



THE STATE
of **ALASKA**
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September 30, 2024

Chief Sean Case
Anchorage Police Department
716 West Fourth Avenue
Anchorage, AK 99501

Re: Use of Deadly Force Review//Anchorage Police Report #24-025066

Chief Case:

Introduction

This letter summarizes the Office of Special Prosecutions'¹ review of the use of deadly force by Anchorage Police Department² Officer Alexander Roman on August 13, 2024. The purpose of this evaluation is to determine whether criminal charges are warranted for Officer Roman's use of deadly force against Easter Leafa.

Given the facts and circumstances surrounding this incident, when evaluated under relevant Alaska law, this office will **not** be filing criminal charges against Officer Roman in this matter. Officer Roman's use of deadly force against Leafa was legally justified under Alaska statutes as "self-defense" or "defense of others." As Officer Roman's conduct was legally justified in this matter, criminal charges are not appropriate in this case.³

The reasons for this decision and the underlying rationale are set forth below. This reasoning is based on my review of the investigative reports, along with the accompanying audios, videos, diagrams, and photographs, as well as the autopsy report from the State Medical Examiner's Office.⁴

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1. The Office of Special Prosecutions is hereafter referred to as OSP.
 2. The Anchorage Police Department is hereafter referred to as APD.
 3. The purpose of OSP's review is solely to determine whether criminal charges against the officer are warranted given his use of deadly force. OSP does not review these cases for policy violations or to determine whether an officer's conduct is appropriate under any applicable use-of-force policies. OSP also expresses no opinion as to the general appropriateness of any APD policies, including use-of-force policies.
 4. This review is based on my review of the investigation conducted to date. Any additional information not provided to OSP for consideration could result in a change in the State's analysis of this matter.

Factual Summary⁵

On August 13, 2024, at approximately 11:32 p.m., APD officers were dispatched to an apartment complex located on the 4800 block of E. 43rd Avenue. A female complainant, later identified as V.L.,⁶ called 911 saying she needed help. V.L. said her sister, Easter Leafa, was mad and trying to stab her with a knife because V.L. had not done what Easter Leafa wanted. V.L. reported that Easter Leafa was wearing black shorts and a black sweatshirt and was sitting on the balcony of the apartment. V.L. told dispatch that she was unable to see the knife at that time. V.L. described the knife as a black handled knife used by the family to cut vegetables. V.L. additionally reported that her mom and sisters (aged 24, 27, and 29) were also inside the apartment with her, as was an 8-month-old baby.

According to radio logs, APD Officers Roman and Pherson arrived on scene approximately four minutes after the dispatch about the call was first aired. They briefly searched the outside of the apartment complex before going to V.L.'s apartment. After knocking on the apartment door and announcing that they were APD officers, Officer Roman and Officer Pherson were let into the apartment by V.L.

Officer Roman and Officer Pherson entered the apartment and attempted to locate Easter Leafa and determine whether she still had a knife. The officers were informed that Easter Leafa was outside on the balcony, but the witnesses they spoke to said they did not know if she still had a knife. Officer Roman attempted to speak with Easter Leafa by opening the sliding glass door to the apartment's balcony. Recorded on his and Officer Pherson's body worn camera (BWC), Officer Roman stated to Easter, "Hey, go ahead and show me your hands. Show me open empty hands. It's the Anchorage Police. If you do not comply, you could be injured." The BWC audio also recorded Officer Roman stating "Easter, I need to see open empty hands please. Show them, I can't see them from behind you. Put them above your head please. Open empty hands. We are not going away. Easter, please show me open, empty hands. Your non-compliance could result in injury. I don't want to hurt you. We have lethal, we have less lethal options. We have taser, we have canine. We have 40-millimeter launcher, okay."

Seconds later, as seen on Officer Roman's BWC, Easter Leafa stood up from where she was sitting and turned towards Officer Roman. As she stood up, Easter Leafa moved the blanket that was covering her body and used it to wipe her face. In her right hand, down by her thigh, Easter Leafa was holding a knife. Officer Roman told Easter Leafa, "Face away from me." He then noticed the knife in her hand and told Easter to "Drop the knife."

Officer Pasta, who had been called into the apartment as backup to assist with the family, also commanded Easter Leafa to drop the knife. Instead of dropping the knife, Easter Leafa slowly walked

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5. The factual summary has been created from a review of all the evidence submitted in this investigation and consists of the relevant facts needed to analyze this matter. It is not meant to be a complete recitation of everything that was done or said by any of the witnesses or investigators in this case, nor does it reflect everything I have reviewed.
 6. Initials are used for civilian witnesses throughout this letter as identifying their full names in this publicly available document is unnecessary. *See generally* Alaska Constitution, Article I, sec. 22.

towards the sliding glass door of the apartment, in the direction of Officer Roman, until she was, by Officer Roman's estimate, within five yards of him.

As seen on Officer Roman's BWC, Easter Leafa took approximately three more steps towards Officer Roman before Officer Roman fired multiple shots at her. Simultaneously, Officer Pherson fired one round from his 40 mm "less than lethal" launcher.⁷ Easter Leafa was struck by multiple bullets and fell backwards onto the balcony, dropping the knife in the process. Officers Roman and Pherson administered medical care until AFD medics arrived on scene. Easter Leafa was transported to the Alaska Native Medical Center, where she died of her injuries.

Investigation

APD Homicide Unit detectives were assigned to investigate Easter Leafa's death. A crime scene team was sent to the location to conduct a physical investigation. Detectives collected video footage from body worn cameras and conducted interviews of police and civilian witnesses. Easter Leafa's body was sent to the Alaska State Medical Examiner's Office for an autopsy and the firearms used were sent to the Alaska State Crime Lab for ballistics testing. The below is a summary of the relevant parts of the investigation.

Video Footage

Video footage was obtained from the officers' body worn cameras. This video footage shows officers arriving on scene in their patrol vehicles and searching outside the apartment complex for the suspect. It also captures the contact with the residents of the complainant's apartment and the events that unfolded in the apartment, to include when officers fired at Easter Leafa with less-than-lethal and lethal weapons.

a. Officer Alexander Roman

Officer Roman's BWC video footage shows Officer Roman entering the apartment. Officer Pherson accompanies Officer Roman and they enter the apartment together. Officer Roman's footage shows that there are a number of adult females in the small, two-bedroom, apartment. Both Officer Roman and Officer Pherson begin asking the occupants of the apartment where Easter Leafa is located. At the same time, the officers ask the residents to move into another room. The witnesses indicate that Easter Leafa is outside of the apartment on an outdoor balcony. Officer Roman can be seen on his body worn camera opening the sliding glass door that leads to the attached balcony. Officer Pherson shines his flashlight out onto the balcony and illuminates a person, later identified as 16-year-old Easter Leafa, who is facing away from the officers and is wrapped in a blue blanket.

