

The Murder of Daniel Mendoza

Shaun When we think about drive by shootings, we usually picture gangs or the devastating final scene from the movie *Menace to Society*. We don't picture police officers. But on December twenty eight, nineteen ninety six, a twenty one year old Las Vegas man named Daniel Mendoza was standing outside his apartment near Flamingo and Paradise when a pickup truck pulled into the parking lot. Moments later, six shots were fired. Daniel Mendoza was dead.

John At first, it looked like another gang related killing in a city that was experiencing one of the most violent years in its history. But within days, the city would discover something almost impossible to believe. The men inside the truck weren't rival gang members. They were Las Vegas Metro police officers.

Shaun Hi, and welcome to *Sins and Survivors*, a Las Vegas true crime podcast where we focus on missing persons, unsolved cases and domestic violence. I'm your host, Sean.

John And I'm your co-host, John.

Shaun If you are a regular listener, you'll know that today's episode falls a little bit outside of our typical scope, but this is a story we both feel incredibly passionate about covering. Because while the legal system might technically consider this case solved, the question of whether justice was actually served remains entirely open. And this story forces us to look at a dark piece of Las Vegas history that reshaped how our city is policed to this very day.

John To understand how two off duty police officers sworn to protect this city could end up pulling into a residential neighborhood in search of what they called fun. We have to zoom out a bit. We have to look beyond the Megaresort era of construction along the Las Vegas Strip, and look at the brutal truth of what life was like in this city during the mid nineteen nineties. Nationwide, a wave of high profile violence and gang warfare was gripping the American psyche, creating panic over a perception that urban crime was completely out of control and the entire country was sliding into lawlessness. This was the era of the Violent Crime Control and Law Enforcement Act of nineteen ninety four. The largest crime bill in U.S. history. This legislation changed the landscape of American justice and is often cited as the catalyst for the mass incarceration rates we see today. The bill authorized funding. Nearly one hundred thousand new police officers nationwide, provided nearly ten billion dollars for prison construction and established the federal three strikes rule. The national policy in response to the panic was clearly more cops, more arrests, locking up the bad guys and throwing away the key.

Shaun During this same era, Las Vegas was experiencing a historic boomtown explosion. The population of Clark County had become one of the fastest growing metro areas in the United States. The population ballooned from roughly seven hundred and seventy thousand residents in nineteen ninety to over one point one million by nineteen ninety six, and would eventually double to over one point four million by the year two thousand. The valley wasn't just growing, it was transforming almost overnight. New neighborhoods seemed to appear in the desert every month, and tens of thousands of new residents were arriving each year, drawn by construction jobs, casino work, no income tax, low cost of living, and the promise of opportunity. Numerous times on the podcast, we've talked about how many people move here seeking a fresh start and a second chance. However, the city's infrastructure struggled to keep up. The runaway growth strained the entire social fabric to a dangerous level. Schools were overcrowded. Roads lagged behind development. The animal shelters were filled and law enforcement was stretched thin. It's no surprise that fear, along with the crime rate, spiked in nineteen ninety six. FBI statistics showed that Las Vegas had a massive surge in violent crime, but it had the lowest rate of clearing those crimes with an arrest among major U.S. cities. The Las Vegas Metro Police Department was simply unable to keep up with the growth and the violence. Nineteen ninety six became a historic, terrifying record year as the Valley experienced an unprecedented one hundred and sixty nine homicides, one of which was the high profile murder of rapper Tupac Shakur. The per capita murder rate skyrocketed to a staggering fifteen per one hundred thousand people. To put that in perspective, that per capita rate is four times what it is for the Las Vegas Valley today. Last year, Las Vegas, North Las Vegas and Henderson combined recorded one hundred and forty two homicides for a population of nearly three million people. The panic about gangs and street violence that had gripped much of America was also firmly rooted in Las Vegas. If you asked many people in Las Vegas during the mid nineties why crime seemed to be spiraling

