

**JUSTICE COURT, LAS VEGAS TOWNSHIP
 CLARK COUNTY, NEVADA**

State of Nevada)	
)	
)	
Plaintiff,)	Case No. <u>19F24388X</u>
)	
vs.)	Dept. No. <u>12</u>
)	
Kirk Hooten)	
)	
)	<u>MOTION FOR DISCLOSURE OF</u>
Defendant(s).)	<u>NON-PUBLIC INFORMATION</u>
_____)	

DECLARATION

(1) PLEASE CHECK ONE OF THE FOLLOWING OPTIONS:

This Motion is being brought by:

- A member of the following media organization: KLAS-TV.
- The following criminal Defendant: _____.
- An attorney for the following client: _____.
- OTHER:* _____.

(2) PLEASE COMPLETE THE LINE BELOW:

Court staff has indicated that the following document(s) currently in the file are deemed to be presumptively non-public and confidential:

Requesting documentation on the arrest of the former officer.

(3) PLEASE EXPLAIN WHY THE COURT SHOULD ALLOW ACCESS TO THE DOCUMENT(S) LISTED ABOVE :

(NOTE: If you need more space, please attach additional pages.)

Would like to see full disclosure of arrest and incident at hand.

(4) PLEASE SIGN BELOW:

Under the penalty of perjury under the law of the State of Nevada, I swear or affirm that the above information is true and correct, and that the Court should allow access to the requested document(s).

Signature: [Handwritten Signature] Date: 11-22-19

Phone Number: 702-792-8870

ORDER

This matter will be set for hearing, and all parties will be notified. The hearing date will be at _____ M on the _____ day of _____, 20____.

The motion is denied as to the following documents:

for the following reason(s):

The motion is granted as to the following documents: Redacted Dec. of Arrest

You may bring a copy of this order to the front counter to obtain the requested information.

OTHER:

DATED THIS 26 DAY OF Nov, 2019

[Handwritten Signature]
JUSTICE OF THE PEACE

CONTINUATION

Event #: LLV191100073560

INVESTIGATION:

On Friday, November 15th, 2019, at approximately 1800 hours, I, Detective C. Dalrymple, P#14303, operating as a part of the Las Vegas Metropolitan Police Department's (LVMPD) Central Intelligence Unit, was monitoring social media looking for leads on violent crime. I came across a public post on Facebook originally posted by a page with the vanity name [REDACTED]. The Facebook post was made on Friday, 11/15/19 at 0803 hours. The Facebook post had been shared, at that time, over 2,000 times, which caught my attention. The Facebook post stated, "My biggest fear as came tru today some white man tried to take my lil 16 year old sister today while she was walking near mlk and bonanza , y'all our young GIRLS are not safe he tried to force her to get in the car thank god I'm not at work rn and was right down the street be on the look out y'all !"

The Facebook post then had three photos of a tan Chevrolet Silverado pickup truck with tinted windows and chrome rims. Two of the photos of the truck were from the rear, showing the pickup bearing Nevada license plate [REDACTED], with a hitch receiver below the license plate. The last two numbers of the plate were slightly blurred. The Facebook post insinuated the photographs of the truck belonged to the suspect.

I conducted research on the license plate and confirmed through DMV that the only tan Chevrolet Silverado pickup truck registered in Nevada with a Nevada Means Home standard license plate that starts with [REDACTED] is [REDACTED]. A record check of that license plate revealed the registered owner to be Kirk Hooten (ID# 1185573). A records check of DMV and SCOPE indicated Hooten is a white male adult, 6'1", 220 lbs.

Later that evening, Sergeant R. Whiteley, P#4996 and I, drove by Hooten's recorded DMV and SCOPE address of [REDACTED] and observed the same tan Chevrolet Silverado pickup truck bearing Nevada license plate [REDACTED] with a hitch receiver below the license plate parked on the street in front of the residence.

Detective J. Costello, P#9139, and I conducted research on the user data contained within the Facebook account and identified [REDACTED] as being the Facebook account owner. Nevada DMV photos of [REDACTED] matched pictures posted to the Facebook page. Further research in FamilyTracs revealed that [REDACTED] has a sister who is sixteen (16) years old, identified as [REDACTED], (DOB: [REDACTED]). Detectives contacted the Clark County School District Police Department, who informed us that [REDACTED] resides at [REDACTED] with her mother [REDACTED] sits less than a quarter-mile west of the intersection of Martin Luther King Blvd (MLK) and Bonanza Rd, where the Facebook post stated the incident occurred.

