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KING COUNTY DISTRICT COURT OF WASHINGTON
WEST DIVISION

INQUEST INTO THE DEATH OF:

DAMARIUS DEMONTA BUTTS,

Defendant.

No. 517IQ8013

**DISCOVERY DEMAND AND CITY OF
SEATTLE'S RESPONSES THERETO**

TO: Adrien Leavitt and Sade Smith, Attorneys for the family of the decedent.

CC: Ted Buck and Evan Bariault, attorneys for Officers Elizabeth Kennedy, Hudson Kang, Chris Myers, Joshua Vaga, and Xaviar Gordillo; Matthew Anderson, King County Inquest Administrator Assistant.

RESPONSES

(1) Relevant records outlining when each of the following officers was issued body worn video:

- (a) C. Bandel, #8367
- (b) J. Briskey, #6824
- (c) M. Clark, #6824
- (d) C. Gordillo, #7651

1 (e) H. Kang, #7759

2 (f) E. Kennedy, #7725

3 (g) A. Merritt, #7673

4 (h) C. Myers, #5452

5 (i) J. Vaaga, #8397

6 **Request resolved at July 12, 2019 Pre-Inquest Conference.**

7 (2) Relevant records regarding each of the following officer's firearms certifications and
8 renewals :

9 (a) C. Bandel, #8367

10 **Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.**

11 (b) J. Briskey, #6824

12 **Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.**

13 (c) M. Clark, #6824

14 **Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.**

15 (d) C. Gordillo, #7651

16 **See CITY 0001.**

17 (e) H. Kang, #7759

18 **Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.**

19 (f) E. Kennedy, #7725

20 **See CITY 0002.**

21 (g) A. Merritt, #7673

22 **Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.**

23 (h) C. Myers, #5452

24

1 **See CITY 0003.**

2 (i) J. Vaaga, #8397

3 **See CITY 0004.**

4 (3) Relevant records regarding each of the following officer's assigned firearms & Tasers

5 (a) C. Bandel, #8367

6 **Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.**

7 (b) J. Briskey, #6824

8 **Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.**

9 (c) C. Gordillo, #7651

10 **Request pertaining to Taser records denied pursuant to the July 12, 2019**
11 **Pre-Inquest Conference Order. See CITY 0005 for firearm records.**

12 (d) H. Kang, #7759

13 **Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.**

14 (e) E. Kennedy, #7725

15 **Request pertaining to Taser records denied pursuant to the July 12, 2019**
16 **Pre-Inquest Conference Order. See CITY 0005 for firearm records**

17 (f) A. Merritt, #7673

18 **Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.**

19 (g) C. Myers, #5452

20 **Request pertaining to Taser records denied pursuant to the July 12, 2019**
21 **Pre-Inquest Conference Order. See CITY 0005 for firearm records.**

22 (h) J. Vaaga, #8397

23 **Request pertaining to Taser records denied pursuant to the July 12, 2019**
24 **Pre-Inquest Conference Order. See CITY 0005 for firearm records.**

1 (4) SPD policy regarding ongoing training requirements in order to be an officer in good
2 standing with SPD, including general good standing to be an officer and for firearms
3 certification

4 **The City objects to vagueness of this request as to the meaning and scope of “officer
5 in good standing.” Subject to and without waiving this objection, please see the
6 following sections of the Seattle Police Department Manual, as dated March 1, 2017:**

- 7 • **Title 1.070 – Training [CITY 0006-8]**
- 8 • **Title 1.075 - Failure to Complete Required Training [CITY0009-10]**
- 9 • **Title 9.065 – Firearms Training and Qualifications [CITY 0011-13]**
- 10 • **Title 9.100 – Department Firearms Management [CITY 0014]**

11 (5) DNA results and/or status of DNA testing (as ordered by WSP in Bates 852)

12 **See CITY 0015–20.**

13 (6) SPD new officer handbook and/or new hire training requirements (with underlying
14 documents)

15 **Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.**

16 (7) Confirmation that the flash bang used was via KCSO

17 **Resolved by agreement as noted in the July 12, 2019 Pre-Inquest Conference Order.**

18 (8) Confirmation that the K9 used with SPD

19 **Resolved by agreement as noted in the July 12, 2019 Pre-Inquest Conference Order.**

20 (a) Training records for K9 and handler specific to duties and dog handler.