out of control, the answer often pointed west. Locals were writing letters to the editor, complaining about the Californication of Nevada, blaming warring gangs from the LA area for flooding into Las Vegas for the crime wave that the city was experiencing. In that environment, stereotypes flourished and aggressive policing was more or less demanded by local residents and businesses. We'll add that these stereotypes persist, and thirty years later, we've often heard the euphemism California people being used in the context of things like theft, violence, or even just reckless driving. Newspaper coverage, public statements and legislative testimony from that era reveal a common theme. California was frequently blamed for Nevada's crime problems. Residents, politicians and law enforcement officials warned that Los Angeles gangs, transient populations and newcomers fleeing California were bringing violence and drugs into the valley and overwhelming local resources. Whether those fears were accurate, exaggerated or somewhere in between, they shaped how crime was understood and how it was policed. The perception was that violence was being imported into Las Vegas from somewhere else, and that fueled demands for tougher enforcement and a more aggressive police presence in neighborhoods that were already struggling with poverty and crime. Ongoing issues of racism, overpolicing, harassment and brutality worsened. The American West ultimately reached a breaking point in nineteen ninety two. Riots broke out in Los Angeles following the Rodney King verdict and West Las Vegas ongoing unrest erupted into its own fiery riot. Armed gun battles broke out just seven miles from the strip. A teenager was killed and the city had to deploy the Nevada National Guard and even used school buses as blockades under the I-15 overpass to keep the unrest from reaching the casino corridor. The New York Times reported that local residents felt that the police were simply backing off and letting minority neighborhoods self-destruct, while rioters went so far as to firebomb a public library. Weeks later, the threat of random retaliatory street violence still lingered over the city. The Californication and gang fears the riot, the skyrocketing murder rate and the passing of the crime bill converged and led to an aggressive, accelerated hiring blitz for new officers within the Las Vegas Metro Police Department. With the valley expanding rapidly and new casinos going up along the strip. Under the new family friendly Vegas persona, the department was under immense pressure to get people in uniform and get the violence under control and to take advantage of that new federal funding. The focus was outward when crime was being imported from somewhere else. The solution seemed obvious, and in line with the national sentiment, the answer was more officers, tougher enforcement and a more aggressive response on the streets. But while Metro was focused on the dangers it believed were coming from outside the valley, warning signs closer to home were easier to miss. Some of those warning signs were already wearing a badge.

John The challenge for the department became finding qualified officers quickly enough to keep pace with a city that seemed to be growing by the day. As Metro raced to expand its ranks, questions about hiring, standards, training and oversight would soon follow. It was right in the thick of this chaotic, fast tracked recruitment push that Ron Mortenson was hired. A rookie who had quickly become the most controversial example of these concerns. Mortenson was born in nineteen sixty five. He is a unIV graduate who served in the U.S. Army and Nevada National Guard. Prior to Las Vegas Metro, he had no law enforcement experience. Instead, he worked as a club doorman and in casino hospitality. It seems that his path into law enforcement followed a familiar trajectory. He married his wife, Zoe, in nineteen ninety four, and by the summer of nineteen ninety five, he applied to Metro, probably because he was hoping to leave behind the unpredictable hours and modest pay of casino room service and nightlife security. Like many recruits, he would have the opportunity for stability, a steady paycheck, benefits and a long term career. According to reporting from Las Vegas Sun, reporter Cathy Scott. Mortenson had also previously worked as a security guard at Dillard's, but was allegedly let go on suspicion of theft and for lying on his job application. The metro officer who reviewed Mortensen's employment history recommended against hiring him after reading performance evaluations that described him as aggressive and combative. That recommendation was ignored, and Mortensen joined the department anyway. On August twenty nine, nineteen ninety five, after a condensed academy and field training timeline, he was handed a badge and a gun in nineteen ninety six, while Mortensen was navigating his first months as a rookie officer, Zoe gave birth to their daughter at thirty one years old. He was a new husband, a new father, and a new homeowner trying to build a life in Henderson. On the surface, he looked like exactly the kind of person Metro wanted to recruit a veteran, a family man, and a homeowner trying to build a stable future. But underneath that ordinary profile were warning signs about his temperament, honesty, and judgment that went unnoticed and were ultimately overlooked. One story, reported in the Las Vegas Review-Journal described an incident where Mortenson arrested a man named Ed Rothenberg for a DUI. According to Ed, he had pulled over because he had a flat tire. It was in the early morning hours and still dark. He was standing entirely outside of his car when he was grateful and relieved to see a patrol car roll up, happy to have someone help

