



Office of the Washington State Auditor  
Pat McCarthy

## Compliance Audit Report

# Reviewing Investigations of Police Use of Deadly Force

## Kitsap Critical Incident Response Team – The David J. Pruitte Case

Use of Deadly Force Incident on August 4, 2020,  
by the Kitsap County Sheriff's Office

*Published September 28, 2022*

Report No. 1031222



Find out what's new at SAO  
by scanning this code with  
your smartphone's camera



## Office of the Washington State Auditor

Pat McCarthy

September 28, 2022

Capt. Mike Davis  
Kitsap Critical Incident Response Team

### Report on Use of Deadly Force Investigation Audit

Attached is the official report on our audit of the investigation into the use of deadly force on August 4, 2020, that resulted in the death of David J. Pruitte.

The audit assessed the Kitsap County Sheriff's Office and the Kitsap Critical Incident Response Team's compliance with state laws and rules regarding independent investigations of police use of deadly force as defined in WAC 139-12-030.

Our independent audits provide essential accountability and transparency regarding police use of deadly force investigations. These audits are valuable to the Legislature, law enforcement agencies and the public in assessing police accountability efforts.

If you are a member of the media and have questions about this report, please contact Director of Communications Kathleen Cooper at (564) 999-0800. Otherwise, please contact Use of Deadly Force Investigations Program Manager Michael Huynh at (564) 999-0831.

Pat McCarthy, State Auditor  
Olympia, WA

cc: Monica Alexander, Executive Director, Criminal Justice Training Commission  
Steve Strachan, Executive Director, Washington Association of Sheriffs and Police Chiefs

### *Americans with Disabilities*

*In accordance with the Americans with Disabilities Act, we will make this document available in alternative formats. For more information, please contact our Office at (564) 999-0950, TDD Relay at (800) 833-6388, or email our webmaster at [webmaster@sao.wa.gov](mailto:webmaster@sao.wa.gov).*

## TABLE OF CONTENTS

Executive Summary .....	4
Background.....	5
Audit Results.....	7
Recommendations.....	12
Independent Investigation Team Response .....	13
Criminal Justice Training Commission Response .....	14
Appendix A: Authority, Scope and Methodology .....	16
Appendix B: WAC 139-12-030 Compliance Summary .....	18
About the State Auditor's Office.....	23

## EXECUTIVE SUMMARY

### Results in Brief

Kitsap Critical Incident Response Team (KCIRT) investigators and officers involved in this incident complied with most requirements to ensure the investigation into David J. Pruitte's death was independent, transparent, credible and communicated timely to the public, as state laws and rules require. These requirements included providing first aid, involving at least two community representatives in the investigation, keeping the public informed of the investigation's progress, and gathering and preserving evidence to applicable standards.

The audit found some instances when KCIRT and officers involved in the incident did not follow state rules, as well as improvement opportunities for documenting compliance. Specifically, we found:

- KCIRT did not always notify Pruitte's family before sending press releases to the media.
- KCIRT did not adequately secure its case files. A county court employee who was not part of the investigation team viewed the files during the investigation.
- Involved officers spoke to each other on the phone the day after the incident. We found no documentation demonstrating supervisors directed the officers not speak to each other about the case.

See **Appendix B** for a complete list of the requirements we reviewed and a summary chart of our assessment.

### Recommendations

We recommend KCIRT:

- Ensure tasks relating to certain legal requirements, such as notifying the family of press releases, are assigned to other members of the independent investigation team (IIT) when the person usually responsible for them is off duty
- Ensure only IIT members can access use of deadly force investigation case files during the investigation

We also recommend KCIRT's member agencies establish policies that prohibit involved officers from discussing use of deadly force cases with each other until they provide statements to the IIT.

While performing the audit, we also identified areas where the Criminal Justice Training Commission (CJTC) can clarify its rules governing independent investigations. We recommend the CJTC:

- Update its best practices for homicide investigations every year, as required by WAC 139-12-030, and consider current best practices
- Provide guidance to IIT leadership on how to make sure investigators' backgrounds are free from misconduct or other dishonorable behavior that could jeopardize their objectivity

## BACKGROUND

### Use of Deadly Force Incident

The following summary of events is based on the investigation's case files:

On August 4, 2020, bystanders called 911 reporting a possible suicidal man sitting on an overpass ledge in Port Orchard. Two Kitsap County Sheriff's Office deputies responded to the call. When they arrived, they said David J. Pruitte confronted them. Deputy Andrew Hren shot Pruitte, who died later that night at a hospital.