7. A 40mm launcher is a special-purpose "less lethal" firearm designed to launch 40mm projectiles. 40mm projectiles are low velocity rounds that are not meant to penetrate the skin and are available in a variety of payloads and are an alternative to traditional pistols and rifles.

Officer Roman is heard calling out to Easter Leafa and identifying himself and other officers as “Anchorage Police.” Officer Roman can be heard telling Easter Leafa that they are not going away and that she needed to show her hands to him so that he can see that they are empty. Additionally, Officer Roman’s BWC captures Officer Roman giving warnings that the officers had lethal weapons, less lethal weapons, tasers, a 40mm launcher, and K-9 options. Officer Roman can be heard warning Leafa that if she failed to comply with the officers’ instructions she may get hurt and telling her that the officers did not want to hurt her.

In response to these commands, the video depicts Easter Leafa standing up, turning towards the door where the officers were located, and pulling the blanket up to wipe her eyes or face. See Figure 1.



Figure 1.

The video clearly shows Easter Leafa holding a knife in her right hand. Figure 1. Officer Roman and other officers tell Easter Leafa multiple times to turn away from Officer Roman and to drop the knife. Instead of dropping the knife, Easter Leafa can be seen walking slowly towards Officer Roman. As Ms. Leafa stepped into the threshold of the doorway, with the knife in her hand, both Officer Roman and Officer Pherson are seen firing their weapons at Ms. Leafa from a close distance to Ms. Leafa. See Figure 2.



Figure 2.

Officer Pherson was armed with a 40 mm launcher (classified as a less lethal weapon, that shoots projectiles that are designed not to penetrate) and Officer Roman was armed with a Glock .40 caliber pistol. The video captures Officer Roman firing four shots from his pistol, striking Ms. Leafa in the chest and upper right thigh. Officer Pherson fired one 40 mm projectile from his launcher, possibly striking Ms. Leafa in the upper arm.

After being shot, Easter Leafa dropped the knife as she fell backwards onto the balcony. Officer Roman picked up the knife and moved it near the apartment's fireplace and away from Ms. Leafa. Officer Roman and Officer Pherson are seen handcuffing Easter Leafa and then administering life saving measures with the help of other officers.

b. Officer David Pherson

Officer Pherson's BWC recorded the interaction between Officer Roman and Officer Pherson and Easter Leafa's family prior to the shooting. Officer Pherson's BWC videoed Officer Roman drawing his weapon and holding it against the outside of his holster as he entered the Leafa residence. Upon entering, the officers encountered multiple women and children inside the apartment. This interaction lasted several minutes before the officers directly contacted Easter Leafa. Officer Pherson's BWC documented much of the same audio of the incident as Officer Roman's camera, but Officer Pherson's camera did not clearly record the actual shooting, because during much of the contact with Easter Leafa, Officer Pherson's BWC

is blocked by his arms. Officer Pherson’s audio captures Officers Roman and Pasta yelling at Easter Leafa to drop the knife immediately before firing the 40mm less lethal launcher.

c. Officer Jose Maldonado

Officer Maldonado was called into the apartment to assist with “crowd control,” given the number of people in the apartment. Officer Maldonado was wearing a BWC that recorded his interaction with the adult family members of Easter Leafa’s family. Officer Maldonado’s camera recorded Officer Pasta asking the family to move to the back bedroom while Officers Roman and Pherson attempted to contact Easter Leafa on the balcony. Officer Maldonado positioned himself between the family and the balcony sliding glass door.

Officer Maldonado’s camera captures him turning towards the sliding glass door as Officer Roman opened it to speak with Easter Leafa. From Officer Maldonado’s camera angle, Officer Roman can be seen standing near the balcony doorway, with Officer Pherson to his immediate right. Officer Maldonado’s BWC captures the audio of Officer Roman asking Easter Leafa to show him her hands. Officer Maldonado can be seen drawing his service pistol and pointing it in the direction of Easter Leafa when he realizes that Easter Leafa is holding a knife; however, he does not fire his weapon. Officer Maldonado’s video does not capture the entire shooting since his camera is blocked by his gun and his hands. However, Officer Maldonado’s BWC records the location of Officers Roman and Pherson at the time they fired their weapons. See Figure 3.



Figure 3. In Figure 3, Officer Pherson is the officer closest to the left edge of the screen capture, standing behind Officer Roman. Officer Roman is front of Officer Pherson and is closest to the fireplace.

d. Officer Kyle Pasta

After Officers Roman and Pherson asked for assistance over the radio in managing the other individuals in the home, Officer Pasta responded to the apartment with Officer Maldonado. Officer Pasta's BWC captured a view of the shooting from behind Officers Roman and Pherson. From Officer Pasta's vantage point, his BWC recorded Easter Leafa attempting to walk through the sliding glass door towards Officer Roman while holding a knife. Additionally, Officer Pasta's BWC recorded both Officer Roman and Officer Pasta shouting at Easter Leafa to drop the knife. Officer Pasta's BWC captures the moment Officer Roman fired his pistol and records Easter Leafa falling backward onto the balcony deck after being shot. Officer Pasta's recording also shows him pulling his pistol from his holster although he does not fire his weapon.

Witness Interviews

APD detectives conducted several interviews of officer and civilian witnesses who were present in the area when the shooting occurred. These interviews are summarized below:

Interviews of Civilian Witnesses

a. E.L., known as "A.L."

A.L., the mother of Easter Leafa, was interviewed on August 14, 2024, by detectives at the Anchorage Police Department. When detectives asked A.L. what had happened on the day of the incident, A.L. stated "I was, nothing happened. Just argue those two, my daughters." A.L. stated that her daughters, Easter Leafa and V.L., always argue and then would settle their differences. A.L. stated that the prior night (meaning August 13, 2024), the girls argued, then Easter Leafa picked up a knife and went outside. When asked what Easter did with the knife, A.L. stated "nothing." A.L. said that Easter walked outside and sat down on the balcony. A.L. told the detectives that the argument between Easter and V.L. never got physical. A.L. mentioned she heard one of her daughters say "Yeah, you're going to call the 911," but she could not imagine that V.L. would call 911. A.L. confirmed that it was V.L. who called the police.

A.L. told detectives she was sitting on the couch in the apartment holding her infant grandson when Officers Roman and Pherson arrived. According to A.L., the officers told her to move away from the sliding glass door. A.L. asked the officers if she could talk to Easter, but the officers told her to move away from the door and go into the bedroom. A.L. stated that she and her four other daughters went into one bedroom and two of her grandchildren were in another bedroom. A.L. was standing in the bedroom doorway and said that she saw an officer standing near the balcony door when she heard three gunshots. She said she later saw other officers in her home. A.L. said she did not see the shooting because she was in the bedroom, but said she saw her daughter on the floor after the shooting. A.L. said that no one in the family was drinking or under the influence of drugs on the night of the incident.

b. F.D.

