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KING COUNTY DEPARTMENT OF EXECUTIVE SERVICES
INQUEST PROGRAM

IN RE INQUEST INTO THE DEATH OF
ALBERT WAYNE FREDERICKS JR.

No. 17IQ427069

CITY OF SEATTLE’S OBJECTIONS AND
RESPONSES TO ORDER ON POLICY
AND TRAINING SCOPE

The City of Seattle (“City”) objects and responds to the Order on Policy and Training Scope as follows:

GENERAL OBJECTIONS:

1. Inadvertent production of any document or information which is privileged, was prepared in anticipation of litigation, or is otherwise immune from discovery, shall not constitute a waiver of any privilege or of another ground for objecting to discovery with respect to that document or any other document, or its subject matter, or the information contained therein, or of City’s right to object to the use of any such document or the information contained therein during this proceeding or otherwise.

1 2. City is continuing to search for responsive information and therefore reserve the right
2 to supplement their response to each request with additional information, if and when such
3 information becomes available to City’s counsel.

4 3. City also reserves the right to object to the future disclosure of any such information.

5 **REQUESTS FOR PRODUCTION**

6 Administrator Spearman orders SPD to produce the following trainings in order to determine
7 the final training scope, which will occur after the discovery has been produced but before
8 policy/training designees have been interviewed, and prior to August 22, 2022:

9 **REQUEST FOR PRODUCTION NO. 1 (II.A.1):** 2016 Post BLEA Bias Free Policing
(Hay).

10 **RESPONSE:** Objection. The City objects to the production and inclusion of the Bias Free
11 Policing trainings on the grounds they are beyond the scope of the Inquest, not relevant to the Inquest,
12 and will be prejudicial to the City. ER 401-403, PHL-7-1-5-EO. Subject to and without waiving the
13 objection, the training materials used for ‘2016 Post BLEA Bias Free Policing’ are the same materials
14 as used for ‘2014 Bias Free Policing.’ **See City’s response to RFP No. 3, bates numbered**
15 **documents CITY_Fredericks_A_0000001-CITY_Fredericks_A_00000510.**

16 **REQUEST FOR PRODUCTION NO. 2 (II.A.2):** 2015 Post BLEA Bias Free Policing
(Swartz)

17 **RESPONSE:** Please see the City’s objection to Request for Production No. 1. Subject to
18 and without waiving the objection, the training materials used for ‘2015 Post BLEA Bias Free
19 Policing’ are the same materials as used for ‘2014 Bias Free Policing.’ **See City’s response to RFP**
20 **No. 3, bates numbered documents CITY_Fredericks_A_0000001-**
21 **CITY_Fredericks_A_00000510.**

22 **REQUEST FOR PRODUCTION NO. 3 (II.A.3):** 2014 Bias Free Policing (Jerome,
23 Oliverson)

1 **RESPONSE:** Please see the City’s objection to Request for Production No. 1. Subject to and
2 without waiving the objection, *see bates numbered documents CITY_Fredericks_A_00000001-*
3 *CITY_Fredericks_A_00000510.*

4 **REQUEST FOR PRODUCTION NO. 4 (II.A.4):** Bias Free Policing (Jerome, Rogers)

5 **RESPONSE:** Please see the City’s objection to Request for Production No. 1. Subject to
6 and without waiving the objection, the City is investigating what materials, if any, accompany this
7 training. To the extent responsive materials exist, the City will supplement this Response.

8 **REQUEST FOR PRODUCTION NO. 5 (II.B.1):** 2016 Crisis Intervention Training (CIT)
(Swartz, Hay, Rogers, Jerome, Oliverson)

9 **RESPONSE:** *See bates numbered documents CITY_Fredericks_A_00000511-*
10 *CITY_Fredericks_A_00000631.*

11 **REQUEST FOR PRODUCTION NO. 6 (II.B.2):** 2016 Post BLEA Adv. CIT (Hay)

12 **RESPONSE:** Training materials used for ‘2016 Post BLEA Adv. CIT’ are the same materials
13 used for ‘2016 Crisis Intervention Training.’ *See City’s response to Request for Production No.*
14 *5, bates numbered documents CITY_Fredericks_A_00000511-CITY_Fredericks_A_00000631.*

15 **REQUEST FOR PRODUCTION NO. 7 (II.B.3):** 2016 CIT (Jerome, Oliverson)

16 **RESPONSE:** Training materials used for ‘2016 CIT’ are the same materials as ‘2016 Crisis
17 Intervention Training.’ *See City’s Response to Request for Production No. 5, bates numbered*
documents CITY_Fredericks_A_00000511-CITY_Fredericks_A_00000631.

18 **REQUEST FOR PRODUCTION NO. 8 (II.B.4):** CIT 2017 - 40hr (Hays)

19 **RESPONSE:** The City has no responsive materials to this request. The CJTC (WA State
20 Criminal Justice Training Commission) conducts and maintains the training materials for ‘CIT 2017
– 40hr’, and CJTC instructors take the materials with them at the end of training.

