



King County

Department of Executive Services

Inquest Program

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INQUEST INTO THE DEATH OF CHARLEENA LYLES # 517IQ9301

ORDER ON PRE-HEARING MOTIONS

Family of the decedent:	Family of Charleena Lyles, represented by Karen Koehler and Melanie Nguyen
Law enforcement officers:	Seattle Police Department Officers Steven McNew and Jason Anderson represented by Ted Buck and Karen Cobb
Employing government department:	Seattle Police Department, represented by Ghazal Sharifi and Rebecca Widen
Administrator:	Michael Spearman assisted by Inquest Program Attorney, Claire Thornton

The Administrator issues the following rulings on various issues discussed and reserved at the June 10, 2022, Pre-Hearing Conference, and presented in briefings by the parties:

1. Demonstrative Exhibits

- a. The 3D Glock as presented in the attached photo by the Family will be marked as an exhibit and it may be used it as a demonstrative exhibit during the proceedings.
 - i. Objections made by the Involved Officers and SPD are noted and overruled.
 - ii. The Administrator will also accept a rendering of a Glock 17 as a demonstrative exhibit, if presented by the Family.
- b. In the PHC Order from 6/10/22, the Administrator indicated he will allow an agreed upon a rendering of a portion of Ms. Lyles' apartment to be used during the Inquest Hearing. Parties were instructed to provide an update on the creation of a rendering by June 16, 2022, prior to or at the Tech Walk Through. Counsel for the Involved Officers met with a set designer on June 16, 2022, and will provide photos of a 3D rendering to counsel and the Administrator as soon as they are available.

2. Redaction of Policies and Trainings

- a. SPD and the Involved Officers requested that the policy and training documents fully any redact portions that the Administrator has ruled are not within the scope of the proceeding, rather than providing exhibits to the jury that contain redline/strikethroughs. The exhibits shall be changed to full redaction.

3. Bias-Free Policing Policy and Trainings:

- a. The Administrator has reviewed the submissions from the parties regarding bias-free policing and is admitting redacted versions of the items as exhibits:
 - i. 2014 SPD Bias-Free Policing training taken by Officer McNew
 - ii. 2015 Post BLEA Bias Free Policing training taken by Officer Anderson
 - iii. SPD Policy 5.140

4. Witness Questioning: the order of questioning witnesses will be as follows for each witness: IPA, Family, Involved Officers, SPD

June 16, 2022 Pre-Conference Hearing Issues:

After completing jury selection in the Zoom Conference this morning, the follow issues were discussed and are noted here for the record:

- 1. Family informs the Administrator that there are 11 family members who have confirmed they will be attending the hearing. The Family will have space at counsel table for two family representatives. The Hearing Room will accommodate approximately 40 spectators, on a first come first served basis.
- 2. All parties will have designated spaces at the CFJC for counsel and clients to use during breaks and lunch.
- 3. Counsel for Involved Officers is unable to state yet whether or not the Involved Officers will be testifying or invoking the Fifth Amendment.
 - a. Family: if the Involved Officers do not testify, the Family will renew the motion to admit the video depositions from the civil case.
 - b. Involved Officers: strenuously object to use of the depositions from the civil case.
 - c. Administrator advised Involved Officers to be prepared to provide a basis for the objection to the use of the civil depositions.
 - d. Administrator requests sufficient notice if the officers will not be testifying in order to prepare the Garrity statements and the video depositions for viewing, if admitted.
 - i. Family offers to assist with editing the video, if helpful.
 - e. If the Involved Officers intend to invoke their Fifth Amendment rights, the Administrator will request briefing to address the question of whether the officers have waived any Fifth Amendment right to remain silent by already giving testimony about the incident.

DATED: June 17, 2022



Inquest Administrator Michael Spearman