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10 KING COUNTY DEPARTMENT OF EXECUTIVE SERVICES INQUEST PROGRAM

11
12 IN RE INQUEST INTO THE)
DEATH OF ALBERT WAYNE) NO. 17IQ427069
13 FREDERICKS JR.)
)
14) MOTION FOR SUBPOENA
) FOR TRAININGS
15)
_____)

16
17 **I. INTRODUCTION**

18 On August 8, 2022, Inquest Administrator Spearman issued an order outlining the
19 Policy and Training Scope for this inquest proceeding. As part of this order, Administrator
20 Spearman ordered the City to produce several SPD trainings, under four categories: bias free
21 policing, crisis intervention/de-escalation, use of force, and miscellaneous. Administrator
22 Spearman ordered SPD to produce these trainings before the final training scope is determined
23 and all policy/training designees have been interviewed.

1 On August 12, 2022, the City noted numerous objections to Administrator Spearman’s
2 order. Particularly, the City noted that it is unable to produce certain trainings because these
3 training materials are in the possession of the Washington State Criminal Justice Training
4 Commission (“CJTC”). Those trainings are as follows:

- 5 1. CIT 2017 – 40hr (Hays)
- 6 2. CIT 2016 – 40hr (Rogers, Jerome)
- 7 3. 2014 CIT – 40hr (Oliverson)

8 As well, the City noted for several trainings that the City is investigating whether there
9 are any training materials in the City’s possession that are responsive to the Request. If the City
10 finds that no training materials are in its possession, then the Family requests the IA inquire as
11 to why no visuals, handouts, or other materials were used in the following trainings:

- 12 1. Bias Free Policing (Jerome, Rogers)
- 13 2. 2014 CIT (Jerome, Oliverson)
- 14 3. 2014 ICC 1 – Control and Cuffing (Jerome)
- 15 4. Training Regarding Approach/Contact (Oliverson and Rogers)
- 16 5. Training Regarding Use of specific terms and phrases that are (1) commonly used (2)
17 clearly defined and (3) usage understood by all officers).

18 **II. ARGUMENT**

19 The scope of policy and training for this Inquest has been extensively discussed and
20 argued. The parties submitted briefing on the matter, and the Administrator Spearman issued
21 his order. With that order, the decision regarding the scope of policy and training at this point
22 in the Inquest has been made.

1 It is the Administrators duty to investigate the inquest. The Inquest Program Attorney
2 has the responsibility, “upon request by an administrator,” to “issue subpoenas for documents
3 for the inquest hearing,” PHL-7-1-5-EO (8.5) The Family requests the Administrator
4 subpoena all trainings the City has objected to providing for the following reasons.

5 First, the City has objected to the production of several bias free policy trainings,
6 arguing that these trainings are not relevant and prejudicial to the City. This mirrors the
7 argument made by the City prior to Administrator Spearman’s order; at this point, the
8 Administrator has already determined that these trainings should be provided.

9 Trainings related to bias free policing are relevant to this Inquest. Albert Fredericks
10 and the Family are part of the Qawanlangin Tribe of Unalaska. Research has shown that
11 indigenous people have disproportionate contact with police and the criminal legal
12 system and Seattle Police have been under a Federal Consent Decree since 2012. An
13 understanding and review of SPD trainings related to bias free policing are appropriate
14 within the discovery phase of this Inquest.

15 The purpose of this Inquest is to provide a full, fair, and transparent in addressing
16 the death of a community member. Whether these trainings will be admissible has yet to
17 be determined. The Family simply requests the opportunity to review these bias free
18 policing trainings during the discovery phase of the process. If the City is not in control
19 of these documents, then the IA should subpoena those documents from the relevant
20 training body.

21 Next, the City notes it has no materials responsive to the requests for CIT 2017 –
22 40hr (Hays), CIT 2016 – 40hr (Rogers, Jerome), and 2014 CIT – 40hr (Oliverson), as these
23 training materials are in the possession of the CJTC. The IA should issue subpoenas for
24 these corresponding documents from the CJTC.

1 **CERTIFICATE OF SERVICE**

2 I certify that on the 6th day of September, 2022. I caused a true and correct copy
3 of this document to be served on the following in the manner indicated below:

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20 /s/ Susan Sobel
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