F.D., the decedent's sister, was interviewed by APD detectives on August 14, 2024. F.D. stated that she, the children, and her sisters, R.T. and B.T., had lived in the apartment the police responded to for about a year. F.D. stated that her mother, A.L., her younger sisters "Little Easter" Leafa and V.L., also lived at the residence. F.D. said her mother and Easter Leafa had moved into the apartment in March or April of this year after moving from American Samoa

When asked to explain what happened at their apartment that brought the police to her home, F.D. said she was in her room along with her two children. F.D. said her room was next to the balcony. She said she heard some arguing between Easter Leafa and V.L. but said she did not know what they were arguing about. F.D. said she did not know where in the apartment the girls were arguing and assumed they were in the living room. F.D. stated that it was not unusual that the two sisters argued; she said they generally argued over V.L. not taking care of her child. F.D. reported that B.T. came to her bedroom and told her that Easter and V.L. were arguing. F.D. reported that she saw V.L. open the front door for the police, and that two officers came into the apartment.

F.D. said she was not concerned about the argument because V.L. and Easter argue a lot; she described the situation as just her siblings arguing and said the police should have never been there. F.D. said she stepped out of her room and noticed the police were trying to get Easter Leafa to come in from the balcony. She said she asked V.L. why she had called the police and V.L. said because Easter had a knife. F.D. stated that Easter Leafa had not threatened anyone with a knife before. F.D. told detectives she tried to tell the police that it was not like Easter to be "like that," although F.D. did not explain what she meant by "like that." F.D. stated that Easter Leafa did not have any history with drugs, alcohol or mental issues.

When asked to describe what happened prior to the shooting, F.D. described that she and everyone were standing around and the police were trying to talk with Easter. F.D. indicated that her mother could not handle the situation and was getting upset, so they woke up R.T. and she came into the living room. F.D. stated R.T. was trying to talk to the police into letting her speak to Easter, but the police would not let her. F.D. said the police were telling R.T. that she could not talk to Easter Leafa for both her safety and the officers' safety. F.D. reported that the next thing she saw was Easter Leafa standing next to the sliding glass door, and then she heard gunshots. F.D. said she heard "more than one" gunshot, but said she was not exactly sure how many gunshots there were and said it could have been two or maybe three.

F.D. told the detective that at the time of the shooting she could not see anything in Easter's hands. F.D. said she heard the officers telling Easter to show them her hands before she heard the shots. F.D. indicated that after the shots were fired, everyone started screaming and they went into the back room until the police escorted them out of the residence.

c. R.T.

R.T., Easter Leafa's sister, was interviewed on August 14, 2024. She indicated that she lived at the apartment where the shooting occurred, which she described as a 2-bedroom, 1 bathroom apartment. R.T. said "10 of us" lived in the apartment, including four boys under five years old, Easter Leafa, and five adults: R.T., her mother, A.L., and her sisters, B.T., F.D, and V.L. When asked about what was going on in the apartment when the officers arrived, R.T. said that the officers were "just standing there" and added that her sister was "on the balcony." R.T. said her sister was "sitting outside" on the balcony with the knife and that the door to the balcony was closed. R.T. told detectives her sister B.T. woke her up around 11:00 p.m. and told her the cops were there and that Easter and V.L. were fighting. R.T. stated that she saw four officers in her apartment when she went to the living room area. R.T. said she was told that V.L. had called the police. R.T. told detectives she asked the officers if she could talk to her sister, Easter Leafa. R.T. said she was told "no" by the officers due to "safety."

R.T. reported that the officers who interacted with Easter were asking her to "free [her] hand" and put it where they could see it. R.T. told detectives the officers asked Easter to free her hand two times. R.T. stated she saw Easter Leafa standing at the door with the knife and saw Easter "walking towards them [the officers] with the knife in her hand." R.T. added that "she" (referring to Easter Leafa) was not "pointing [the knife] at them." R.T. added that she saw Easter "standing at the door; holding the knife facing down." R.T. stated officers were asking Easter Leafa to drop the knife for a "third time." R.T. indicated that Easter Leafa took "a step forward." R.T. added that everything "happened so fast" and "they" shot her "like three times. R.T. stated she did not hear Easter Leafa say anything, noting that Easter "is not a talker." R.T. described the knife as a kitchen knife with a black handle and a silver in color blade. R.T. said she was holding everyone else back and keeping them inside the bedroom closest to the main entry door/kitchen area. When asked if she knew which officer shot Easter, R.T. described the officer as a "big, tall dude."

d. B.T.

Detectives spoke to B.T., Easter Leafa's sister, on August 14, 2024. B.T. told detectives she was in the bathroom when she heard Easter and V.L. arguing, but she did not know what they were arguing about. B.T. said she heard Easter Leafa yelling at V.L., then she heard Easter Leafa grabbing the knife from the kitchen. B.T. said when she got out of the bathroom, Easter passed by her and she saw Easter "pull out a knife" and raise it and go towards V.L. B.T. stated she did not see what happened after that as she was not paying any attention to them, saying "that's how they are."

B.T. told detectives she went into her room with her sister F.D. She said she heard Easter Leafa say that she was tired of V.L. and her son; B.T. told detectives Ms. Leafa said she was not going to do anything for either of them. After she heard Easter Leafa yelling at V.L., B.T. said she heard the sliding glass door open. B.T. stated she went into the living room and sat on the bed and noticed that V.L. was on the phone. B.T. told detectives V.L. ran past her to open the door when the officers knocked. B.T.

said she was shocked that V.L. called the police. B.T. said when the officers entered the residence, her mother told her to wake up R.T., who was sleeping in the other bedroom.

B.T. stated that she tried to get the officers to let her speak with her sister but that the officers told them to go back into the bedroom. B.T. told detectives she left the apartment because she wanted to speak with Easter Leafa from outside, over the balcony railing. She said she was stopped by an officer who told her that if she passed him, his dog would go after her. Brenda said she then heard three “pops,” so she ran back inside the apartment and realized that her sister had been shot.

e. V.L.

