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**STATE OF WASHINGTON**  
**KING COUNTY SUPERIOR COURT**

Case No. 517IQ9301

INQUEST INTO THE DEATH OF  
CHARLEENA CHAVON LYLES,  
  
Deceased.

DECLARATION OF COREY GUILMETTE

I, Corey Guilmette, declare as follows:

1. I am competent to testify and make this declaration based on my personal knowledge. I submit this declaration in support of the Motion to Clarify Parties.
2. On July 30, 2019, Ms. Rebecca Boatright sent an email to Matt Anderson, the pro-tem attorney in the above-captioned proceeding and cc'd the parties to the inquest, including myself. In that email, Ms. Boatright was responding to a prior email from Mr. Anderson asking for attorneys to provide contact information and the name(s) of their client(s). Ms. Boatright wrote, in relevant part, "My position should be reflected as Executive Director of Legal Affairs, SPD—I am a legal advisor to the Chief and the Department, but I am not her (or the Department's) litigation attorney." Attached as Exhibit 1 is a true and correct copy of Ms. Boatright's July 30, 2019 email.

- 1 3. Attached as Exhibit 2 is a true and correct copy of a document titled “King County  
2 Inquest Process,” which was published by the Office of King County Executive Dow  
3 Constantine on October 4, 2018.
- 4 4. Attached as Exhibit 3 is a true and correct copy of the email message sent by Cali Knight,  
5 External Relations Specialist in the King County Executive Office, which contained the  
6 document attached as Exhibit 3.

7 DATED this 13<sup>th</sup> day of August, 2019.

8  
9 s/ Corey Guilmette

10 Corey Guilmette, WSBA #51165  
11 Public Defender Association  
12 110 Prefontaine Pl. S., Suite 502  
13 Seattle, WA 98104  
14 Telephone: (206) 641-5334  
15 E-mail: [corey.guilmette@defender.org](mailto:corey.guilmette@defender.org)  
16 Attorney for Defendant  
17  
18  
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21  
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25

# **Exhibit 1**



Corey Guilmette &lt;corey.guilmette@defender.org&gt;

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## Lyles - contact list

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**Boatright, Rebecca** <Rebecca.Boatright@seattle.gov>

Tue, Jul 30, 2019 at 8:54 PM

To: "Anderson, Matthew" <Matt.Anderson@kingcounty.gov>, "corey.guilmette@defender.org" <corey.guilmette@defender.org>, "Sylve, Dee" <Dee.Sylve@kingcounty.gov>, "emoore@ehmpc.com" <emoore@ehmpc.com>, "Sharifi, Ghazal" <Ghazal.Sharifi@seattle.gov>, "Litfin, Jennifer M" <Jennifer.Litfin@seattle.gov>, "Karenk@stritmatter.com" <Karenk@stritmatter.com>, "kcobb@freybuck.com" <kcobb@freybuck.com>, "Nakata, Kelly" <Kelly.Nakata@seattle.gov>, Lisa Smith <lsmith@freybuck.com>, "prachi.dave@defender.org" <prachi.dave@defender.org>, Ted Buck <tbuck@freybuck.com>, "Wolf, Jeff M" <Jeff.Wolf@seattle.gov>

Thanks Matt, and my apologies for the delay in getting this response to you.

My position should be reflected as Executive Director of Legal Affairs, SPD – I am a legal advisor to the Chief and the Department, but I am not her (or the Department's) litigation attorney.

Becca

### Rebecca Boatright

Executive Director of Legal Affairs

Seattle Police Department

610 Fifth Avenue

P.O. Box 34986

Seattle, WA 98124-4986

Office: (206) 233-5023



Please note that all emails and attachments, including personal information, sent to and from the Seattle Police Department are subject to the Washington Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third-party requestor.

