

# Skagit-Island Multiple Agency Response Team

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Mount Vernon, WA 98273

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## MEDIA RELEASE

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### For Immediate Release:

Case #: 23-ST0001  
Date: May 30, 2023  
PIO: Lieutenant Mike Moore  
E-mail: mikelm@mountvernonwa.gov  
Phone #: (360) 661-3670

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### UPDATE May 30, 2023

*This update is required in compliance with WAC 139-12, which mandates weekly updates be sent out by the lead investigative agency for investigations where a Washington State Peace Officer uses deadly force in the capacity of his or her law enforcement duties. These updates are required even if no new information is available at the time of the update.*

SMART (Skagit-Island County) is sending out this release as an update regarding the investigation into the March 11, 2023, officer involved shooting in the 800 block of 91st Place SW, Everett, WA.

There have been no significant developments since the May 22, 2023, press release. Washington State Patrol Crime Lab reports, to include toxicology and firearms, are still in process. Once all reports are received, the case will be referred to the Snohomish County Prosecuting Attorney's Office.

The next scheduled press release will be on June 5, 2023. If there is a significant update in the investigation information will be released prior to then.

With the passage of Washington State Initiative 940 in 2018, and Substitute House Bill 1064 in 2019, incidents where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm require an independent investigation. This investigation must be conducted in the same manner as a criminal investigation and state law now requires an "independent investigation" completely independent of the involved agency.

Previous press releases can be found at <http://www.skagitcounty.net/SMART/HTML/cases.htm> .

### **UPDATE May 22, 2023**

***This update is required in compliance with WAC 139-12, which mandates weekly updates be sent out by the lead investigative agency for investigations where a Washington State Peace Officer uses deadly force in the capacity of his or her law enforcement duties. These updates are required even if no new information is available at the time of the update.***

SMART (Skagit-Island County) is sending out this release as an update regarding the investigation into the March 11, 2023, officer involved shooting in the 800 block of 91st Place SW, Everett, WA.

There have been no significant developments since the May 15, 2023, press release. Washington State Patrol Crime Lab reports, to include toxicology and firearms, are still in process. Once all reports are received, the case will be referred to the Snohomish County Prosecuting Attorney's Office.

The next scheduled press release will be on May 29, 2023. If there is a significant update in the investigation information will be released prior to then.

With the passage of Washington State Initiative 940 in 2018, and Substitute House Bill 1064 in 2019, incidents where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm require an independent investigation. This investigation must be conducted in the same manner as a criminal investigation and state law now requires an "independent investigation" completely independent of the involved agency.

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### **UPDATE May 15, 2023**

***This update is required in compliance with WAC 139-12, which mandates weekly updates be sent out by the lead investigative agency for investigations where a Washington State Peace Officer uses deadly force in the capacity of his or her law enforcement duties. These updates are required even if no new information is available at the time of the update.***

SMART (Skagit-Island County) is sending out this release as an update regarding the investigation into the March 11, 2023, officer involved shooting in the 800 block of 91st Place SW, Everett, WA.

There have been no significant developments since the May 8, 2023, press release. Washington State Patrol Crime Lab reports, to include toxicology and firearms, are still in process. Once all reports are received, the case will be referred to the Snohomish County Prosecuting Attorney's Office.

The next scheduled press release will be on May 22, 2023. If there is a significant update in the investigation information will be released prior to then.

With the passage of Washington State Initiative 940 in 2018, and Substitute House Bill 1064 in 2019, incidents where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm require an independent investigation. This investigation must be conducted in the same manner as a criminal investigation and state law now requires an "independent investigation" completely independent of the involved agency.

Previous press releases can be found at <http://www.skagitcounty.net/SMART/HTML/cases.htm> .

### **UPDATE May 8, 2023**

***This update is required in compliance with WAC 139-12, which mandates weekly updates be sent out by the lead investigative agency for investigations where a Washington State Peace Officer uses deadly force in the capacity of his or her law enforcement duties. These updates are required even if no new information is available at the time of the update.***

SMART (Skagit-Island County) is sending out this release as an update regarding the investigation into the March 11, 2023, officer involved shooting in the 800 block of 91st Place SW, Everett, WA.

