In-Custody Death Investigation
Ismail Mamatov

Valley Independent Investigation Team

Kent Police Department, Incident # 23-8360

King County Prosecuting Attorney
Public Integrity Team

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DECLINE MEMORANDUM

IN-CUSTODY DEATH OF ISMAIL MAMATOV

WARNING – This memorandum contains images and descriptions of violence that may be offensive and disturbing to some readers. The images and descriptions are included to provide the reader with the most accurate information regarding the topic of this memorandum.

I. INTRODUCTION

On June 27, 2023, inmate, Ismail Mamatov died from a drug overdose during his first full day as an inmate at the SCORE Jail Facility. The King County Medical Examiner later ruled his death an accident.

The King County Prosecuting Attorney's role is to ensure that the in-custody death investigation is thorough and complete, determine whether sufficient admissible evidence exists to support filing criminal charges, and advise the King County Executive "whether an inquest should be initiated pursuant to the King County Charter." (Executive Order PHL 7-1-5 EO). "An inquest shall be held to investigate the causes and circumstances of any death where an action, decision or possible failure to offer the appropriate care by a member of any law enforcement agency might have contributed to an individual's death." (King County Charter Section 895).

The KCPAO's determination if the police action was justified or if there was a criminal action such that criminal charges should be filed is based entirely on the investigation materials provided to the KCPAO, relevant criminal laws, rules of evidence governing criminal proceedings, the applicable burden of proof, and the KCPAO's Filing and Disposition Standards. This determination is not intended to address matters outside the scope of this memorandum including, but not limited to, an administrative action by the involved agency or any other civil action. The KCPAO expresses no opinion regarding the propriety or likely outcome of any such actions.

The Public Integrity Team has determined that the investigation of June 27, 2023, in-custody death of Ismail Mamatov is complete at this time. Based on a thorough review, the Team has concluded that the evidence is insufficient to support criminal charges. Accordingly, the KCPAO is declining to file criminal charges in this matter based on the evidence presently available.

After a careful review of these materials, pursuant to Executive Order PHL-7-1-5-EO, we recommend an inquest be initiated.

II. INVESTIGATIVE MATERIALS

- Tukwila Municipal Court Records 1A0211452
- SCORE Booking Records
- SCORE Intake Screening Forms
- SCORE Medical Records
- KCMEO Autopsy Report
- KCMEO Investigator's Report & Photos
- WSP Toxicology Laboratory Report
- NMS Labs Report
- Photographs of Jail Cell
- Video Surveillance
- Kent PD Police Reports
- SCORE Police Reports

III. FACTS

On June 26, 2023, at 10:30 pm, inmate Ismail Mamatov (subject) was transferred to the SCORE Jail Facility on an open misdemeanor warrant. He was previously an inmate at Issaquah Jail from February 13, 2023, to June 26, 2023. As part of the booking process, Mamatov was searched via a pat down and body scan. The corrections staff at SCORE did not locate or see anything during the pat down or on the body scan that they believed warranted an additional or more thorough search of the subject.

During the screening process at SCORE, he admitted being a daily user of methamphetamines and fentanyl and said he was currently experiencing withdrawal. As a result, SCORE jail personnel began withdrawal protocols. Mr. Mamatov's urine was examined and found to contain methamphetamine and fentanyl. His "COWS" Score, or Clinical Opiate Withdrawal Scale, was low, 2 of 48. At 4:00 am a COWS monitoring check on the subject was performed by medical staff. No oddities were noted by the medical staff. As a result, he was assigned to the general population in a cell with 3 other inmates, cell #N5-08. His cellmates were Inmate 1, Inmate 2, and Inmate 3.

After his death, video surveillance of the booking process and Mr. Mamatov's jail cell were reviewed by investigators. It appeared that Mamatov had brought narcotics into the facility during his transport from Issaquah jail. The video indicated that he appeared to produce a small baggy of powder from near the waistband of his civilian clothing before placing it into his mouth

while the corrections officer briefly stepped away. From there, he was placed into a cell to change and provided jail clothing before being placed into a holding cell. While in the holding cell, Mamatov appeared to remove the suspected narcotics from near his waistband and set them on a half-wall that was used to conceal the toilet area for privacy. He left the baggy on the wall for a short period of time to assess whether anyone noticed that he a placed it there. He then discreetly picked up the baggy and placed it into the breast pocket of his jail uniform. Mamatov was eventually placed into a cell with 3 cell mates.

