



April 11, 2011

Ozzie Knezovich, Sheriff  
Spokane County Sheriffs Office  
Public Safety Building.  
1100 W. Mallon  
Spokane, Washington 99260

Sheriff Knezovich,

On February 14, 2011, Undersheriff Jeff Tower presented The Citizens Advisory Board with the investigation files for the officer involved shooting at the Plant Farm in the City of the Spokane Valley. As members of the Sheriff's Department Citizen's Advisory Board we were reviewing the case files in order to determine if the investigation was handled in an appropriate manner.

In the two weeks following, we reviewed the files and came up with specific questions and concerns regarding the investigation. On March 2, 2011, we met again and collaborated on the questions and requested Investigators and Subject Matter Experts from the Sheriff's department to meet with us. They were to address questions and clarify items not understood in the investigation.

On March 14, 2011, we met directly with the Investigators and Subject Matter Experts. They spent a great deal of time going over our questions and concerns. Their presentations were invaluable to the understanding of the files, timeline and scene of the incident. The questions and concerns of the Advisory Board were answered completely and with transparency.

We, the Citizens Advisory Board, unanimously found that the investigation was handled in an appropriate, professional and thorough manner. During our review we found the investigation was a well organized and coordinated effort among multi-agencies. We felt that though this was a tragic incident, Sheriff's Deputy Brian Hirzel acted in a reasonable manner based on our review of the case files. We appreciate the Sheriff's department for their full support in our review, transparency of the investigation and production of the documentation they presented to the Advisory Board.

Sincerely,

The Citizens Advisory Board:

Chuck G. Parker, Chairmen  
Leigh O'Neill  
Marie Palachuk  
Mike Davisson  
John F. Bergman Jr.  
Kenneth L. Winn  
Mehrdad Samadi  
Larry Marlett  
Kelly Crockett  
Mary M. Lewis  
John P. Noilette  
Skip Johnson

## Investigation Questions

1. Why an eight (8) minute delay before beginning CPR on Mr. Creach?
2. Was the unmarked police car of consequence?
3. Discrepancy in distance/stippling. The measurements don't jive; the group would like a demonstration.
4. Why was Mr. Creach ordered to the ground? Why didn't Deputy Hirzel take cover?
5. Strategy / Baton use? Did the baton strike escalate the situation?
6. Bullet trajectory (Height, Angle, Distance, Location of the casing).
7. Blood spatter on deputy. Would like the blood spatter in relation to Deputy Hirzel more fully described.
8. Notification of death – Why did it take so long to notify the family? Did it escalate the situation with the family?
9. Would like and explanation in laymen terms on the time synchronization issue.
10. Why didn't the investigators look for blood inside Deputy Hirzel's patrol car? Full explanation.
11. Autopsy report?
12. Why were only certain officers photographed and not all that were on scene?
13. Chain of evidence broken/compromised on computer in patrol car.
14. Gun is described as different colors by different officers – explanation?
15. Why not inventory everything in car?
16. An Arabic card appears in photo of the trunk. What is it?
17. Who notified Prosecutors Office and when?
18. Why was Deputy Hirzel carrying a badge from Kootenai County?
19. The Advisory Board would like more information about the ticket Deputy Hirzel was typing shortly before incident.

## **Procedural Items**

1. CPR / AED emergent training.
2. Standardization of equipment in patrol cars
3. PR – Something as critical as a gun, scene, or explanation of the investigation explained to the public in a timelier manner.
4. Alternatives to deadly force.
5. Proactive or better Sheriff's office communication with known difficult contacts in the community.
6. Why was the Sheriff's office unaware of CAD's ability to count 1/10 seconds? Was it a product of inter-agency communication?
7. Length of time it took (takes) to remove Deputy Hirzel (or any deputy involved in incident) from the scene.
8. During the first set of questions with Deputy Hirzel, he was not advised of his Miranda Rights.
9. Allowing deputies to carry badges from other agencies or jurisdictions.
10. Allowing the deputy to throw away mask and gloves from scene.
11. Computer striking / time stamps per keystroke.

## **Kudos**

1. A well organized / coordinated effort among multi agencies &/or offices.
2. The Advisory Board would like to compliment the Sheriff on transparency of the investigation and production of documents for the board to review.