him with his flat tire. However, Mortenson didn't help. He arrested Rothenberg. A judge later scolded Mortenson because the alcohol lab tests on Ed were still pending at the time, and Mortenson tried to alter the dates on the legal documents. Ed was indeed drunk. That part is true, but Ed would emphasize that technically he was not driving at the time, so how could it be a DUI? However, the larger issue here is Mortenson's judgment and dishonesty with paperwork that the judge called out, which was at best troubling and at worst could be considered tampering with evidence in an effort to secure a false conviction. There were also larger systemic questions about the capacity and capability of the department itself. In hindsight, what ultimately happened on December twenty eight, nineteen ninety six reflects a much broader challenge facing Las Vegas in the mid nineteen nineties. Metro was struggling to police one of the fastest growing cities in America. The department needed officers, and it needed them quickly. As Metro concentrated on threats beyond the city limits, critics argue the department paid too little attention to problems developing within its own ranks. Metro expanded faster than its ability to properly vet recruits, train personnel, supervise misconduct and root out corruption. As a result, the department struggled to hold officers accountable, and troubling behavior was allowed to persist until the consequences became impossible to ignore. Whether that criticism is fair is debatable, but what is undeniable is that Ron Mortensen was hired. Concerns about his past were known. He made at least one documented judgment error during his short tenure, and eighteen months after he was hired, a young man named Daniel Mendoza was dead.

Shaun Mortensen's partner, twenty four year old Christopher Patrick Brady, was the senior officer between the two. Despite his young age having been on the force for six years, Brady had grown up around Metro. His father, Mike Brady, was a legendary and well respected detective who had spent twenty seven years with the department, working in homicide and the repeat offenders division. This relationship made Brady far more connected to the agency than the average young officer. He joined the force at age eighteen, and his entire adulthood up to this point had been influenced by the environment of the Metro Police Department. Just as the city of Las Vegas had shaped him his entire life, the two of them worked out of the Southwest Command, which was an overworked precinct that was struggling under the crime wave. These two partners, Brady and Mortensen, were seemingly operating with little oversight in a department struggling to keep pace with a rapidly growing city. Based on what later emerged in court filings, press reports and sworn testimony. Some officers had begun viewing certain neighborhoods not as communities they served, but as places where the normal rules didn't apply. Evidence that later surfaced suggested a troubling culture, in which some officers treated minority neighborhoods as targets for aggressive patrols, harassment and provoked confrontations with suspected gang members while off duty, according to later testimony. This behavior was so commonplace among some officers that it had a name fishing. Former Sergeant Ron Fox, who at one time was Christopher Brady's supervisor on the Southwest Area Command bike team, explained that he heard rumors about fishing. He explained that it was barroom talk and slang for off duty police officers getting drunk, driving into neighborhoods with high minority populations, finding reputed gang members and actively instigating confrontations with them for fun. This federal lawsuit explicitly charged that senior officials within Metro knew this was happening and looked the other way, while Sergeant Fox repeated that they were just rumors. How widespread fishing was is unknown, but court records and newspaper reports show that Brady and Mortenson were receiving complaints all their own. The record documents a pattern of troubling encounters during the six months they worked together, including at least two complaints alleging excessive force and false arrest. In one egregious incident, the complaint alleged that they arrested an eighteen year old for merely possessing a pair of scissors. They claimed the teenager was overdosing, and the two officers forced hospital staff to tie him down and pump his stomach against his will. The medical tests came back completely negative, and the district attorney was forced to drop the charges due to a total lack of evidence. During a stop in early December nineteen ninety six, just three weeks before Daniel was killed, it's alleged that Brady kicked and choked a resident named Sergio Acosta, while Mortenson held a gun directly to the head of Acosta's friend. Acosta was then subjected to a forced drug test, which came back negative. However, he was held in jail for over a week, a traumatic ordeal that ultimately cost him his job. Looking back, the allegations involving Sergio Acosta seemed to foreshadow many of the same themes that would later emerge in the Mendoza case. Aggressive policing, questionable uses of authority, and officers who appeared increasingly comfortable operating without accountability. For critics of Metro, incidents like this also gave weight to the later allegations about fishing. Whether viewed as an isolated incident or part of a larger pattern, the Acosta encounter was a warning sign. Yet Brady and Mortensen remained partners, and there is little indication that anyone in Metro intervened before the events of December twenty eight, nineteen ninety six. This is a good place to pause for

