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INQUEST INTO THE DEATH OF JASON SEEVERS

18IQ61954

INTERROGATORIES TO THE INQUEST JURY

DATED 29 day of April, 2023.


Julia Garratt
Inquest Administrator

**INTERROGATORIES ABOUT THE CIRCUMSTANCES AND CAUSES OF THE DEATH OF
JASON SEAVERS**

Interrogatory No. 1: At approximately 4:28am, did Seattle Police Department (SPD) Officers Knoblauch and Tucker respond to a 911 call for a report of a vehicle prowl or attempted auto theft as the reporting party advised that the suspect was tampering with the vehicle's ignition?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 2: Did Officer Knoblauch see Jason Seavers in the driver's seat of a vehicle after he arrived on the street outside in response to the 911 call?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 3: Did Officer Knoblauch see Jason Seavers get out of the vehicle?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 4: Did Jason Seavers fire gunshots in Officer Knoblauch's direction?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 5: Did Officer Knoblauch fire shots back at Jason Seavers?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 6: Did Officers Knoblauch and/or Tucker inform dispatch that Jason Seavers fired shots?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 7: Did Officer Schickler respond to a "shots fired" and "help the Officer" dispatch?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 8: Did Officers Knoblauch and/or Tucker ^{and/or} another officer describe the initial shooting to Officer Schickler?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 9: Did many officers, including Officer Schickler, join a search to locate Jason Seavers?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 10: Did Jason Seavers enter Albert Geary's home without permission and demand his Volkswagen Jetta car keys at gunpoint?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 11: Did Officer Schickler hear dispatch report that an officer heard breaking glass and believe that Jason Seavers had attempted to break into a residence ?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 12: Was Jason Seavers in Albert Geary's Volkswagen Jetta station wagon when located by officers?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 13: Did officers believe that Jason Seavers was trying to evade them while driving?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 14: Did one or more officers ram the vehicle Jason Seavers was in to stop it?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 15: Did the vehicle Jason Seavers drove come to a stop on a planting strip near the intersection in the 5500 block of 26th Ave. NE?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 16: Did officers surround the vehicle Jason Seavers was in and struggle to break the windows of the vehicle to gain entry?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 17: Did Officer Grayson shout out to other officers that Jason Seavers' hands were clear "at the moment" at some point prior to Officer Schickler firing his gun?

YES 6 NO _____ UNKNOWN _____

Answer Interrogatories No. 18 and 19 only if you answered "Yes" to Interrogatory No.

17

Interrogatory No. 18: Was officer Schickler present ~~after~~ ^{during} the statement by Officer Grayson?
(contingent)

YES _____ NO 6 UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 19 Did Jason Seavers continue to search through the car after the statement by Officer Grayson?

YES 6 NO _____ UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 20: Did officers command Jason Seavers to show his hands, to not move, to stop digging and/or to not do anything stupid, or words to that effect?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 21: Were Officer Schickler and the other officers present at the vehicle clearly identifiable as police officers?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 22: Did Officer Schickler see Jason Seavers moving and discarding items as he looked for something?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 23: Did Officer Schickler repeatedly order Jason Seavers: “stop reaching,” “don’t do it,” or words to that effect?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 24: Did any officer, including Officer Schickler, see a gun in the car prior to Officer Schickler firing his gun at Jason Seavers?

YES _____ NO 6 UNKNOWN _____

Interrogatory No. 25: Did Jason Seavers ever obey any commands given by any officer?

YES _____ NO 6 UNKNOWN _____

Interrogatory No. 26: Did Officer Schickler believe that Jason Seavers was looking for a firearm?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 27: Did Officer Schickler fear Jason Seavers would find the firearm and shoot Officer Schickler or the surrounding officers?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 28: Did any officer succeed in breaking the window of the Volkswagen Jetta in an attempt to gain entry before Officer Schickler fired his weapon?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 29: Did bullets fired by Officer Schickler's handgun strike and kill Jason Seavers?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 30: Were the wounds to Jason Seavers' torso left to right, upward and back to front?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 31: Was Jason Seavers facing Officer Schickler when he was shot?

