony as having ever been recorded and then days later was conveniently brushed aside as an insignificant statement with a mere miscommunication of meaning.
- Brady testified to having the weapon used in the fatal shooting in his possession for approximately 36 hours before turning it in to the police, admitting that he had cleared the chamber, removing the clip from the weapon as well as removing the bullets from the clip, yet miraculously neither his fingerprints or those of his father (who also handled the gun) could be found on it.
- Mr. Brady's truck was inspected only for a brief period of time and was immediately released back to him.
 - Only the passenger side of the vehicle was inspected for fingerprints. No other portion of the truck was subjected to evidentiary examination (such as gun powder residue which may have helped to pinpoint the location of the weapon when fired).
 - The criminalist who processed the vehicle testified to not knowing that the truck contained a secret compartment located under the center cushion, a fact which had bearing Ron's testimony and defense.
 - Upon having the vehicle returned to him and before the truck could be examined by the defense attorney's own investigation team, Brady radically altered the pick-up truck:
 - He had the exterior of the vehicle painted white as well as having the interior cab and top painted;
 - He removed the custom seat he had purchased a short time before and replaced it with the bench seat which had previously been in the bed of the truck;
 - He added a spare tire rack and spare tire;
 - The tint was removed from the windows;
 - He adjusted the fan clutch and had mechanical work done on the carburetor. He admits that his truck "hesitated," and these alternations could have changed the vehicle's idling and the degree to which it may have moved while in gear without the brake applied in subsequent tests.
 - The interior of the truck was washed and the carpet cleaned with a bristle brush.

- Mr. Brady, the self-proclaimed "Ax Thrower," had a long history of complaints against him while an officer of Metro.
 - He was the subject of eight internal affairs investigations within one three-month period;
 - He pulled a gun on a motorist for no apparent reason;
 - He has been accused of sexual assault on a handcuffed female.
- In his statement and while on the witness stand, Mr. Brady recounted an adventure of some 45 to 50 minutes in duration during which he admittedly engaged in reckless driving, harassment, and public indecency, not to mention being the driver of the vehicle which pulled up and stopped in the neighborhood of gang members and from which a bullet resulting in the fatal shooting of one of the bystanders was fired, but the Deputy District Attorney at the time sent Mr. Brady's attorney a letter stating he had done nothing for which he could be prosecuted and that he was only a witness to all these events.
 - On the witness stand, the credibility of his testimony was further tainted when documents (bank records) were placed into evidence which concretely proved that the events of the night as reported by Brady could not have taken place - - he lied and perjured himself .

2. PROBLEMS WITH INVESTIGATION

- Much credence was given to eye witness statements corresponding to those of Mr. Brady, yet only three brief written and one recorded statement were obtained the night of the incident.
 - Additional statements were recorded between December 31, 1996, and January 14, 1997, long after Ron had been jailed, arraigned, and purported to be the lone guilty party by Sheriff Keller in the press.
 - Officers who testified stated witnesses were mistrustful of Metro and extremely uncooperative that evening.
- Most eyewitnesses were unsuccessful in identifying Ron from the photo lineup.
- Only one eye witness positively identified Ron from a physical lineup despite the police department's attempt to psychologically prejudice the eye witnesses memories to selectively single him out.
 - Ron was the only person seen in the photo lineup to then be present in the physical line up.
 - In Grand Jury testimony, this same eyewitness - although unable to remember being shown the photo lineup conducted two days before the physical lineup (Q: "**Are those the photographs that you were shown...**" A: "**I don't remember very well.**" Q: "**Okay. Do you remember seeing these photographs?**" A: "**I don't remember well.**" Q: "**Of all the photographs you were shown...did you pick anyone...**" A: "**No. Because I was not very sure.**") - remarkably was able to make the lone positive physical ID.
 - In his brief written statement obtained December 28, 1996, written in Spanish, no physical description was given by this eyewitness other than describing the occupants of the pickup as two white males.
- Much credence was given to trajectory evidence which implied that the truck had to have been moving forward while the shots were being fired leading the jury and the public to believe this was, indeed, a "drive-by" shooting.
 - Three of the eyewitnesses, one only 3 to 4 feet away from the vehicle at the time the shots began, state that the truck pulled into McKellar Circle and stopped.
 - In actuality, testimony from the trajectory expert was that the truck had to have only moved from six to twelve feet during the time the gun was being fired to match the strike patterns.
 - Testimony concluded that the weapon could have been just inside to outside the vehicle in order for the shell casing to land in the manner they were found.
 - Officer Johnson, who assisted in the reconstruction of one of the bullets' trajectory (a bullet which went through a window and into a door) reported that the bullet had "been on a slightly upward path." However, in testimony, he admitted that the angle from which the bullet entered the door had not been determined. How then was a proper trajectory reconstructed?

- It was purported that Brady could not have been "driving" and shooting at the same time while avoiding obstacles such as another vehicle; yet, testimony from witnesses say there were no obstacles in the path of the pickup.

