



Office of the Washington State Auditor
Pat McCarthy

Compliance Audit Report

Reviewing Investigations of Police Use of Deadly Force

Valley Independent Investigative Team

**Use of Deadly Force Incident on September 20, 2021, by the Federal Way
Police Department**

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Office of the Washington State Auditor

Pat McCarthy

April 3, 2025

Commander Kyle Yoshimura
Valley Independent Investigative 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 September 20, 2021, that resulted in serious injury.

The audit assessed the Federal Way Police Department's and the Valley Independent Investigative 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
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TABLE OF CONTENTS

Executive Summary	4
Background	6
Audit Results.....	8
Recommendations	12
Independent Investigation Team Response	13
Appendix A: Authority, Scope, Objective and Methodology.....	16
Appendix B: WAC 139-12-030 Compliance Summary	16
About the State Auditor's Office.....	20

EXECUTIVE SUMMARY

Results in Brief

Valley Independent Investigative Team (VIIT) investigators and officers involved in the use of force incident complied with some requirements to ensure the investigation of the shooting on September 20, 2021, was independent, transparent, credible and communicated to the public timely, as state laws and rules require. These actions included, but were not limited to, securing the scene of the shooting, canvassing the scene for witnesses, and obtaining statements from subjects and witnesses.

The audit found one instance in which VIIT did not comply with state rules. Specifically, we found VIIT did not provide public updates on the investigation's progress during four weeks of the 11-week investigation.

We also found several areas where VIIT could improve its documentation to demonstrate compliance. Specifically, we found VIIT did not maintain documentation to demonstrate:

- It restricted the case file to only participating investigators
- The community representatives completed a confidentiality agreement at the start of the investigation
- It required investigators and community representatives to complete a conflict of interest assessment that addressed all of the required elements
- The IIT commander and community representative reviewed the investigators' completed conflict of interest assessments within 72 hours of starting the investigation
- It assigned a family liaison to contact the injured man's family and provide them significant updates
- It provided the community representatives and the injured person's family with advanced notification of all press releases

We also did not find documentation in the case file indicating Federal Way supervisors separated involved officers from each other and took efforts to ensure involved and witness officers did not speak to one another about the shooting until they provided statements to VIIT.

Recommendations

We recommend VIIT:

- Provide weekly public updates, as required
- Ensure the case file is properly limited to only participating investigators, and maintain documentation it did so
- Ensure community representatives sign a confidentiality agreement at the start of each police use of deadly force investigation, and maintain documentation that they did so
- Require investigators and community representatives to complete a conflict of interest assessment within 72 hours of starting the investigation, and maintain documentation that they did so
- Ensure the IIT commander and community representative review investigators' completed conflict of interest assessments within 72 hours of starting the investigation, and maintain documentation that they did so
- Contact the family and provide press releases and significant updates about the investigation or document the reason for not doing so
- Provide the community representatives with advance notice of all press releases as required, and maintain documentation to demonstrate that it did so

We also recommend VIIT's member agencies separate involved officers and instruct involved and witness officers not to discuss the case before providing statements to VIIT, and maintain documentation that they did so.

BACKGROUND

Use of Deadly Force Incident

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

On September 20, 2021, around 3:20 p.m., a man approached a customer at a car wash and pointed his gun at him. When the customer backed away, the man began taking things from the customer's vehicle. A nearby group tried to stop him, but the man pointed his gun at them. Several people called 911, and Federal Way police officers responded. The man then fled the area.

Officers located the man walking along a nearby road and began following him in their patrol cars at a distance. The man then tried to steal a car with two people inside, but officers ordered the man to drop his weapon. He refused and waived his gun before fleeing again.

The man then walked up to another stopped vehicle. More officers arrived, surrounding him and ordering him to drop the gun. The man ignored their commands. He pointed his gun at the driver and pulled them out of the car. Five officers, Eric Davis, Richard Kim, Travis Loyd, Eric Reyna, and Connal Murphy fired their guns at the man as he moved toward the back of the car. He fell backwards and threw his gun toward the middle of the road. Officers approached the man, handcuffed him and provided first aid until paramedics arrived and took him to the hospital. He was treated for two gunshot wounds to his arm and upper torso and survived his injuries.

