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6 7	KING COUNTY DEPARTMENT OF EXECUTIVE SERVICES INQUEST PROGRAM	
8	INQUEST INTO THE DEATH OF:	No. 517IQ8013
9	DAMARIUS DEMONTA BUTTS.	FAMILY'S MOTIONS IN LIMINE - SUPPLEMENTAL
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13	I. Introduction	
14	The Family of Damarius Butts brings the following supplemental motions in limine	
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16	regarding this inquest, currently scheduled for March 14, 2022.	
17	II. Motions in Limine	
18	1. Motion to permit summation by the Family at the end of the presentation of	
19	evidence	
20	The Family moves the Inquest Administrator to permit summation by the Family at the	
21	end of the presentation of evidence. Attorney summation is permitted under the Executive Order,	
22	based on the discretion of the Inquest Administrator. The updated Executive Order also	
23	recognized the importance of full participation by the family of the community member who was	
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killed. This recognition is effectuated in many ways, including appointing legal counsel to families who are not otherwise represented.

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

2. Motion to exclude testimony by Officer Pritchard because the only admissible testimony by Officer Pritchard is duplicative of testimony provided by Officer Kang.

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

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

1 Adrianna Butts (to be referred to without her name during the inquest) and Officer 2 Merritt. 3 The Family moves to exclude testimony by Tom Townsend because Mr. Townsend's 4 observations were limited to viewing part of the altercation between Adrianna Butts and Officer 5 Merritt's. This testimony is duplicative to the testimony expected from Officer Merritt, who will 6 describe the incident with Adrianna Butts, and other Seattle Police officers who also saw the 7 incident. Any relevance of Mr. Townsend's testimony is offset by the other witnesses who will 8 testify about these facts. This duplicative, cumulative testimony raises concerns to the danger of 9 unfair prejudice to the Family under ER 403. For the same reasons, the Family moves to exclude 10 testimony by any other civilian, fact witness that is simply cumulative of Officer Merritt's 11 testimony. 12 13 DATED this 23rd day of February, 2022. 14 15 /s Adrien Leavitt 16 Adrien Leavitt, WSBA #44451 17 La Rond Baker, WSBA #43610 Attorneys for the Family of Damarius Butts 18 19 20 21 22 23 24