KING COUNTY DISTRICT COURT OF WASHINGTON

WEST DIVISION

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| INQUEST INTO THE DEATH OF:DAMARIUS DEMONTA BUTTS, Deceased. | No. 517IQ8013INTERROGATORIES TO THE INQUEST PANEL |

 **INTERROGATORIES TO THE INQUEST JURY**

 **Interrogatory No. 1**:  On April 20, 2017, did a male, later identified as Damarius Butts, and female enter a 7-Eleven store located at 627 1st Ave, Seattle, WA 98104?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 2**: Did the 7- Eleven store clerk, Daniel Yohannes, witness the male and female remove merchandise from the store without paying for the items?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 3**: Did Mr. Yohannes follow the male and the female out of the store with the intent of regaining the items belonging to 7-Eleven?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 4**: While confronting the female outside of the store, did Mr. Yohannes observe the male display a handgun?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 5**: After confronting the male and the female, did Mr. Yohannes observe the two walk northbound on 1st Ave?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 6**: Did Mr. Yohannes call 911 to report a robbery?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 7:**  After receiving Mr. Yohannes’ 911 call, did the Seattle Police Department dispatch descriptions of the suspects, indicating they were last seen heading northbound?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 8**: Did Seattle Police Department dispatch inform officers that the male suspect had a gun?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 9:**  Were Officers Gordillo and Merritt patrolling the area when they heard the broadcast of the robbery?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 10**: Did Officers Gordillo and Merritt canvass the area for the suspects and observe three individuals walking together, including a male and female that matched the descriptions provided by dispatch?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 11:**  Did Officers Gordillo and Merritt witness the three individuals climb the set of stairs at the intersection of 1st Ave and Madison?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 12:** As Officers Gordillo and Merritt approached the set of stairs, did they believe one of the males, later identified as Damarius Butts, to be the individual involved in the 7-Eleven robbery?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 13**: Did Officers Gordillo and Merritt believe that Mr. Butts was possibly in possession of a gun?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 14**: Did Officers Gordillo and Merritt approach the three individuals and give them commands to get on the ground?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 15**: Did Damarius Butts drop a jacket to the ground and begin running westbound on Madison Street?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 16**: Did Officer Merritt pursue Damarius Butts on foot westbound?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 18**: Did Officer Gordillo broadcast the pursuit over radio?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 19**: Did Officer Gordillo grab the other male and direct him to the ground?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 23**: Did Officer Gordillo witness the female assaulting Officer Merritt and begin running towards him to provide assistance?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 26**: Did Damarius Butts then run westbound on Madison Street?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 27**: Did Officer Gordillo continue the pursuit of Damarius Butts??

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 28**: As Damarius Butts ran westbound down Madison, did Officers Kang and Palmer arrive on scene?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 30**: While responding to the broadcast of the pursuit, did Officer Kennedy observe Damarius Butts running westbound on Madison as her vehicle approached the intersection of Madison and Western Ave?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 31**: Did Officer Kennedy observe Damarius Butts with his hand at his waistband as he ran?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 32**: Did Officer Kennedy believe Damarius Butts was either holding his pants or a weapon?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 33**: After observing Damarius Butts, did Officer Kennedy turn her vehicle south on Western Ave and park at the rear of 909 1st Ave (the old Federal Building)?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 34**: Did Damarius Butts run south on Western Ave and into the loading dock area of 909 1st Ave (the old Federal Building)?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 35**: Did Officer Kennedy exit her vehicle and pursue Damarius Butts on foot?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 36**: Did Damarius Butts leap onto the loading dock and enter the loading dock door into 909 1st Ave (the old Federal Building)?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 37**: Did Officer Kennedy pursue Damarius Butts into the old Federal Building?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 38**: Did Damarius Butts run east through two unlocked double doors beyond the loading dock door?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 39:**  Was Officer Kennedy concerned that Damarius Butts was armed as she pursued him?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 40:**  Did Officer Kennedy pursue Damarius Butts through the unlocked double doors into a vestibule?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 41:**  Upon entering the vestibule, did Officer Kennedy witness Damarius Butts with one hand at his waistband, while trying to use the other to open a locked door?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. XX: Upon entering the vestibule, did Officer Kennedy observe Damarius Butts try to open other doors in the vestibule?**

**Interrogatory No. XX: After observing that Damarius Butts could not open the other set of doors, did Officer Kennedy realize that Damarius Butts was trapped inside the vestibule?**