The Kitsap Critical Incident Response Team (KCIRT), an independent investigation team (IIT) that investigates police use of deadly force incidents in Kitsap and Jefferson counties, responded to the incident. Investigators from the Bremerton Police Department took the lead in the investigation with assistance from the Washington State Patrol and Port Orchard Police Department.

KCIRT completed the investigation on November 1, 2020, and submitted their case files to the Kitsap County Prosecutor. The prosecutor reviewed the case and announced on November 9, 2021, that he would not be filing charges against Deputy Hren.

### Independent Investigation Teams

Voters approved Initiative 940 in 2018. It ensures that one of an IIT's key functions is to investigate police use of deadly force incidents. The initiative requires investigations of police use of deadly force be conducted by an agency completely independent of the one with the involved officer(s). Regional IITs allow law enforcement agencies to respond quickly to use of deadly force incidents while keeping the involved agency out of the investigation. IITs are made up of command staff, detectives and other crime scene investigators from law enforcement agencies in a given region. An IIT also consists of volunteers, called non-law enforcement community representatives, who help give the community perspective during an investigation.

Washington has 17 IITs throughout the state. Many of these teams existed before recent police reform and accountability laws, including Initiative 940, and allowed law enforcement agencies to pool resources for major investigations. Prohibiting the involved agency from participating in these investigations was meant to improve their impartiality and independence by preventing people who are more likely to have a personal relationship with the involved officers from investigating the incident.

The initiative tasked the Washington State Criminal Justice Commission (CJTC) with adopting rules to govern these investigations. The CJTC adopted Washington Administrative Code (WAC) 139-12-030, which requires independent use of deadly force investigations to meet four key principles:

- Independence – the involved agency cannot have undue influence or the appearance of undue influence on the investigation.
- Transparency – community members are able to assess whether the investigation is conducted in a trustworthy manner and complies with the standards defined in state laws and rules.
- Communication – the IIT must communicate the investigation’s progress to the public and family of the people killed or harmed by police use of deadly force.
- Credibility – use of deadly force investigations follow best practices for criminal investigations, and investigators meet necessary training requirements and demonstrate ethical behavior and impartiality.

## **Audit Objective**

State law (RCW 43.101.460) requires the Office of the Washington State Auditor to audit all investigations into police use of deadly force resulting in death, substantial bodily harm or great bodily harm.

To determine whether the Kitsap County Sheriff’s Office and KCIRT complied with state laws and rules in the investigation of David J. Pruitte’s death, we reviewed investigative files related to the case, reviewed training records held by the CJTC and member police agencies, and interviewed IIT members, including community representatives. We assessed the involved agency’s and IIT’s compliance with each of the requirements under the key principles in WAC 139-12-030. This included whether the IIT followed the CJTC’s published best practices for conducting homicide investigations.

This report outlines the steps the investigation team took to meet each of these key principles. **Appendix A** contains information about our methodology.

## AUDIT RESULTS

Appendix A outlines our Office's authority and methodology for this audit. In short, state law (RCW 43.101.460) requires the Office of the Washington State Auditor to audit all investigations into police use of deadly force resulting in death, substantial bodily harm or great bodily harm. Our charge is to ensure the investigations complied with relevant rules and laws. The audit only reviewed the investigation. It did not assess the incident itself nor assess whether the use of force was justified.

### Independence

To help ensure the investigation was conducted independently of the involved agency, KCIRT investigators reported that they assumed control of the scene upon arrival. We reviewed investigative reports from KCIRT's case files. We found that at approximately 7:23 p.m., 911 dispatchers began receiving calls from bystanders that Pruitte was sitting on an overpass ledge and appeared suicidal. Deputy Andrew Hren and Deputy Joshua Puckett of the Kitsap County Sheriff's Office arrived on the scene at 7:39 p.m., and within 30 seconds, dispatchers received 911 calls that a deputy had fired shots. Officers from the Sheriff's Office arrived, helped Deputies Hren and Puckett administer first aid to Pruitte, and secured a perimeter. The Sheriff's Office called to activate KCIRT at 8:07 p.m. Investigators began arriving on the scene around 9:10 p.m., and assumed control of the investigation.