The Valley Independent Investigative Team (VIIT), an independent investigation team (IIT) that investigates police use of deadly force incidents in southeast King County, responded to the shooting. Investigators from the Port of Seattle Police Department led the investigation with assistance from the Auburn, Kent, Tukwila, Des Moines and Renton police departments.

On December 2, 2021, VIIT submitted its investigation to the King County Prosecuting Attorney's Office. The prosecutor reviewed the case and announced on April 27, 2022, that he would not file charges against the five involved officers.

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 Federal Way Police Department and VIIT complied with state laws and rules in the investigation of the use of deadly force incident that occurred on September 20, 2021, 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 ensure the investigation was conducted independently from the involved agency, VIIT investigators assumed control of the scene on arrival and excluded Federal Way Police Department personnel from the investigation. Dispatch records showed Federal Way officers fired shots at the man around 3:30 p.m. Dispatch sent an automated call to VIIT investigators at 4:10 p.m. to request that they respond to the Federal Way Police Department for a briefing about an officer-involved shooting. Investigators arrived at the shooting scene around 5:30 p.m. Some Federal Way officers remained on scene to provide security around the perimeter, but were not involved in the investigation. VIIT commanders also ensured investigators conducted the use of deadly force investigation separately from the criminal investigation of the preceding events.

VIIT held one briefing with the Federal Way Police Department four days after the shooting. The WAC prohibits IITs from sharing investigative information with an involved agency, except for limited information about the investigation's progress. We were unable to determine what information was provided during the briefing as the case file did not contain any information on it. However, VIIT commanders said that, historically, most of the information the team provided during these initial briefings would be known to the involved agency through the initial incident or its administrative investigation. The IIT's current practice is to conduct only one briefing at the end of the investigation to comply with revisions to state rules.

Transparency

VIIT included two community representatives in some of the required processes. To help provide transparency in investigations, 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, and they provide the community's perspective on key processes in use of deadly force investigations. They are supposed to sign confidentiality agreements, attend briefings with the involved agency and have access to the completed investigation file.

VIIT assigned two community representatives to the investigation, and both attended the briefing with the Federal Way Police Department four days after the shooting. VIIT investigators also held a final presentation for the community representatives to discuss the completed investigation and case file. The case file did not include signed confidentiality agreements, however, one community representative that we interviewed said that VIIT always sends a confidentiality agreement form right after a community representative agrees to participate in an investigation. The other community representative did not respond to our request for an interview.

Communication

VIIT did not meet most of the requirements for communication to the public or the injured man's family. The WAC requires IITs to communicate with the public and the family of the person who was killed or injured by police use of deadly force. The involved agency or IIT is required to notify the family of the use of force incident, and the IIT is required to provide the family with updates on all significant developments throughout the investigation. Additionally, the WAC 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 community representatives and family are supposed to receive advance notice of each press release.

VIIT issued seven press releases through the 11-week investigation, missing four required public updates. There was no documentation in the case file that VIIT notified the community representatives, injured man or his family of any of the press releases as required in the WAC. The VIIT commander tried to find additional documentation, but said that because of a cyberattack the department lost access to many of its applications, and all emails that potentially showed investigators sent advance copies of press releases to all the required people could not be recovered. However, the community representative we interviewed said VIIT regularly emailed them press releases for review before it sent them to the media or posted them online.

A Port of Seattle sergeant typically assumes the family liaison role in VIIT investigations led by the department. Since the injured man was able to speak after being treated at the hospital, VIIT investigators approached him first and did not try to locate family members. In prior audits, other IIT commanders also said that they think injured people should be able to make their own decision to notify family about use of force incidents, and do not think this criterion should apply if anyone injured in use of force incidents are able to speak for themselves. VIIT investigators had a brief conversation with the injured man at the hospital the day after the shooting, but only learned that he was homeless. Investigators attempted to speak to him again, but VIIT said he was uncooperative and did not want to identify a family member that the liaison could contact.

In prior audits, we recommended the CJTC clarify family communication requirements in these situations. The CJTC revised its best practices to allow the subject or family to waive communication from IITs or opt for less frequent updates or other methods of communication. It requires IITs to document the decision.

Credibility

Crime Scene Investigation

Responding Federal Way officers secured the shooting scene to maintain its integrity by hanging crime scene tape to create an inner and outer perimeter. They also started a crime scene log to track the names of people who entered and exited the perimeters. They set up traffic control to block and direct drivers away from the scene. One officer also noted that they ensured nobody disturbed the involved vehicle, shell casings or the injured man's firearm. Another officer began placing traffic cones by bullet casings that they saw in the area.

