



King County

Department of Executive Services

Inquest Program

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RE: Inquest into the Death of Isaiah Obet, DES # 417IQ7199

Officer Nelson and Mr. Harvey,

On June 24, 2019, Dow Constantine ordered an inquest into the June 10, 2017 death of Isaiah Obet. Because Mr. Harvey entered a Notice of Appearance in the previous proceedings related to that death in District Court, the inquest program provided Officer Nelson's copy to Mr. Harvey. Preparation amongst the parties began shortly thereafter, with a Pre-Inquest Conference occurring on September 10, 2017. After hearing argument, Inquest Administrator Spearman entered an order proposing a scope of inquiry for the inquest and requiring briefing on the proposed scope by October 14, 2019. Responses and replies are due October 23, and 28, respectively. The order also requested discovery from the Auburn Police Department, set a subsequent Pre-Inquest Hearing for November 8, 2019 and set an inquest hearing date for March 25, 2017. To date there has been no Notice of Appearance filed on Officer Nelson's behalf. There was no one to represent his interests at the September 10, 2017 Pre-Inquest Conference. I'm addressing this letter to both of you because I do not yet have a Notice of Appearance in these current proceedings.

Although the current Executive Order Governing Inquests does not require Officer Nelson to participate or testify, I believe that our community as well as each of the parties (Officer Nelson,

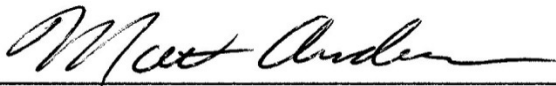
the Auburn Police Department and Mr. Obet's Family) to this inquest will be best served if the proceedings have the benefit of Officer Nelson's participation and testimony.

Mr. Harvey has indicated that Officer Nelson's participation may be in doubt because there may be some question about Mr. Harvey's compensation. If so, upon request, I would be happy to advocate for additional time to allow Mr. Nelson to resolve that issue. Mr. Harvey has also expressed concerns about whether entering a notice of appearance and otherwise participating in these current proceedings on Officer Nelson's behalf would waive Officer Nelson's right to decline to testify. I would note that to date, no party has taken that position in any of the three inquests that have commenced under the current Executive Order. The family in the Charleena Lyles Inquest did move to preclude the Officer's Attorneys in that case from participating unless the officers committed to testifying. IA Spearman denied that motion. The language of his decision is available in ruling 5 of the Order (see [Charleena Lyles 9/10/19 Pre-Inquest Conference Order](#)).

Please advise by October 21, 2019 whether Officer Nelson intends to participate in this proceeding and whether Mr. Harvey will appear as his lawyer. In the absence of a response IA will likely determine that Officer Nelson has elected to not participate and the inquest will go forward without him.

I urge you to contact me immediately to make your participation decision clear.

Very truly yours,



Matt Anderson

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CC: Hon. Michael Spearman, Inquest Administrator
Amy Parker and associated counsel for the Family of Isaiah Obet,
Andrew Cooley and associated counsel for Auburn Police Department
Dee Sylve, Inquest Program Manager