



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 Alexander White Case

**Use of Deadly Force Incident on May 7, 2022, by the Wenatchee Police  
Department**

*Published January 23, 2025*

Report No. 1036533



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## Office of the Washington State Auditor

**Pat McCarthy**

January 23, 2025

Chief Steve Groseclose  
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 May 7, 2022, that resulted in the death of Alexander White.

The audit assessed the Wenatchee Police Department's 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  
Kevin Briggs, Assistant State Auditor

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## EXECUTIVE SUMMARY

### Results in Brief

North Central Washington Special Investigation Unit (NCWSIU) investigators and officers involved with the shooting followed most of the requirements to ensure the investigation into Alexander White's death was independent, transparent, credible, and communicated to the public timely, as state laws and rules require. These actions included, but were not limited to, relinquishing control of the scene to NCWSIU once the investigation team arrived, issuing weekly public updates about the investigation's progress until the case was presented to the prosecutor, and locating and preserving evidence.

We found one instance of noncompliance with the Criminal Justice Training Commission's best practices for independent investigations. Specifically, the Wenatchee Police Department did not separate two of the involved officers after the shooting.

### Recommendations

We recommend NCWSIU's member agencies separate involved officers, as required by best practices.

## BACKGROUND

### Use of Deadly Force Incident

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

On May 7, 2022, just before 8:30 a.m., several 911 callers reported a man shooting a gun at a church. Wenatchee Police officers Corey Fuller, Brian Hewitt, Alyssa Mustain, Mark Ward, and Stephanie Valencia responded and found Alexander White standing in front of the church and holding a pistol.

The officers ordered White to drop his weapon. White ignored their commands and reloaded his gun. White then raised his gun toward Hewitt and Mustain. In response, Fuller, Hewitt, and Mustain fired a total of 21 shots, hitting White three times in the arm, neck and left thigh. Fragments from one officer's bullet also struck Hewitt in the leg. Within seconds of the exchange, Ward reported the shooting and called for paramedics.

Ward and other responding officers handcuffed White and began giving first aid. Paramedics arrived shortly after and pronounced White dead at the scene. Hewitt was transported to the hospital where he was treated and released.

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 Douglas County Sheriff's Office led the investigation with assistance from the East Wenatchee Police Department, Chelan County Sheriff's Office, Washington State Patrol, and Central Basin Investigation Team.

NCWSIU presented its investigation file to the Chelan County Prosecuting Attorney's Office on December 6, 2022. The prosecutor reviewed the case and announced on March 27, 2023, that he would not file charges against Fuller, Hewitt or Mustain.

### 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 Wenatchee Police Department and NCWSIU complied with state laws and rules in the investigation of the death of Alexander White, 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 assess whether 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 agency, NCWSIU investigators assumed control of the scene upon arrival and excluded investigators from the Wenatchee Police Department. The shooting happened at about 8:30 a.m. At 8:45 a.m., the Chelan County Undersheriff alerted IIT investigators to respond. The NCWSIU commander arrived at the scene about 9 a.m., and by 10:15 a.m., he released Wenatchee officers from the scene and took control of the investigation.

We did not find evidence that any member of NCWSIU shared investigative information with the Wenatchee Police Department, or that any member of the Department took part in the investigation.

### Transparency

NCWSIU included two community representatives in the required investigative processes. WAC 139-12-030 requires IITs to include at least two community representatives in each investigation. Community representatives are volunteers, not law enforcement agency employees, who provide community perspective on key processes in use of deadly force investigations. They must complete a confidentiality agreement and have access to the completed investigation file.

The NCWSIU commander met with the community representatives the morning after the shooting. At that time, both representatives signed a confidentiality agreement that stated they would be able to see the completed investigation file. The IIT commander also wrote that he invited the representatives to attend the investigation results briefing with the Chelan County Prosecutor. We spoke to both community representatives who said they attended the briefing and knew they could review the completed investigation file.

The NCWSIU commander denied the Wenatchee Police Chief's requests to release the involved officers' body camera video. The WAC requires IIT's to release body camera video or other investigation information of urgent public interest upon request of the chief or sheriff of the involved agency, with the prosecutor's agreement. In the chief's request, he reasoned that disclosing the recordings would provide important context to potentially misleading witness video footage already on social media. The NCWSIU commander spoke with the Chelan County Prosecutor, and chose not to release the video to avoid influencing the officers who had not given statements yet.