There have been no significant developments since the May 1, 2023, press release. Investigators have reviewed all data available and conducted follow-ups as needed. Washington State Patrol Crime Lab reports, to include toxicology and firearms, are still in process. Once all reports are received, the case will be referred to the Snohomish County Prosecuting Attorney's Office.

The next scheduled press release will be on May 15, 2023. If there is a significant update in the investigation information will be released prior to then.

With the passage of Washington State Initiative 940 in 2018, and Substitute House Bill 1064 in 2019, incidents where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm require an independent investigation. This investigation must be conducted in the same manner as a criminal investigation and state law now requires an "independent investigation" completely independent of the involved agency.

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### **UPDATE May 1, 2023**

***This update is required in compliance with WAC 139-12, which mandates weekly updates be sent out by the lead investigative agency for investigations where a Washington State Peace Officer uses deadly force in the capacity of his or her law enforcement duties. These updates are required even if no new information is available at the time of the update.***

SMART (Skagit-Island County) is sending out this release as an update regarding the investigation into the March 11, 2023, officer involved shooting in the 800 block of 91st Place SW, Everett, WA.

There are no significant developments since the April 24, 2023, press release, the investigation continues.

The next scheduled press release will be on May 8, 2023. If there is a significant update in the investigation information will be released prior to then.

With the passage of Washington State Initiative 940 in 2018, and Substitute House Bill 1064 in 2019, incidents where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm require an independent investigation. This investigation must be conducted in the same manner as a criminal

investigation and state law now requires an "independent investigation" completely independent of the involved agency.

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#### **UPDATE April 24, 2023**

***This update is required in compliance with WAC 139-12, which mandates weekly updates be sent out by the lead investigative agency for investigations where a Washington State Peace Officer uses deadly force in the capacity of his or her law enforcement duties. These updates are required even if no new information is available at the time of the update.***

SMART (Skagit-Island County) is sending out this release as an update regarding the investigation into the March 11, 2023, officer involved shooting in the 800 block of 91st Place SW, Everett, WA.

There are no significant developments since the April 17, 2023, press release, the investigation continues.

The next scheduled press release will be on May 1, 2023. If there is a significant update in the investigation information will be released prior to then.

With the passage of Washington State Initiative 940 in 2018, and Substitute House Bill 1064 in 2019, incidents where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm require an independent investigation. This investigation must be conducted in the same manner as a criminal investigation and state law now requires an "independent investigation" completely independent of the involved agency.

Previous press releases can be found at <http://www.skagitcounty.net/SMART/HTML/cases.htm> .

#### **UPDATE April 17, 2023**

***This update is required in compliance with WAC 139-12, which mandates weekly updates be sent out by the lead investigative agency for investigations where a Washington State Peace Officer uses deadly force in the capacity of his or her law enforcement duties. These updates are required even if no new information is available at the time of the update.***

SMART (Skagit-Island County) is sending out this release as an update regarding the investigation into the March 11, 2023, officer involved shooting in the 800 block of 91st Place SW, Everett, WA.

There are no significant developments since the April 10, 2023, press release, the investigation continues.

The next scheduled press release will be on April 24, 2023. If there is a significant update in the investigation information will be released prior to then.

With the passage of Washington State Initiative 940 in 2018, and Substitute House Bill 1064 in 2019, incidents where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm require an independent investigation. This investigation must be conducted in the same manner as a criminal

investigation and state law now requires an "independent investigation" completely independent of the involved agency.

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#### **UPDATE April 10, 2023**

***This update is required in compliance with WAC 139-12, which mandates weekly updates be sent out by the lead investigative agency for investigations where a Washington State Peace Officer uses deadly force in the capacity of his or her law enforcement duties. These updates are required even if no new information is available at the time of the update.***

SMART (Skagit-Island County) is sending out this release as an update regarding the investigation into the March 11, 2023, officer involved shooting in the 800 block of 91st Place SW, Everett, WA.

There are no significant developments since the April 3, 2023, press release, the investigation continues.

The next scheduled press release will be on April 17, 2023. If there is a significant update in the investigation information will be released prior to then.