On Saturday, 11/16/18, at approximately 1400 hours, Sergeant Whiteley, Detective Costello, and I went to [REDACTED] to make contact with [REDACTED] and her mother [REDACTED]. [REDACTED] answered the door and informed us that [REDACTED] was not home and was with her older sister [REDACTED]. [REDACTED] contacted [REDACTED] to come home with [REDACTED] agreed to voluntarily bring [REDACTED] to LVMPD Headquarters (HQ), 400 S MLK, Las Vegas, NV 89106 for an interview. [REDACTED] also agreed to voluntarily come to LVMPD HQ for an interview.

INTERVIEW WITH VICTIM:

At approximately 1512 hours, Detective Costello, Sergeant Whiteley, and I interviewed [REDACTED] with her mother, [REDACTED], also present in the room. The room was audio and video recorded. The following is a summation of the interview, for additional details and exact quotes, refer to the video/audio recording. On Friday November 15th, 2019, at approximately 0750 hours, [REDACTED] was at the city bus stop on the east side of the northbound lanes of MLK, north of Bonanza Rd, waiting for the city bus to take her to school. [REDACTED] was the only person at the bus stop. [REDACTED] was wearing a teal t-shirt with Aeropostale in white lettering across the front, denim capri jeans with frayed spots on the legs,

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teal, and white checkered Vans type slip-on low-cut shoes. also had on a dark colored Calvin Klein backpack with purple and orange designs. is 5'1" tall and weighs 90 pounds. indicated she felt someone staring at her, when she observed a brownish pickup truck with tinted windows traveling northbound on MLK. stated that a white male adult drove north past her at the bus stop, then turned onto McWilliams, making a U-turn and traveling back southbound on MLK. The male then tells her three (3) times to get into the vehicle. said, "No," and started walking away. stated she was scared, and at 0750 hours, she called her sister, to tell her what happened. then temporarily lost sight of the truck while calling her sister. told to go to the Chevron (1500 W Bonanza Rd – northwest corner of MLK and Bonanza Rd) because it is a "safe place" and she would come pick her up immediately. sees the truck pull into the Chevron, and the male go inside the convenience store. walks to the front of the store and waits to the side of the entrance for to arrive. As pulls into the north side of the Chevron the male walks out of the store, waved at her, and said something to her that she could not clearly hear. pulls her vehicle up to where was waiting, and quickly enters vehicle and tells her, "That's him." asks "Is that him?" and answered, "Yeah, I'm sure that's him." The male walked to his truck, got in, and left. 15-year-old sister was also in the vehicle with tried to photograph the male and the truck as it left. They were able to capture an image of the passenger side of the truck as it stopped and waited for traffic to leave south onto MLK. They then followed the vehicle west on Bonanza Rd to capture the rear of the vehicle, including its license plate. Once they felt they had captured a good picture of the license plate, they made a U-turn and went back home. last saw the vehicle preparing to make a northbound turn on Rancho from Bonanza Rd.

On Friday, 11/15/19, at 0917 hours, posted a similar post to Facebook post, on her page, It contained the same three photos of the tan Chevrolet Silverado with Nevada license plate . On the Facebook post wrote, "Sex trafficking and kidnapping is real stay alert 100 this men tried to get me into his car this morning. He's a white male he's 6'4 or 6'5 he has a beard I couldn't really get his face in the camera . But watch out for this truck."

During the interview recollection of events changed slightly, stating when the tan truck was approaching her, traveling northbound on MLK, it slowed to a stop, and the male partially rolled down the window and demanded she get in the vehicle three times while repeatedly pointing in a downward direction at the passenger seat. recollection of the interaction at the Chevron remained consistent. described the man as a white male adult, 40's, 6'4" - 6'5", glasses, grey stubble hair, partially bald, with a grey stubble beard, wearing brown/gray plaid shirt and blue jeans. stated that her interaction with the male made her fearful and afraid of being abducted due to her small stature.

