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**IN THE STATE OF WASHINGTON  
KING COUNTY DEPARTMENT OF EXECUTIVE SERVICES**

<i>IN RE: THE INQUEST INTO THE DEATH OF ISAIAH OBET</i>	NO. 417IQ7199  SUBPOENA DUCES TECUM
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TO: City of Auburn, Auburn Police Department, and Officer Jeff Nelson, and their respective counsel.

YOU ARE COMMANDED TO PRODUCE: the following records to counsel for the Family of Mr. Obet, Amy K. Parker, by September 30, 2019.

1. The entire investigative file regarding the investigation into the death of Isaiah Obet.
2. In-car video, written/typed reports, and statements from all officers who responded to the scene as listed on bates 390-392 attendance log, and any other officers who were on scene that are not listed on said attendance log.
3. All recordings from dispatch from incident involving incident, date 6/10/17.

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4. Any and all video surveillance discovered during the course of the investigation, including but not limited to private surveillance or cell phone video discovered during the course of the investigation.
5. Reports from responding AMR, fire, or other medical personnel on scene involving this incident.
6. Current use of force policy Auburn Police and Use of Force Policy at the time of the death of Isaiah Obet on 6/10/17.
7. ~~Records of Officer Nelson: all employment records, disciplinary records, names and cause numbers of lawsuits involving Officer Nelson, use of force reports, complaints, inquiries.~~
8. ~~All training manuals received and used by Officer Nelson, records of Officer Nelson's training, list of all trainings he has participated in during the course of his career including while he was a cadet in training.~~
9. ~~Any and all psychological records of Officer Nelson surrounding this incident.~~
10. All statements made by Officer Nelson in connection with the killing of Isaiah Obet, including emails, summary of statements made to others, statements made in the course of any psychological treatment, and any other statements at all.
11. All statements recorded, written or otherwise by all witnesses involved in the investigation of the death of Isaiah Obet, including officer witnesses and lay witnesses.
12. All forensic reports and notes made in the course of this case.
13. Officer Nelson's in-car video with sound (interior and exterior ICV).
14. Any and all video surveillance discovered during the course of the investigation, including but not limited to private surveillance or cell phone video discovered during the course of the investigation.
15. ~~Records regarding Officer Nelson's firearm and Taser throughout his career~~
16. Records regarding Auburn Police Policy training requirements in order to be compliant with training requirements.



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~~17. DNA results associated with case, if any.~~

18. Fingerprint results associated with this case, if any.

19. All information regarding the K-9 in this case, commission date, training materials and records, policy manual, employment records, use of force statements and documents, and training records for handler.



20. Any discovery, videos, documentation, transcripts or other information that could potentially lead to relevant information regarding the death of Isaiah Obet.

The court issues this order pursuant to Revised Executive Order PHL 7-1-2-EO Sec. 7, Section 895 of King County Charter, RCW 36.24, RCW 36.24.0001, and KCC 2.35A.090 (B).

DONE IN OPEN COURT this \_\_\_\_\_ day of August 2019.

\_\_\_\_\_  
Pro Tem Judge Spearman

Submitted on this 30th day of August, 2019 by,

/s Amy K. Parker  
Amy K. Parker, WSBA 36598  
Counsel for the Family of Mr. Obet  
Phone: (206) 477-8911  
Fax: (206) 624-9339  
[Amy.parker@kingcounty.gov](mailto:Amy.parker@kingcounty.gov)

RULE CR 45 SUBPOENAS

(c) Protection of Persons Subject to Subpoenas.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to subsection (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce and all other parties, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance;

(ii) fails to comply with RCW 5.56.010 or subsection (e)(2) of this rule;

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or

1 (iv) subjects a person to undue burden, provided that the court may condition denial of the  
2 motion upon a requirement that the subpoenaing party advance the reasonable cost of producing the  
3 books, papers, documents, or tangible things.

4 (B) If a subpoena

5 (i) requires disclosure of a trade secret or other confidential research, development, or  
6 commercial information, or

7  
8 (ii) requires disclosure of an unretained expert's opinion or

9 information not describing specific events or occurrences in dispute and resulting from the  
10 expert's study made not at the request of any party, the court may, to protect a person  
11 subject to or affected by the subpoena, quash or modify the subpoena or, if the party in  
12 whose behalf the subpoena is issued shows a substantial need for the testimony or

13 material that cannot be otherwise met without undue hardship and assures that the person  
14 to whom the subpoena is addressed will be reasonably compensated, the court may order  
15 appearance or production only upon specified conditions.

16 (d) Duties in Responding to Subpoena.

17 (1) A person responding to a subpoena to produce documents shall produce them as they are  
18 kept in the usual course of business or shall organize and label them to correspond with the  
19 categories in the demand.

20 (2)(A) When information subject to a subpoena is withheld on a claim that it is privileged or  
21 subject to protection as trial preparation materials, the claim shall be made expressly and  
22 shall be supported by a description of the nature of the documents, communications, or things  
23 not produced that is sufficient to enable the demanding party to contest the claim.

24 (B) If information produced in response to a subpoena is subject to a claim of privilege or of  
protection as trial-preparation material, the person making the claim may notify any party  
that received the information of the claim and the basis for it. After being notified, a party  
must promptly return, sequester, or destroy the specified information and any copies it has;  
must not use or disclose the information until the claim is resolved; must take reasonable  
steps to retrieve the information if the party disclosed it before being notified; and may

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promptly present the information in camera to the court for a determination of the claim. The person responding to the subpoena must preserve the information until the claim is resolved.

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**PROOF OF SERVICE:**

On the 30th day of August, 2019, I served Alan Harvey, Andrew Cooley, and Steve Gross the original copy of this subpoena in the following manner: via email as permitted.

Served by: Susan Sobel

Title: Attorney, WSBA #53579

**DECLARATION OF SERVICE:**

I declare under penalty of perjury under the laws of the State of Washington that the foregoing information contained in the proof of service is true and correct.

Executed on this 30 day of August, 2019 in the City of Seattle.

/s/ Susan Sobel

King County Dept. of Public Defense

ACA Division

710 2<sup>nd</sup> Avenue, Suite 1000  
Seattle, Washington 98104  
(206) 624-8105

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