



Office of the Washington State Auditor  
Pat McCarthy

## **Compliance Audit Report**

# **Reviewing Investigations of Police Use of Deadly Force**

## **North Central Washington Special Investigations Unit – The Ryan Bass Case**

**Use of Deadly Force Incident on March 3, 2020, by the Okanogan Sheriff's  
Office and Omak Police Department**

*Published October 6, 2022*

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**Office of the Washington State Auditor  
Pat McCarthy**

October 6, 2022

Undersheriff Jason Mathews  
North Central Washington Special Investigations Unit

**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 March 3, 2020, that resulted in the death of Ryan Bass.

The audit assessed the Okanogan Sheriff's Office, Omak Police Department and the North Central Washington Special Investigations Unit'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

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## EXECUTIVE SUMMARY

### Results in Brief

North Central Washington Special Investigations Unit (NCWSIU) investigators and officers involved in the incident complied with most requirements to ensure the investigation into Ryan Bass's death was independent, transparent, credible and communicated to the public timely, as state laws and rules require. These actions included, but not limited to, relinquishing control of the scene to NCWSIU once the investigation team arrived, involving community representatives in key points of the investigative process, assigning a family liaison, and removing officers involved in the use of force incident from the scene.

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

- NCWSIU did not always notify Bass's family of press releases before sending them to the media. The family liaison said Bass's family requested not to be notified if the press releases did not contain new information.
- NCWSIU could not provide us documentation demonstrating supervisors directed the involved 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 NCWSIU ensure it always notifies family members of press releases before sending them to the media, or maintain documentation showing that families have declined to receive required notifications.

We recommend NCWSIU'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 independent investigation team (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
- Amend WAC 139-12-030 to allow exceptions for required notifications of press releases if families request not to be notified
- 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 the morning of March 3, 2020, the Okanogan County Sheriff's Office was acting on information from an informant regarding the location of Ryan Bass, who had several outstanding warrants for his arrest. Deputies Jody Barcus and Justin Malone from the Okanogan County Sheriff's Office, and Detective Brian Bowling from the Omak Police Department, were searching for Bass when they noticed a vehicle outside a grocery store matching the description of his SUV. As they approached the vehicle, Bass got out of it, pulled out a firearm and fired several shots toward the officers. All three officers returned fire, shooting Bass four times. Officers on scene and responding officers provided first aid to Bass until EMS arrived. He was taken to the hospital where he was pronounced dead later that afternoon. None of the officers were injured.

The North Central Washington Special Investigations Unit (NCWSIU), an independent investigation team (IIT) that investigates police use of deadly force incidents in Chelan, Douglas and Okanogan counties, responded to the incident. Investigators from the Chelan County Sheriff's Office, Washington State Patrol, Wenatchee Police Department, and Douglas County Sheriff's Office took part in the investigation.

NCWSIU completed the investigation on April 22, 2021, and submitted its case files to the Okanogan County Prosecutor. The prosecutor reviewed the case and announced on July 7, 2021, that he would not be filing charges against any of the officers involved.

### 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 person 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 Okanogan Sheriff’s Office, Omak Police Department and NCWSIU complied with state laws and rules in conducting the investigation of Ryan Bass’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 agencies’ 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 or whether the use of force was justified.

### Independence

To help ensure the investigation was conducted independently of the involved agencies, NCWSIU investigators reported that they assumed control of the scene and excluded investigators from the two involved law enforcement agencies. We reviewed investigative reports from the case files and found that around 11:55 a.m., about 10 minutes after the incident, supervisors from the Okanogan County Sheriff's Office began notifying NCWSIU leadership of the incident. At 12:20 p.m., dispatchers alerted all NCWSIU investigators to activate. Investigators began arriving at the scene at 3:56 p.m., and assumed control of the investigation.

Investigators from the Chelan County Sheriff's Office, Washington State Patrol, Wenatchee Police Department, and Douglas County Sheriff's Office participated in the investigation. The IIT commander said that no members of the Okanogan County Sheriff's Office or the Omak Police Department took part in the investigation. There was also no evidence in the case file documentation we examined that indicated members of the Okanogan County Sheriff's Office or the Omak Police Department took part in the investigation.