At the conclusion of the interview, a photo lineup was conducted with picked out Kirk Hooten from the photo lineup. stated, "I can tell it's him because of the hair on his face and the way his head is shaped. I am 90% sure it's him that tried to get me inside his car." At the conclusion of the interview, emailed detectives the photographs of the truck they had taken, clearly depicting the truck and its license plate,

INTERVIEW WITH VICTIM'S SISTER:

On Saturday, 11/16/19, at 1600 hours, Detective Costello, Sergeant Whiteley, and I then interviewed The room was audio and video recorded. The following is a summation of the interview, for additional details and exact quotes, refer to the video/audio recording. Our interview with corroborated what had stated. received a call from who was upset and stated that a white male had tried to get her into his vehicle. told her to go to the Chevron at

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1500 W. Bonanza Rd because it is a designated Safe Place¹. arrived at Bonanza and MLK and observed the truck parked in the parking lot with standing outside the store. had to turn north on MLK from eastbound Bonanza, went north to McWilliams, and made a U-turn to go southbound. She then entered the north end of the parking lot and drove to the front of the store where was awaiting her arrival. got into her vehicle and immediately told that was the truck and man who tried to get her into his car, indicating the brownish truck parked by the car wash and the white male adult who was walking toward the truck from the store. stated she only saw him from behind. As the truck became occupied and left, attempted to take photos of the truck. They left westbound on Bonanza, following the truck until they felt they had sufficient photos documenting the truck and license plate, then turned around and went home. indicated that when they returned home they notified their mother, , and immediately posted the photographs to her Facebook page. Both and indicated they had given the information to their mother who was going to report it to the police, but had not yet done so.

CHEVRON (1500 W BONANZA RD), SINCLAIR (1420 W BONANZA RD), AND UPS (740 N MLK)
FOLLOW UP:

On Saturday, 11/16/19, detectives went to canvas the area for surveillance video coverage of the intersection of MLK and Bonanza Rd. Video was obtained from the Sinclair gas station at 1420 W Bonanza Rd and from the Chevron gas station at 1500 W Bonanza Rd by Digital Forensics Lab Detective J. Beatty P# 8642. Detectives attempted to obtain surveillance video of the city bus stop that is located directly in front of the UPS center. The UPS center has a listed address of 740 N. MLK. UPS advised detectives they were unable to access and recover the video until Monday morning. On Monday, 11/18/19, Detective Costello, Sergeant Whiteley, and I went to the UPS facility at 740 N MLK to observe and recover video from the premise.

INTERVIEW WITH SUSPECT:

On Sunday, 11/17/19, Kirk Hooten arrived voluntarily at LVMPD HQ to be interviewed. Sergeant Whiteley, Detective Costello, and I met Hooten for the interview. The room was audio and video recorded. The following is a summation of the interview, for additional details and exact quotes, refer to the video/audio recording. I read Hooten his Miranda rights from a yellow LVMPD 148 Advisement for Custodial Interrogation card before questioning began. When I asked Hooten if he understood his rights, he replied, "I do." As the interview began, Sergeant Whiteley asked Hooten if he knew why we were here? Hooten replied, "I do." When I asked Hooten to explain to us about what occurred on the morning of Friday, November 15th, Hooten responded by asking what the criminal allegation was. As Sergeant Whiteley started to explain the allegation, Hooten interrupted, stating he had read the Facebook post that he tried to force somebody into a vehicle. Hooten adamantly denied that, stating it was, "One hundred percent incorrect."

Hooten then continued to say, "Did I cat-call? Yes, I yelled out the window, I thought she might have been a hooker, I'm not going to lie. And yelled out the window, "You working? You want a ride?" She yelled, "No." I immediately veered over to the ah Chevron, pulled in."

Hooten confirmed the pictures from the Facebook post were his truck and that they were taken when he was leaving the parking lot of the Chevron.

¹ Safe Place: Safe Place is a national youth outreach and prevention program for young people under the age of 18 (up to 21 years of age in some communities) in need of immediate help and safety. As a collaborative community prevention initiative, Safe Place designates businesses and organizations as Safe Place locations, making help readily available to youth in communities across the country. Safe Place locations include: libraries, YMCAs, fire stations, public buses, various businesses, and social service facilities.

