



King County

Department of Executive Services

Inquest Program

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**INQUEST INTO THE DEATH OF
JASON S. SEEVERS
INQUEST # 18IQ61954**

PRE-HEARING CONFERENCE AGENDA

December 7, 2022, 10:00 a.m.

Family of Jason Seavers:	Represented by Deborah Alexander (family not present)
Law enforcement officers:	Seattle Police Department Officer Erick Schickler (not present) represented by Ted Buck (not present) and Delaney DiGiovanni
Employing government department:	Seattle Police Department, represented by Alexandra Nica and Jessica Leiser
Administrator:	Michael Spearman, assisted by Anu Zangri and Matt Anderson

Having held a Pre-Hearing Conference on the date noted above, Inquest Administrator (IA) Spearman, after consultation with the parties, hereby orders the following:

1. Policy Scope
 - a. The following sections are stricken:
 - i. 8.050 (use of force definitions – weapons)
 - ii. 8.200(5) (deadly force for a fleeing suspect)
 - iii. 8.300(1) (use of force tools – only carry weapons on which trained / certified)
 - iv. 9.030(4) (equipment – required for deployment)
 - b. The following sections are retained or added:
 - i. 8.300-POL-4(7) (use of force – firearms) (officers shall issue verbal warning))

- ii. 8.300(2) (use of force tools) (required to carry one less lethal tool)
- c. The updated Policy Scope Excerpt shall be provided to the parties by December 16, 2022.

2. Training Scope

- a. SPD noted that the consent decree required SPD to develop new trainings and that, because those new trainings were implemented in November or December of 2015, any trainings taken by Ofc. Schickler before that were not relevant to the inquest hearing.¹ It is unclear if Ofc. Schickler has taken any post-consent decree use of force trainings. SPD will update, by January 6, 2023, which, if any, trainings Ofc. Schickler has taken that are consistent with the consent decree. Any rulings on the relevance of prior trainings that Ofc. Schickler may have taken are reserved.

3. Witnesses

- a. The parties agree that the following witnesses will be called at the inquest hearing:
 - i. FIT Det. Simmons
 - ii. Ofc. Knoblauch
 - iii. Albert Geary
 - iv. Ofc. Grayson
 - v. Ofc. Reynolds
 - vi. SFD Harrison
 - vii. KCME Dr. Williams
 - viii. SPD Policy / Training Designee Capt. Caylor
 - ix. CSI Det. Abed
 - x. Ofc. Schickler (subject to raising 5th Amendment privileges)
- b. The parties agree that the following witnesses will not be called by the IA² to testify:
 - i. Grant Kelly
 - ii. James Leslie
 - iii. Ofc. Magan
 - iv. Ofc. Adams
 - v. Ofc. Jackson
 - vi. Ofc. Sagmoen
 - vii. Ofc. Stevenson (assuming Geary is available to testify)
- c. The Involved Officer's request to call the following witnesses is denied:
 - i. Peterson, Shawn
 - ii. Donahue, Laura
 - iii. Molinaro, David
 - iv. Zey, Todd

¹ The Administrator requests that SPD clarify whether its relevance concerns are limited to use of force trainings or to other areas of training as well. If areas of training other than use of force are at issue, please identify those areas.

² Nonetheless, efforts shall be made to subpoena these witnesses in the event a request by the jury to hear from them is granted.

- v. Harrington, Pattie
 - vi. Ofc. Tucker, Fred
 - vii. Ofc. Hairston, Chris
 - viii. Ofc. Gingrey, Joel
 - ix. Sgt. Sperry, Stephan
 - x. Ofc. Stevenson, Robert
 - xi. FF Mouer, Corey
- d. The Family’s request to call Ofc. Jared, Willard is denied.³
 - e. The Family’s and Involved Officer’s request to call Ofc. Michael Snyder and the Involved Officer’s request to call Ofc. Joseph Macniak are granted.
 - f. The Family’s request to call Denise Rodier (WSPCL) and the Involved Officer’s request to call Brian Smelsmer (WSPCL) are denied at this time. The parties are encouraged to work with IPA Zangri in crafting a stipulation that encapsulates the expected testimony from these two witnesses in a way that is helpful for the jury.
 - g. An updated witness list reflecting these rulings shall be provided to the parties by December 16, 2022.

4. Exhibits

- a. A draft exhibit list will be provided to the parties by December 16, 2022. The parties will have an opportunity to provide input regarding the exhibits and any portions thereof, as well as propose exhibits for consideration.

5. Witness Interviews

- a. Interview of ME Dr. Williams is scheduled for December 9, 2022. The interview will be recorded and the Inquest Program will have a transcript prepared to share with the parties.⁴
- b. Parties will work to schedule interview of policy/training designee (Cpt. Gregg Caylor) the week of February 6 – 10, 2023.
- c. Parties to notify IPA Zangri of any other witnesses they wish to interview by December 16, 2022.

6. Use of Force Expert

- a. IA Spearman has identified an expert on police use of force issues that he will likely retain on a consulting basis. The parties shall be advised promptly if, and when, that occurs.

³ As indicated orally at the PHC, the Administrator declines to call the witnesses listed in subsections (c) and (d) of this order, because of the limited relevance of their observations and potential testimony. The events that occurred at Scene 1 are relevant for two reasons: 1) It is the beginning of the sequence of events that led to the shooting and death of Mr. Seavers, and 2) any impact that those events may have had on the officers who participated in Scene 1 and/or were aware of the events that occurred there. Not every detail of what happened at Scene 1 is necessary to convey that information to the jury. The evidence that the Administrator intends to admit regarding Scene 1—including witness testimony, video from body-worn and in-car cameras and audio from the 911 calls—is sufficient to convey to the jury the significance of the events that occurred there. Nonetheless, the witnesses will be subpoenaed in the event a juror request to hear from one of them is granted.

⁴ This interview occurred as scheduled.

DATED this 13th day of December, 2022.

A handwritten signature in black ink, appearing to read 'M. Spearman', is centered on a light blue rectangular background.

Michael Spearman
Inquest Administrator