YES _____ NO 6 UNKNOWN _____

Interrogatory No. 32: Was Jason Seavers reaching into the front footwells of the vehicle where a firearm was ultimately found when he was shot?

YES 5 NO _____ UNKNOWN 1

Interrogatory No. 33: Was Officer Schickler's body worn video (BWV) covered by his coat when he fired shots at Jason Seavers?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 34: Did Officer Schickler intentionally obstruct his body worn video (BWV) when he fired shots at Jason Seavers?

YES _____ NO 6 UNKNOWN _____

Interrogatory No. 35: Did officers promptly provide and request medical aid after Jason Seavers was struck by bullets?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 36: Was there any chance that aid could have kept Jason Seavers alive at the scene?

YES _____ NO 6 UNKNOWN _____

Interrogatory No. 37: Was Shawn Peterson's pistol stolen from his vehicle near the area of the car prowls that Officers Knoblauch and Tucker responded to?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 38: Did officers find the firearm owned by Shawn Peterson on the driver's seat floorboard in the Volkswagen Jetta station wagon?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 39: Did Jason Seavers have opiates, amphetamines, and methamphetamines in his system at the time of his death?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 40: Did Officer Schickler believe that Jason Seavers had any controlled substances

in his system?

YES _____ NO 1 UNKNOWN 5

INTERROGATORIES ABOUT SEATTLE POLICE DEPARTMENT POLICIES AND TRAINING

Interrogatory No. 41: Did the **SPD Policy 8.100 DE-ESCALATION** apply to the actions of Officer Schickler?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 42: If you found that the **SPD Policy 8.100 DE-ESCALATION** applied to the actions of Officer Schickler during the course of this incident, were his actions consistent with ~~the~~ that policy?

YES 5 NO 1 UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 43: If you found that the **SPD Policy 8.100 DE-ESCALATION** applied to the actions of Officer Schickler during the course of this incident, were his actions consistent with the SPD training he received on De-Escalation?

YES 6 NO _____ UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 44: Did the **SPD Policy 8.200 USE OF FORCE (Sections 1, 3, and 4)** apply to the actions of Officer Schickler in this instance?

YES 6 NO _____ UNKNOWN _____

Answer Interrogatories No. 45 - 48 only if you find that SPD Policy 8.200 – Use of Deadly Force (Sections 1, 3 and 4) applied to Officer Schickler’s actions in this instance (Interrogatory No. 44)

Interrogatory No. 45: Was the force used by Officer Schickler objectively reasonable, necessary, and proportional to the threat or urgency of the situation, to achieve a law enforcement objective?

YES 4 NO 2 UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 46: At the time that Officer Schickler fired his handgun, did he reasonably believe that there was an imminent threat of death or serious physical injury to Officer Schickler or others?

YES 6 NO _____ UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 47: Were Officer Schickler’s actions consistent with the **SPD Policy 8.200 USE OF**

FORCE (Sections 1, 3, and 4)?

YES 4 NO 2 UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 48: Were Officer Schickler's actions consistent with the SPD training he received on SPD Policy 8.200 USE OF FORCE (Sections 1, 3, and 4)?

YES 6 NO _____ UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 49: Did the SPD Policy 8.300-POL-4 Use of Force – FIREARMS (Section 7) apply to the actions of Officer Schickler in this instance?

YES 6 NO _____ UNKNOWN _____

Interrogatory No. 50: Did Officer Schickler issue a verbal warning, that a firearm will be shot, to Jason Seavers and fellow officers prior to shooting his firearm?

YES _____ NO 6 UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 51: Did Officer Schickler reasonably believe that issuing a verbal warning prior to shooting would have compromised the safety of Officer Schickler or others?

YES 4 NO 2 UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 52: Were Officer Schickler's actions consistent with the SPD Policy 8.300-POL-4 Use of Force – FIREARMS (Section 7)?

YES 6 NO _____ UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 53: Were Officer Schickler's actions consistent with the SPD training he received on SPD Policy 8.300-POL-4 Use of Force – FIREARMS (Section 7)?