At around 7:30 am, he appeared to snort the suspected narcotics three times over the span of a few minutes from the cover of a book. He then passed the book to cellmates Inmate 1 and Inmate 3 who also appeared to snort the powder from the cover of the book.

Figure 1: Top row of photos show subject (top left bunkbed) apparently snorting substance on three separate occasions in a 2 ½ min. span. Bottom left photo shows subject then handing suspected narcotics to Inmate 1 (right). Bottom right photo shows Inmate 1 and Inmate 3 snorting suspected narcotics on Inmate 1's bunk.

Mamatov then laid back on his bunk and most likely passed away in his top bunk a short time later. He remained there until approximately 3:00 pm when his cellmates discovered that he did not appear to be breathing and had vomit and blood on his face. They called for medical staff.

Figure 2: Left photo shows subject possibly convulsing while other inmates sleep. Middle photo shows Inmate 1 checking on subject four hours later when lunch is being served. Right photo, some 7 ½ hours after last drug use, shows Inmate 1 and Inmate 3 apparently observing subject with vomit and blood on his face whereupon they notify jail staff.

Medical staff started CPR and called 911. Medics arrived on scene and continued providing aid. He was pronounced dead at 3:40 pm. There was no evidence of trauma on his body. A baggie of suspected drugs was found in his upper chest pocket.

Investigators later examined the book the subject used to snort the substance from and noticed that it had light-colored powdery residue on the cover. There was not enough residue to conduct a field test.

Figure 3: Small baggie of narcotics discovered on Mr. Mamatov after his death.

Investigators later interviewed Inmate 1 who told them that he woke up around breakfast time to discover that there was a new cellmate in his cell. He said that he did not know Mamatov's name but knew him from "the streets" so the two of them started to talk and catch up. Inmate 1 explained that while they were speaking, Mamatov produced some type of crushed pill that he believed was called a "banger bar." Inmate 1 described a "banger bar" as a type of Xanax.

He said that Mamatov placed the powdery substance on the cover of a book that was already in the cell and snorted some of it before passing it to him. Inmate 1 said that he then snorted some of it and then passed the remaining small amount to Inmate 3 who snorted the rest. He did not know where Mamatov got the apparent drugs from and believed he must have brought it into the facility when he was booked. He described the amount as being two very small pills.

He said that after snorting the pill he went to sleep and woke up at lunch time. He tried waking up Mr. Mamatov who mumbled something incoherent. He said that later in the afternoon he tried waking the subject up and saw that he did not appear to have a pulse and had vomit in his mouth. He immediately notified medical personnel. Cellmates Inmate 2 and Inmate 3 were also interviewed. Both gave a similar account to Inmate 1 of the events leading up to Mamatov's death.

An autopsy was performed on Mr. Mamatov's body. The medical examiner concluded the cause of death is acute combined drug intoxication including fentanyl and methamphetamine. The manner of death is accident. Additionally, the subject's toxicology report shows the subject had 15 ng/ml of methamphetamine and 53 ng/ml fentanyl in his blood.

IV. ANALYSIS AND CONCLUSION

Manslaughter in the Second Degree with Criminal Negligence occurs when a person fails to be aware of a substantial risk that death may occur, and this failure constitutes a gross deviation from the standard of care that a reasonable person would exercise in the same situation. (Washington Pattern Jury Instructions—Criminal (WPIC) 28.06)

After carefully reviewing the investigation, it appears that SCORE personnel conducted a routine search of the subject and followed the proper narcotics withdrawal protocols by observing the subject for signs of withdrawal before admitting him into the jail's general population. Video surveillance footage shows that the subject was able to conceal narcotics on his person using deception whereupon he later inhaled the narcotics causing his death. The care given to Mr. Mamatov by the jail's staff was not a gross deviation from the standard of care owed to inmates and, thus, criminal charges are not warranted against any corrections officer, medical personnel, or medic.

V. RECOMMENDATION FOR INQUEST

Pursuant to Executive Order PHL-7-1-5-EO, we recommend an inquest be initiated because we have not identified any factors or circumstances under §6.1, or any other reasons, that indicate that an inquest is not warranted.