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KING COUNTY DEPARTMENT OF EXECUTIVE
SERVICES INQUEST PROGRAM

<p>INQUEST INTO THE DEATH OF: DAMARIUS DEMONTA BUTTS, Deceased.</p>	<p>No. 517IQ8013 INVOLVED OFFICERS' BRIEFING RE: INTERROGATORIES</p>
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Officers Elizabeth Kennedy, Xavier Gordillo, Joshua Vaaga and Christopher Myers (“Individual Officers”) hereby object to the following interrogatories:

1) Interrogatory Nos. 64-67 (Rendering/Requesting Medical Aid)

The Individual Officers have no objection to the more general questions regarding whether Seattle Police Department personnel rendered or requested medical aid. However, the Individual Officers object to the individualized questions surrounding rendering and/or requesting medical aid. There is no individual obligation to either seek medical aid or to personally participate in providing medical aid. The Seattle Police Department Policy reads as follows:

1 **6. Following a Use-of-Force, Officers Shall Render or Request Medical Aid, if Needed or if**
2 **Requested By Anyone, as Soon as Reasonably Possible**

3 Following a use-of-force, officers will request a medical aid response, if necessary, for suspects and
4 others and will closely monitor subjects taken into custody.

5 **7. Officers Shall Automatically Request Medical Aid in Certain Situations**

6 Every Type III use-of-force, specifically including, but not limited to:

- 7 * Impact weapon strikes to the head
- 8 * Impact of the head against a hard, fixed object

9 The policy generally applies to all personnel to ensure that aid is rendered if safe to do so, and
10 requested. By submitting this question with respect to the Involved Officers, it erroneously
11 suggests that each of the Involved Officers had an individual responsibility in these areas. That
12 suggestion is both inaccurate under the policy and unsensible in that it would require all officers
13 at a scene to serially request aid when they already know it has been requested. The Involved
14 Officers revert to their earlier suggested alternative:

15 **SEATTLE POLICE DEPARTMENT**

16 **Interrogatory No. 92: Did SPD Policy regarding rendering or requesting medical aid** apply
17 **to officers’ actions in this incident?**

18 YES _____ NO _____ UNKNOWN _____

19 **Interrogatory No. 93: Did officers comply with SPD Policy regarding rendering or**
20 **requesting medical aid?**

21 YES _____ NO _____ UNKNOWN _____

22 IF YOU ANSWERED “NO” TO THE PREVIOUS INTERROGATORY, PLEASE EXPLAIN
23 WHY BELOW

1 **Interrogatory No. 94:** During the course of this incident, were officers' actions consistent with
2 their training as to SPD Policy regarding rendering or requesting medical aid?

3 YES _____ NO _____ UNKNOWN _____

4 IF YOU ANSWERED "NO" TO THE PREVIOUS INTERROGATORY, PLEASE EXPLAIN
5 WHY BELOW

6 _____
7 _____
8 _____
9 _____
10 This format is consistent with the actual policy language. Further, it better assists in providing
11 the panel's understanding of why it believes a policy was or was not complied with. A simple
12 "yes" or "no" provides limited information.

13 **2) Interrogatory Nos. 70-88 (Policy and Training)**

14 The SPD Use of Force policy is holistic, not a series of discrete directives. Accordingly,
15 interrogatories should be focused on the singular question of whether an officer complied with
16 the policy, not a series of questions breaking down various subparts of the policy. Further, the
17 Involved Officers believe it would be far clearer to include officer specific inquiries in subparts
18 rather than repeating the same questions over and over with different officers. For example,
19 policy and training questions should read as follows:

20 1. Did SPD's De-Escalation Policy apply to the following officers in this incident?

21 Officer Vaaga ___ YES ___ NO ___ UNSURE
22 Officer Myers ___ YES ___ NO ___ UNSURE
23 Officer Kennedy ___ YES ___ NO ___ UNSURE
Officer Gordillo ___ YES ___ NO ___ UNSURE

INTERESTED PARTIES' MOTION TO
CONTINUE THE INQUEST TO MARCH

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CERTIFICATE OF SERVICE

I certify that on the 11th day of November 2021, I caused a true and correct copy of this document to be served on the following in the manner indicated below:

Matthew Anderson Matt.Anderson@kingcounty.gov	(x) Via Email
Dee Sylve Dee.Sylve@kingcounty.gov	(x) Via Email
Adrien Leavitt Adrien.Leavitt@kingcounty.gov	(x) Via Email
La Rond Baker lbaker@kingcounty.gov	(x) Via Email
Mon-Cheri Barnes Cheri.barnes@kingcounty.gov	(x) Via Email
Lori Levinson Lori.Levinson@kingcounty.gov	(x) Via Email
Rebecca Boatright Rebecca.Boatright@seattle.gov	(x) Via Email
Jennifer Litfin Jennifer.Litfin@seattle.gov	(x) Via Email
Ghazal.Sharifi Ghazal.Sharifi@seattle.gov	(x) Via Email
Kelly Nakata Kelly.Nakata@seattle.gov	(x) Via Email
Kerala Cowart Kerala.Cowart@seattle.gov	(x) Via Email
Marisa Johnson Marisa.johnson@seattle.gov	(x) Via Email
Tom Miller tom@christielawgroup.com	(x) Via Email
Sarah Paulson sarah@christielawgroup.com	(x) Via Email

INTERESTED PARTIES' MOTION TO
CONTINUE THE INQUEST TO MARCH