Once VIIT investigators arrived at the scene, they began taking photographs and collecting evidence. They used a drone and 3D scanner to document the scene and yellow evidence markers to identify potential evidence. They also canvassed the area for witnesses and surveillance video footage. Investigators collected surveillance video footage from two businesses' cameras and from the city's street cameras.

Investigators also photographed all five involved officers, collected their firearms and counted the remaining rounds of ammunition in their firearms. None of the officers had body-worn cameras or dash cameras on their patrol cars.

Interviewing Involved Officers and Witnesses

The case file did not have documentation that the Federal Way Police Department made efforts to ensure involved and witness officers could provide statements independently to VIIT investigators. Department policy requires supervisors to remove involved officers from the scene and for involved officers to limit discussion of the incident until after investigators interview them. VIIT policy also states that the involved agency is responsible for removing involved officers from the scene and separating them. These requirements are reflected in the CJTC's best practices as well.

Federal Way Police Department narrative reports did not indicate when the department removed all the involved officers from the scene. It also indicated that at least some officers who responded to the 911 call stayed in the same room together after they left the scene to return to the station, allowing the opportunity to discuss the shooting. All five involved officers declined to provide statements to VIIT investigators, but all the witness officers and responding officers wrote narrative reports on the day of or day after the shooting and provided them to VIIT. To help ensure involved and witness officers can provide independent statements to investigators, many departments require supervisors to direct these officers to not discuss the case.

VIIT interviewed more than 15 other people who witnessed all or parts of the shooting or the preceding events. VIIT investigators also tried to interview the injured man again after he left intensive care, but he declined to provide a statement without an attorney present.

Case File Integrity

We were unable to determine whether VIIT restricted its case file to only participating IIT members. During an active investigation, the WAC requires IITs to restrict the case file from everyone except IIT members involved with the investigation. Because of the cyberattack, the department also lost its records management system, and the commander was unable to run a report showing who accessed the case.

Conflicts of Interest

The WAC requires that investigators and community representatives complete a “conflict of interest” assessment regarding any connection to the officers being investigated within 72 hours of the start of the investigation. However, VIIT did not maintain documentation that the investigators and community representatives completed the assessment forms for this investigation. The community representative we interviewed said she recalled signing a form and reviewing the investigators’ assessments; but without the forms, we could not determine when or if all participating VIIT members completed them as required.

The assessment should include questions about prior interactions or relationships with the officers being investigated, as well as address social conflicts, work conflicts and biases. Community representatives and the IIT commander are required to review investigators’ conflict of interest assessments within 72 hours of the start of the investigation to determine if any investigators should be removed from the case. Without the forms or other documentation, we were unable to determine when the review occurred or what questions they asked VIIT members.

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

RECOMMENDATIONS

We recommend VIIT:

- Provide weekly public updates, as required
- Ensure the case file is properly limited to only participating investigators, and maintain documentation it did so
- Ensure community representatives sign a confidentiality agreement at the start of each police use of deadly force investigation, and maintain documentation that they did so
- Require investigators and community representatives to complete a conflict of interest assessment within 72 hours of starting the investigation, and maintain documentation that they did so
- Ensure the IIT commander and community representative review investigators' completed conflict of interest assessments within 72 hours of starting the investigation, and maintain documentation that they did so
- Contact the family and provide press releases and significant updates about the investigation or document the reason for not doing so
- Provide the community representatives with advance notice of all press releases as required, and maintain documentation to demonstrate that it did so

We also recommend VIIT's member agencies separate involved officers and instruct involved and witness officers not to discuss the case before providing statements to VIIT, and maintain documentation that they did so.

INDEPENDENT INVESTIGATION TEAM RESPONSE



Port of Seattle Police Department

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March 26, 2025

The Honorable Pat McCarthy
State Auditor
Office of the Washington State Auditor
PO Box 40021
Olympia, WA 98504-0021

Dear Auditor McCarthy,

Thank you for the opportunity to review and respond to the State Auditor's Compliance report auditing the use of deadly force by the Federal Way Police Department on September 20, 2021, and subsequent investigation completed by the Valley Independent Investigative Team (VIIT). The Criminal Investigations Division (CID) of the Port of Seattle Police Department was designated as the lead investigating agency.

