



POST-INQUEST DECLINE MEMORANDUM

January 27, 2025

Law Enforcement Use of Force Fatality Regarding:
Tommy Le

At the time of this incident, inquests were conducted pursuant to Executive Order PHL 7-1-1. This order required the KCPAO to notify the County Executive whenever an investigation into a death involving a member of any law enforcement agency in King County is complete and shall also advise whether an inquest is required pursuant to the policies outlined in the order. In addition, the KCPAO was responsible for assisting the judge designated to conduct the inquest.

On October 6, 2017, the KCPAO notified the County Executive that the investigation into this incident was complete and advised that an inquest was required under the current order. On October 9, 2017, the County Executive ordered an inquest and requested that a judge be assigned to conduct the inquest. On October 12, 2017, an inquest regarding this incident was assigned to a judge. In December 2017, the County Executive paused all inquest proceedings so an Inquest Review Committee could propose reforms to the current process. Inquests initially resumed in June 2019 but they were subsequently stayed in 2020 due to several legal challenges, which were ultimately resolved by the Washington State Supreme Court in July 2021.

In March 2022, the County Executive resumed inquests under Executive Order PHL 7-1-5. Under the new order, the KCPAO was no longer responsible for assisting the inquest program in conducting the inquest. This responsibility was transferred to an inquest program attorney

within the inquest program. Although the inquest program completed several other inquests, there was no documentation or updates provided for the inquest into this incident.

In October 2024, the inquest program added Le's inquest to its list of "archived" inquests. It noted that the inquest hearing was "Waived by county executive in lieu of case report issued by King County Office of Law Enforcement Oversight." The case report referenced a report created by the OIR Group, which was hired by the King County Office of Law Enforcement Oversight to "assess the objectivity and thoroughness of fact collections and the rigor of the subsequent internal review of KCSO actions."

After a careful review, the KCPAO determined that the admissible evidence and testimony provided in the OIR Group report are not materially different than the information the Public Integrity Team previously relied upon. Therefore, no further action is required.