**From:** Anderson, Matthew [mailto:[Matt.Anderson@kingcounty.gov](mailto:Matt.Anderson@kingcounty.gov)]

**Sent:** Tuesday, July 30, 2019 12:02 PM

**To:** Boatright, Rebecca <[Rebecca.Boatright@seattle.gov](mailto:Rebecca.Boatright@seattle.gov)>; [corey.guilmette@defender.org](mailto:corey.guilmette@defender.org); Sylve, Dee <[Dee.Sylve@kingcounty.gov](mailto:Dee.Sylve@kingcounty.gov)>; [emoore@ehmpc.com](mailto:emoore@ehmpc.com); Sharifi, Ghazal <[Ghazal.Sharifi@seattle.gov](mailto:Ghazal.Sharifi@seattle.gov)>; Litfin, Jennifer M <[Jennifer.Litfin@seattle.gov](mailto:Jennifer.Litfin@seattle.gov)>; [Karenk@stritmatter.com](mailto:Karenk@stritmatter.com); [kcobb@freybuck.com](mailto:kcobb@freybuck.com); Nakata, Kelly <[Kelly.Nakata@seattle.gov](mailto:Kelly.Nakata@seattle.gov)>; Lisa Smith <[lsmith@freybuck.com](mailto:lsmith@freybuck.com)>; [prachi.dave@defender.org](mailto:prachi.dave@defender.org); Ted Buck <[tbuck@freybuck.com](mailto:tbuck@freybuck.com)>; Wolf, Jeff M <[Jeff.Wolf@seattle.gov](mailto:Jeff.Wolf@seattle.gov)>

**Subject:** Lyles - contact list

**CAUTION: External Email**

Here's the participant list, as updated as I've been able to make it. Please use at your convenience.

Matt

# **Exhibit 2**

# King County Inquest Process

October 3, 2018

## SUMMARY

### **Background**

The inquest process is unique to King County, required by King County Charter in all law enforcement related deaths, and established under state law and county code.

The purpose of an inquest is to provide an open public forum, conducted by a neutral decision-maker, to shed light on the facts surrounding a death at the hands of law enforcement. A further purpose is to promote public understanding of those crucial events in our community in which law enforcement takes human life as a part of their official duties.

### **Current process:**

- King County Prosecuting Attorney receives investigative materials from the investigating agency and notifies the King County Executive.
- Executive requests King County District Court conduct an inquest.
- District Court presides over the inquest, determines the scope of the issues, and decides who will be called as witnesses.
- Participating parties
  - Family of the deceased, who must be represented by private counsel in order to participate
  - Officer involved in the death
  - The law enforcement agency
  - The Prosecuting Attorney's Office, whose role is to assist the judge in conducting the inquest
- Inquests are heard by a jury of six. They answer questions from the judge, called interrogatories.
- Inquest interrogatories deal with questions of fact.
  - Their purpose is to give the jury an opportunity to judge credibility and determine the significant factual issues involved in the inquest, such as what actions occurred and what the actors thought or knew.
- Inquest interrogatories do not deal with questions of law, policy, recommendations, or whether anyone is civilly or criminally liable.
- The jury indicates the number of yes/no answers to the questions, and the Court sends that information to the Executive.

### **Revised Process:**

- Inquests will be administered by the Executive's Department of Executive Services (DES). Inquests will be conducted by an Inquest Administrator. DES will hire experienced former judges

on a pro tem basis to serve as the Inquest Administrator, who oversees the inquest process and is the neutral decision-maker. The Inquest Administrator, following the scope guidelines provided in the executive order will determine the scope of the issues, and decide who will be called as witnesses. This role was previously served by District Court judges.