3. EYEWITNESS CREDIBILITY

- All eyewitnesses are either members or friends of the 18th street gang.
- A key eyewitness with a prior record, was arrested for armed robbery subsequent to the incident and released. It is our contention he was released so that he would be available to testify at the trial.
- With the exception of one eye witness who admits to having had ½ a beer, all others testified that there were no drugs or alcohol present at this early New Years celebration; yet, Daniel Mendoza had both cocaine and speed as well as some alcohol in his system.
- Most eye-witnesses testified to being unable to clearly see the driver of the pick-up that night, yet Christopher Brady was picked out of his photo lineup by some.

4. MEDIA INFLUENCE

- Many in the media prosecuted and convicted Ron long before his trial began, culminating their smear campaign by feeding to the community and the unsequestered jury unrelated information about an employment dispute with management at Dillard's Department Store.
 - Although the judge was steadfast in his decision NOT to allow the jury to hear testimony regarding allegations of falsification of his employment application and a supposed embezzlement, the weekend long media blitz of unsupported allegations of "aggressive and combative" behavior while a security guard no doubt contributed to the guilty verdict brought against him.
 - No balanced investigative reporting into his impeccable cumulative work history (including military and Reserve service) or interviews with other employers were covered by the press.
- The press incited and fueled fear of local riots and promises of gang retaliation should yet another officer get off the hook from the charges against him.
- The media never considered Mr. Mortensen's character prior to the night of December 28, 1996, and repeatedly painted him as a rogue cop only out for a thrill kill, even though he never had a internal affair complaint against him. Insight into his general personality traits and lifestyle as could be reflected upon by lifelong family and friends was apparently not considered newsworthy.

5. JUDICIAL PROCEDURES

- There should have been a change of venue in this high profile case.
- Mr. Brady's attorney was allowed to testify at to the Grand Jury, an apparent violation of Nevada statutes.
- The neighborhood the jury was allowed to view was literally whitewashed just a week before the beginning of the trial by officers of Metro, forever distorting how the scene of the crime would actually have looked that night.
- The jury was not taken to the scene at the approximate time the shooting occurred (1:00 a.m.) and were left to conjure up in their own minds how factors such as darkness and visibility may have contributed to or possibly even refuted eye-witness testimony.
- The jury was unsequestered, even during deliberation.
 - That weekend, while the jury was deliberating, the Deputy District Attorney was pictured on the front page of the newspaper holding up two autopsy photos of Mr. Mendoza.

In Grand Jury testimony taken Thursday, January 16, 1997, Detective Brent Becker of the LVMPD, clearly summed up his behavior in what we consider to be a poorly conducted investigation of this entire incident with regards to Christopher Brady in the early morning hours of December 28, 1996, *"...I think we talked about what he was wearing, but I didn't ask him to bring it in...We had three witnesses that said the passenger did it, and the only person that even came close to that description is Ron Mortensen...The witnesses have been specific that the passenger did it. There are distinct differences between Chris Brady and Ron Mortensen. They don't look alike. There's no doubt who was seated in what position and who did the shooting according to the witnesses. There's no purpose in doing the [physical] lineup on Chris Brady. He admits to being there."*

Of course, Chris Brady also admits to having both put his firearm *"...across Mr. Mortensen's body just in front of his chest"* and to have *"stuck it out the window."* The same witnesses referred to above were adamant that there was only one gun visible that night. At least one witness testified and demonstrated that Ron (a right-handed man), while sitting face forward, purportedly held the gun "in the left hand" with the weapon crossing his chest. Additionally, one eye witness refers to the "shooter" as having a "blue sweater or windbreaker." Another states he was *"...wearin' like a blue sweater. Like blue some -blue sweater. Blue jacket, blue sweater."*

In the Las Vegas Review Journal of December 31, 1996, while defending Metro's actions regarding shielding Christopher Brady from arrest, Sheriff Jerry Keller stated, *"We believe this was a spontaneous event, not a planned event...Had this been a planned event, certainly that would have made (the second officer) a principal, and charges would have been filed."*

Why, then, did the Chief Deputy District Attorney provide the Grand Jury with a proposed Indictment charging Ron Mortensen with open murder, which he states was *"murder with use of a deadly weapon...alleging that the defendant...did then and there willfully, feloniously, ... and with premeditation and deliberation, and with malice aforethought..."* kill Daniel Mendoza?

**A charge which Ron Mortensen was convicted of and
for which he is serving a life sentence without the possibility of parole!**

Ronald Mortensen admits to being at 537 McKellar Circle on the morning of December 28, 1996. He also admits that there is no doubt that he was seated on the passenger side of Chris Brady's truck. Unfortunately, he was never asked to give a statement prior to his arrest on the evening of December 29, 1996.

There was no search for the truth by the Las Vegas Metropolitan Police Department in the killing of Daniel Mendoza. Instead, there was a contrived illusion of an impartial investigation conducted by friends, ex-partners and coworkers of a truly rogue cop and his veteran detective dad. . . at the expense of a rookie.

Our contention is that the eyewitnesses on McKellar Circle saw Christopher Brady holding the weapon in his right hand in the early morning hours of December 28, 1996, while wearing a *blue, long-sleeved* garment which he voluntarily surrendered to Frank Cremen, Ron's attorney.