



OFFICE OF THE WASHINGTON COUNTY ATTORNEY

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April 1, 2025

Sheriff Nate Brooksby
Washington County Sheriff's Office
620 South 5300 West
Hurricane, UT 84737
nbrooks@washeriff.net

Re: Traffic Accident on November 17, 2024

Dear Sheriff Brooksby:

Our office has reviewed the traffic accident on November 17, 2024 involving former Deputy Brown who was operating a patrol vehicle while on duty. We conclude that Brown's actions resulted in the death of another person. We are referring the investigation information to the Iron County Attorney's Office for review of possible criminal charges.

The Incident

On November 17, 2024, Deputy Silafia Brown responded to a vehicle accident on Old Highway 91 inside the Shivwits Indian Reservation. Brown traveled to the accident using lights and sirens. While traveling on the highway and before reaching the accident, Brown's patrol vehicle left its lane of travel while navigating a blind curve. [REDACTED] (33 years old) was operating a motorcycle below the posted speed limit in the oncoming traffic lane of the curve. Brown's vehicle entered [REDACTED]'s lane of travel and struck the motorcycle. [REDACTED] was pronounced dead at the scene.

The Utah State Bureau of Investigations (SBI) responded to the scene and conducted the accident investigation. With assistance from the Utah Highway Patrol and under the direction of the Washington County Critical Incident Taskforce. The investigation shows:

- Brown's vehicle was unable to remain in its lane of travel through the curve where the accident occurred because of the high speed it was traveling;
- [REDACTED] was properly driving his motorcycle; and
- Brown's actions resulted in the death of Mr. [REDACTED].

Critical Incident Investigation Process

Utah Code Section 76-2-408(1)(f)(iii) requires an investigation into all officer-involved critical incidents. There are five types of critical incidents: use of deadly force, using a dangerous weapon and causing an injury, death or serious bodily injury resulting from use of a motor vehicle, in-custody death, and death or serious injury resulting from an attempt to detain or subdue an individual.

The investigation is governed by Section 76-2-408 and the Washington County Critical Incident Task Force Investigative Protocol, which is available on the County Attorney's website. The protocol describes the duty to conduct an investigation into the officer's conduct and requires our office to make a determination whether "violations of criminal laws exist, and, if so, prosecute as appropriate."

A critical incident investigation is appropriate in this instance because a death resulted from Brown's use of a motor vehicle while on duty.

However, the protocols do not address how to handle the potential for a conflict of interest when the investigation and potential prosecution involve an employee of the Washington County Sheriff's Office, which receives legal services from our office.

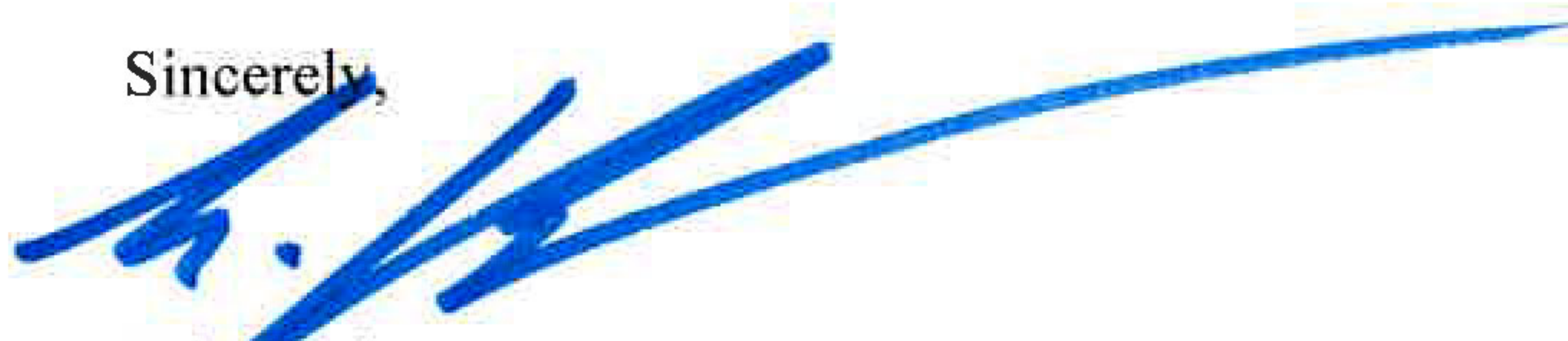
Rule 1.10 of the Rules of Professional Conduct, adopted by the Utah Supreme Court, allows our office to both prosecute a deputy while simultaneously advising the Sheriff's Office on related legal issues, such as an internal investigation or review of policies. The rule requires the attorneys and employees involved in the criminal investigation to not discuss or share information in any way with the attorneys and staff working with the Sheriff's Office. We implemented screening criteria at the beginning of this incident to comply with the Rule.

However, I am concerned about the public perception of criminally screening and potentially prosecuting someone for actions taken while a member of an office that is one of our "clients." So, while we oversaw the investigation, I have asked the Iron County Attorney's Office to review this case for potential prosecution and to handle any prosecution that occurs.

Conclusion

I agree with the conclusion from the SBI investigation. Brown drove his patrol vehicle around a blind curve at an speed that prevented him from remaining in his lane of travel. The vehicle left the lane and struck [REDACTED]'s motorcycle, which resulted in [REDACTED]'s death.

Sincerely,



Eric Clarke
Washington County Attorney