a quick break, and when we return, we're going to shift our focus back to Daniel Mendoza, the person who was at the center of one of Las Vegas's most controversial homicide cases.

John While this toxic culture was festering inside the police department, an entirely different story was unfolding in a rough neighborhood just north of unIV. This was the world of the Mendoza family. The Mendoza's lived in what them and their friends called the barrio, a predominantly Latino neighborhood rich in culture and community. But like many working class neighborhoods in the Las Vegas area, the area was under-resourced. Families often face challenges from low wages, drug or substance use disorders, isolation due to language barriers or lack of transportation. And as we mentioned earlier, overpolicing. The Mendoza's had come to Las Vegas from Mexicali, Mexico, when Daniel was only fifteen. His mother died. His father, Ramon, was a widower who worked exhausting overnight shifts, waxing floors and office buildings, raising his children on his own with help from his mother, Maria Maria. Daniel worked two jobs to help out, and according to his father, he was a dreamer who wanted nothing more than to finish high school, save his money and help support his family. He was focused on his future. He was engaged to his girlfriend, Carmen Sosa, and the two planned to get married in August of nineteen ninety seven. To the police department and in many of the early media reports, Daniel was simply labeled a gang member, a description that his family felt reduced an entire life to a stereotype and ignored the complexity of who he fully was. Based on what we read, Daniel's story isn't nearly that simple. And like all human beings, Daniel could not be defined by a single label. There is, however, little debate about whether he was an associate of gang members and people with a criminal history. Newspaper accounts reported that just days after his death, dozens of the members of the local eighteenth Street gang gathered alongside a Catholic priest at McKellar circle to pray for Daniel and mourn his loss. Las Vegas Review-Journal columnist John L. Smith walked the barrio just hours after the murder. He noted that while Daniel's friends didn't deny their affiliation with the eighteenth Street gang, they fiercely defended Daniel's character. His family and friends were adamant that he was trying to move in a different direction. As one friend put it. He had a job. He was working. He was trying to straighten his life out. Daniel worked long hours at both a Carl's Junior and a coffee shop near unIV. He was engaged. He talked about saving money, finishing school, buying a home, and helping support his family. Daniel may have had ties to the neighborhood he grew up in, but the people who knew him best said he was starting to outgrow the barrio. He was trying to build something beyond it. Ramon admitted that his son had had problems in the past, but he was actively working on them. He was respectful and didn't have problems with anyone. Ramon said. His ultimate hope for his son was simple. He just wanted Daniel to become a respectable man and a respectable worker. In his columns, John Smith addressed the deep structural unfairness and reductive labeling of Daniel Mendoza by the police and the media. He pointed out the systemic bias of nineteen nineties Las Vegas that if you were a young Latino man living in a low income, high crime apartment complex like McKellar circle, the system treated you as a de facto gang member. Smith noted that McKellar circle sat just a few blocks from the heart of the strip, not far from what he called the city's multibillion dollar dream machine. But Daniels neighborhood was a place with only a little hope and fewer prospects. Smith pointed out that survival in that community forced interaction with gang elements, but that using that environment to strip a victim of his humanity or excuse a police led drive by, was a moral failure of the city. There's no question that Daniel had ties to the barrio and the gang members that lived there, and he himself was a part of that. But that should never have been the only thing that people knew about him. I think given that what we know about Daniel, you have to ask yourself what kind of active, hardened gang member spends his days working minimum wage shifts at a fast food place and a college coffee shop to build the life his father wished for him.

