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KITSAP COUNTY SHERIFF

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WSP investigates shooting, believed accidental

Subject's mental state in question; uncooperative with Sheriff's deputies

Bremerton, Wash. – Detectives of the Investigative Services Bureau of the Washington State Patrol are investigating the facts and circumstances involving the shooting of a man who had, earlier yesterday, been positioned high up in a tree for several hours.

The man, not publicly identified but believed to be aged his mid-twenties, was shot once in the leg by a Kitsap County Sheriff's deputy. He was treated at the scene by medics from Bremerton Fire Department and then transported to a helipad at Naval Hospital Bremerton, where he was airlifted to Harborview Medical Center, Seattle, for further medical treatment.

The man is in stable condition, the injury is not considered life threatening.

In accordance with standard procedure the Sheriff's Office requested the assistance of the State Patrol, as an outside agency, to conduct the investigation into the use of lethal force. Although the investigation is still in its initial stages, Sheriff's Office command staff have reviewed a preliminary assessment of the incident and believe that the shooting was accidental.

Sheriff's patrol deputies were dispatched, around 11:41 a.m., Thursday, June 22, for a welfare check of the man after it was reported to 911 that this person had been up in the branches of a tall tree for the previous five hours. The tree was located in a vacant lot in the 200 block of National Avenue South, Bremerton.

Arriving deputies determined that further assets would be required and requested additional patrol units and assistance from Bremerton Fire Department. Deputies were concerned about the man's mental state, whether or not he was suffering from mental health issues, or was suicidal, or was under the influence of alcoholic intoxicants, illegal narcotics, medication(s) or a combination of these. The man, at times, was reportedly making statements to deputies that did not make sense, that were obviously unfounded, irrational or illogical.

Using a variety of means, on-scene deputies communicated with the man for a lengthy period of time, attempting to coax him down from his perch approximately 30 feet above the ground. They were partially successful, convincing the man to lower himself to within 10 feet of the ground. At that point the man refused to cooperate further.

Had the man suddenly decided to ascend back into the upper limits of the tree, any form of rescue would have involved a significantly increased chance of injury or possibly death, to both the man and to rescuers, especially if he became combative.

At approximately 1:25 p.m., as the situation intensified, a decision was made to employ a Taser to gain control of the man. The initial Taser application by a deputy was unsuccessful, for reasons not yet known. The first deputy requested that a second deputy, in close proximity, also deploy a Taser to the man.

The second deputy was equipped with an M-26 Advanced Taser (system) and a .40 caliber semi-automatic handgun (duty weapon). Both were positioned on the second deputy's strong hand side. The second deputy reacted immediately to the first deputy's instruction but drew the firearm out of its holster, instead of the Taser (from a separate holster), and fired at the man.

"We are very concerned about the welfare of this person," said Kitsap County Sheriff Steve Boyer. "But this incident, as tragic as it is, brings to the forefront two issues: training is effective and humans do make mistakes."

"The deputies involved responded to the call and attempted to resolve this situation utilizing available resources, as they have been trained," added the Sheriff. "At some point the man refused to cooperate further. A decision was made to employ a less lethal use of force... again, as trained. The second deputy reacted instantaneously to the first deputy's command, per past training, but mistakenly unholstered a firearm instead of the Taser. That, unfortunately, is human error."

The Kitsap County Sheriff's Office administration will review the agency's inventory and policy regarding current Taser models, and related support items, in order to prevent a reoccurrence of a similar incident. There is no plan to remove the Taser from agency service.

The deputy involved in the shooting is now on administrative leave, per Sheriff's Office policy, while the investigation is being conducted.

The Washington State Patrol continues with its investigation.

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