- King County Prosecuting Attorney receives investigative materials from the investigating agency and notifies the King County Executive.
- The King County Prosecuting Attorney will no longer serve to assist the judge during the inquest. Instead an Inquest Staff attorney, also hired on a pro-tem basis, will assist the Inquest Administrator during the inquest. DES will also hire a manager to support the operational and procedural requirements of the inquest process.
- Participating parties
  - Family of the deceased, who will be provided a King County Public Defender or, may be represented by private counsel.
  - Officer involved in the death may participate at their request but will not be subpoenaed. There is a presumption that the involved officer will not participate.
  - The law enforcement agency. It is anticipated the agency chief or their designee would testify about current policy, while the scene investigator would testify about the event.
- Inquests are heard by a jury of between four and six persons as required by state law. They answer questions from the judge, called interrogatories.
- Inquest interrogatories deal only with questions of fact.
  - Their purpose is to give the jury an opportunity to judge credibility and determine the significant factual issues involved in the inquest, such as what actions occurred and what the actors thought or knew.
- Scope of the Inquest
  - As is currently the case, an inquest will result in the issuance of findings regarding the cause and manner of death.
  - Inquest interrogatories do not deal with questions of law, recommendations for future policy or procedures, or whether anyone is civilly or criminally liable.
  - However, the scope of the inquest will be expanded to include what the current involved law enforcement agency policy is and whether the law enforcement officer complied with applicable law enforcement agency training and policy as they relate to the death. Testimony regarding what changes should be made to existing policy, procedure, and training is not permitted.
- The jury indicates the number of yes/no/unknown answers to the questions, and the manager sends that information to the Executive.

**Timeline:**

- It is anticipated that inquests under the revised Executive Order would begin by the end of the first quarter of 2019.



# **Exhibit 3**

Inquest Reform Update - NEW Executive Order Signed Inbox x



**Inquest Review** <inquestreview@kingcounty.gov>  
to Inquest ▾

Thu, Oct 4, 2018, 3:17 PM ☆ ↩ ⋮

Dear inquest reform stakeholder,

You are receiving this email because you attended one of the Inquest Process Review committee's public focus groups earlier this year. I'm writing to let you know that today Executive Constantine signed a new executive order reforming the county's inquest process. We are grateful to you for participating in this reform process. Attached to this email you will find the text of the executive order, a matrix that compares the old process to the new one, and a high-level summary of the changes.

Please feel free to reply to this email with any questions you might have. Thank you again for your engagement on this issue.

Best,

Calli Knight  
Office of King County Executive Dow Constantine

3 Attachments



**PDF** Inquest EO Overvei...



**PDF** PHL-7-1-2-EO.pdf



**PDF** Summary - Inquest...

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 **DECLARATION OF COREY GUILMETTE** on the following individuals:

Karen Cobb  
Frey Buck, P.S.  
1200 Fifth Avenue, Suite 1900  
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*Attorney for Seattle Police Department  
Officer Steven McNew*

Ted Buck  
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*Attorney for Seattle Police Department  
Officer Jason Anderson*

Dee Sylve  
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[Dee.Sylve@kingcounty.gov](mailto:Dee.Sylve@kingcounty.gov)  
*Inquest Program Manager*

*Edward H. Moore*  
Law Offices of Edward H Moore PC  
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Seattle, WA 98119-1330  
(206) 826-8214  
[emoore@ehmpc.com](mailto:emoore@ehmpc.com)  
*Attorney for the family of Charleena  
Lyles*

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*Pro-Tem Attorney*

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*Karen Koehler*  
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*Attorney for the family of Charleena  
Lyles*

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*Attorney for the City of Seattle*

1 Rebecca Boatright  
2 Seattle Police Department  
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4 P.O. Box 34986  
5 Seattle, WA 98124  
6 [rebecca.boatright@seattle.gov](mailto:rebecca.boatright@seattle.gov)  
7 (206) 233-5023  
8 *Seattle Police Department, Executive*  
9 *Director of Legal Affairs*

10 [ ] Via Facsimile  
11 [X] Via Electronic Mail  
12 [ ] Via Messenger

13 DATED this 13<sup>th</sup> day of August, 2019.

14 s/ Corey Guilmette

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15 Corey Guilmette, WSBA #51165  
16 Public Defender Association  
17 110 Prefontaine Pl. S, Suite 502  
18 Seattle, WA 98104  
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21 Attorney for Family of Charleena Lyles

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