**Interrogatory No. 42:**  Did Officer Kennedy observe Damarius Butts draw a firearm?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 43:**  Did Officer Bandel also follow Damarius Butts into the building and observe Damarius Butts draw a firearm?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 44:**  Did Damarius Butts fire a weapon at Officer Kennedy?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 45**: Did Officer Kennedy fire her department issued handgun at Damarius Butts in response?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 46**: Did Damarius Butts fire a bullet that struck Officer Kennedy in her ballistic vest?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 47**: Did Officer Kennedy follow Seattle Police Department policy and training regarding use of force when she fired on Damarius Butts?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 48**: Did officers observe Damarius Butts fall to the ground behind a stack of wooden pallets?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 49**: Believing that Officer Kennedy had been shot, did Officer Gordillo pull her out of the vestibule and into the receiving area?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 50**: Did Officer Kang enter the loading dock and hear gunshots?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 51**: Did Officer Kang take up a position to the left of the double doors leading to the vestibule?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 52**: Did other law enforcement personnel enter the loading dock area shortly after Officer Kang, including Officers Vaaga and Myers?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

 **Interrogatory No. 53**: Did officers observe Damarius Butts lying on the ground with part of his body obscured by the wooden pallets?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

 **Interrogatory No. 54**: Did officers give Damarius Butts commands while he was on the ground?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

 **Interrogatory No. 55**: Did Damarius Butts fire a bullet that struck Officer Kang in the left side of his chin?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 56**: Did Officer Myers hear a gunshot coming from Damarius Butts’ location and fire his department issued handgun at Damarius Butts?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 57**: Did Officer Myers follow Seattle Police Department policy and training regarding use of force when he fired on Damarius Butts?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 58**: Did Officer Vaaga see a muzzle flash originate from behind the pallets and observe Officer Kang drop to the ground?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 59**: Did Officer Vaaga fire his department issued handgun at Damarius Butts?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 60**: Did Officer Vaaga follow Seattle Police Department policy and training regarding use of force when he fired on Damarius Butts?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 61**: Did Officer Gordillo fire his department issued handgun at Damarius Butts?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 62**: Did Officer Gordillo follow Seattle Police Department policy and training regarding use of force when he fired on Damarius Butts?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 63:** At any time during the incident, did Damarius Butts either verbally or physically comply with the police officers’ order(s)?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 64:** Was a .38 caliber Smith and Wesson Special CTG recovered near where Damarius Butts was located behind the wooden pallets?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 65:** Did investigators later find evidence that Damarius Butts had repeatedly fired the .38 caliber Smith and Wesson?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 66**: Did the jacket dropped by Damarius Butts during the foot pursuit on Madison Street contain a box of .38 caliber ammunition?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 67:**  Did one of the bullets fired from Damarius Butts’ handgun lodge in Officer Kang’s thoracic cavity?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

**Interrogatory No. 68:**  Did one of the bullets fired from Damarius Butts’ handgun lodge inside Officer Kennedy’s ballistic vest?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

 **Interrogatory No. 69:**  Did Damarius Butts die from gunshot wounds in Seattle, King County, Washington on April 20, 2017?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNSURE \_\_\_\_\_

DATED this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019.

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| Panel Foreperson | Panel Member |
| Panel Member | Panel Member |
| Panel Member | Panel Member |
| Panel Member | Panel Member |

CERTIFICATE OF SERVICE

The undersigned certifies under the penalty of perjury according to the laws of the United States and the State of Washington that on this date I caused to be served in the manner noted below a copy of this document entitled PROPOSED INTERROGATORIES TO THE INQUEST PANEL on the following individuals:

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| --- | --- | --- |
| Dan Satterberg, Prosecuting AttorneyMark Larson, Chief Criminal DeputyMark.larson@kingcounty.gov King County Prosecuting Attorney’s OfficeW554 King County Courthouse516 Third AvenueSeattle, WA 98104Telephone: (206) 296-9000Facsimile: (206) 296-0955 *Attorney for King County,* *State of Washington* | Carmen Best, ChiefSeattle Police DepartmentSeattle Police Headquarters610 Fifth AvenueSeattle, WA 98104-1900(206) 625-5011 |  |
| Dee Sylve, Inquest Program ManagerDepartment of Executive Services401 Fifth Ave, Suite 131Seattle, WA 98104(206) 477-6191 | Adrien Levitt, AttorneyKC Department of Public DefenseThe Dexter Horton Building701 Second Ave, Suite 200Seattle, WA 98104(206) 296-7662*Attorney for Butts Family* |  |
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[] Via Facsimile

[X] Via Electronic Mail

[ ] Via Messenger

DATED this 28th day of August, 2019, at Seattle, Washington.

 /s/ Evan Bariault

 Evan Bariault