Investigators from the Bremerton Police Department took the lead and were assisted by detectives from the Washington State Patrol and Port Orchard Police Department. We found no evidence that any members of the Kitsap County Sheriff's Office took part in the investigation.

### Transparency

We found KCIRT made necessary processes and documents public, and that the IIT's community representatives were properly involved in the investigation. We verified that KCIRT posted its protocols and the names of its command staff and investigators online. KCIRT did not publish the community representatives' names online, but acknowledged in a summary report that it would make the names available if requested. KCIRT issued weekly press releases throughout the investigation as required, and acknowledged in a summary report that it would make the case file publicly available through public disclosure laws.

Community representatives are volunteers, not law enforcement agency employees. Each member agency of KCIRT solicits volunteers from their communities. From that pool, the IIT commander selects two people who live in the area where the use of deadly force incident occurred to participate in the investigation.

KCIRT included community representatives in key processes as required. We interviewed the community representatives to independently verify how KCIRT involved them. They confirmed they were present at weekly briefings with the Kitsap County Sheriff's Office, were provided press releases before they were sent to the media, and knew that they had access to the entire case file.

The community representatives said they did not participate in interviewing or selecting the IIT investigators, but they were able to review their qualifications. The KCIRT commander said the investigators who worked on the Pruitte case were "grandfathered in," because the IIT existed before the creation of WAC 139-12-030. The CJTC allows this exemption; however, the rules require community representatives review existing investigators' qualifications in these instances. To meet this requirement, KCIRT provided community representatives a short document that included the investigators' work experience, a short personal biography and a list of relevant training.

## **Communication**

We reviewed investigative reports and found KCIRT complied with most of the required steps to update the public and Pruitte's family on the investigation's progress.

The reports showed KCIRT assigned Pruitte's family a liaison the day after he died. The liaison contacted Pruitte's father that same day. Pruitte's father requested all communication from KCIRT to be submitted through their family attorney. The liaison kept the family attorney informed about major developments in the investigation and provided copies of all but two press releases before sending them to the media as required. In those two instances, the family liaison was off duty and KCIRT did not arrange for the press releases to be sent to the attorney.

## **Credibility**

KCIRT followed many best practices for homicide investigations required under WAC 139-12-030. The rules require the CJTC to publish and annually update best practices for homicide investigations. However, as referenced in our methodology in Appendix A, the CJTC did not adopt best practices that IITs were required to follow until after this investigation started. We decided to apply the requirements from the CJTC's best practices document, as it is a key piece of the WAC and based on generally accepted practices for criminal investigations that all detectives should know and follow.

## **Crime Scene Investigation**

Investigative reports revealed that the first responding Kitsap County Sheriff's Office supervisor removed Deputy Hren from the scene after learning he was the only officer who fired his gun. Other deputies and Washington State Patrol troopers closed the roads to traffic and secured the scene with crime scene tape. Deputy Puckett was then also removed from the scene. Investigators then took multiple photos documenting the scene and used a three-dimensional scanner to create



renderings of it. They canvassed the scene for evidence and used markers documenting their locations.

### **Identifying and Interviewing Witnesses**

KCIRT identified deputies Hren and Puckett as the only officers involved in the deadly force incident, and obtained statements from 12 non-law enforcement witnesses. Investigators also interviewed other responding officers and firefighters who came to the scene.

Best practices recommend recording interviews to ensure statements are accurately portrayed. Washington requires both parties to consent to being recorded. In this case, both deputies Hren and Puckett declined having their statements recorded and refused to be interviewed. Both deputies agreed to walk through the scene of the incident with their attorney present, and describe what happened from their point of view. Investigators conducted two walkthroughs with Deputy Puckett. The first one was three days after the use of deadly force incident, and the second one was two months later. He also answered questions during the walkthroughs. Investigators conducted a walkthrough with Deputy Hren seven weeks after the incident. Deputy Hren provided a written account of what happened 10 days after the incident. He was also provided written follow-up questions to answer. He responded in writing one month after receiving these questions, which was ultimately two months after the incident.