V.L., another of Easter Leafa’s sisters, was interviewed by APD detectives on August 14, 2024. V.L., who initially identified herself with a different first name, said she was the person who called 911 to report Easter Leafa’s conduct. V.L. told detectives her sister Easter Leafa got mad at her because she did not buy Easter a phone. V.L. said that while she was laying on the bed with her son, Easter Leafa hit her. V.L. told detectives that Easter Leafa started kicking V.L.’s son. V.L. said she got mad and yelled at Easter Leafa for kicking her son; V.L. said Easter Leafa also got mad and stood up and lifted up the bed V.L. and her son were on. V.L. said Easter Leafa went and grabbed the knife and told V.L. that she was going to stab her. V.L. said Easter Leafa came up to her where she was lying on the bed, grabbed V.L.’s leg with one hand and told V.L. that Easter was going to stab her. However, V.L. reported to the detectives that Ester Leafa did not actually touch her with the knife. V.L. indicated that Easter Leafa then walked outside and V.L. called the police. V.L. stated she told the police that her sister was trying to stab her. V.L. described the knife as having a black handle and one they used to cut vegetables. V.L. demonstrated with her hands that the knife was approximately 6 to 8 inches long.

V.L. told detectives that when the police arrived at the apartment, she invited them inside. She said she told the officers that Easter Leafa was “out there” (indicating on the balcony) and just sitting. V.L. told the detectives that Easter Leafa had the knife on her. V.L. reported that she saw Easter Leafa trying to walk inside the apartment, and then she saw the officers shoot her sister. She said she knew that Easter Leafa was trying to give the knife to the officers.

Officer Roman Alexander Interview

After the incident, Officer Alexander Roman informed other officers he fired his service pistol at Easter Leafa. Officer Roman was interviewed by detectives on August 16, 2024; this interview was recorded. During his interview, Officer Roman stated he has been a police officer with APD for approximately seven years. Officer Roman reported that on August 12, 2024, he and Officer Pherson were on another call when they were asked to divert from that call and respond to a reported disturbance with a weapon near 43rd Avenue. Officer Roman said the dispatcher relayed that the complainant said that her sister was trying to stab her with a knife. Officer Roman said he responded with “lights and siren” and Officer Pherson also responded.

Officer Roman told the detectives that once he was in the area of the apartment complex, he began to scan the area, looking for anyone that fit the suspect description given by dispatch, which was a Samoan female wearing all black clothing. Officer Roman informed the detectives he also activated his BWC to make sure that it was not in “sleep mode.” Seeing no one outside the apartment complex that matched the description of the suspect, Officer Roman stated that he and Officer Pherson “cleared” the stairwell leading to the complainant’s apartment. Once at the apartment door, Officer Roman reported that the complainant, later identified as V.L., opened the door. Officer Roman said that he and Officer Pherson were trying to get information from the complainant as to the location of Easter Leafa. Officer Roman said there was initially some confusion but indicated that it became clear that Ms. Leafa was out on the apartment’s balcony. Officer Roman explained that the complainant opened the apartment door wider and that he and Officer Pherson stepped inside. As he was moving into the apartment, Officer Roman stated that he drew his pistol to “holster index” (out of the holster, holding it down by his leg) and then moved to the sliding glass door where Officer Roman said he could see the suspect, later identified as Easter Leafa, outside on the balcony.

Officer Roman described the layout of the apartment as having a couch on the left side wall of the living room as you enter the front door. He described that straight ahead from the front door was the balcony door, and next to the sliding glass balcony door there was a fireplace and mantle that was located in the corner of the room at angle. In front of the balcony door, in the living room, Officer Roman said that there was a queen-sized bed. Officer Roman told the detectives that as he entered the apartment, he moved into the living room, nearby the queen-sized bed. He said he placed himself in between the sliding glass door, the front door, and the family members who were inside the apartment.

Officer Roman stated there were multiple female adults who were moving around the apartment as he entered, and he was trying to get them to leave the apartment or move into another room. Officer Roman described the women as being “uncooperative” because they were not complying with the officers’ instructions, but he said they were not being hostile. Officer Roman said he and Officer Pherson were unable to simultaneously focus on the suspect, Easter Leafa, as well as the women, so he radioed for more officers to assist with “crowd control.” He said Officers Pasta and Maldonado arrived in the apartment and began to engage and interact with the others in the apartment.

Officer Roman indicated that after the additional officers arrived, Officer Roman opened the sliding glass door to contact Easter Leafa. Officer Roman told detectives that Easter Leafa was sitting on the balcony, covered in a blanket, facing away from the doorway. He told detectives he could not see her hands. Officer Roman said that he and Officer Pherson began giving commands to Easter Leafa but got no response. Officer Roman said that Easter Leafa did not verbally respond or move after he directed her to show him her open, empty, hands. Officer Roman told detectives he moved back, away from the doorway, after Officer Pherson suggested that they were too close to Easter Leafa. Officer Roman said he moved backwards, to the edge of the bed, but he was uncomfortable backing up any further because

there were family members nearby, behind him. Officer Roman recognized that he was in a “funnel” between the couch and the bed, with Easter Leafa in front of him and the family members behind him.⁸

Officer Roman indicated that he continued to give Easter Leafa commands. Officer Roman said he remembered giving Easter Leafa both “lethal” and “less lethal” warnings. He told detectives he recalled telling Easter Leafa that the officers were there to help her, and he continued to ask to see her open hands and to place them on her head. Officer Roman also said he was 99% certain he also directed Easter Leafa to face away from him during this encounter. Officer Roman reported that he saw Easter Leafa sit up and slip the blanket down to where he was able to see part of her left hand. At that point in time, Officer Roman told detectives that Easter Leafa “abruptly stands up [and] time just kinda slows.” Officer Roman told the detectives that he saw a 12-inch kitchen knife, like the kind that you would find in a butcher’s block, in Easter Leafa’s right hand. He said he was caught off guard by the fact that Easter Leafa was holding a knife. Officer Roman said he was unsure whether Easter Leafa was armed with a weapon when she was sitting on the balcony and explained that Officer Pherson had previously removed a small filet knife with an orange handle from the edge of the bed. Officer Roman told detectives he had believed that object was the knife Easter Leafa was reported to have been in possession of during the earlier incident.

Officer Roman stated that when he first saw Easter Leafa as she sat on the balcony, she was really close to him; he estimated she was within five yards of him. Officer Roman told detectives that when Easter Leafa stood up with the knife and began approaching him, he thought that he was going to get stabbed. Officer Roman described the way Easter Leafa was holding the knife in her right hand as canted, at an angle, and pointed in his general direction, but held down by her right thigh. Officer Roman estimated that Easter Leafa took three to four steps in his direction. Officer Roman stated that in addition to concerns for his own safety, he was concerned that Officer Pherson might get stabbed. Officer Roman noted that it felt like the “air kind of left the room” and that he anticipated an immediate threat based on Easter Leafa’s actions. Officer Roman said that he felt afraid, surprised, and in shock as Easter Leafa stepped towards him. Officer Roman informed the detectives that he did not have time to think and reacted to the moment. He said he discharged his weapon three times. Officer Roman told detectives he felt that Easter Leafa was a threat to him because she was not complying with verbal commands, she appeared to be emotional, she seemed to be moving in a “purposeful manner,” and she was armed with a knife.