21 **Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.**

22 (9) All materials held by SPD subject to *Brady* disclosure for the following officers:

23 (a) C. Bandel, #8367

24 (b) J. Briskey, #6824

- 1 (c) M. Clark, #6824
- 2 (d) C. Gordillo, #7651
- 3 (e) H. Kang, #7759
- 4 (f) E. Kennedy, #7725
- 5 (g) A. Merritt, #7673
- 6 (h) C. Myers, #5452
- 7 (i) J. Vaaga, #8397

8 **Resolved by agreement as noted in the July 12, 2019 Pre-Inquest Conference Order.**

9

10 (10) OPA files for each of the following officers:

- 11 (a) C. Bandel, #8367
- 12 (b) J. Briskey, #6824
- 13 (c) M. Clark, #6824
- 14 (d) C. Gordillo, #7651
- 15 (e) H. Kang, #7759
- 16 (f) E. Kennedy, #7725
- 17 (g) A. Merritt, #7673
- 18 (h) C. Myers, #5452
- 19 (i) J. Vaaga, #8397

20 **Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.**

21 (11) All Other Use of Force reports related to firearm and/or Taser discharge for the

22 following officers:

- 23 (a) C. Bandel, #8367
- 24 (b) J. Briskey, #6824

- 1 (c) M. Clark, #6824
- 2 (d) C. Gordillo, #7651
- 3 (e) H. Kang, #7759
- 4 (f) E. Kennedy, #7725
- 5 (g) A. Merritt, #7673
- 6 (h) C. Myers, #5452
- 7 (i) J. Vaaga, #8397

8 **Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.**

9 (12) Training material records (like what is requested in Bates 3606 and provided thereafter
10 for) the following officers:

- 11 (a) C. Bandel, #8367
- 12 (b) M. Clark, #6824
- 13 (c) H. Kang, #7759

14 **Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.**

15 (13) The following materials, if available to SPD, for each of the following training
16 attended by the below-listened officer. If SPD did not create or retain the materials,
17 please note that and any relevant information.

18 (a) Officer Vaaga, #8397: **CITY 0021-570 and CITY 1934.**

- 19 i. SPD – 2017 Crowd Control/Firearms and Tactics
- 20 ii. SPD – 2016 Crisis Intervention Training
- 21 iii. SPD – 2016 Integrated Tactics
- 22 iv. SPD – 2016 Post BLEA Defense Tactics #3 Impact Weapons
- 23 v. SPD – 2016 Post BLEA Field Training Program
- 24 vi. SPD – 2016 Post BLEA Firearms Day 4
- vii. SPD – 2016 Post BLEA Firearms Day 3
- viii. SPD – 2016 Post BLEA Firearms Day 2
- ix. SPD – 2016 Post BLEA Firearms Day 1
- x. SPD – 2016 Post BLEA Taser X2 Operator
- xi. SPD – 2016 Post BLEA Introduction to Rapid Intervention

- xii. SPD – 2016 Post BLEA Defensive Tactics #4 Ground Control & Survival
- xiii. SPD – 2016 Post BLEA Fundamental Principals
- xiv. SPD – 2016 Post BLEA Defense Tactics #2 Counter Striking Tools
- xv. SPD – 2016 Post BLEA Barricaded Person
- xvi. SPD – 2016 Post BLEA De-Escalation
- xvii. SPD – 2016 Post BLEA Contact/Cover Roles
- xviii. SPD – 2016 Post BLEA Defense Tactics #1 Control & Cuffing
- xix. SPD – 2016 Early Intervention Training