Best practices recommend involved officers or witnesses not discuss the case with each other until they have provided statements to investigators. Investigators learned that deputies Hren and Puckett spoke to each other by phone the day after the shooting for more than 30 minutes. Both deputies said they did not discuss details of the case, but Deputy Puckett said he did explain to Deputy Hren why he did not fire his weapon. Based on the documentation in the case file, we were unable to determine whether investigators followed this best practice. However, we also found that the Kitsap County Sheriff's Office does not have any policies prohibiting officers involved in use of deadly force incidents from speaking with each other. Additionally, we did not find any evidence Sheriff's Office supervisors directed the involved officers not to discuss the case.

### **Case File Integrity**

KCIRT established a process to help prevent information about the investigation from being shared with people outside of the IIT. However, we found this system did not work as intended. Training materials for KCIRT's member agencies specifically instruct IIT members to not discuss the investigation with non-team members. The KCIRT commander thought electronic case files were secured, but IIT members and leadership did not know that the files were not automatically restricted. When new reports were added to the case files, the files would become unrestricted until manually secured again. During a four month period of the investigation, there were instances where the files were not manually secured and were accessible to four other law enforcement agencies and the county court, all of which use the same computer system. During the audit, KCIRT discovered that a drug court officer opened the case file. The officer recognized Pruitte's

name because he had participated in the county's drug court monitoring program. We found no evidence that any other non-IIT members accessed the case file.

### **Training and Experience**

We reviewed KCIRT members' training records to ensure they met the qualifications of credible investigators under the WAC. We found the lead investigator met all training and experience requirements.

### **Conflicts of Interest**

KCIRT established processes to determine whether investigators had connections with the involved officers or biases that would impair their objectivity. We found KCIRT investigators and community representatives filled out conflict of interest forms within 72 hours of the start of the investigation as required. Conflict of interest forms include questions about prior interactions or relationships with the officers under investigation, as well as questions about social conflict, work conflict and bias. We reviewed the forms and found that one investigator knew Deputy Puckett's mother, but did not have a relationship with him.

The WAC requires the IIT commander and community representatives review the conflict of interest forms within that same 72-hour period to decide whether any answers indicate that someone cannot objectively investigate the incident. The WAC does not state that IIT members with an actual or perceived conflict of interest must be removed from the investigation, and leaves those decisions to the discretion of the commander. In the case of the investigator who knew Deputy Puckett's mother, the IIT commander did not believe it would prevent her from investigating the incident without bias.

### **Misconduct**

In addition to the conflict of interest forms, KCIRT depends on the chiefs and sheriffs of member agencies to ensure its IIT members are free of misconduct and behavior that would indicate they could not conduct an objective investigation. Examples of disqualifying conduct could be discriminatory behavior, threats of violence, harassment or falsifying records. During our interviews, KCIRT commanders said that when new members join the team, the head of the member agency is responsible for reviewing the prospective member's personnel file and disciplinary records to ensure they do not have any disqualifying behavior or offenses. KCIRT relies on the member agencies to notify them and remove IIT members who commit disqualifying offenses after they join. The commanders said that is the most practical way of assessing compliance with the requirements because there is no established process for accessing personnel and disciplinary records. The rules the CJTC has established do not describe how IITs should verify members' work history.

Ultimately, KCIRT did not have any records we could examine to independently verify that investigators had no personal and professional histories of misconduct. As of July 25, 2021, law enforcement agencies are required under RCW 43.101.135 to notify the CJTC of any disciplinary decisions they make when officers are accused of misconduct, including decisions not to take any action. This requirement could provide the documentation that the KCIRT and other IITs need to demonstrate compliance in future audits.

See **Appendix B** for a complete list of the requirements we reviewed and a summary chart of our audit results.

## RECOMMENDATIONS

We recommend KCIRT:

- Ensure tasks relating to certain legal requirements, such as notifying the family of press releases, are assigned to other members of the IIT when the person responsible for them is off duty
- Ensure only IIT members can access use of deadly force investigation case files during the investigation

We also recommend KCIRT's member agencies establish policies that prohibit involved officers from discussing use of deadly force cases with each other until they provide statements to the IIT.