### Transparency

We found that NCWSIU made necessary processes and documents public, and that the IIT's community representatives were properly involved in the investigation. We verified that NCWSIU posted its protocols and names of its command staff, investigators and community representatives online. NCWSIU made weekly public updates as required by issuing press releases throughout the investigation.

Community representatives are volunteers, not employees of law enforcement agencies. Each member agency of NCWSIU solicits volunteers from their communities. The Okanogan County Sheriff selected one community representative to participate in the investigation, and the Omak Police Department Chief selected another.

NCWSIU included community representatives in key processes as required. We interviewed one of the community representatives to independently verify how NCWSIU involved them in the process. She confirmed they were present at the two briefings with the Okanogan County Sheriff

and Omak Police Chief, were provided press releases before they were sent to the media, and were aware that they had access to the entire case file. The other community representative declined to speak with us. He wrote in an email that he did not have information to offer other than he thought NCWSIU included him appropriately.

The first community representative said she did not participate in interviewing or selecting the IIT investigators, but she was able to review their qualifications. The community representative said she was introduced to all of the IIT members and verbally informed of their experience and qualifications.

The NCWSIU commander said the investigators who worked on the Bass case were “grandfathered in,” because the IIT existed before the creation of WAC 139-12-030. We reviewed the WAC and agree that CJTC allowed this exemption and required IITs to have community representatives review existing investigators’ qualifications by January 2021.

## **Communication**

We reviewed investigative reports and found NCWSIU complied with most of the required steps to update the public and Bass’s family on the investigation’s progress.

The reports showed that NCWSIU assigned a family liaison the day of the incident. The liaison then contacted Bass’s family the following day. When significant developments occurred in the case, the liaison contacted Bass’s family before sending press releases to the media. However, he did not do so for every press release as required by the WAC. The liaison said the family requested not to receive weekly notifications, particularly when there was no new information to share. The liaison agreed to this, but the case files did not have documentation of the family’s request.

## **Credibility**

NCWSIU 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**

We reviewed the investigative files and found that NCWSIU investigators directed responding on-scene supervisors from the Okanogan County Sheriff’s Office to create an inner and outer perimeter at the incident scene, as well as keep a crime scene log of those entering and exiting the perimeters. Other responding deputies had already placed crime scene tape around the incident and



started marking evidence locations with orange marking paint. The lead investigator also called in the Washington State Patrol's Crime Scene Response Team. NCWSIU took aerial photographs of the scene and used a three-dimensional scanner to create detailed diagrams of the incident.

### **Identifying and Interviewing Witnesses**

NCWSIU investigators directed responding officers to remove the involved officers from the scene and take them to their respective departments. Investigators also interviewed nine potential witnesses at the scene.

Detective Bowling agreed to a recorded interview on March 10, 2020, one week after the incident. The two involved sheriff deputies provided written accounts of what happened later that day, but chose not to be interviewed.

Best practices recommend that involved officers be directed not to discuss the case. The NCWSIU case files did not contain any documentation indicating this occurred. The IIT commander requested reports from the involved agency with the relevant information, however, the agency was unable to provide NCWSIU with any of their case files. Because of this lack of documentation, we were unable to determine whether the involved officers discussed the case or had the opportunity to do so.

### **Training and Experience**

We reviewed NCWSIU members' training records to ensure they met the qualifications of credible investigators under the WAC. Only lead investigators are required to have specific training and credentials. We found the lead investigator met all training and experience requirements under the WAC.

### **Conflicts of Interest**

NCWSIU established processes to help ensure investigators did not have connections with the involved officers or biases that would impair their objectivity. Investigative reports showed that before he came to the scene of the incident, the lead investigator called NCWSIU members to the Wenatchee Police Department to provide an overview of everything he knew of the incident and discuss any conflicts of interest. Two investigators said they attended a training with one of the officers, but did not have a personal relationship with him. The investigators remained on the team, but were not given lead roles. The IIT members later filled out and signed conflict of interest forms that included questions about prior interactions or relationships with the officers. The IIT commander and community representatives reviewed them within 72 hours of the start of the investigations as required, and did not note any issues.

## Misconduct

In addition to the conflict of interest forms, NCWSIU 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 the investigation objectively. Examples of disqualifying conduct could be discriminatory behavior, threats of violence, harassment or falsifying records.