Interviews of Officer Witnesses

a. Officer David Pherson

Officer David Pherson was interviewed by detectives on August 14, 2024. He told the detectives that he has been a police officer with APD for eight years. Officer Pherson indicated that he was presently

8. Fatal funnel: In law enforcement terms, a "fatal funnel" is a narrow, confining area such as a doorway, hallway, or stairwell. These areas offer little or no cover and can limit an officer’s tactical options if they have to engage in combat. The term implies that officers may die if they are in these locations when a fight breaks out.

working “mid-shift” when he was dispatched to a “disturbance call” that involved a 16-year-old who was reportedly trying to stab her sister.

Officer Pherson said that he responded to the 4800 block of E. 43rd Avenue and that Officer Roman arrived with him. Officer Pherson stated that Officer Breager showed up shortly thereafter with his K-9. Officer Pherson told the investigators that he grabbed his 40 mm “less lethal” launcher and he and Officer Roman began searching the area leading up to the apartment for the reported suspect. Officer Pherson reported that the officers did not see anyone outside the apartment complex, so he and Officer Roman checked the stairwell leading to the apartment to make sure there was not anyone hiding in the stairwell.

When Officer Pherson and Officer Roman reached the complainant’s apartment, they knocked and the complainant came to the door. Officer Pherson said that he and Officer Roman asked if the suspect was still in the apartment, but V.L. did not give a clear answer. He said eventually V.L. indicated Easter Leafa went out the balcony door. Officer Pherson reported that he and Officer Roman entered the apartment where he noted that there were a number of adult females and children in the residence. Officer Pherson stated that he saw a figure wrapped in a blue blanket sitting outside on the balcony but that he could not see this person’s face or hands.

Officer Pherson explained there was a big bed pushed against the glass sliding door that led to the apartment balcony, and that there were a number of kids sleeping on the bed. Officer Pherson said that the officers asked the women to remove the kids from the area while they tried to contact Easter Leafa, who was on the balcony.

Officer Pherson stated that the family members were not listening to the officers, so they called for additional officers. He said when the additional officers arrived, they decided to make contact with Easter Leafa. Officer Pherson indicated that he had his 40 mm less lethal launcher at “guard”—or pointed forward and slightly downward—and that Officer Roman had his pistol out when Officer Roman opened the sliding glass door. Officer Pherson told the detectives that Officer Roman began to give commands to Ms. Leafa. Officer Pherson said Officer Roman was commanding her to show the officers her empty hands and to put them above her head. Officer Pherson said that Easter Leafa did not move in response to the commands that were given. Officer Pherson said that Officer Roman gave Easter Leafa less lethal warnings and warned her that if she did not comply with their orders, she might be injured. He said Officer Roman told her the officers did not want to injure her. Officer Pherson indicated that Officer Roman warned of these less lethal options, and Officer Pherson tried to call out to Easter Leafa by her first name. However, he said Easter Leafa did not respond to either officer.

Officer Pherson indicated that Ms. Leafa was sitting in a chair, facing away from them. Officer Pherson said that he felt uncomfortable because there was only a small amount of distance between the officers and Easter Leafa, so he told Officer Roman to step back and away from the door. Officer Pherson said after a short time, Easter Leafa stood up and the blanket came down and off her head to her shoulders.

Officer Pherson said it appeared that the female may have been crying because she was moving her hand up by her face. Officer Pherson indicated that as Ms. Leafa turned towards them, he could see a knife in her right hand. Officer Pherson stated that the knife was down by her side or down by her leg. Officer Pherson said he could not remember whether Easter Leafa made eye contact with the officers, but he said she just started walking towards them. Officer Pherson stated that he remembered hearing Officer Roman telling the female to drop the knife. Officer Pherson stated that he also heard Officer Pasta behind them telling Leafa to drop the knife.

Officer Pherson said Easter Leafa did not drop the knife but kept walking towards Officer Roman. Officer Pherson said that he remembered Leafa's foot crossing the threshold of the sliding glass door and he said that is when he fired his 40mm launcher. Officer Pherson indicated that he was not sure whether the launcher's projectile struck Leafa, because he did not see any response from her that reflected that she had been struck by the projectile. Officer Pherson said Officer Roman then fired his pistol and he said he remembered hearing four shots. Officer Pherson stated that he did not hear Easter Leafa say anything after the shooting; he said he only heard Ms. Leafa's groans of pain.

Officer Pherson indicated that he saw Ms. Leafa fell backwards onto the balcony and that he could not see where the knife went at that point until Officer Roman pointed out the knife on the floor near Ms. Leafa. Officer Pherson indicated that he went to the balcony to provide first aid to Easter Leafa. Officer Pherson indicated he found what looked like three bullet holes in Leafa's upper body and a wound on her upper thigh and he put pressure on them.

Officer Pherson explained he told Officer Roman to back up prior to the shooting because he has been on knife calls before and has also received training through APD that officers should step back and create more space to prevent suspects who are wielding a knife from being able to stab the officers. Officer Pherson said he was aware of studies that show how fast people who have knives can get to officers and harm them. Officer Pherson indicated that he felt that Officer Roman was too close and was concerned he could get seriously injured with the knife. Officer Pherson told detectives that if Leafa Easter had come into the apartment and the officers had not taken action, he believed that she was going to hurt the officers or someone else.

b. Officer Kyle Pasta

APD Officer Kyle Pasta was interviewed by detectives on August 14th, 2024. Officer Pasta indicated he heard dispatch send officers to an altercation between two sisters, where one of them had a knife in her hand and was threatening the other sister. Officer Pasta said that he responded to the call and was outside with other officers when Officer Roman and Officer Pherson indicated that there were numerous people inside the apartment, and they needed additional officers for safety reasons.

Officer Pasta said he and Officer Maldonado went into the apartment to assist. Officer Pasta stated as he walked into the apartment, he could see a sliding glass door with a person outside sitting underneath

a blue blanket. He said that matched how he recalled the suspect being described by dispatch, and Officer Roman also told them that the person under the blanket was in fact the suspect. Officer Pasta reported that he and Officer Maldonado tried to get the family to give the officers some space and to go into one of the bedrooms. Officer Pasta indicated that he told the family members they were trying to make the environment the safest for everyone involved. Officer Pasta stated that one family member asked if she could go over and open the door and try to talk to her sister. Officer Pasta said that they told her they could not let someone come between them and a person holding a deadly weapon. Officer Pasta told detectives that the family eventually listened and moved into one of the bedrooms.