While performing the audit, we also identified areas where the CJTC can clarify its rules governing independent investigations. We recommend the CJTC:

- Update its best practices for homicide investigations every year, as required by WAC 139-12-030, and consider current best practices
- Provide guidance to IIT leadership on how they can make sure investigators' personal and professional backgrounds are free from disqualifying misconduct or other dishonorable behavior that could jeopardize their objectivity

## INDEPENDENT INVESTIGATION TEAM RESPONSE

*KCIRT has valued working with the audit team to evaluate our level of compliance with the LETCSA legislation implemented. KCIRT learned we were largely successful in adhering to the law while being shown areas for improvement. It should be noted the “best practices for homicide investigations” model used by the audit team were adopted well after the implementation of the law, and prior to the cases selected by the audit team. We have already updated our protocols in order to ensure compliance in those few areas the audit team identified needing improved.*

# CRIMINAL JUSTICE TRAINING COMMISSION RESPONSE



## WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

Monica Alexander, Executive Director

19010 1st Avenue South • Burien, WA 98148 • Phone: 206-835-7300 • [www.cjtc.wa.gov](http://www.cjtc.wa.gov)

September 16, 2022

The Honorable Pat McCarthy  
State Auditor's Office  
PO Box 40021  
Olympia, WA 98504-0021

Dear State Auditor McCarthy:

Thank you for providing the Washington State Criminal Justice Training Commission (WSCJTC) the opportunity to review and respond to the recommendations in the State Auditor's Office (SAO) compliance audit report "Reviewing Investigations of Police Use of Deadly Force Kitsap Critical Incident Response Team – The David J. Pruitte Case."

In May 2022, WSCJTC Law Enforcement Training and Community Safety Act (LETCSA) staff voluntarily convened an ad hoc review group to provide recommendations on the independent investigation team (IIT) best practices required per Washington Administrative Code 139-12-030. The purpose of the review group is to provide input on edits of the IIT best practices. In 2022, the review group met twice and provided input and recommendations at both meetings. The proposed edits will be reviewed by the Commission before the end of the year. Once reviewed and approved, the edits would become effective immediately.

As a condition of peace officer hiring and certification, there are several laws that must be followed by law enforcement agencies. After the passage of Chapter 323, Laws of 2021 Engrossed Second Substitute Senate Bill 5051, several new requirements were added which expanded the background investigation process for persons applying for peace officer positions. The background investigations that are conducted in the hiring process are the responsibility of the investigator's hiring agency. There were additional provisions in the legislation that made changes to peace officer certification and decertification which included a formal complaint process. These requirements are designed to preemptively address any misconduct and/or dishonorable behavior. The WSCJTC staff will be adding an additional step to the review and approval process for IIT qualified lead investigator certification applications which will include checking Certification Division records for any open investigations or cases for the applicant. A policy is being developed that outlines this review and approval process and will be adopted soon.

The five main principles that are fundamental to enhancing public trust in the integrity of independent investigations involving police use of deadly force are independence, transparency, communication, a credible process, and credible investigators. By providing this response to the SAO recommendations, WSCJTC further solidifies these principles and continues to improve the

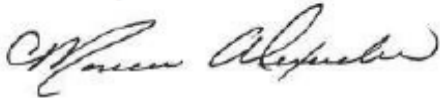
---

TRAINING THE GUARDIANS OF DEMOCRACY

The Honorable Pat McCarthy  
September 16, 2022  
Page 2

LETCSA IIT program for all impacted stakeholders and Washington residents. The WSCJTC appreciates the work of the SAO in auditing the compliance of IITs across the state.

Sincerely,



Monica Alexander  
Executive Director

cc: Alex Buijs, LETCSA Program Manager  
Bart Hayes, Advanced Training Division Manager  
Jerrell Wills, Deputy Director

---

TRAINING THE GUARDIANS OF DEMOCRACY

## APPENDIX A: AUTHORITY, SCOPE OBJECTIVE AND METHODOLOGY

### Authority

In 2018, Washington voters passed Initiative 940, which, in part, required investigations of police use of deadly force be conducted by an agency completely independent of one with the involved officer(s). It tasked the Washington State Criminal Justice Commission (CJTC) with adopting rules to govern these investigations. In 2019, the CJTC created a workgroup, including stakeholders from community groups and law enforcement agencies, to adopt rules for independent investigations. The rules were outlined in Washington Administrative Code (WAC) 139-12-030 and took effect in January 2020.