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Hooten did recollect interacting with _____ at the bus stop, describing the location of the public bus stop as being a little bit down from the Sinclair. Hooten saw _____ standing at the bus stop and described her as being petite, black hair, wearing blue tights, and maybe a white skirt. I asked Hooten how old he thought _____ was. Hooten responded with, "When I saw her when I came out of the store, I realized, Ok, now, that is someone I shouldn't have been yelling at, for sure."

Hooten stated he thought she was in the age range of 17-19 years old. When asked what made him want to contact _____ Hooten replied, "She was cute, I thought she would have been one of the best-looking hookers in the area."

Hooten stated he used to be in Vice² and admitted that he still cat-calls³ hookers when he is roaming around to see their reaction.

Through the course of the interview, Hooten describes the encounter with _____ Hooten stated _____ was walking north to the bus stop as he was driving south on MLK, when he first observed her. He turned eastbound on Bonanza Rd, making a U-turn near the Penske truck lot going back west. Hooten stated he did this in an attempt to contact _____ due to believing she was a prostitute. He traveled northbound on MLK, slowing down to 5 to 10 miles per hour, but not stopping in front of her, trying to contact her through the windshield and make eye contact as he passed her. At that time, _____ was standing at the bus stop. Hooten admitted that he was trying to see if _____ was a hooker. Hooten turned east onto McWilliams and then made a U-turn, pulling back up to MLK, waiting to see if _____ was walking towards his vehicle. _____ did not walk towards him, so he turned onto MLK traveling south and cat-called her by yelling out his driver's side window, which was rolled down, "You working, you want a ride?" _____ denied Hooten's advance by saying, "No." Hooten stated she appeared irritated by his cat-call. Hooten immediately crossed all lanes of traffic to turn westbound Bonanza and turned into the Chevron from the south. Hooten went inside the store and claimed to gamble for between 10 to 30 minutes. Hooten stated he eventually saw _____ standing out in front of the store. Hooten repeatedly mentioned that he apologized to _____ as he left the store, realizing that she was a "younger girl," estimating her age at "sixteen (16), seventeen (17), eighteen (18) maybe."

Hooten admitted to frequenting the area of Bonanza and MLK to visit prostitutes. Sergeant Whiteley asked Hooten if he would have gone on a "date" with _____ if she had been interested. In my training and experience "date" is a term commonly referred to when a prostitute and John⁴ make a deal to exchange sexual acts for money. Due to Hooten's self-admitted time in Vice, he would know what the term "date" means in the context it was used. Hooten replied, "I, I don't think I had the money at the time, truthfully. I had lost my money. Uh, I had to, only enough to go and try and make a little bit more at Chevron. So, you know, I don't, maybe if she was interested, yeah."

It was also established that Hooten does not know _____ nor her guardians.

CHEVRON (330 N RANCHO DR), AHERN RENTALS (1785 W BONANZA RD), STARBUCKS (751 N RANCHO DR) FOLLOW UP:

On 11/19/19, Sergeant Whiteley and Detective Costello observed and recovered video from the Chevron at 330 N Rancho Dr. Sergeant Whiteley also recovered video from the Ahern Rental at 1785 W Bonanza Rd.

² Kirk Hooten is a retired peace officer from the Las Vegas Metropolitan Police Department and was assigned to the Vice Section in 2000.

³ Merriam-Webster defines "Cat-call" as, "a loud, sexually suggestive call or comment directed at someone publicly (as on the street)."

⁴ Merriam-Webster defines John as, a prostitute's client.

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VIDEO SURVEILLANCE SUMMATION:

Below is a timeline summarizing all the events captured on surveillance video from various businesses in the area.

