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7 **THE STATE OF WASHINGTON**  
8 **KING COUNTY DEPARTMENT OF EXECUTIVE SERVICES INQUEST PROGRAM**

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10 *IN RE*: THE INQUEST INTO THE  
11 DEATH OF DAMARIUS BUTTS

NO. 517IQ8013

FAMILY’S REQUESTED TOPICS TO BE  
ADDRESSED BY CHIEF CORDNER  
AND CAPTAIN TEETER

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15 The Family of Damarius Butts, through counsel Adrien Leavitt and La Rond Baker of the  
16 King County Department of Public Defense, respectfully requests that the Seattle Police  
17 Department (SPD) ensure that Chief Cordner and Captain Teeter are prepared to provide  
18 testimony on the following subjects:

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- 20 1. SPD’s process for reviewing and approving policies;
  - 21 2. SPD’s process for updating pre-existing policies;
  - 22 3. SPD’s process or informing officers of new and/or updated policies;
  - 23 4. SPD’s process for ensuring that its policies are consistent with national standards;
  - 24 5. Explanation of whether the Department of Justice’s (DOJ) Consent Decree has affected  
the process for SPD to create, approve, or implement policies.

1 6. SPD's practices regarding interim policies, how they are authorized and approved?

2 7. SPD Training Policy (1.070), including:

- 3 i. Explanation of the purpose of this policy.
- 4 ii. Details regarding the development and approval of this policy.
- 5 iii. Whether SPD's policy is consistent with national standards on training.
- 6 iv. Explanation of approval process for each curriculum and determination of
- 7 whether a curriculum is consistent with the Seattle Police manual?
- 8 v. Specific information regarding when this policy was last reviewed/updated
- 9 and whether it has been updated or substantially changed since:

10 (1) April 20, 2017, and/or

11 (2) DOJ's Consent Decree.

12 8. SPD De-escalation Policy (8.100)

- 13 i. Explanation of the purpose of this policy.
- 14 ii. Details regarding the development and approval of this policy.
- 15 iii. Whether SPD's policy is consistent with national standards on de-
- 16 escalation.
- 17 iv. Training protocols and expectations for individual SPD officers regarding
- 18 this de-escalation policy.
- 19 v. Recertification expectations for SPD officers.
- 20 vi. Explanation of whether and in what circumstances the substance of SPD's
- 21 de-escalation policy applies to instances when suspects are believed to be
- 22 have a gun.
- 23

1                   vii. Specific information regarding when this policy was last reviewed/updated  
2                   and whether it has been updated or substantially changed since:

3                               (1) April 20, 2017, and/or

4                               (2) DOJ's Consent Decree.

5       9. SPD's Using Force policy (8.200)

6                   i. Explanation of the purpose of this policy.

7                   ii. Details regarding the development and approval of this policy.

8                   iii. Whether this policy is consistent with national standards on use of force.

9                   iv. Recertification expectations for SPD officers

10                  v. Specific information regarding when this policy was last reviewed/updated  
11                  and whether it has been updated or substantially changed since:

12                               (1) April 20, 2017, and/or

13                               (2) DOJ's Consent Decree.

14                  vi. What is the application of this policy to fleeing suspects?

15                  vii. What is the application of this policy to armed suspects?

16                  viii. Provide an explanation of subsection 5, specifically including:

17                               (1) What is the definition of "committing a felony involving  
18                               the infliction or threatened infliction of serious physical  
19                               injury or death?"

20                               (2) Does display of a firearm always fall under this definition?

21                  ix. Provide an explanation subsection 6, regarding officers rendering medical  
22                               aid

23                  x. Provide an explanation of subsection 7, regarding requesting medical aid

1 b. SPD Use of Force – Canine Deployment (8.300)

2 i. Explanation of the purpose of this policy.

3 ii. Details regarding the development and approval of this policy.

4 iii. Whether this policy is consistent with national standards on use of force.

5 iv. Recertification expectations for SPD officers

6 v. Specific information regarding when this policy was last reviewed/updated

7 and whether it has been updated or substantially changed since:

8 (3) April 20, 2017, and/or

9 (4) DOJ's Consent Decree.