The rules were designed to help ensure investigations are independent, transparent, credible and communicated timely to the public. The rules define the elements of an independent investigation, and explain the duties of the involved agency and independent investigation team (IIT) after police use deadly force that results in death, substantial bodily harm or great bodily harm. In 2020, the Legislature amended state law (RCW 43.101.460) to require our Office audit investigations into police use of deadly force to ensure compliance with the new rules.

### Scope

This audit assessed whether the Kitsap County Sheriff's Office and the Kitsap Critical Incident Response Team (KCIRT) complied with state laws and rules regarding the investigation of the use of deadly force that resulted in David J. Pruitte's death. It reviewed whether the law enforcement agencies met the criteria for independent investigations as outlined in WAC 139-12-030.

By law, the audit only reviewed the investigation. It did not review the use of deadly force incident, nor assess whether the use of force was justified.

### Objective

This audit examined whether the Kitsap County Sheriff's Office and the KCIRT complied with state laws and rules regarding independent investigations of police use of deadly force.

### Methodology

To determine whether the Kitsap County Sheriff's Office and the KCIRT complied with state laws and rules regarding independent investigations of police use of deadly force, we reviewed investigative files related to the case and interviewed IIT members. We interviewed IIT members to understand their investigative process and how they documented their procedures and findings. We also spoke to the IIT's community representatives to confirm whether they were involved in required processes of the investigation. In the case files, we searched for evidence demonstrating



the IIT followed the legal requirements. We also reviewed training records from the CJTC and member police agencies.

One major requirement in the credibility section of WAC 139-12-030 is for IITs to follow the CJTC's published best practices for homicide investigations. The CJTC did not publish best practices until September 2020, leaving the IITs without guidance and our Office with no defined criteria for the first eight months of 2020. While this investigation started before September 2020, we decided to apply the requirements from the CJTC's best practices document, as it is a key piece of the WAC and based on generally accepted practices for criminal investigations that all detectives should know and follow. The CJTC has not updated its best practices since originally publishing them.

Our Office also believes it is in the public's interest to not limit the scope of our audits of investigations that occurred before September 2020.

To help conduct these audits, our Office contracted with Public Sector Performance Associates (PSPA). PSPA is a woman and minority-owned business founded in Tampa, Florida, in 2015. Since its founding, PSPA has worked with multiple government entities to conduct performance and compliance audits.

PSPA's business model is centered on the assembly of subcontracted associates with unique and specialized skills. The collective knowledge and expertise of the pooled associates allows them to provide subject matter expertise.

The team assembled for this engagement offers a combination of compliance auditing experience and expertise in use of deadly force investigations. All team members have worked in or for various sectors of government, and have extensive experience in law enforcement and/or compliance auditing in the public sector.

## APPENDIX B: WAC 139-12-030 COMPLIANCE SUMMARY

### Independence

Requirement	Compliant?
The involved agency and/or other first responders will provide first aid at the scene.	<b>Yes</b>
The involved agency will relinquish control of the scene.	<b>Yes</b>
The involved agency will not participate in the investigation.	<b>Yes</b>
Any specialized equipment belonging to the involved agency will be approved by the community representatives and the independent investigation team (IIT) commander before it is used in the investigation.	<b>Not applicable</b>
Information shared by the IIT to the involved agency will be limited to briefings about the progress of the investigation.	<b>Yes</b>
The IIT commander will honor requests from the involved agency to release body cam video or other investigation information of urgent public interest.	<b>Not applicable</b>

### Transparency

Requirement	Compliant?
The policies and operating procedures of the IIT will be available to the public.	<b>Yes</b>
The names of IIT members will be available to the public.	<b>Yes</b>
A minimum of two non-law enforcement community representatives will be assigned to the IIT.	<b>Yes</b>
The community representatives will:	
<ul style="list-style-type: none"> <li>Participate directly in the vetting, interviewing, and/or selection of IIT investigators. (Existing teams will have until January 2021 to provide necessary information about the qualifications of current IIT investigators to the community representatives for review.)</li> </ul>	<b>Yes</b>
<ul style="list-style-type: none"> <li>Review conflict of interest statements submitted within 72 hours of the commencement of each investigation</li> </ul>	<b>Yes</b>