Time	Event
07:22:25	Hooten arrives at the Chevron (330 N Rancho Dr) and gambles
07:32:46	Hooten leaves the Chevron convenience store
07:35:31	Hooten leaves the Chevron parking lot eastbound
07:47:15	crosses east across MLK
07:47:48	Hooten observed southbound Martin Luther King (MLK) Blvd approaching Bonanza Rd. Driver's side window is down, as walks north on the east side of MLK Blvd
07:47:58	Hooten turns eastbound Bonanza Rd from MLK Blvd
07:49:20	Hooten turns northbound MLK from westbound Bonanza Rd
07:49:22	Hooten is adjacent to at the bus stop on MLK. attention abruptly shifts to Hooten's truck as it passes
07:49:36	Hooten turns eastbound McWilliams from MLK
07:50:07	Hooten pulls back to MLK on westbound McWilliams
07:50:16	Hooten turns southbound onto MLK
07:50:26	Hooten is traveling southbound MLK with his driver's side window down and left arm out of the window
07:50:34	Hooten changes from the number one lane of travel to the fourth lane of travel on southbound MLK
07:50:55	Hooten pulls into the Chevron (1500 W Bonanza Rd) from the south on Bonanza and parks parallel to the car wash facing north
07:51:30	seen walking southbound from the bus stop
07:51:34	Hooten enters the Chevron and goes to the ATM
07:52:04	continues walking southbound in front of the Sinclair station
07:52:11	Hooten observed staring out of the front window of the Chevron in direction
07:52:36	Hooten begins gambling on the machine
07:52:42	Hooten is looking back towards the entrance to the store
07:52:51	has crossed over westbound MLK, now on the northwest corner of MLK and Bonanza
07:53:59	waiting in front of the Chevron store, pacing back and forth on her phone
07:54:50	Hooten leaves the gaming machine
07:55:24	Hooten is at the counter cashing out
07:55:37	Hooten exits the front door of the Chevron store
07:55:39	Hooten appears to say something to as he exits the business
07:55:45	Hooten walks to his vehicle while looking back over his shoulder
07:55:56	enters her sister's car
07:56:57	Both vehicles leave westbound Bonanza

INVESTIGATION SUMMARY:

Through the course of the investigation, it was determined that on 11/15/19, at 0750 hours, Hooten went to the area of MLK and Bonanza Rd to solicit prostitutes and gamble. Hooten, by his own admission, frequents the area, telling detectives, "I have a few friends down there." Detectives asked Hooten if the friends he was referring to were also black females, Hooten replied, "They are." Detective Costello asked Hooten, "Would it be safe to say your friends are ladies of the night?" Hooten responded, "Some yes. Some no." Hooten saw , recognized that she could be under the age of eighteen years old and believed she was a prostitute. Hooten attempted to contact standing at the bus stop by slowing down and making eye contact with her, then pulling onto the next street, and

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waiting. This is a common way of beckoning prostitutes, gaining their attention, the Johns then wait for the prostitute to approach their vehicle. When [redacted] did not approach Hooten's vehicle, he turned and traveled southbound on MLK to "cat-calf" [redacted] Hooten's intent to contact [redacted] was sexually motivated stating, "I, well, thought she would have been one of the best-looking hookers in the area. And I might have been interested." When [redacted] did not respond positively to Hooten's advances, he pulled into the Chevron gas station, waiting to see if [redacted] would approach him. Hooten entered the business and immediately went to the ATM and withdrew money. Hooten stated the following, "Oh, I went to the ATM. Yeah, you're right, I did go to the ATM, yeah. Cause, I didn't have any money, yeah. Totally forgot about that." Hooten also admitted that had [redacted] responded positively, he would have continued through with a "date" with her. When Hooten clearly saw that [redacted] was a minor, he exited the store, claiming to apologize to her. Hooten acknowledged his contact with [redacted] was inappropriate and said, "When I saw her when I came out of the store, I realized, Ok, now, that is someone I shouldn't have been yelling at, for sure." Due to the fact that Hooten contacted [redacted] for the purpose of soliciting her for a sex act, coupled with the fact that [redacted] is a minor, under the age of eighteen, there is probable cause that Hooten did engage in solicitation of a child for prostitution, first offense, a category D felony, under Nevada Revised Statute 201.354, section 6.

Wherefore, Declarant prays that a Warrant of Arrest be issued for suspect HOOTEN, KIRK REED on the charge(s) of CUSTOMER ENGAGE IN SOLICITING CHILD FOR PROSTITUTION, 1ST OFFENSE.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed on this 21ST day of NOVEMBER, 2019.

DECLARANT: [Signature] 14303

WITNESS: [Signature] P.# 9139

DATE: 11/21/19