YES 6 NO _____ UNKNOWN _____ DID NOT ANSWER _____

INTERROGATORIES ABOUT WHETHER JASON SEEVERS' DEATH WAS OCCASIONED BY CRIMINAL MEANS

Interrogatory No. 54: Was Officer Schickler firing his handgun necessary to overcome actual resistance to the orders from any officer?

YES 6 NO _____ UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 55: Was Officer Schickler firing his handgun necessary to arrest or apprehend Jason Seavers?

YES 6 NO _____ UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 56: Did Officer Schickler reasonably believe that Jason Seavers had committed or attempted to commit a felony?

YES 6 NO _____ UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 57: Did Officer Schickler have probable cause to believe that Jason Seavers, if not apprehended, posed a threat of serious physical harm to the officer or others?

YES 6 NO _____ UNKNOWN _____ DID NOT ANSWER _____

Interrogatory No. 58: Was the use of deadly force justifiable as defined in Jury Instruction No. 10 or No. 11?

YES 6 NO _____ UNKNOWN _____ DID NOT ANSWER _____

Answer Interrogatory No. 59 only if you answered "NO" to Interrogatory No. 58

Interrogatory No. 59: Was Officer Schickler's use of force without malice and with a good faith believe that such force was justifiable?

YES _____ NO _____ UNKNOWN _____ DID NOT ANSWER 6

Interrogatory No. 60: Did Officer Schickler cause the death of Jason Seavers by criminal means (as defined in Jury Instruction #22)?

YES _____ NO 6 UNKNOWN _____ DID NOT ANSWER _____

DATED this 1ST day of MAY, 2023.

#1 


Panel Member

#4 


Panel Member

#2 

Panel Member

#5 

Panel Member

#3 

Panel Member

#6 

Panel Member

Juror No. 1.

JUROR EXPLANATION FORM

If desired, you may provide a written explanation of any of your answers to the interrogatories. You need only provide a written explanation when you believe that a written explanation of your answer would provide information helpful in explaining or interpreting your answer.

Interrogatory No. <u>52</u>:	<p>This policy doesn't state <u>what</u> the verbal warning needs to be. Ofc. Schickler issued warnings to Mr. Seavers with his gun drawn - it's implied he may take lethal action. I believe he followed "the spirit of the policy" as Captain Laylor testified, but maybe not the "letter of the policy". I also believe the exception to this policy applies to this situation - rendering Ofc. Schickler compliant to the policy.</p>
Interrogatory No. <u>41</u>:	<p>I believe Ofc. Schickler fully complied w/ all sections of policy 8.2 USE OF FORCE. (Sections 1, 3, 4)</p>
Interrogatory No. <u>51</u>:	<p>It is clear that Mr. Seavers never complied with any orders from officers. Given the totality of the circumstances, I believe Ofc. Schickler firing his handgun was necessary to overcome Mr. Seavers' resistance to the orders.</p>
Interrogatory No. <u>56</u>:	<p>I base my answer specifically off of the viewpoint of Officer Schickler at the time. No one could break into the car after multiple attempts, Mr. Seavers was not obeying commands, and there was reasonable cause to believe Mr. Seavers still had his firearm. I believe that Officer Schickler felt firing his handgun was the last alternative to apprehend Mr. Seavers.</p>
Interrogatory No. <u>58</u>:	<p>I believe the use of deadly force was justifiable in this incident due to the proven threat to the officers and the community that Jason Seavers posed.</p>

Juror No. 1.