Shaun However, in January nineteen ninety seven, a large portion of the Las Vegas public did not want to hear about a grieving father. When John L. Smith published his initial column, Humanizing Daniel. His inbox and mailbox were flooded with a wave of hostile defensive vitriol from local citizens. Smith would later publish these letters under a chilling title civil rights on a sliding scale. One anonymous person wrote to Smith the tragedy occurred the day that Daniel Mendoza joined a gang, not the day he was shot, which is simply a gang members occupational hazard. Gang members get shot every day, and losing one certainly doesn't cause me to lose any sleep. We could stand to have a few less gang members. Another unsigned letter attacked the column directly, writing, why are you painting this guy like a hero or an upstanding citizen? This guy was a gang banger from the eighteenth Street gang. As for the poor, stupid, innocent gang member, all I can say is what goes around, comes around and the only good gang member is a dead gang member. There was even a postcard that read Mendoza was just another baggy clothing wearing shaven head Mexican gang punk. One less punk to worry about. John L. Smith looked at this overwhelming mountain of public cruelty and asked

a vital question for the entire city. Civil rights on a sliding scale. It's the American way. If there was any doubt about how powerful the gang member label had become in Las Vegas, the public reaction to Daniel's death quickly erased it. People were so blinded by the fear of crime and the gang label that they were openly willing to excuse a lawless, police led drive by execution of an unarmed twenty one year old. But all of that debate was still in the future. On the night of December twenty seven, nineteen ninety six, Daniel Mendoza was simply a young man standing outside his apartment with friends, enjoying an early New Year's Eve celebration.

John We're going to pause here for a quick break, but when we come back, we'll take you on to the streets of McKellar circle during the midnight hours of December twenty seventh, where these two starkly different worlds were about to collide. December twenty seven, nineteen ninety six, was Ron Mortensen's thirty first birthday. He and Brady spent the evening drinking heavily at a party, washing down beers with tequila. The two would later admit they were drunk, but instead of going home, they decided to go on a tear through the rougher part of town and into minority neighborhoods. Brady would later testify that they were out to harass drug dealers, vagrants and bangers. He told investigators we were just having fun. After midnight, the blue Dodge truck pulled into the apartment driveway at McKellar circle. The officers gestured for Daniel and his friends to walk over to the truck. Daniel's friend later recalled the two men in the truck asking them to come here. Daniel and his friends refused to approach the truck because of their clean cut appearance. The group suspected the two men were undercover narcs. They raised their hands and signaled to the truck that they didn't have any drugs, and they were unarmed. Suddenly, a handgun appeared in the passenger window, as Daniel's friend put it. The next words that were exchanged were the gun going off. Six shots were fired and Daniel was struck in the chest and collapsed. The blue truck roared out of the driveway, speeding away into the night. The immediate aftermath was pure chaos. His friends called nine hundred eleven while Rosa, a nursing assistant, rushed to help Daniel. She desperately performed CPR until paramedics arrived. Allegedly, an arriving Metro officer got into a physical altercation with her. When she tried to prevent Rosa from continuing to give CPR to Daniel, allegedly telling her he's not worth saving. Daniel died on the street outside his home the day after the shooting. The police department swarmed the neighborhood, looking for leads as to who was driving the truck. But according to Ramon Mendoza, the responding officers didn't seem too focused on finding the killers. Instead, they began aggressively taking photographs of all of Daniel's grieving friends and neighbors who had gathered around the religious candles set up to pay tribute. A frustrated Ramon yelled to the officers, why do you do nothing when my son is shot? That question hung over Metro in the city of Las Vegas for decades.

Shaun Next week, in part two, the blue wall of Silence cracks. Within forty eight hours of Daniel's death, one metro officer will accuse his own partner of murder, igniting a brutal. He said he said legal war. And in the end, everything came down to a single question who pulled the trigger? Until next week. Remember, what happens here happens everywhere.

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