## Communication

NCWSIU regularly updated the public and White's family during the investigation. The WAC requires IITs to communicate with the public and family of the person against whom deadly force has been used. The involved agency or IIT is required to notify the family of the use of force incident, and the IIT is required to update the family on all significant developments throughout the investigation. The WAC also requires an IIT to post, at minimum, weekly public updates on the investigation's progress even if there is no new information to report. The IIT must provide the community representatives and the family with advance notice of each press release.

Investigators and the Chelan County Coroner contacted White's family the afternoon of the shooting to notify them of his death. NCWSIU assigned a family liaison the day of the shooting, and he communicated significant updates about the investigation, such as when a witness posted a video on the internet showing the shooting and the release of White's and the involved officers' names to the media.

NCWSIU issued 33 press releases during the 30-week investigation. The family liaison emailed each release to the family before it was published. The case file contains a press release log showing that the community representatives received each press release prior to publication. We spoke to both community representatives who confirmed they received all the releases.

In addition to the communication requirements with the family and public, the WAC prohibits IITs and involved agencies from providing the media with criminal background information about the person against whom deadly force has been used, unless it is specifically requested and the release of such information is required by law. We found no evidence that NCWSIU or the involved agency provided criminal background information to the media. We reviewed each press release, several online news articles, and the social media pages for the Douglas County Sheriff's Office and the Wenatchee Police Department, and found no indication that either NCWSIU or the involved agency released criminal background information.

## Credibility

### Crime Scene Investigation

Wenatchee and responding agency officers secured the scene by using patrol cars to block traffic and crime scene tape to secure an inner and outer perimeter. Officers also stood along the perimeter and maintained logs recording who entered and exited the scene. They preserved evidence by photographing the area and placing cones over shell casings to mark their location.

Investigators collected evidence including shell casings and White's gun. They photographed and digitally scanned the scene, and created a 3D map. Investigators also located and photographed damage in the surrounding buildings caused by bullets. They collected the Wenatchee officers' dash and body-worn camera videos, witnesses' cellphone videos and private security camera footage from surrounding businesses.



Investigators processed Fuller, Mustain and the witness officers for evidence at the Wenatchee Police Department. They collected their body cameras, counted the remaining rounds of ammunition in their firearms, and took Fuller's and Mustain's guns into evidence. Investigators photographed Hewitt at the hospital and collected his clothing and equipment to process it at the Wenatchee Police Department. They photographed and counted the rounds of ammunition in his gun and magazines. They also collected White's clothing from the hospital.

### **Interviewing Involved Officers and Witnesses**

Wenatchee Police supervisors took some steps to ensure involved officers made their statements independently of each other. However, some officers were not separated until arriving at the station, and we were unable to determine if some officers discussed the case before providing statements to NCWSIU. IITs and their member agencies are required to follow the CJTC's published best practices. As such, agencies must ensure involved and witness officers do not discuss the case with any other witnesses before providing statements to the IIT. Involved officers must be separated and removed from the immediate scene.

Valencia, who was providing medical aid to Hewitt, went with him in the ambulance to the hospital. We were unable to determine if the two officers discussed the shooting during this time. Both officers later went to the Wenatchee Police Department where a supervisor separated them and told them not to discuss the shooting.

An uninvolved officer drove Fuller and Mustain back to the station together where they were then separated and told not to discuss the shooting. During the ride, Mustain also told Fuller that they should not talk about anything. The NCWSIU commander said that the shooting occurred during a large annual parade, which limited the resources available. They decided to take the officers away from the scene quickly instead of waiting for more officers to arrive.

NCWSIU protocol allows officers to provide a written statement prior to an interview with IIT investigators. The day of the shooting, all the involved officers declined to be interviewed. Instead, they provided written statements through their attorney on May 24, 2022, about three weeks after the shooting.

Investigators canvassed the surrounding area and interviewed or took written statements from more than 40 witnesses and people who knew White.

### **Case File Integrity**

To ensure that only authorized personnel have access to NCWSIU files, member agencies do not create or store case information in an electronic records management system. The NCWSIU commander said that investigators print their reports and give copies to the lead investigator. Requests for access to the file during an investigation must be approved by the IIT commander.

We did not find evidence that any NCWSIU members received prohibited information during the investigation. The WAC prohibits IIT members from remaining on an investigation if they receive compelled information that could contaminate the investigation.

## **Conflict of Interest**

All participating NCWSIU investigators and community representatives completed a conflict of interest form within 72 hours of starting the investigation. The WAC requires investigators and community representatives to complete a “conflict of interest” assessment about any connection they have to the officers under investigation. The assessment should include questions about prior interactions or relationships with the officers, and address social conflicts, work conflicts and biases. The WAC also requires IITs to use the CJTC’s standard conflict of interest form or create a form that meets or exceeds its standards. Community representatives and the IIT commander are required to review investigators’ conflict of interest assessments to determine if any investigators should be removed from the case.