JUROR EXPLANATION FORM

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Interrogatory No. <u>28</u> :	We believe Officer Reynolds broke the rear driver side corner window with his rifle within one second before Officer Schickler fired his gun. - Used exhibit #49 for confirmation
Interrogatory No. <u>31</u> :	I do not believe Ofc. Schickler intentionally obstructed his B/W when he fired shots at Jason Seavers based on the evidence reviewed in the case. We can clearly see in exhibit 40 that Ofc. Schickler had both ^{hand} on his gun when firing ^{the other shading his flashlight,} and we see from Ofc. Schickler's B/W that his zipper is present demonstrating his coat was blocking the lens
Interrogatory No. <u>36</u> :	Based on medical examiner's testimony - wounds were lethal even if Mr. Seavers was shot outside a hospital.
Interrogatory No. <u>40</u> :	I remember Officer's Schickler's testimony saying that whether Mr. Seavers was on drugs "did not cross his mind."
Interrogatory No. <u>51</u> :	I think it's reasonable that officer Schickler felt giving a verbal warning would have compromised the safety of himself or other officers due to the time it would take to re-establish shooting fundamentals; giving Jason more time to find the gun, and due to not wanting to escalate Jason even further.

Juror No. 1

JUROR EXPLANATION FORM

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Interrogatory No. <u>42</u>:	I believe the totality of the circumstances did not allow for officer Schickler to slow down the situation or engage in meaningful de-escalation dialogue. I also see that part of de-escalation includes "containing a threat" - which I believe Officer Schickler, and others, were trying to do.
Interrogatory No. <u>43</u>:	I believe he followed SPD training based on the testimony of Captain Caylor
Interrogatory No. <u>45</u>:	I believe Officer Schickler's actions were reasonable, necessary, and proportional to the threat Mr. Seavers posed.
Interrogatory No. <u> </u>:	
Interrogatory No. <u> </u>:	

JUROR EXPLANATION FORM

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<p>Interrogatory No. <u>33/34</u>:</p>	<p>Evidence considered: - Adams dashcam showing frontal view of vehicle and present officers shows a clear view of Schickler at the time of the shots, and shows no indication of Schickler taking any intentional action to cover his body cam. one of his hands were holding a flashlight, and the other was holding a gun - Schickler's bodycam shows zippers of a coat before and after going dark the covering and then Schickler, indicating it was the coat that covered it</p>
<p>Interrogatory No. <u>36</u>:</p>	<p>- Based on testimony of Dr. Timothy Williams that even if shooting occurred at a hospital, it ^{would} have still been fatal</p>
<p>Interrogatory No. <u>40</u>:</p>	<p>put Unknown because while Schickler did state that the presence of drugs did not matter to him, he did not state whether he "knew" drugs were present. he testified that he believed Seavers' behavior was caused by a the natural fight or flight response</p>
<p>Interrogatory No. <u>51</u>:</p>	<p>I believe I believe that off Schickler is not at fault for not issuing a verbal warning given the timing of the situation and his training, and the reality that the longer he waited the more likely it would be that Mr. Seavers would start pulling the trigger at which point it'd be too late to prevent him from firing it. I don't generally believe it is reasonable to wait until the decision to shoot has been made to issue a verbal warning, given Dr. Alpert's testimony that just because a warning is issued an officer doesn't have to shoot, and the warning would end in the policy that officers must give subjects time to comply with their ^{verbal commands} instructions. In other words, the deal in this situation would have been for off Schickler to say something like "stop or I'll shoot" in addition to other commands like "stop moving" or "don't do anything stupid". Since shooting was always a possibility, pointing a weapon at a suspect generally shouldn't be sufficient to ^{and that shall be} to ^{and that shall be} to ^{and that shall be}</p>
<p>Interrogatory No. <u> </u>:</p>	<p>testimony that just because a warning is issued an officer doesn't have to shoot, and the warning would end in the policy that officers must give subjects time to comply with their ^{verbal commands} instructions. In other words, the deal in this situation would have been for off Schickler to say something like "stop or I'll shoot" in addition to other commands like "stop moving" or "don't do anything stupid". Since shooting was always a possibility, pointing a weapon at a suspect generally shouldn't be sufficient to ^{and that shall be} to ^{and that shall be} to ^{and that shall be}</p>