<ul style="list-style-type: none"> <li>• Be present at the briefings with the chief or sheriff of the involved agency(ies)</li> </ul>	<b>Yes</b>
<ul style="list-style-type: none"> <li>• Have access to the investigation file when it is completed</li> </ul>	<b>Yes</b>
<ul style="list-style-type: none"> <li>• Be provided a copy of all press releases and communication sent to the media prior to release</li> </ul>	<b>Yes</b>
<ul style="list-style-type: none"> <li>• Review notification of equipment use of the involved agency</li> </ul>	<b>Not applicable</b>
The community representatives will sign a confidentiality agreement at the beginning of the investigation.	<b>Yes</b>
The IIT will provide public updates about the investigation at a minimum of once per week, even if there is no new progress to report.	<b>Yes</b>
When an independent investigation is complete, the information will be made available to the public in a manner consistent with applicable state law.	<b>Yes</b>

## Communication

Requirement	Compliant?
A family member of the person against whom deadly force has been used will be notified of the incident as soon as possible.	<b>Yes</b>
The IIT will assign a family liaison within the first 24 hours of the investigation.	<b>Yes</b>
The family liaison will keep the family informed about all significant developments in the investigation.	<b>Yes</b>
The family liaison will give the family and the involved agency advanced notice of all scheduled press releases.	<b>No</b>
Neither the involved agency nor the IIT will provide the media with criminal background information of the person against whom deadly force has been used, unless it is specifically requested, and release of the information is required by the Public Records Act or other applicable laws.	<b>Yes</b>
The involved agency will notify the Governor's Office of Indian Affairs (GOIA) in accordance with RCW 10.114.021 if the person against whom deadly force is used is a member of a federally recognized tribe	<b>Not applicable</b>

A member of the IIT will be assigned as a tribal liaison within the first 24 hours and keep the tribe (or a representative of the tribe's choice) informed about all significant developments of the investigation.	<b>Not applicable</b>
---	-----------------------

## Credibility

Requirement	Compliant?
The involved agency and other first responders will secure the incident scene and maintain its integrity until the IIT arrives.	<b>Yes</b>
The involved agency and other first responders will locate and preserve evanescent evidence.	<b>Yes</b>
The IIT will follow these accepted best practices for homicide investigations published and annually updated by the Washington State Criminal Justice Training Center (CJTC):	
<ul style="list-style-type: none"> <li>• Until all statements have been taken, involved and witness officers shall not discuss the case with any other witnesses.</li> </ul>	<b>Unable to determine</b>
<ul style="list-style-type: none"> <li>• The involved agency or first responders will separate involved officer(s) and remove them from the immediate scene.</li> </ul>	<b>Yes</b>
<ul style="list-style-type: none"> <li>• The IIT will obtain statements from subjects and witnesses. Audio and/or video recording is preferred and should be attempted.</li> </ul>	<b>Yes</b>
<ul style="list-style-type: none"> <li>• Interviews of involved officers should follow the policies of their individual agency, collective bargaining agreement and case law.</li> </ul>	<b>Not applicable</b>
<ul style="list-style-type: none"> <li>• Interviews with emergency medical personnel, fire department personnel, and first responding officers should address conditions at the incident scene.</li> </ul>	<b>Yes</b>
<ul style="list-style-type: none"> <li>• The IIT will canvass the immediate area for potential witnesses who have not come forward and obtain information or statements as available.</li> </ul>	<b>Yes</b>
<ul style="list-style-type: none"> <li>• In the event of death, consult with the coroner or medical examiner at the scene and at, or subsequent to, the autopsy. A member of the IIT must attend the autopsy and take all appropriate investigative steps, consistent with other criminal investigations.</li> </ul>	<b>Yes</b>

