# City of Seattle

Seattle Police Department

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September 16, 2010

Roslyn Solomon, Chair
Chris Sterns (Navajo), Vice-Chair
Seattle Human Rights Commission
810 3rd AV #750
Seattle, WA 98104-1627

Dear Chair Solomon and Vice-Chair Sterns:

Thank you for taking the time to contact the Seattle Police Department regarding the officer-involved shooting death of John T. Williams. I'd like to start off by saying, as the Chief of Police for Seattle that I recognize this was a tragic event and I will ensure that a complete and thorough investigation will take place in the unfortunate death of Mr. Williams.

I want to provide information about the steps that are taken to investigate this type of incident.

The first step is an investigation that is conducted by the SPD Homicide Unit. Once that is complete, there is a Firearms Review Board (FRB), an internal process conducted by the Seattle Police Department (SPD). Per SPD policies and procedures, whenever there is an intentional discharge of a firearm by an officer and after each accidental discharge resulting in injury or death, the FRB convenes to investigate and review the circumstances of that discharge, making findings and recommendations to the Chief of Police. The FRB will be held on October 4, 2010 and will focus on the following elements:

- Reviewing and discussing reports and evidence available
- Interviewing investigation detectives and officers
- Interviewing witnesses as needed
- Listening to all communications regarding the incident
- Examining the scene in person as directed by the Board Chair
- Evaluating pertinent background information on the suspect
- Discussing and reviewing all information provided to the Board

Once the FRB has concluded its hearing, a finding is made as to whether the firearm discharge was found to be:

- Justified
- Not Justified
- Accidental, or
- A fourth option is that the finding is delayed until inquest or court action in the case is concluded. This will be the case of the Boren and Howell incident.

The FRB can make recommendations to the Chief of Police ranging from stating no further action is necessary, to recommend additional training for the officer, to referral to the Office of Professional Accountability for disciplinary action.

Next, the King County Executive and the King County Prosecutor hold an Inquest. King County Code requires that "any death involving a member of any law enforcement agency within King County while in the performance of his/her duties" shall have a formal Inquest convened. The purpose of the Inquest is to determine who died, what was the cause of death, and what were the circumstances surrounding the death, including the identification of anyone who may be criminally liable for the death. An Inquest is not a criminal proceeding, rather a fact-finding hearing. It is a public process.

After all of the evidence has been presented to the Inquest jury, they are given written instructions and a series of questions based on the facts of the case. They are told to indicate the number of yes/no findings for each question, but do not have to indicate individually how they voted. Once the Inquest is over, the King County Prosecutor makes a determination about criminal charging and the findings are forwarded on to the King County Executive for review.

The Seattle Police Department will be open and transparent about the steps that are being taken following this incident. As I mentioned earlier, I am confident that by using these processes we will understand more clearly the facts surrounding this officer-involved shooting and we can act accordingly. We hope this explanation is helpful in understanding the process that occurs when there is an officer-involved shooting.

Again, thank you for contacting the Seattle Police Department.

Sincerely,

John Diaz
Chief of Police