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6 **THE STATE OF WASHINGTON**
7 **KING COUNTY DEPARTMENT OF EXECUTIVE SERVICES**

8 *IN RE: INQUEST INTO THE DEATH OF:*

9 DAMARIUS DEMONTA BUTTS,

10 Defendant.

No. 517IQ8013

11 **THE BUTTS FAMILY'S SECOND**
12 **REQUEST FOR PRODUCTION AND**
13 **CITY OF SEATTLE'S RESPONSES**
14 **THERE TO**

14 **TO:** Adrien Leavitt and La Rond Baker, Attorneys for the family of the decedent.

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

18 Pursuant to Appendix 2 of PHL-7-1-2-EO (Conducting Inquests in King County) and
19 Civil Rule 26(a)(1) the Butts family requests Seattle return answers, responses, and responsive
20 documents, no later than 30 days after receipt, to attorneys Adrien Leavitt and La Rond Baker,
21 Department of Public Defense, 710 Second Avenue, Suite 200, Seattle, WA 98104.

22 **RESPONSES**

23 (1) Please produce the Seattle Police Department Manual in effect on April 20, 2017.

24 **THE BUTTS FAMILY'S SECOND REQUEST FOR**
PRODUCTION AND CITY OF SEATTLE'S
RESPONSES THERE TO - 1

Peter S. Holmes
Seattle City Attorney
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Seattle, WA 98104-7097
(206) 684-8200

1 **See attached SPD Manual in effect April 2017, Bates stamped CITY 1936 –**
2 **CITY 2635.**

3 (2) Please produce all Seattle Police Department Use of Force policies in effect on April
4 20, 2017.

5 **Please see previously produced use of force policy, Bates stamped Butts_I 3685**
6 **and a duplicate at Bates stamped CITY 2214 – CITY 2219.**

7 (3) Please produce all Seattle Police Department policies, in effect on April 20, 2017,
8 regarding Emergency Operations including but not limited to Serious Incident Plans.

9 **SPD objects to this Request as it is beyond the scope of inquiry of this Inquest**
10 **as it concerns the facts and circumstances surrounding the death of decedent, Mr.**
11 **Butts. “emergency operations” and “serious incident plans” are irrelevant to whether**
12 **officers causing Mr. Butts’ death complied with SPD policies and training. Subject to**
13 **and without waiving said objection, see SPD manual Title 14.060, Bates stamped CITY**
14 **2398 – CITY 2400.**

15 (4) Please produce all Seattle Police Department policies, in effect on April 20, 2017,
16 regarding response to threats and assaults on officers.

17 **SPD objects to this Request as it is vague in meaning and scope. Subject to and**
18 **without waiving said objections, see SPD Manual Section 15.330, Bates stamped CITY**
19 **2550 – CITY 2552.**

20 (5) Please produce all Seattle Police Department policies, in effect on April 20, 2017,
21 regarding de-escalation.

22 **Please see previously produced use of force policy, Bates stamped Butts_I 3685**
23 **and a duplicate at Bates stamped CITY 2214 – CITY 2219.**

24 (6) Please produce all Seattle Police Department policies, in effect on April 20, 2017,
 regarding bystander safety.

SPD objects to this Request as it is beyond the scope of inquiry of this Inquest
 as it concerns the facts and circumstances surrounding the death of decedent, Mr.
 Butts. Policies surrounding bystander safety are irrelevant to whether officers causing
 Mr. Butts’ death complied with SPD policies and training. Subject to and without
 waiving said objections, see Sections 8.300 (Bates stamped CITY 2225 – CITY 2226)
 and Section 5.160 (Bates stamped CITY 2108).

 (7) Please produce all Seattle Police Department policies, in effect on April 20, 2017,
 regarding barricaded suspects.

1 **SPD objects to the breadth of this Request as there are irrelevant materials**
2 **concerning barricaded subjects. Subject to and without waiving said objection, see see**
3 **previously produced use of force policy, Bates stamped Butts_I 3685 and a duplicate at**
4 **Bates stamped CITY 2214 – CITY 2219, Sections 14.060 (Bates stamped CITY 2398 –**
5 **CITY 2400), and Sections 15.350 (Bates stamped CITY 2554).**

6 (8) Please produce all Seattle Police Department policy and training materials that
7 address or incorporate information from the April 20, 2017 officer involved shooting
8 that resulted in the death of Damarius Butts, *see* Butts_492 and Butts_495.

9 **SPD objects to this Request as vague. SPD interprets this Request as asking for**
10 **future trainings that incorporated the evens of April 20, 2017 in their training. If this is**
11 **what this Request is seeking, SPD objects to any use of subsequent policies/trainings**
12 **and post-date the event at issue as overbroad and beyond the scope of the Inquest.**
13 **Subject to and without waiving said objections, see CITY 2636 – CITY2637.**

14 DATED this 25th day of September, 2019.

15 PETER S. HOLMES
16 Seattle City Attorney

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