21 **REQUEST FOR PRODUCTION NO. 9 (II.B.5):** CIT 2016 - 40hr (Rogers, Jerome)

1 **RESPONSE:** The City has no responsive materials to this request. The CJTC (WA State
2 Criminal Justice Training Commission) conducts and maintains the training materials for ‘CIT 2016
3 – 40hr’, and CJTC instructors take the materials with them at the end of training.

4 **REQUEST FOR PRODUCTION NO. 10 (IL.B.6):** 2015 Post BLEA Adv. CIT (Swartz)

5 **RESPONSE:** Training materials used for ‘2015 Post BLEA Adv. CIT’ are the same materials
6 as ‘2015 Adv. CIT.’ *See City’s Response to Request for Production No. 11, bates numbered*
7 **documents CITY_Fredericks_A_00000632-CITY_Fredericks_A_00000734.**

8 **REQUEST FOR PRODUCTION NO. 11 (IL.B.7):** 2015 Adv. CIT (Rogers, Jerome)

9 **RESPONSE:** *See bates numbered documents CITY_Fredericks_A_00000632-*
10 **CITY_Fredericks_A_00000734.**

11 **REQUEST FOR PRODUCTION NO. 12 (IL.B.8):** 2015 CIT (Oliverson)

12 **RESPONSE:** Training materials used for ‘2015 CIT’ are the same materials as used for ‘2015
13 Adv. CIT.’ *See City’s Response to Request for Production No. 11, bates numbered documents*
14 **CITY_Fredericks_A_00000632-CITY_Fredericks_A_00000734.**

15 **REQUEST FOR PRODUCTION NO. 13 (IL.B.9):** 2014 CIT (Jerome, Oliverson)

16 **RESPONSE:** The City is investigating whether there are any trainings or training materials
17 responsive to this Request. To the extent responsive materials exist, the City will supplement this
18 Response.

19 **REQUEST FOR PRODUCTION NO. 14 (IL.B.10):** 2014 CIT - 40hr (Oliverson)

20 **RESPONSE:** The City has no responsive materials to this request. The CJTC (WA State
21 Criminal Justice Training Commission) conducts and maintains the training materials for ‘2014 CIT
22 – 40hr’, and CJTC instructors take the materials with them at the end of training.

23 **REQUEST FOR PRODUCTION NO. 15 (IL.C.1):** 2016 Post BLEA Use of Force Decision
Making – Scenarios (Hay)

RESPONSE: Training materials used for ‘2016 Post BLEA Use of Force Decision Making
– Scenarios’ are the same materials as used for ‘2015 Post BLEA Use of Force Decision Making.’

1 *See* Request for Production No. 22, bates numbered documents
2 CITY_Fredericks_A_00000735 - CITY_Fredericks_A_00000789.

3 **REQUEST FOR PRODUCTION NO. 16 (II.C.2):** 2016 Officer Sustainment Use of Force
4 (Hay)

5 **RESPONSE:** Training materials used for ‘2016 Officer Sustainment Use of Force’ are the
6 same materials as used for ‘2015 Officer Sustainment Use of Force.’ *See City’s Response to*
7 **Request for Production No. 23, bates numbered documents CITY_Fredericks_A_00001351-**
8 **CITY_Fredericks_A_00001648.**

8 **REQUEST FOR PRODUCTION NO. 17 (II.C.3):** 2016 Post BLEA Core Principles (Hay)

9 **RESPONSE:** *See* bates numbered documents CITY_Fredericks_A_00000960-
10 CITY_Fredericks_A_00001064.

11 **REQUEST FOR PRODUCTION NO. 18 (II.C.4):** 2016 Post BLEA Use of Force Decision
12 Making (Hay)

13 **RESPONSE:** Training materials used for ‘2016 Post BLEA Use of Force Decision Making’
14 are the same materials as used for ‘2015 Post BLEA Use of Force Decision Making.’ *See response*
15 **to Request for Production No. 22, bates numbered documents CITY_Fredericks_A_00000735**
16 **- CITY_Fredericks_A_00000789.**

17 **REQUEST FOR PRODUCTION NO. 19 (II.C.5):** 2016 Post BLEA Defensive Tactics #1
18 Control and Cuffing (Hay)

19 **RESPONSE:** Training materials used for ‘2016 Post BLEA Defensive Tactics #1 Control
20 and Cuffing’ are the same materials as used for ‘2015 Post BLEA Defensive Tactics #1 Control and
21 Cuffing.’ *See City’s Response to Request for Production No. 20, bates numbered documents*
22 **CITY_Fredericks_A_00001065-CITY_Fredericks_A_00001350.**

23 **REQUEST FOR PRODUCTION NO. 20 (II.C.6):** 2015 Post BLEA Defensive Tactics #1
Control and Cuffing (Rogers)

1 **RESPONSE:** See bates numbered documents CITY_Fredericks_A_00001065-
2 CITY_Fredericks_A_00001350.

