



King County

Department of Executive Services

Inquest Program

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PRE-HEARING CONFERENCE ORDER

INQUEST INTO THE DEATH OF ALBERT WAYNE FREDERICKS, JR. INQUEST # 17IQ427069

PARTIES PRESENT:

| | |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Family of the decedent: | Albert W. Fredericks, Jr. by Susy Sobel (family not present at this hearing) |
| Law enforcement officers: | Seattle Police Department Officers Rogers, Oliverson, Hay, Jerome and Swartz represented by Ted Buck and Karen Cobb (officers not present at this hearing) |
| Employing government department: | Seattle Police Department (SPD), represented by Alison Markette and Rebecca Widen |
| Inquest Administrator: | Terrence Carroll |
| Inquest Program Attorney: | Claire Thornton |

The Administrator, having presided over the Pre-Hearing Conference (PHC) on January 28, 2022, and having heard from the parties, hereby orders the following:

1. **Inquest Hearing Date:** The Inquest Hearing date in this matter is set for September 19, 2022.
2. **Factual Scope, Policy Scope, Witness List:** All parties are instructed to submit suggested additions or deletions to IA Carroll's proposed factual scope, policy scope and witness list in writing by March 4, 2022. IA Carroll will hear from each party on the suggested changes at the next PHC.

- a. IA Carroll requests that the parties also consider what, if any, facts the parties are able to stipulate to, in order to streamline the Inquest Hearing while still providing the jury with the evidence necessary to answer interrogatories. Parties may submit their positions on proposed stipulated facts with the written input, referenced above, due on March 4, 2022.
3. **SPD Policy Designee:** SPD designated Captain George Davisson to testify as Chief Adrian Diaz's Policy Designee for this Inquest.
4. **SPD Training Designee:** SPD designated Lieutenant Nathan Upton to testify as Chief Adrian Diaz's Training Designee for this Inquest.
5. **Potentially Relevant SPD Trainings:**
 - a. IA Carroll has received written objections from SPD regarding his proposed list of potentially relevant trainings, as well as the Family Response to City's Training Materials Request.
 - b. SPD objected to the request for production of the following trainings, but has agreed to obtain and provide a summary of the subject matter of the trainings to inform a decision on whether the trainings are potentially relevant. SPD shall provide the summaries prior to the meet and confer referenced below, which will be scheduled on a date that is mutually agreeable to the parties.
 - i. SPD - 2015 Post BLEA Tactical De-Escalation/Firearms Individual Skills, 2015
 - ii. SPD - 2015 Tactical De-Escalation/Firearms Individual Skills, 2015
 - iii. Reviewing Use of Force – Update, 2014
 - iv. Reviewing Use of Force, 2014
 - c. The parties shall meet and confer in an attempt to reach agreement regarding contested trainings. The parties shall produce an agreed list of which trainings are contested and agreed. Where consensus cannot be reached, the parties shall file any further briefing on this issue by March 4, 2022.
 - d. SPD shall provide documentation of those trainings that they agree are potentially relevant as soon as practicable and confer with the IPA and Family to determine an appropriate date or dates to do so.
6. **King County Medical Examiner's Interview:** The Medical Examiner who performed the autopsy of Mr. Fredericks is no longer employed at the King County Medical Examiner's Office. The parties are directed to make themselves available as soon as practicable after Ms. Thornton has located that Medical Examiner or other King County Medical Examiner employee to provide an interview.
7. **Potential Expert Witnesses for the Parties:** The parties shall work towards proposing a deadline to declare and interview any proposed expert witnesses, likely after the interview of the Medical Examiner.

8. **Jury Selection Process:** IA Carroll will provide a proposed Voir Dire Online Questionnaire by July 2022.
9. **Jury Instructions:** IA Carroll will provide proposed Jury Instructions by July 2022.
10. **Next PHC Date:** March 11, 2022, 9:00 a.m – 10:00 a.m. Zoom link will be provided at least two days prior.

DATED this 2nd day of February, 2022.

Terrence A. Carroll

Terrence Carroll
Inquest Administrator