During our interviews, NCWSIU 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. As the IIT's member agencies are relatively small, all detectives from member agencies are part of NCWSIU. The process for becoming a detective involves a review of any misconduct or disqualifying behavior. NCWSIU 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 established the CJTC has established do not describe how IITs should verify members' work history.

Ultimately, NCWSIU 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 NCWSIU 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

### Recommendations

We recommend NCWSIU ensure it always notifies family members of press releases before sending them to the media, or maintain documentation demonstrating families have declined to receive required notifications.

We recommend the NCWSIU'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 leading practices
- Amend WAC 139-12-030 to allow exceptions for required notifications of press releases if families request not to be notified
- 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

## INDEPENDENT INVESTIGATION TEAM RESPONSE

The North Central Washington Special Investigations Unit provided the following response:

**In response to:**

*“NCWSIU did not always notify Bass’s family or provide them with copies of press releases before sending them to the media. The family liaison said Bass’s family requested not to be notified if the press releases did not contain new information.”*

During the investigation of this case, the assigned Family Liaison received a verbal request from the designated family representative to not share the weekly press releases, if there was no additional information or developments in the case. The family representative cited the repeated, weekly, re-traumatization that occurred with the weekly press releases as a reminder of the tragic loss of their loved one. Wanting to be respectful of the family’s request and the reality of unnecessarily retraumatizing loved ones, the Family Liaison ceased providing the weekly press releases to the family representative. It should be noted, this was not a cessation of communication between the Family Liaison and the effected family. Regular communications continued throughout the investigation, just not on a weekly basis through press releases, when there was no new information or significant developments to report.

Additionally, this topic was discussed during WAC rule-making with CJTC staff, community stake-holders, and law enforcement representatives. Other teams had similar experiences in some cases, and members of the work group agreed this was an appropriate response by the IIT under the circumstances. Continuing to traumatize the effected family would be inappropriate and undermine the tenants of transparency, communication, and credibility. However, several community stake-holders were reluctant to change the WAC language because of a stated concern that law enforcement may not communicate to an acceptable degree, which was not clearly defined. Thus, the WAC language has remained the same.

**In response to:**

*“NCWSIU could not provide us documentation demonstrating supervisors directed the involved officers not speak to each other about the case.”*

WAC 139-12-030 defines what involved agencies responsibilities are until control is relinquished to the IIT. This is detailed in Independence (1)(b). The CJTC best practice document published September, 2020 (five months after our investigation was initiated) listed directing the involved officer’s not to speak with each other about the case is a requirement of the on-scene venue agency. See section C number 11 of the best practices document. This is not a requirement of the IIT.

Although not specifically identified in the WAC it is best practice to separate the involved officer's immediately to maintain the integrity of individual officer's recollection of the incident. This incident occurred more than 100 miles from Wenatchee, which created a significant response time of approximately four hours. Because of this we had to completely rely upon Okanogan County Sheriff Deputies reports.

In preparation for the SAO audit, we requested Okanogan County's reports. Okanogan County Sheriff's Office told us there was an issue with their files being corrupted with ransomware. They provided us an electronic copy of their case file, however when scanned for ransomware we found it to still be corrupted. Because of this we were unable to review their reports and provide a proof this directive was given to the involved Deputies.

# CRIMINAL JUSTICE TRAINING COMMISSION RESPONSE



## WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

Monica Alexander, Executive Director

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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 North Central Washington Special Investigations Unit – The Ryan Bass 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

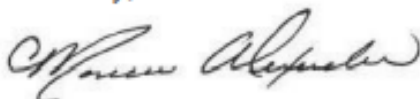
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TRAINING THE GUARDIANS OF DEMOCRACY

The Honorable Pat McCarthy  
September 16, 2022  
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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

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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 and affected individuals. 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 Okanogan Sheriff's Office, Omak Police Department and the North Central Washington Special Investigations Unit (NCWSIU) complied with state laws and rules regarding the investigation of the use of deadly force that resulted in Ryan Bass'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 reviews 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 Okanogan County Sheriff's Office, Omak Police Department and the NCWSIU complied with state laws and rules regarding independent investigations of police use of deadly force

### Methodology

To determine whether the Okanogan County Sheriff's Office, Omak Police Department and NCWSIU 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>Not applicable</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>
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## 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>Yes</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>Yes</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.

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