Officer Pasta indicated that once the family members had moved from the living room, Officer Roman then opened the sliding glass door and took a couple steps towards the balcony, with Officer Pherson next to him. Officer Pasta said he heard Officer Roman address the individual who was under the blue blanket; he said he did not hear a verbal response. Officer Pasta stated he heard Officer Roman give lethal warnings and less lethal warnings, to include canine, Taser, and 40-millimeter warnings. Officer Pasta said he remembered the officers told Easter Leafa that they were there to try to help her, and they were not there to hurt her. Officer Pasta said he was keeping an eye on Officers Roman and Pherson in his peripheral while trying to keep the family away. Officer Pasta said eventually the blanket came off Easter Leafa and she stood up. Officer Pasta reported that Ms. Leafa then turned toward the open sliding glass door. Officer Pasta told investigators that when he saw the movement, he slightly turned towards the open sliding glass door and stepped to the right and moved so Officer Pherson was not directly in front of him.

Officer Pasta told detectives that he saw Easter Leafa holding a knife by her right thigh, though a little higher, with the blade pointed outward. He described the knife as a kitchen knife that was probably eight to ten inches long. Officer Pasta indicated that Ms. Leafa was probably eight feet, or maybe closer, to the officers. Officer Pasta said there was nothing between her and the officers except the open door. Officer Pasta indicated that he started to get his Taser out of his holster; he said he thought he might be able to deploy his Taser if Officer Pherson's 40mm was not effective.

Officer Pasta said Easter Leafa continued walking towards the officers. Officer Pasta said she got almost to the threshold of the door, and he thought she was about to step through the doorway. Officer Pasta said he was beginning to unholster his firearm when he heard the 40mm go off and then heard the pistol shots. He said Easter Leafa was within five feet of Officers Roman and Pherson and holding the knife when he heard three to five shots. Officer Pasta said he began to get his pistol ready because he believed Easter Leafa could have stumbled and injured the nearby officers with a knife. He noted that with two or three "lunge steps," Easter Leafa would have been able to seriously injure either officer.

Officer Pasta said Easter Leafa fell and the firing stopped. Officer Pasta recalled he heard someone say, "shots fired" and "medics red." Officer Pasta told detectives he did not fire his pistol. Officer Pasta indicated that he and Officer Maldonado tried to gently escort the family back to the bedroom because they were trying to go over to where the shooting occurred. Officer Pasta said he observed Officers Roman

and Pherson conducting lifesaving measures on Ms. Leafa while he and Officer Maldonado were with the family.

c. Officer Jose Maldonado

Officer Jose Maldonado was interviewed by APD detectives on August 14, 2024. Officer Maldonado told detectives that he was on an unrelated call downtown with two other units when he overheard the call referencing a disturbance with a knife. Officer Maldonado broke from the original call and “ran code” to 43rd Avenue. He told detectives that once he arrived, he heard Officers Roman and Pherson asking for someone to go to the west side of the building to provide light on the balcony because that is where the suspect, wrapped in a blanket, was located.

Officer Maldonado advised he positioned his car lights in the area of the apartment’s balcony, and then moved to the west side of the building. Officer Maldonado said he and Officer Pasta later went into the apartment after Officer Roman indicated that he needed more people with him for “crowd control.”

When he and Officer Pasta arrived inside, Officer Maldonado said he saw there were five or six females along with children in the other rooms. He saw that Officer Roman and Officer Pherson were already inside the apartment. Officer Maldonado said he and Officer Pasta were trying to contain the family and keep them in the back bedroom. He said the family was being uncooperative and would not go completely into the bedrooms. Officer Maldonado told detectives he relayed to Officer Roman that they had officers positioned outside and they were good to attempt to contact Ms. Leafa. Officer Maldonado said his focus was on the family, but he could hear Officer Roman and Officer Pherson giving commands. He said he also heard one of the officers say, “take the blanket off and show me your empty hands.”

Officer Maldonado said after a little bit, he heard Officer Pherson telling Officer Roman they should back up. Officer Maldonado said that he could see that the officers were right at the sliding door. Officer Maldonado said he saw them back up a couple steps, which was as far as they could in the space. Officer Maldonado told investigators that he heard Officer Roman yell towards Easter Leafa to drop the knife. At that point, he said he turned around and drew his pistol from his holster. Officer Maldonado indicated that he saw Ms. Leafa look in the direction of Officer Roman and Officer Pherson while holding the knife in her right hand. Officer Maldonado stated that the blade of the knife was pointed towards the officers. Officer Maldonado said Easter Leafa took a step towards the officers. He told detectives he heard shots being fired from his left side, where Officer Roman and Officer Pherson were positioned. Officer Maldonado said he was still turning to face Ms. Leafa as these actions happened. Officer Maldonado said it felt like everything happened within seconds, and he saw Easter Leafa falling backward and to the ground.

Officer Maldonado said when he saw Easter Leafa walking towards the officers with a knife, his immediate concern was that the officers were within four feet of Easter Leafa. Officer Maldonado said he knows how little time it can take for someone with a knife to close that length of distance. Officer Maldonado said that his initial thoughts were of concern for the safety of the officers, but he told detectives

that by the time he turned around, the shots had been fired. Officer Maldonado reported he did not fire his pistol. Officer Maldonado reported he heard over the radio someone request medics. He said he tried to keep the family in the room while other officers provided medical care to Ms. Leafa.

d. Sergeant Mathew Hickman

Sergeant Hickman was interviewed by detectives on August 14, 2024. Sergeant Hickman said he responded to a call of a disturbance with a weapon shortly before midnight. Sergeant Hickman told detectives that he, Officer Breager, Officer Pasta, and Officer Maldonado were all outside the apartment complex canvassing the area for the suspect. Sergeant Hickman indicated that other officers went upstairs to determine if the suspect was still inside the residence, but he and Officer Breager remained outside. Sergeant Hickman reported that he heard the sliding glass door of the suspect's residence open. Sergeant Hickman heard Officer Roman giving commands to Easter Leafa. Sergeant Hickman indicated that he heard something like "show me your open, empty hands." He said he also heard officers giving a less lethal warning, which was something similar to "you could be injured if you don't comply with our commands." Sergeant Hickman described to detectives that "real quick I started to see the suspect stand up and start to walk." Sergeant Hickman stated that he heard Officer Roman say "drop the knife," then he heard shots being fired. Sergeant Hickman said he then got on the radio and announced "shots fired," and requested that additional officers and medics come to the scene "code red." Sergeant Hickman told detectives that as soon as he got off the radio, he ran to the apartment and saw that the family was hysterical and upset. Sergeant Hickman explained that he saw Officer Roman and Officer Pherson providing first aid to Easter Leafa. Sergeant Hickman said at that point he was trying to keep the family away from Ms. Leafa until medics arrived. Sergeant Hickman said he did not hear Easter Leafa say anything to the officers. Sergeant Hickman was wearing his body worn camera during the call.

e. Officer Bradley Breager

Officer Breager wrote a report where he stated that he arrived on scene just after Officers Roman and Pherson pulled up. Officer Breager indicated that he retrieved K-9 "Kiska" on a lead from his patrol car and the three officers and the K-9 approached the residence together on foot. Officer Breager said he did not observe the suspect in the area, and he remained outside in the courtyard while Officer Pherson and Officer Roman cleared the exterior stairwell and then made contact at the apartment door with the complainant.