10 vi. Whether there is a difference in application of this policy regarding

11 suspects who are believed to be armed verses those who are not believed

12 to be armed.

13 10. Please provide a witness who can testify regarding SPD's general training practices,

14 including:

15 a. Procedure used by SPD to ensure each training meets the requirements set forth in  
16 SPD's policy regarding training.

17 b. Explanation of SPD's participation requirements of individual officers.

18 c. Process for evaluation of individual officer's performance in each training.

19 d. Explanation of general requirements of training for new SPD officers.

20 e. Recertification expectations for SPD officers.

21 f. Process for identifying and approving instructors for trainings.

22 g. Qualification requirements for training instructors.

1 11. Please provide a witness who can testify regarding the following trainings:

2 a. SPD Use of Force, specifically:

- 3 i. Explanation of the purpose of this training.
- 4 ii. Explanation of the development and approval of the training.
- 5 iii. Whether this training is consistent with national standards.
- 6 iv. Training protocols and expectations for individuals SPD officers regarding
- 7 this training
- 8 v. Whether, under this training, use of force broadly permitted anytime a
- 9 suspect has a firearm.
- 10 vi. Specific information regarding when this training was last
- 11 reviewed/updated and whether it has been updated or substantially
- 12 changed since:

13 (1) April 20, 2017, and/or

14 (2) DOJ's Consent Decree.

15 b. SPD Post-BLEA De-escalation, specifically:

- 16 i. Explanation of the purpose of this training.
- 17 ii. Explanation of the development and approval of the training.
- 18 iii. Whether this training is consistent with national standards.
- 19 iv. Training protocols and expectations for individuals SPD officers regarding
- 20 this training
- 21 v. Whether concepts learned during this de-escalation training are applicable
- 22 if a suspect is believed to have a gun.
- 23

1 vi. Specific information regarding when this training was last  
2 reviewed/updated and whether it has been updated or substantially  
3 changed since:

4 (1) April 20, 2017, and/or

5 (2) DOJ's Consent Decree.

6 c. SPD Contact/Cover Roles, specifically:

7 i. Explanation of the purpose of this training.

8 ii. Explanation of the development and approval of the training.

9 iii. Whether this training is consistent with national standards.

10 iv. Training protocols and expectations for individuals SPD officers regarding  
11 this training

12 v. Specific information regarding when this training was last  
13 reviewed/updated and whether it has been updated or substantially  
14 changed since:

15 (1) April 20, 2017, and/or

16 (2) DOJ's Consent Decree.

17 d. SPD Care Under Fire, specifically:

18 i. Explanation of the purpose of this training.

19 ii. Explanation of the development and approval of the training.

20 iii. Whether this training is consistent with national standards.

21 iv. Training protocols and expectations for individuals SPD officers regarding  
22 this training

1 v. Specific information regarding when this training was last  
2 reviewed/updated and whether it has been updated or substantially  
3 changed since:

4 (1) April 20, 2017, and/or

5 (2) DOJ's Consent Decree.

6 e. SPD Officer Sustainment – Use of Force, specifically:

7 i. Explanation of the purpose of this training.

8 ii. Explanation of the development and approval of the training.

9 iii. Whether this training is consistent with national standards.

10 iv. Training protocols and expectations for individuals SPD officers regarding  
11 this training

12 v. Specific information regarding when this training was last  
13 reviewed/updated and whether it has been updated or substantially  
14 changed since:

15 (1) April 20, 2017, and/or

16 (2) DOJ's Consent Decree.

17 vi. Specific information regarding when this training was last  
18 reviewed/updated and whether it has been updated or substantially  
19 changed since:

20 (1) April 20, 2017, and/or

21 (2) DOJ's Consent Decree.

22 12. What is Direction #15-00035 – “Failure to Follow Training is Not a Policy Violation”?  
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DATED this 5<sup>th</sup> day of November, 2019

*/s Adrien Leavitt*

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Adrien Leavitt, WSBA No. 44451  
Attorneys for Family of Damarius Butts