With the passage of Washington State Initiative 940 in 2018, and Substitute House Bill 1064 in 2019, incidents where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm require an independent investigation. This investigation must be conducted in the same manner as a criminal investigation and state law now requires an "independent investigation" completely independent of the involved agency.

Previous press releases can be found at <http://www.skagitcounty.net/SMART/HTML/cases.htm> .

#### **UPDATE April 3, 2023**

***This update is required in compliance with WAC 139-12, which mandates weekly updates be sent out by the lead investigative agency for investigations where a Washington State Peace Officer uses deadly force in the capacity of his or her law enforcement duties. These updates are required even if no new information is available at the time of the update.***

SMART (Skagit-Island County) is sending out this release as an update regarding the investigation into the March 11, 2023, officer involved shooting in the 800 block of 91st Place SW, Everett, WA.

There are no significant developments since the March 27, 2023, press release, the investigation continues.

The next scheduled press release will be on April 10, 2023. If there is a significant update in the investigation information will be released prior to then.

With the passage of Washington State Initiative 940 in 2018, and Substitute House Bill 1064 in 2019, incidents where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm require an independent investigation. This investigation must be conducted in the same manner as a criminal

investigation and state law now requires an "independent investigation" completely independent of the involved agency.

Previous press releases can be found at <http://www.skagitcounty.net/SMART/HTML/cases.htm> .

### **UPDATE MARCH 27, 2023**

***This update is required in compliance with WAC 139-12, which mandates weekly updates be sent out by the lead investigative agency for investigations where a Washington State Peace Officer uses deadly force in the capacity of his or her law enforcement duties. These updates are required even if no new information is available at the time of the update.***

SMART (Skagit-Island County) is sending out this release as an update regarding the investigation into the March 11, 2023, officer involved shooting in the 800 block of 91st Place SW, Everett, WA.

There are no significant developments since the March 20, 2023, press release, the investigation continues.

The next scheduled press release will be on April 3, 2023. If there is a significant update in the investigation information will be released prior to then.

With the passage of Washington State Initiative 940 in 2018, and Substitute House Bill 1064 in 2019, incidents where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm require an independent investigation. This investigation must be conducted in the same manner as a criminal investigation and state law now requires an "independent investigation" completely independent of the involved agency.

Previous press releases can be found at <http://www.skagitcounty.net/SMART/HTML/cases.htm> .

### **UPDATE MARCH 20, 2023**

***This update is required in compliance with WAC 139-12, which mandates weekly updates be sent out by the lead investigative agency for investigations where a Washington State Peace Officer uses deadly force in the capacity of his or her law enforcement duties. These updates are required even if no new information is available at the time of the update.***

SMART (Skagit-Island County) is sending out this release as an update regarding the investigation into the March 11, 2023, officer involved shooting in the 800 block of 91st Place SW, Everett, WA.

There are no significant developments since the March 17, 2023, press release.

The next scheduled press release will be on March 27, 2023. If there is a significant update in the investigation information will be released prior to then.

With the passage of Washington State Initiative 940 in 2018, and Substitute House Bill 1064 in 2019, incidents where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm require an independent investigation. This investigation must be conducted in the same manner as a criminal

investigation and state law now requires an "independent investigation" completely independent of the involved agency.

Previous press releases can be found at <http://www.skagitcounty.net/SMART/HTML/cases.htm> .

### **UPDATE MARCH 17, 2023**

SMART (Skagit-Island County) is sending out this release as an update regarding the investigation into the March 11, 2023, officer involved shooting in the 800 block of 91<sup>st</sup> Place SW, Everett, WA

The Snohomish County Medical Examiner conducted a medical examination of 58-year-old, Everett resident Charles Hubbard. They determined the cause of death to be gunshot wounds and classified the manner of death as homicide. By legal definition, "homicide" is the killing of a human being by the act, procurement, or omission of another, with death occurring at any time. It can be classified in different ways to include (1) murder, (2) homicide by abuse, (3) manslaughter, (4) excusable homicide, or (5) justifiable homicide.

SMART Investigators spent the remainder of the week processing and documenting evidence. Investigators also worked to identify any other potential evidence such as residential camera systems. Items such as this have limited retention, which makes it a priority in the investigation.

The two law enforcement officers involved in the lethal encounter have been identified as Everett Police Officer Wintch, with seven years of service and Snohomish County Deputy Bittinger, with nine years of service.