Officer Breager reported that he heard Officer Roman advise over the radio that Easter Leafa was on the balcony of the apartment, which was on the west side of the building. Officer Breager wrote in his report that he moved around to the west side of the building, where he had a view of the unit's second floor balcony. Officer Breager reported he was initially joined by Sergeant Hickman, Officer Pasta, and Officer Maldonado outside the apartment building. Officer Breager described the balcony as having a wooden railing that partially obstructed his view but said from his vantage point that he could see the head of a partially covered person who appeared to be in a seated position on the balcony.

Over the radio, Officer Breager reported he heard the officers who were inside ask for more units to help with family members before they attempted to contact Easter Leafa on the balcony, so Officer Pasta and Officer Maldonado went inside the apartment to assist.

Officer Breager said when the officers inside attempted to make contact with Easter Leafa, he was in a kneeling position behind a utility box just to the north of the balcony. He indicated that he could hear Officer Roman ask Ms. Leafa to show her empty hands to him at least twice. A short time after, Officer Breager said he heard multiple shots fired. Officer Breager remained outside while other officers responded to the apartment.

Crime Scene Team

Officers with APD's Crime Scene Team also responded to document the scene. The Crime Scene Team came to process the scene, collect evidence and take photographs, FARO scans and measurements, and diagram of the scene. They noted there was a living room in the apartment with two couches on the south wall and a Queen-sized mattress and frame on the Northwest corner of the room that was pushed against the glass door that led to the balcony on the north side of the room. There was also a TV stand with a crib in front of it on the north wall, and a fireplace with a mantle on the southwest corner of the living room. On the mantle of the fireplace, there was a black-handled knife.⁹ Crime Scene Team members saw one silver shell casing on the bed, one underneath the crib, and a third on the lowest shelf of the TV stand. They also found a black foam tipped projectile that appeared to be from a 40 mm less lethal launcher. Based on measurements taken by the Crime Scene Team, Officer Roman appears to have been standing within five feet of the threshold of the door when he fired at Ms. Leafa, who was at the threshold.

Weapons Examination

Officer Roman's Glock 22 .40 caliber handgun was taken by detectives after the shooting and was inventoried and photographed. There were 11 rounds in the magazine with one round chambered in the barrel of the pistol. Officer Roman carried three additional pistol magazines; each was loaded with 15 rounds. Officer Roman told detectives he habitually loads his pistol magazine with 15 rounds; including the magazine he carries in his pistol. Officer Roman said he also keeps with one round in the barrel chamber.

Medical Examiner's Report

The State Medical Examiner's Office performed an autopsy on Easter Leafa's body. Dr. Kristin Rolf, M.D., issued a report setting forth her findings. Dr. Rolf identified four gunshot wounds on Ms. Leafa's body. Dr. Rolf found that the cause of Easter Leafa's death was multiple gunshot wounds to her trunk and one to her right upper thigh, near her groin. Dr. Rolf found three bullet wounds on the right side of Ms. Leafa's chest, with a fourth wound on the left side that Dr. Rolf believed was an exit wound; these wounds perforated Ms. Leafa's heart, liver, and colon. Dr. Rolf recovered three bullets during the autopsy: two in Ms. Leafa's torso near her back, and one in her left leg. Dr. Rolf also observed a circular

⁹ Officers reported that the knife was moved from Ms. Leafa after she was shot for officer safety purposes.

red bruise on Ms. Leafa's upper right arm that was consistent with the impact of a 40mm less lethal foam round. The toxicology analysis provided with Easter Leafa's autopsy report showed that Easter Leafa did not have any intoxicating substances in her body.

Analysis

Alaska's law of self-defense is contained in a pair of interlocking statutes. Alaska Statute 11.81.330 sets out the general principles authorizing the use of nondeadly force. "A person is justified in using nondeadly force upon another when and to the extent the person reasonably believes it is necessary for self-defense against what the person reasonably believes to be the use of unlawful force by the other person," unless a specified exception applies.¹⁰ Alaska Statute 11.81.335(a) provides for the use of deadly force in self-defense: "[A] person who is justified in using nondeadly force in self-defense under AS 11.81.330 may use deadly force in self-defense ... when and to the extent the person reasonably believes the use of deadly force is necessary for self-defense against (1) death; [or] (2) serious physical injury"¹¹ Deadly force means force that the person uses with the intent of causing, or uses under circumstances that the person knows create a substantial risk of causing, death or serious physical injury."¹² Under AS 11.81.900(b)(28), "force" means any bodily impact, restraint, or confinement or the threat of imminent bodily impact, restraint, or confinement. Force includes deadly and non-deadly force. Under AS 11.81.900(b)(65) and AS 11.41.520(a)(1), a "threat" means a menace, however communicated, to engage in conduct that may inflict physical injury on anyone.

The applicable statutes require that the person using force in self-defense reasonably believe that their use of force is necessary, and that the person reasonably believe that the other person is using unlawful force. The plain language of both statutes makes clear that if either of these beliefs is unreasonable at the time the person uses force in self-defense, then the use of force in self-defense is not permitted."¹³ The reasonableness of the person's belief must be evaluated based on the circumstances facing the person using deadly force who is claiming self-defense.¹⁴ Reasonable belief means that a reasonable person would have held such a belief under the same circumstances.¹⁵ Importantly, a person's right to use force in self-defense does not hinge on whether the person actually faced an imminent attack; it is sufficient that, given the circumstances, the person reasonably believed that they were about to be assaulted, even if the belief ultimately turned out to be mistaken.¹⁶

It is undisputed that Officer Roman used deadly force against Leafa, and his actions must be analyzed under the law above to determine whether there is a legal justification for his use of deadly force under the circumstances. Officer Alexander Roman was one of the first responding officers to the Leafa

10. *Jones-Nelson v. State*, 512 P.3d 665, 673 (Alaska 2022); AS 11.81.330.

11. *Id.*, See Also AS 11.81.335(a).

12. AS 11.81.900(b)(16).

13. *Jones-Nelson* at 673.

14. *Ha v. State*, 892 P.2d 184, 194-95 (Alaska App. 1995).