JUROR EXPLANATION FORM

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<p>Interrogatory No. <u>45</u>:</p>	<p>I believe that Ofc. Schidder is not at fault for not issuing a verbal warning, given that his training did not include doing so, the overall timing of the situation at the point he decided to shoot, and the reality that as time passed, the more likely it would be that Mr. Seavers would find the gun, at which point it would be too late to prevent him him from firing on it. However,</p>
<p>Interrogatory No. ___:</p>	<p>I don't generally believe it is reasonable to wait until the decision to shoot has been made and then to issue a verbal warning, given Dr. Alpert's testimony that just because a warning is issued, an officer doesn't have to shoot, and the wording in the policy that that officers must give subjects time to comply with a verbal warning before shooting. In other words, the</p>
<p>Interrogatory No. ___:</p>	<p>clear ideal in this situation would have been for Ofc. Schidder to say something like "stop or I'll shoot" in addition, and at the same time, as his other commands like "shut the vehicle off", or at least as soon as shooting became a distant possibility. I don't agree that giving this warning would have escalated the situation, as he asserted in his testimony. Pointing a weapon at a</p>
<p>Interrogatory No. ___:</p>	<p>suspect generally shouldn't be sufficient warning, especially in this case given it was still dark. In my opinion, giving a warning should be part of officer training and would be consistent with existing policy. Being Being shot at first would of course trigger the policy's exception, as Ofc. Schidder's belief of endangerment in this case did or that it would have endangered other officers or himself.</p>
<p>Interrogatory No. <u>45</u>:</p>	<p>I believe that given Ofc. Schidder's belief that the suspect could find the gun at any moment, it was likely objectively reasonable, necessary and proportional to use the force he did. Still, breaking the windows was a surprisingly uncharacteristic alternative.</p>

his and Capt. Taylor's testimony

case did if done early.

JUROR EXPLANATION FORM

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<p>Interrogatory No. __: 4</p>	<p>In my recollection, the ballistics evidence did not conclude that seavers fired in ofc. Knoblauch's direction definitively, but based on ofc. Knoblauch's BWV and testimony, it's reasonable to conclude that seavers did fire in his direction</p>
<p>Interrogatory No. __: 28</p>	<p>In ofc. Reynolds's BWV, it appears he successfully breaks the rear driver's side window the rear driver's side window before shots are fired. However, these events happened almost simultaneously in my view.</p>
<p>Interrogatory No. __: 18</p>	<p>In ofc. Grayson's BWV, ofc. Schickler can be heard on his approach ("shut the vehicle off, you can't go nowhere") — this is well after Grayson's comment that seavers hands are clear and is corroborated by ofc. Schickler's BWV</p>
<p>Interrogatory No. __: 32</p>	<p>Based on ofc. Schickler's testimony that he could not see Mr. Seavers' hands at the moment he fired and my interpretation of ofc. Adams' car camera video (ex.40), I don't believe it can be said with certainty that seavers was reaching into the front footwell of the car at the moment he was shot.</p>
<p>Interrogatory No. __: ↓</p>	<p>In my view, the video shows seavers being shot as he turns from the rear of the vehicle to the front — while it's reasonable for the officers to believe seavers intended to reach into the front footwell of the car based on the situation to this point, I can't conclude whether he was actually reaching into the footwell at the time he was shot.</p>

Juror No. 3

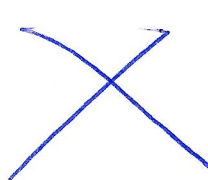
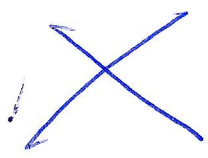

JUROR EXPLANATION FORM

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<p>Interrogatory No. __: 34</p>	<p>Based on Ofc. Schickler's BWV (ex. 503) - the obstruction to the camera lens appears to be his coat (the teeth of the zipper are visible in the video). Based on this and the video from Ofc. Adams' car camera (ex. 40), which shows Ofc. Schickler to be holding a flashlight in his left hand and a gun in his right, I do not believe Ofc. Schickler obstructed his BWV camera deliberately.</p>
<p>Interrogatory No. __: ↓</p>	
<p>Interrogatory No. __: 36</p>	<p>Based on the medical examiner (Dr. Williams)'s testimony, the wounds Seavers received at the scene were "insurmountable no matter where [they] occurred."</p>
<p>Interrogatory No. __: 39</p>	<p>Based on Dr. Williams' toxicology report and testimony, Seavers had morphine, amphetamines, and methamphetamines in his system at the time he died.</p>
<p>Interrogatory No. __: 40</p>	<p>My recollection of Ofc. Schickler's testimony was that he did not recall considering whether Seavers had any controlled substances in his system whether Seavers had any controlled substances in his system or that it wasn't relevant to his threat assessment of this specific scene.</p>