The audit resulted in several recommendations made by the State Auditor's Office (SAO) on areas where we could improve or where we may have failed to demonstrate. However, there are a few factors that affected these recommendations, which I will formally address below:

- *Provide Weekly updates, as required*

As mentioned within the SAO's report, the Port of Seattle fell victim to an organization wide cyberattack capturing and essentially eliminating data from nearly every application and system used by the police department including email, the primary method in which weekly notices were delivered. The commander overseeing CID at the time of this investigation provided 7 of 11 weeks of notices, then located an eighth notice that was sent but was undeliverable to only one recipient. The ninth and tenth notices were later located after the cyberattack and sent by the CID sergeant supervising the division at the time of this investigation. This only occurred when the CID commander was on vacation. The twelfth notice could not be located. These weekly notices are also sent to the VIIT Team Commander; however, this audit concerns only the documentation we have maintained.

As a result of the cyberattack, and since taking over as the CID commander, all weekly notices have been printed and physically added to active investigation case folders. Moving forward, this will be a directive for the CID commander to include with the case folder.



- *Ensure the case file is properly limited to only participating investigators, and maintain documentation it did so*

This case was completed and closed prior to the cyberattack and although there is no evidence indicating unauthorized access to the case occurred, our report writing and records management system (RMS) used during this investigation allowed the department records manager to password protect any sensitive case. The password would then only be shared with the case lead detective, CID sergeant, and CID commander. A case audit showing access to the case would have been possible, but the entire RMS system has been rendered inoperable due to the cyberattack.

Our new RMS system will be operable in the latter part of 2025 and have similar abilities to limit access to sensitive cases to identified users only. Additionally, under our previous RMS system, detectives entered their investigative reports through a different application and separate process from patrol. This process will continue, which further limits access to the case. Moving forward, investigative procedures for the lead detective to maintain a physical access log added to the case folder.

- *Ensure community representatives sign a confidentiality agreement at the start of each police use of deadly force investigation, and maintain documentation that they did so*

According to the CID commander during this investigation, the community representatives reviewed the confidentiality agreement and verbally acknowledged the form as close as possible to the start of the investigation. Due to the pandemic and restrictions for in-person meetings, this meeting occurred via MS Teams and therefore there is no documentation. Moving forward, the CID commander will document the details of the confidentiality agreement in a case supplement.

- *Require investigators and community representatives to complete a conflict of interest assessment within 72 hours of starting the investigation, and maintain documentation that they did so*

This is like the recommendation above and therefore the response is the same. As the report indicates, one of the community representatives confirmed this assessment occurred; however, this was not documented on our end. Moving forward, the CID commander will document the details of the conflict of interest assessment in a case supplement.

- *Ensure the IT commander and community representative review investigators' completed conflict of interest assessments within 72 hours of starting the investigation, and maintain documentation that they did so*

This process occurs contemporaneously with the completion of the community representatives' conflict of interest assessment. As the current CID commander and responsible for our current investigations, it should be noted that I am unable to compel involved agency community representatives to respond or be available to complete this assessment process within the



mandated 72 hours. As with the previous responses, the CID commander will also document the details outlining the completion of this assessment.

- *Contact the family and provide significant updates about the investigation or document the reason for not doing so*

As the SAO's report indicated, the suspect in this case survived and refused to speak with investigators at the hospital. The CID sergeant during this investigation confirmed that the suspect did not want to speak with him nor provide any contact information. Because of this, we did not send out any notification to family members.

I agree with the other agency VIIT Commanders cited in this report that this criterion should not apply in situations like this where the suspect can make their own determination regarding any family notification. However, this information should have been documented in a case supplement but due to our inability to refer to RMS we could not provide documentation this occurred. This required notification will continue to be documented in a case supplement by either the CID sergeant or CID commander.

- *Provide the community representatives and the family with advance notice of all press releases as required, and maintain documentation to demonstrate that it did so*

Although the CID sergeant during this investigation confirmed that he had sent these notifications via email, we could not provide documentation due to the cyberattack. Moving forward, these email notifications shall be printed and added to the case folder. The CID sergeant or CID commander will also document these investigative steps in a case supplement.

