

King County Superior Court  
Seattle Division

IN RE INQUEST INTO THE DEATH OF )  
CHARLEENA CHAVON LYLES, ) No. 517IQ9301  
SEATTLE POLICE OFFICERS'  
RESPONSE TO THE FAMILY'S  
DISCOVERY REQUEST

**I. INTRODUCTION AND RELIEF REQUESTED**

The party officers join in the City of Seattle's response to the family's discovery request and respectfully further respond. The officers, as parties interested in crafting and maintaining a meaningful, objective and sensible process in the wake of the executive's amendments, object only for that purpose, save as to those requests directed at the involved officers' historic records with the department. Certain of the items requested are at least arguably reasonable given the recognized scope of limitations to the inquest process; unfortunately, the family's request extends much further than the inquest process can or should tolerate. Indeed, the remarkable breadth and scope of the family's requests suggests a complete misalignment of purpose with the limited objectives and fact-finding process that an inquest is meant to entail. The requested production is in general

1 far beyond the scope of an inquest and irrelevant, all requested with no indication or articulation  
2 as to what the family hopes to find, or how it could possibly impact the actual proceeding.

## 3 **II. CONTEXTUAL CONSIDERATIONS**

4 As a preliminary matter, it must be remembered that we all understand quite well what  
5 transpired in the encounter between the officers and Ms. Lyles, knowledge that must be utilized to  
6 gauge the propriety of this sort of discovery request. Ms. Lyles reported a burglary that had  
7 occurred hours prior to her call. Officers responded with knowledge that she had previously  
8 threatened officers, likely in a mental health crisis. The audio from the ICV reflects a calm and  
9 orderly investigation, which very suddenly changes to a scene of great distress. In that instant, the  
10 officers fired upon Ms. Lyles, stating in the aftermath that she had assaulted them with a knife or  
11 knives.

12 The goal of the inquest is to ascertain the facts and circumstances surrounding Ms. Lyle's  
13 death. As an adjunct to that inquiry, the new inquest procedures also seek panel review of whether  
14 the officers followed their training and policies in the course of the event. The history of the  
15 decedent and the officers is only relevant in extraordinary circumstances.

16 Here the family has provided no explanation or argument to support their remarkably broad  
17 discovery requests. In particular, they have not provided any basis to inquire into or introduce the  
18 history of either officer or Ms. Lyles herself. Save to the extent Ms. Lyles knew of the officers'  
19 history, or the officers knew of her history, it is virtually impossible to imagine how such  
20 information could be relevant to the limited scope of an inquest.

1           **III.     GENERAL OBJECTIONS TO TRAINING AND HISTORICAL RECORDS**

2           A. Training records must be limited in time and scope to topics relevant to the inquest.

3           Despite the known circumstances of the event and the limited scope of an inquest, the  
4 family appears to have simply listed virtually every training session or provision engaged in by  
5 the involved officers over a multiyear period. The officers respectfully request that the  
6 administrator require the family to identify precisely why each of the requested training section  
7 and related documents could be relevant, or lead to a foundation for a potential answer to a proper  
8 inquest interrogatory. The inquest process was not intended to be a fount for civil discovery.

9           Not only is the family's request for training information overbroad, they also seek the same  
10 information repeated from training offered year after year. They have made no effort to limit their  
11 requests to the training and policies in question, and no effort to limit the requests to the training  
12 and policies in place at the time of the event. There is no earthly reason for such an overly broad  
13 and irrelevant production.

14           The family's discovery request further strays by seeking information that is patently  
15 irrelevant to the case. For example, they seek training and policy/procedures associated with Force  
16 Investigation Team training, protocols and processes. The scope of an inquest does not include  
17 ascertaining how the investigation occurred in the aftermath; it is to ascertain the facts and  
18 circumstances surrounding the death.

19           The family also seeks information associated with street skills training, firearms  
20 qualifications, and other training that has nothing to do with this incident, which unequivocally  
21 stemmed from a routine, cold burglary investigation. How officers are trained to physically fire  
22 their weapons and whether they hit bullseyes at the range, how to manage foot pursuits, post-event  
23

1 mental health tactics and other general topics simply cannot be relevant to the limited scope of an  
2 inquest.

3         So too training requested relating to impact weapons and OC spray. Those implements  
4 were neither utilized nor appropriate for this incident. It is inconceivable that such information  
5 could in any way impact the panel's decisions on the inquest interrogatories.