15. *Weston v. State*, 682 P.2d 119, 1121 (Alaska 1984).

16. *McCracken v. State*, 914 P.2d 893, 898 (Alaska App. 1996).

residence after he was dispatched to a report of a disturbance with a weapon. When Officer Roman responded to the call, he was aware the complainant had alleged that her sister was trying to stab her with a knife; at the time the officers arrived at the apartment, they did not know whether Ms. Leafa still had the knife.

Upon arriving at the apartment complex, Officer Roman and Officer Pherson met the complainant, V.L. at the door; she indicated that Easter Leafa was on the balcony and motioned the officers inside the apartment. When Officer Roman and Officer Pherson entered the apartment, they immediately noticed that there were small children and multiple adults inside. The officers attempted to limit the additional people in the nearby area by asking them to either to leave the apartment or to move into one of the back bedrooms. Eventually, after additional officers responded and after several minutes of ongoing discussion with the officers, the women took the children and themselves into the apartment bedrooms. Once the civilians were secured, Officer Roman attempted to speak with Easter Leafa. When he contacted her, he could not see Easter Leafa's hands and the officers were not sure if she was still armed with a knife or some other type of weapon. Officer Roman, who like all of the responding officers, was in a standard APD uniform, told Easter Leafa that he and the others were with the Anchorage Police Department and that they were not going away, but that they were there to help her. Officer Roman stated multiple times that he needed to see Easter Leafa's "open empty hands" and instructed her to place them above her head. Easter Leafa did not respond to Officer Roman or comply with his instructions. After a short time, Easter Leafa stood up from where she was sitting on the balcony, dropped part of her blanket, and turned towards the officers.

When Easter Leafa turned around, the officers in the apartment saw she was holding a large kitchen knife in her right hand. Several officers—to include Officer Roman—began yelling at Easter Leafa to drop the knife. Easter Leafa did not drop the knife or respond to the officers' commands, but rather continued to walk towards the doorway—directly towards where Officer Roman and Officer Pherson were positioned. When Easter Leafa's foot stepped into the doorway, or when she got approximately five feet from Officer Roman based on his recollection, Officer Roman fired his pistol at Easter Leafa, striking her in the chest approximately three times. Easter Leafa fell backwards onto the balcony and dropped the knife, at which point Officer Roman stopped shooting.

While Officer Roman fired his weapon, Officer Pherson also perceived a threat from Easter Leafa's actions and fired the weapon he was holding, a 40mm launcher. Moreover, Officer Pasta also described that he transitioned from his taser to his pistol when Easter Leafa approached the doorway, based on what he perceived as threatening actions by Easter Leafa that he thought endanger the lives of both Officers Roman and Pearson. Officer Maldonado, who was further away from Ms. Leafa than the other officers, described that he too was afraid that Ms. Leafa was going to be able to close the distance between herself and the officers and stab at least one of them.

In this situation, Officer Roman could legally use deadly force when and to the extent he reasonably believed the use of deadly force was necessary for self-defense against (1) death; [or] (2)

serious physical injury”¹⁷ to himself or another person, if he believed the force was necessary and that Ms. Leafa was using unlawful force. Officer Roman knew he was responding to an active call where Easter Leafa was alleged to have threatened, and possibly tried to stab her sister with a large kitchen knife, potentially a felony level fear assault. When Officer Roman first saw Easter Leafa sitting on the balcony, her observed her to be crying. Officer Roman further noted that Easter Leafa did not acknowledge his presence or respond to his instructions to show him her hands. In fact, Easter Leafa did not engage in any conversation with Officer Roman or any other officer on scene. Officer Roman told detectives that based on his past experience as a police officer, he has found that people who are in an emotional state and will not engage with officers frequently act unpredictably.

When Easter Leafa stood up without warning and without speaking and turned around to face Officer Roman while holding the large kitchen knife in her hand, Officer Roman stated that he believed Easter Leafa to be a threat such that he felt like “the air got sucked out of the room.” When she continued to ignore commands to drop the knife and instead moved even closer to him, it was reasonable for Officer Roman to believe that Easter was menacing or threatening him or Officer Pherson with serious physical injury and/or possibly death in that moment.

Objectively, Officer Roman’s belief that Easter Leafa was about to inflict serious physical injury was reasonable given that Easter Leafa was ordered to turn away from Officer Roman and drop the knife—neither of which she did. Instead of listening to Officer Roman and the other officers, Easter Leafa began to walk towards Officer Roman with the kitchen knife in her hand, closing the distance between herself and the officers. Officer Roman indicated that he was standing in a “funnel” between the apartment’s living room couch and the queen bed close to the open sliding glass door; he had limited options to retreat or protect himself as Ms. Leafa continued to walk towards him. This small space was a notable limiting factor on his ability to move to another area. Further adding to the objective reasonableness of Officer Roman’s belief is the fact that not only did Officer Roman believe Easter Leafa’s conduct was an imminent threat to his safety, but so did Officer Pherson, Officer Pasta, and Officer Maldonado, who all believed she presented an imminent threat of serious physical injury and or death based on the circumstances, her actions, and their training and experience as police officers.

Given the short distance between Officer Roman and Leafa Easter, the limitation on Officer Roman’s ability to move backwards or sideways to a safer area as Easter Leafa moved towards him, and the known speed at which a person with a knife can cross short distances, the use of deadly force was reasonably necessary to prevent Officer Roman, Officer Pherson, or another officer from being harmed. Under the circumstances, Officer Roman reasonably believed that he or one of the other officers was about to be assaulted by Easter Leafa with a knife, i.e., a deadly weapon. The evidence supports a reasonable belief that the use of deadly force was legally justified under the circumstances.

17. *Id.*, See Also AS 11.81.335(a).


Conclusion

The investigation corroborated the officers' accounts of the events. Additionally, the physical evidence uncovered by the crime scene investigators and detectives substantiates the key components of the officers' version of events. Based on the officers' descriptions, multiple officers perceived Ms. Leafa approaching Officer Roman and the other officers from a close distance with a knife, which is a deadly weapon. Multiple officers expressed concern that this presented a threat of serious physical injury and/or death to one or more officers. Based on my review of these circumstances, Officer Roman was legally justified in using deadly force to prevent Ms. Leafa from seriously injuring or killing him or other law enforcement officers with a knife.

Considering the totality of the circumstances in this case, the State will not file criminal charges in this matter related to the death of Easter Leafa. If you, or other members of your department have any questions, please give me a call or email me. I can be reached at john.darnall@alaska.gov or (907) 269-6250.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL


John Darnall
Sr. Assistant Attorney General
Office of Special Prosecutions

CC:

Aaron Sperbeck
Attorney for Officer Alexander Roman