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Deputies cleared in killing of gunman

Two investigations find Pierce County deputies were not at fault when they killed a man who pointed a rifle at them.

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Article Text:

Three Pierce County sheriff's deputies acted within the law when they shot and killed a man who pointed a rifle at them earlier this month, two investigations found.

The prosecuting attorney's office and the county medical examiner conducted independent reviews of the April 1 shooting, which left 46-year-old Billy Floyd Carter dead.

Both agencies concluded the deputies - Brent Van Dyke, Joe McDonald and Brian Thompson - were not at fault when they opened fire on Carter, who was drunk and agitated at the time. Van Dyke and Thompson joined the department four years ago; McDonald is an 11-year veteran.

"There are no facts, evidence or statements in dispute," Prosecutor Gerald Horne said Wednesday. "The deputies involved acted in strict conformity with state law."

The sheriff's department's board of professional standards is to take up the matter next month.

The incident began about 5:10 p.m. when deputies were sent to the vicinity of 128th Street East and Canyon Road to investigate reports of a man with a gun.

They arrived to find Carter holding a rifle under his chin and complaining of a family problem. He eventually walked the 14 blocks home, talking of suicide and asking the deputies to shoot him. Instead, they tried to coax him to surrender, authorities said.

At his house, Carter paced in and out of the door, shouting angrily. Then, he walked to within 25 yards of several deputies and pointed the rifle at them. Three deputies fired one shot each, striking Carter in the head, chest and abdomen. He died at the scene.

Relatives complained that the deputies didn't do enough to subdue Carter, but sheriff's spokesman Ed Troyer said they showed remarkable restraint and fired only when they had no choice.

The deputies were put on paid leave for a short time after the shooting. They are back on the job, Troyer said.

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