6         Perhaps most disturbing are the ubiquitous requests for training on racial sensitivity, bias-  
7 free policing, gender issues, policing with equity and dignity, and related topics. There is no  
8 evidence whatsoever that race or gender issues played any role in this incident. That the family  
9 apparently seeks to transform the inquest into a larger review of policing and racial/gender issues  
10 is troubling. This information, again, could not and should not impact a panel decision on any  
11 interrogatory that may be provided in the inquest.

12         The extreme scope of the requests is epitomized by line items "eeee. Rapid Interv.  
13 Refresher," and "kkk. Don't go Viral." Training on active shooter scenarios, social media policies  
14 or best practices and the like could not, in any scenario, impact the legitimate scope of this inquest.

15         B. Many of the family's specific requests for historical documents and records are not relevant  
16 to this proceeding and should not be produced.

17         The documents requested in sections 7, 8, and 9 of the family's request are also irrelevant,  
18 objectionable, and specifically outside the scope of this inquest. These requests cover historical  
19 information related to the officers' prior force usage. Not just deadly force, not just significant  
20 force, but *every use of force* from escort holds to handcuffing. Inquest rules specifically limit the  
21 introduction of prior behavior, whether the officers' or the suspect's, to exceptional circumstances.  
22 The family's request ignores that directive, seeking information on every use of force *through their*  
23 *entire career.*

1           Section 10 of the family’s request also ignores the purpose and limitations of an inquest.  
2           That section requests all information associated with Charleena Lyles. Here too, the inquest rules  
3           specify that past information is only to be introduced for exceptional circumstances, circumstances  
4           the family has not identified that might in any way justify such a sweeping request. For years  
5           parties to inquests have worked diligently to keep this sort of information (generally past criminal  
6           history, officer safety warnings, etc.) out of evidence to avoid the stigma that could readily  
7           accompany its introduction. Only to the extent that the prior activities and events were both known  
8           to the officers and impacted the event would such prior information be relevant. The officers  
9           respectfully suggest hewing to that prior course is essential to maintain objectivity and fairness in  
10          inquests.

11          Sections 11 and 12 are equally overbroad and irrelevant in seeking all documentation  
12          associated with the address of the incident. (Request 12 appears to be an identical request to 11,  
13          save that the latter includes every unit at the apartment complex – with no explanation of how  
14          other units and other individuals could possibly be relevant.)

15          Section 14 of the family’s request seeks information associated with the police  
16          department’s evaluative process in the aftermath of the shooting. Here again, the family has  
17          provided no information as to why a post-event deliberative investigative process aimed at issues  
18          specifically for the benefit of improving and evaluating training and procedures could be relevant  
19          to the facts and circumstances surrounding the event itself. The introduction of any such material  
20          would run the risk of usurping the jury’s role as factfinder and supplanting it with a departmental  
21          review with the aftermath. As a matter of public policy, it would also be a significant problem as  
22          departments may shy from careful deliberation to avoid liability risk.

1 Finally, the family has requested all of the deposition exhibits from the Lyles civil matter,  
2 without identifying what the exhibits are or why they would be even potentially useful to the  
3 limited scope of this proceeding. This expensive request further illustrates the family's apparent  
4 interest in turning this proceeding into something akin to a civil lawsuit, rather than a limited  
5 factual inquiry.

6 C. The traditional inquest discovery process provides the information necessary to meet  
7 inquest needs.

8 There is nothing in the revised inquest process that suggests that the executive intended to  
9 modify or revamp the inquest discovery process at all, much less to the extent that the family  
10 suggests. While there may be some training materials appropriately discoverable in light of the  
11 panel being allowed to comment on whether the involved officers followed training and policies  
12 in place at the time of the shooting, the discovery scope and process already in place is more than  
13 adequate to meet the needs of this proceeding.

14 **IV. CONCLUSION**

15 The revision of the inquest process was not intended to create an instrument to replicate  
16 civil discovery with the accompanying costs and burdens to the county, the parties, and the  
17 involved officers and agencies. The family's far-reaching discovery requests seek expansion of  
18 the currently limited nature of the inquest process without so much as an explanation as to why  
19 they might be relevant to or necessary for the defined and limited inquest process.

20 For these reasons, the involved officers, interested in maintaining the integrity of the  
21 inquest process, request the administrator severely limit the family's discovery request to items for  
22 which the family can actually provide some justification, in keeping with the intended, limited  
23 scope.

1 Dated this 6<sup>th</sup> day of September, 2019.  
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**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 **SEATTLE OFFICERS' RESPONSE TO THE FAMILY'S DISCOVERY REQUEST** on the following individuals:

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DATED this 6<sup>th</sup> day of September, 2019, at Seattle, Washington.

/s/ Megan Riley

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