3 **REQUEST FOR PRODUCTION NO. 21 (II.C.7):** 2015 Integrated Use of Force and
4 Tactics (Rogers, Jerome, Oliverson)

5 **RESPONSE:** Objection. The City objects to the production of the 2015 Integrated Use of
6 Force and Tactics training materials on the grounds they contain non-public tactical procedures and
7 tactical training protocols, which require redaction or a protective agreement in place prior to
8 production. Subject to and without waiving the objection, the City is quickly working to determine
9 which portions of the training are protected tactical information and will supplement its response to
10 this Request.

11 **REQUEST FOR PRODUCTION NO. 22 (II.C.8):** 2015 Post BLEA Use of Force Decision
12 Making (Swartz, Rogers)

13 **RESPONSE:** See bates numbered documents CITY_Fredericks_A_00000735 -
14 CITY_Fredericks_A_00000789.

15 **REQUEST FOR PRODUCTION NO. 23 (II.C.9):** 2015 Officer Sustainment Use of Force
16 (Swartz, Rogers, Jerome, Oliverson)

17 **RESPONSE:** See bates numbered documents CITY_Fredericks_A_00001351-
18 CITY_Fredericks_A_00001648.

19 **REQUEST FOR PRODUCTION NO. 24 (II.C.10):** 2015 Post BLEA Core Principles
20 (Swartz, Rogers, Jerome)

21 **RESPONSE:** See bates numbered documents CITY_Fredericks_A_00000790-
22 CITY_Fredericks_A_00000860.

23 **REQUEST FOR PRODUCTION NO. 25 (II.C.11):** 2015 Post BLEA Core Principles
(Oliverson)

RESPONSE: See City's response to Request for Production no. 24, bates numbered
documents CITY_Fredericks_A_00000790-CITY_Fredericks_A_00000860.

1 **REQUEST FOR PRODUCTION NO. 26 (II.C.12):** 2015 Post BLEA Use of Force
2 Decision Making (Swartz, Rogers)

3 **RESPONSE:** *See* City's Response to Request for Production No. 22, bates numbered
4 documents CITY_Fredericks_A_00000735 - CITY_Fredericks_A_00000789.

5 **REQUEST FOR PRODUCTION NO. 27 (II.C.13):** 2014 Use of Force Core Principles
6 (Jerome, Oliverson)

7 **RESPONSE:** *See* bates numbered documents CITY_Fredericks_A_00000861-
8 CITY_Fredericks_A_00000959.

9 **REQUEST FOR PRODUCTION NO. 28 (II.C.14):** 2014 ICC 1 – Control and Cuffing
10 (Jerome)

11 **RESPONSE:** The City is investigating whether there are any trainings or training materials
12 responsive to this Request. To the extent responsive materials exist, the City will supplement this
13 Response.

14 **REQUEST FOR PRODUCTION NO. 29 (II.D.1):** 2016 CPR/AED per ASHI Standards
15 (Swartz, Hay, Rogers, Jerome, Oliverson)

16 **RESPONSE:** Objection. The City objects to the complete inclusion of the 2016 CPR/AED
17 per ASHI Standards training. Mr. Fredericks' heart and breathing stopped while he was being
18 attended to by AMR EMT's. SPD's trainings on CPR and AED are not relevant and will be
19 prejudicial. ER 401-430. Subject to and without waiving the objection, please *see* bates numbered
20 documents CITY_Fredericks_A_00001649-CITY_Fredericks_A_00001841.

21 **REQUEST FOR PRODUCTION NO. 30 (II.D.2):** 2014 First Aid (Jerome, Oliverson)

22 **RESPONSE:** Please see the City's objection to the preceding Request. Subject to and without
23 waiving the objection, please *see* bates numbered documents CITY_Fredericks_A_00001842-
CITY_Fredericks_A_00001856.

REQUEST FOR PRODUCTION NO. 31 (II.D.3): Training Regarding Approach/Contact
(as referenced in FIT report at Fredericks_A 0791) (Oliverson and Rogers)

1 **RESPONSE:** The City is investigating whether there are any trainings or training materials
2 responsive to this Request. To the extent responsive materials exist, the City will supplement this
3 Response.

4 **REQUEST FOR PRODUCTION NO. 32 (II.D.4):** Training Regarding use of specific terms
5 and phrases that are (1) commonly used (2) clearly defined and (3) usage understood by all officers.
6 (As referenced in FIT report at Fredericks_A 0791) (Oliverson and Rogers)

7 **RESPONSE:** The City is investigating whether there are any trainings or training materials
8 responsive to this Request. To the extent responsive materials exist, the City will supplement this
9 Response.

10 DATED this 12th day of August, 2022.

11 ANN DAVISON
12 Seattle City Attorney

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CERTIFICATE OF SERVICE

I certify that on the 12th day of August, 2022, I caused a true and correct copy of this document to be served on the following in the manner indicated below:

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