

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

KING COUNTY DEPARTMENT OF EXECUTIVE
SERVICES INQUEST PROGRAM

INQUEST INTO THE DEATH OF:
DAMARIUS DEMONTA BUTTS.

No. 517IQ8013

FAMILY'S MOTIONS IN LIMINE -
SUPPLEMENTAL

I. Introduction

The Family of Damarius Butts brings the following supplemental motions in limine regarding this inquest, currently scheduled for March 14, 2022.

II. Motions in Limine

1. Motion to permit summation by the Family at the end of the presentation of evidence

The Family moves the Inquest Administrator to permit summation by the Family at the end of the presentation of evidence. Attorney summation is permitted under the Executive Order, based on the discretion of the Inquest Administrator. The updated Executive Order also recognized the importance of full participation by the family of the community member who was

1 killed. This recognition is effectuated in many ways, including appointing legal counsel to
2 families who are not otherwise represented.

3 To that end, the Family should be permitted to provide summation at the close of
4 evidence in this inquest. This will allow the Family a fair opportunity to present the evidence to
5 the inquest jury, which is tasked with answering critical questions about the death of their loved
6 one, Damarius Butts.

7
8 **2. Motion to exclude testimony by Officer Pritchard because the only admissible**
9 **testimony by Officer Pritchard is duplicative of testimony provided by Officer**
10 **Kang.**

11 Based on the Inquest Administrator's prior ruling, which limited Officer Kang's
12 testimony to what occurred during the shooting and excluded testimony about what happened
13 after Officer Kang was shot and moved out of the vestibule area, the Family moves to exclude
14 testimony by Officer Pritchard. Based on the previous ruling, Officer Pritchard's relevant
15 observations are limited to: arriving at the loading dock, going towards the vestibule, drawing his
16 firearm, nearly immediately seeing Officer Kang being shot, and moving Officer Kang away
17 from the vestibule. In his video deposition, Officer Kang testified that, as he was standing on the
18 left side of the doorway, he was shot in the chin, fell backwards, and was moved out of the area
19 by other SPD officers. As such, all of Officer Pritchard's testimony is duplicative of Officer
20 Kang's testimony and should be excluded.

21 **3. Motion to exclude testimony by Tom Townsend any other civilian, fact witnesses**
22 **whose observations were limited viewing parts of the confrontation between**
23
24