These are complex investigations with many pieces of evidence to consider. Independent Investigation Teams (IIT) such as SMART are comprised of Detectives and Command Staff from multiple agencies. When called into action, the first step in the investigative process is to separate all from the process who represent the involved agencies.

With the passage of Washington State Initiative 940 in 2018, and Substitute House Bill 1064 in 2019, incidents where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm require an independent investigation. This investigation must be conducted in the same manner as a criminal investigation and state law now requires an "independent investigation" completely independent of the involved agency.

These are the preliminary requirements that must be in place prior to any release of information to the public. Citizen representatives, family and tribal liaisons are contacted and provided an opportunity to review all press releases before they are disseminated.

It takes time, requires thoroughness and patience for these investigations to be done properly. Ultimately, all evidence and information collected will be submitted to the Snohomish County Prosecutor who will determine the legality of actions for all involved.

The Skagit-Island Multiple Agency Response Team remains committed to a process that promotes public trust through independence, transparency, communication and credible investigative methods.

Previous press releases can be found at <http://www.skagitcounty.net/SMART/HTML/cases.htm> .

Lieutenant Mike Moore

### **UPDATE MARCH 13, 2023**

In the early morning hours of March 11, 2023, the initial SMART Team deployment consisted of 22 members to include investigators, crime scene specialists, evidence technicians and command staff. The investigation during the onset included securing the site to collect evidence, document the scene, identify those involved, and interview witnesses.

Although it is early in the investigation, SMART has learned the following: On March 10, 2023, at approximately 11:23 pm Everett Police responded to the 800 block of 91<sup>st</sup> Place SW, for a victim of domestic violence with visible injuries. The suspect in the domestic was identified as a 58-year-old Everett male. Initial responding officers also learned the suspect was known to be in possession of both rifles and handguns in the past.

As a precautionary approach, officers contained the suspect's residence and attempted to use a public address system to call him to the street. When he was seen looking out the window and not responding, he was considered a barricaded suspect. Snohomish County Region 1 SWAT was requested.

During the attempts to negotiate with the suspect, he was seen pointing a gun out the window. Attempts were made to negotiate with him also by text and phone. A warrant was obtained for the suspect's arrest.

SWAT was in a position near the residence when a male was observed in the backyard. At approximately 1:21 am on March 11, 2023, five SWAT team members entered the backyard and gave the suspect verbal commands. Two SWAT Team members fired lethal rounds, striking the suspect. SWAT provided immediate first aid, however the suspect died at the scene. The suspect was in possession of two handguns. No SWAT team members were injured during the encounter.

The two law enforcement officers involved in the lethal encounter are an Everett Officer with seven years of service and a Snohomish County Deputy with nine years of service. Both are on paid administrative leave as standard practice.

SMART will be releasing weekly press updates on Monday, during business hours, as required by WAC 139-12-030. If events in the investigation prompt a timelier release, they will be sent out to the media outlets.

Lieutenant Mike Moore

### **MARCH 11, 2023**

On Saturday, March 11, 2023, the Skagit-Island Multiple Agency Response Team (SMART) was activated at the request of the Snohomish County Multiple Agency Response Team (SMART) to investigate an officer involved shooting in the 800 block of 91<sup>st</sup> Place SW, Everett, WA. The Snohomish County Region One SWAT Team was involved and the request was made to meet independent investigation requirements.

The Washington State Legislature enacted WAC 139-12-030 (2019) establishing requirements for how agencies conduct independent investigation's involving police deadly force use. The intent was to enhance public trust and investigation integrity by providing independence, transparency, communication, a credible process, and credible investigators performing that process.

Within these requirements, the Independent Investigation Team is required to have Citizen Representatives assigned, Family Liaison Representatives for the involved families, determine if Tribal membership is



associated and assign a Tribal Liaison accordingly. These are required before we are able to release investigation progress/information to the public.

Additionally, the law requires SMART's investigation remain totally separate from the involved agencies including the sharing of any investigation information with them until the case is filed with a prosecutor.

Skagit-Island Multiple Agency Response Team is committed to a credible process that complies with Washington State law.

Lieutenant Mike Moore