<ul style="list-style-type: none"> <li>• Until the case file is delivered to the prosecutor, access to the IIT case file should be restricted to the IIT members involved.</li> </ul>	<b>No</b>
The IIT commander must create and enforce firewalls, which is a process to prevent information sharing between the IIT from the involved agency, and train all team members to observe them to ensure no IIT member receives any compelled statements of the involved officer(s) or any investigative content that was informed by such compelled statements.	<b>Yes</b>
The firewall system and training must ensure that the involved agency is affirmatively advised not to furnish “prohibited content” to the IIT.	<b>Yes</b>
If any member of the IIT receives prohibited information, the investigator receiving the prohibited information must immediately report it to their supervisor and the member must discontinue participation in the investigation.	<b>Yes</b>
At least two community representatives should be assigned to each IIT investigation. The community representatives must have credibility with and ties to communities affected by police use of deadly force.	<b>Yes</b>
The chiefs and sheriffs of each regional team shall create a transparent process for soliciting names and creating a roster of people willing to serve in this capacity. The IIT community representatives must be chosen from this list by the chief(s) and/or sheriff(s).	<b>Yes</b>
All IIT leadership shall be commissioned peace officer(s) with previous experience in criminal investigations.	<b>Yes</b>
Investigators must be employed by a member agency of the IIT.	<b>Yes</b>
Investigators shall be commissioned peace officers in the state of Washington with previous experience as a detective or investigator, or have special skills or experience necessary for the team.	<b>Yes</b>
The chief or sheriff of a member agency and the IIT commander shall review the appointment of their IIT members who have served three years for possible rotation or replacement.	<b>Yes</b>
Lead investigators will be trained in basic homicide investigation, interviewing and interrogation, Law Enforcement Training and Community Safety Act (LETCSA) violence de-escalation and mental health training.	<b>Yes</b>

The IIT shall train as a unit at least annually.	<b>Yes</b>
Investigators assigned to an IIT are expected to have a work history free of serious misconduct and/or a pattern of sustained complaints, as well as a personal history free of demonstrable bias or prejudice against community members that may be affected by the police use of deadly force.	<b>Unable to determine</b>
Within 72 of the state of each investigation, investigators and community representatives must complete a “conflict of interest” assessment tool regarding any connection to the officers being investigated. The conflict assessment will be reviewed and discussed by the community representatives and the IIT commander.	<b>Yes</b>

## ABOUT THE STATE AUDITOR'S OFFICE

The State Auditor's Office is established in the Washington State Constitution and is part of the executive branch of state government. The State Auditor is elected by the people of Washington and serves four-year terms.

We work with state agencies, local governments and the public to achieve our vision of increasing trust in government by helping governments work better and deliver higher value.

In fulfilling our mission to provide citizens with independent and transparent examinations of how state and local governments use public funds, we hold ourselves to those same standards by continually improving our audit quality and operational efficiency, and by developing highly engaged and committed employees.

As an agency, the State Auditor's Office has the independence necessary to objectively perform audits, attestation engagements and investigations. Our work is designed to comply with professional standards as well as to satisfy the requirements of federal, state and local laws. The Office also has an extensive quality control program and undergoes regular external peer review to ensure our work meets the highest possible standards of accuracy, objectivity and clarity.

Our audits look at financial information and compliance with federal, state and local laws for all local governments, including schools, and all state agencies, including institutions of higher education. In addition, we conduct performance audits and cybersecurity audits of state agencies and local governments, as well as state whistleblower, fraud and citizen hotline investigations.

The results of our work are available to everyone through the more than 2,000 reports we publish each year on our website, [www.sao.wa.gov](http://www.sao.wa.gov). Additionally, we share regular news and other information via an email subscription service and social media channels.

We take our role as partners in accountability seriously. The Office provides training and technical assistance to governments both directly and through partnerships with other governmental support organizations.

### Stay connected at [sao.wa.gov](http://sao.wa.gov)

- [Find your audit team](#)
- [Request public records](#)
- Search BARS manuals ([GAAP](#) and [cash](#)), and find [reporting templates](#)
- Learn about our [training workshops](#) and [on-demand videos](#)
- Discover [which governments serve you](#) — enter an address on our map
- Explore public financial data with the [Financial Intelligence Tool](#)

### Other ways to stay in touch

- Main telephone:  
(564) 999-0950
- Toll-free Citizen Hotline:  
(866) 902-3900
- Email:  
[webmaster@sao.wa.gov](mailto:webmaster@sao.wa.gov)