We found that investigators and community representatives completed their forms within 72 hours. NCWSIU uses the CJTC’s form, which includes all the required topics and questions to ask investigators. The IIT commander and the community representatives also signed each investigator’s form, indicating they reviewed it. Four investigators disclosed prior work or other interactions with one or more of the officers involved. The IIT commander and community representatives discussed these potential conflicts and determined the interactions did not threaten the investigators’ ability to be objective.

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

## RECOMMENDATIONS

We recommend NCWSIU's member agencies separate involved officers, as required by best practices.

# INDEPENDENT INVESTIGATION TEAM RESPONSE

## North Central Washington Special Investigation Unit

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To: Kevin Briggs Office of Washington State Auditor  
From: Steve Groseclose NCWSIU Commander  
Reference: Compliance/Audit Report response for NCWSIU Alexander White investigation.

This document is the formal response to the Washington State Auditor's Office, 2024 audit, of the NCWSIU investigation into the use of deadly force on May 7<sup>th</sup>, 2022, that resulted in the death of Alexander White. The Washington State Auditor's Office investigation showed NCWSIU investigators followed "most" of the requirements to ensure the investigation into Alexander White's death was independent, transparent, credible, and communicated to the public, in a timely manner, as state laws and rules require.

There was one finding during the audit review.

1. Specifically, the Wenatchee Police Department did not separate two of the involved Officers after the shooting.

Our response to the findings is as follows:

The best practice standard of separation of officers, after a use of deadly force incident is a process to ensure no communication occurs between officers in the aftermath of a deadly force incident. The NCWSIU understands the importance of this process. While the process is important, the goal of this process is to ensure involved Officers do not share information. While the Wenatchee Police Officers mentioned in the Auditor's Office findings were transported together in a Wenatchee Police patrol vehicle, to their Office, they were wearing body-worn cameras that were recording. These recordings showed no communication occurred between them. In fact, one of the Officers reminded the other they should not talk.

On May 7<sup>th</sup>, 2022, when this deadly force incident occurred, the annual Apple Blossom parade was in progress. The shooting that resulted in the death of Alexander White occurred after Mr. White began firing multiple rounds into a church, near where the parade was occurring. A Wenatchee Police Officer was injured during the shooting between Mr. White and the Officers. The wounded Officer was transported by ambulance to an area hospital. The decision to immediately remove other involved Wenatchee Police Officers from the scene of a critical

incident, using available resources was a high priority, taking into account the Officer's mental health and wellness. The circumstances immediately after the shooting likely made separating the involved Officers before separately driving them through nearby crowds and the parade route, to the Wenatchee Police Department not feasible. The body camera footage showed these Wenatchee Police Officers followed the intent of the law, and no finding should be made.

We agree with the Auditors Office recommendation that agencies be reminded to separate Officers after the use of deadly force. We would also recommend all body-worn cameras be left running to document no communication occurring, when separate is not feasible.

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Steve Groseclose NCWSIU Commander 01/15/24

## 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 officers. 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 people. 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 2021, 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 Wenatchee 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 the death of Alexander White. 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 Wenatchee Police Department and NCWSIU complied with state laws and rules regarding independent investigations of police use of deadly force.

## Methodology

To determine whether the Wenatchee 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.

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

### Independence

Requirement	Compliant?
The involved agency and/or other first responders will provide or facilitate first aid at the scene if necessary.	<b>Not applicable</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>
No information about the ongoing independent investigation of police use of deadly force will be shared with any member of the involved agency.	<b>Not applicable</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?
A minimum of two non-law enforcement community representatives will be assigned to the IIT investigation.	<b>Yes</b>
The community representatives will:	
<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>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 advanced notice of all scheduled press releases.	<b>Yes</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>The on-scene venue agency will ensure that 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>No</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>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>Not applicable</b>
Within 72 hours of the start of each investigation, investigators and community representatives must complete a “conflict of interest” assessment tool regarding any connection to the officers being investigated.	<b>Yes</b>
The conflict of interest form should assesses work and social conflicts and biases. If an IIT uses its own conflict of interest form, the standards must meet or exceed the CJTC’s standard form.	<b>Yes</b>
The IIT commander will review the conflict of interest assessment within 72 hours of the start of the investigation.	<b>Yes</b>
The community representatives and the IIT commander will discuss the conflict of interest assessments.	<b>Yes</b>

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