



CLARK COUNTY SHERIFF'S OFFICE

clark.wa.gov/sheriff

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Sheriff John Horch

A STATEMENT FROM SHERIFF HORCH

October 5, 2026

Today, the Clark County Prosecuting Attorney's Office, following an independent investigation by the Washington State Office of Independent Investigations, concluded that Deputy Bryson Layton's use of deadly force during the May 7, 2025, encounter with Marc Fogle was lawfully justified.

The incident began with Mr. Fogle's arrest on suspicion of DUI. It escalated into a physical struggle in which Deputy Layton reported Mr. Fogle was attempting to gain control of his loaded firearm. An independent witness reported seeing Mr. Fogle pinning Deputy Layton to the floor and hearing Deputy Layton repeatedly tell him to stop going for his gun. Deputy Layton ultimately used a knife during the struggle, resulting in Mr. Fogle's death.

The Prosecuting Attorney's review found that a reasonable officer in those circumstances would have believed deadly force was necessary to prevent death or serious physical harm. The Prosecuting Attorney's Office determined that Deputy Layton's actions met Washington law's objective good faith standard, and no further action is warranted.

The Washington State Office of Independent Investigations (OII) completed its independent investigation last spring and publicly released its investigative report on March 20, 2026. The Clark County Sheriff's Office also previously released a critical incident video containing footage from Deputy Layton's body-worn camera. Links to the Prosecuting Attorney's determination, OII investigative materials, and CCSO critical incident video are available at: clark.wa.gov/sheriff/body-worn-camera-bwc-program.

Throughout this process, I have intentionally avoided debating this incident in headlines, on social media, or in competing public statements while the independent investigation and legal review were underway. It would not have been appropriate to reach conclusions before those processes were complete. Mr. Fogle's death was a significant loss for his family and friends. Nothing in the investigative findings diminishes that, and I sympathize with their loss.

I am grateful Deputy Layton survived this encounter. I stand behind Deputy Layton, and I believe it is important to say that publicly. Today's determination brings the criminal review of this incident to a close.

Sheriff John Horch

A handwritten signature in black ink, appearing to read "John Horch".



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