(b) Officer Merritt, #7673:

- i. SPD – 2017 ACT Refresher – Entry
- ii. SPD – 2017 Small Team Tactics
- iii. SPD – 2017 Crown Control/Firearms and Tactics
- iv. SPD – 2016 Crisis Intervention Training
- v. SPD – 2016 Firearm Qualification and Less-lethal Recertification
- vi. SPD – 2016 Tukwila Taser Use of Force Roll Call Training
- vii. SPD – 2016 Bias-Based Complain Roll Call Training
- viii. SPD – 2015 Tactical De-Escalation/Firearms Individual Skills
- ix. SPC – 2014 Bias Free Policing
- x. SPD – 2015 Advanced Crisis Intervention Training
- xi. SPD – 2016 Early Intervention System
- xii. SPD – 2016 Defense Tactics #1

Request denied pursuant to the July 12, 2019 Pre-Inquest Conference Order.

(c) Officer Myers, #5452: **See CITY 0126-128, 0313-433, CITY 0478-510, CITY 532-549, CITY 1359-1433, CITY 1475-1799.**

- i. SPD – 2017 Crown Control/Firearms and Tactics
- ii. SPD – 2016 Integrated Tactics
- iii. SPD – 2016 Post BLEA Care Under Fire
- iv. SPD – 2016 Crisis Intervention Training
- v. SPD – 2016 Firearms Qualification and Less-lethal Recertification
- vi. SPD – 2015 Bias-Based Complained Roll Call Training
- vii. SPD – 2016 Tactical De-Escalation/Firearms Individual Skills
- viii. SPD – 2016 Biased Free Policing
- ix. SPD – 2015 Early Invention System
- x. SPD – 2015 Officer Sustainment – Use of Force
- xi. SPD – 2015 Defense Tactics #1

1 (d) Officer Kennedy, #7725: See CITY 0126-128, CITY 313-433, CITY 0478-
2 510, CITY 532-549, CITY 554-570, CITY 621-1030, CITY 1359-1433,
3 CITY 1646-1771. CITY 1800-1932, CITY 1935.

- 4 i. SPD – 2017 Frontline Investigations
- 5 ii. SPD – 2017 Crown Control/Firearms and Tactics
- 6 iii. SPD – 2017 Care Under Fire
- 7 iv. SPD – 2016 Integrated Tactics
- 8 v. SPD – 2016 Firearm Qualification and Less-lethal Recertification
- 9 vi. SPD – 2016 Crisis Intervention Training Anti-Harassment and Anti-
10 Discrimination
- 11 vii. SPD – 2015 Handgun Qualification
- 12 viii. SPD – 2015 Rapid Intervention Training
- 13 ix. SPD – 2014 Bias Free Policing

14 (e) Officer Gordillo, #7651: See CITY 0478-510, CITY 571-620, CITY 1031-
15 1184, CITY 1582-1645, CITY 1934.

- 16 i. SPD – 2017 Small Team Tactics
- 17 ii. SPD – 2017 Crown Control/Firearms and Tactics
- 18 iii. SPD – 2017 Care Under Fire
- 19 iv. SPD – 2015 Tactical De-Escalation/Firearms Individual Skills
- 20 v. SPD – 2015 Early Intervention System

21 (f) Officer Briskey, #6824:

- 22 i. SPD – 2017 Crowd Control/Firearms and Tactics
- 23 ii. SPD – 2017 Care Under Fire
- 24 iii. SPD – 2017 Core Competencies
- iv. SPD – 2016 Integrated Tactics
- v. SPD – 2016 Crown Control

**Request denied pursuant to the July 12, 2019 Pre-Inquest Conference
Order.**

1 DATED this 12th day of August, 2019.

2
3 PETER S. HOLMES
4 Seattle City Attorney

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