Lastly, during the time of this investigation, Federal Way Police Department policy did not outline current requirements for transporting involved officers separately and ensuring they do not speak about the incident with any other involved or witness officers. In this case, the involved officers were already transported back to the police department prior to VIIT arrival. Moving forward, the CID lead detective will ensure that the officer processing team documents this information in their case reports.

The recommendations within the SAO's report will only strengthen our ability, as well as the abilities of the entire Valley Independent Investigative Team, to produce investigative reports in complete compliance. Furthermore, the recommendations will be used to amend department policies and ensure they are aligned with current legal requirements.

Sincerely,

Kyle Yoshimura
CID Commander
Port of Seattle Police Department

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 Federal Way Police Department and the Valley Independent Investigative Team (VIIT) complied with state laws and rules regarding the investigation of the use of deadly force that occurred on September 20, 2021. 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 Federal Way Police Department and VIIT complied with state laws and rules regarding independent investigations of police use of deadly force.

Methodology

To determine whether the Federal Way Police Department and VIIT 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.

Independence

Requirement	Compliant?
The involved agency and/or other first responders will provide or facilitate first aid at the scene if necessary.	Yes
The involved agency will relinquish control of the scene.	Yes
The involved agency will not participate in the investigation.	Yes
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.	Not applicable
Information shared by the IIT to the involved agency will be limited to briefings about the progress of the investigation.	Unable to determine
The IIT commander will honor requests from the involved agency to release body cam video or other investigation information of urgent public interest.	Not applicable

Transparency

Requirement	Compliant?
A minimum of two non-law enforcement community representatives will be assigned to the IIT investigation.	Yes
The community representatives will:	
<ul style="list-style-type: none"> Review conflict of interest statements submitted within 72 hours of the commencement of each investigation 	Unable to determine
<ul style="list-style-type: none"> Be present at the briefings with the chief or sheriff of the involved agency(ies) 	Yes
<ul style="list-style-type: none"> Have access to the investigation file when it is completed 	Yes
<ul style="list-style-type: none"> Be provided a copy of all press releases and communication sent to the media prior to release 	Unable to determine
<ul style="list-style-type: none"> Review notification of equipment use of the involved agency 	Not applicable
The community representatives will sign a confidentiality agreement at the beginning of the investigation.	Unable to determine
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.	No
When an independent investigation is complete, the information will be made available to the public in a manner consistent with applicable state law.	Yes

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.	Unable to determine
The IIT will assign a family liaison within the first 24 hours of the investigation.	Unable to determine
The family liaison will keep the family informed about all significant developments in the investigation.	Unable to determine
The family liaison will give the family advanced notice of all scheduled press releases.	Unable to determine
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.	Yes
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.	Not applicable
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.	Not applicable

Credibility

Requirement	Compliant?
The involved agency and other first responders will secure the incident scene and maintain its integrity until the IIT arrives.	Yes
The involved agency and other first responders will locate and preserve evanescent evidence.	Yes
The independent investigation 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"> 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. 	Unable to determine
<ul style="list-style-type: none"> The involved agency or first responders will separate involved officer(s) and remove them from the immediate scene. 	Unable to determine
<ul style="list-style-type: none"> The IIT will obtain statements from subjects and witnesses. Audio and/or video recording is preferred and should be attempted. 	Yes
<ul style="list-style-type: none"> Interviews of involved officers should follow the policies of their individual agency, collective bargaining agreement and case law. 	Not applicable
<ul style="list-style-type: none"> Interviews with emergency medical personnel, fire department personnel, and first responding officers should address conditions at the incident scene. 	Yes
<ul style="list-style-type: none"> The IIT will canvass the immediate area for potential witnesses who have not come forward and obtain information or statements as available. 	Yes
<ul style="list-style-type: none"> 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. 	Not applicable
<ul style="list-style-type: none"> Until the case file is delivered to the prosecutor, access to the IIT case file should be restricted to the IIT members involved. 	Unable to determine
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.	Not applicable
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 that assesses work and social conflicts and biases.	Unable to determine
The IIT commander will review the conflict of interest assessment within 72 hours of the start of the investigation.	Unable to determine
The community representatives and the IIT commander will discuss the conflict of interest assessments.	Unable to determine

ABOUT THE STATE AUDITOR'S OFFICE

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