JUROR EXPLANATION FORM

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<p>Interrogatory No. 21</p> 	<p>Based on Ofc. Schickler's testimony that he could not see Mr. Seaver's hands at the moment he fired and ex. 40, Ofc. Adams' car camera video it appears to me that Ofc. Schickler fired as Mr. Seaver's turned to the footwell area of the vehicle. However, I don't believe it can be</p>
<p>Interrogatory No. ___:</p> 	<p>concluded with certainty that Seaver's was reaching into the footwell at the time he was shot.</p>
<p>Interrogatory No. ___:</p> <p>42</p>	<p>I don't believe that Ofc. Schickler attempted to slow down or stabilize the situation with the intent to reduce the amount of force required. Ofc. Schickler testified (in my recollection) that he did not consider attempting to use non-lethal means because the doors and windows of the vehicle were locked. An attempt to break the windows or communicating this to other Ofcs would have demonstrated an attempt to de-escalate, in my view.</p>
<p>Interrogatory No. ___:</p>	<p>I believe that Ofc. Schickler didn't consider these alternatives based on his belief that he and his fellow Ofcs lives were at risk, however this</p>
<p>Interrogatory No. ___:</p> 	<p>circumstance was created at least partially by Schickler's decision to close the distance to the vehicle without a plan to gain entry. _____</p>

JUROR EXPLANATION FORM

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<p>Interrogatory No. ___:</p> <p>43</p>	<p>Based on Capt. Caylor & Ofc. Schickler's testimony, I believe Ofc. Schickler's actions were consistent with his training, although not is consistent with the policy as written, in this case. Notably, Caylor specifically testified Ofcs are not trained to break car windows.</p>
<p>Interrogatory No. ___:</p> <p>45</p>	<p>Based on the situation through Ofc. Schickler's perspective, I would agree this use of force was reasonable in the circumstance, however I disagree that it was necessary (I believe that breaking the window and using nonlethals was still an available alternative) and</p>
<p>Interrogatory No. ___:</p> <p>↓</p>	<p>proportionate — Ofc. Schickler fired 5 shots at extremely close range at a suspect that had not yet brandished a weapon.</p>
<p>Interrogatory No. ___:</p> <p>47</p>	<p>Ofc. Schickler's use of force doesn't meet the criteria of necessary and proportional in my interpretation of the policy, for the reasons I've described above for #45.</p>
<p>Interrogatory No. ___:</p> <p>48</p>	<p>Based on Capt. Caylor's testimony, he offered his opinion that Ofc. Schickler acted according to his training that a suspect's action will bear on Ofcs reaction. Caylor also offered the opinion there is no upward limit on the proportionality of force used — I believe he stated, "you shoot until the threat has stopped."</p>

JUROR EXPLANATION FORM

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Interrogatory No. __: 51 ↓	While Ofc. Schickler testified his concern that giving a warning would have endangered himself and other ofcs by escalating the situation further or by compromising his marksmanship preparations, in my view it is not reasonable to believe issuing a verbal warning would
Interrogatory No. __: ↓	have put the ofcs in any further danger, nor escalated seavers behavior further by inciting him to search faster, though it may have caused him to stop, had a warning been given.
Interrogatory No. __: 52	While I disagree with the reasonableness of schickler's belief that issuing a verbal warning would have compromised the safety of his fellow ofcs, it is that part part of his testimony that leads me to conclude his actions were compliant to the policy as written.
Interrogatory No. __: 53 ↓	At some point in his testimony, Ofc. Schickler said that in "24 years with SPD, we've never had to do that" in reference to the requirement to give a verbal warning before firing. For this reason and Capt. Caylor's testimony, I do not believe SPD ofcs are trained to the policy as written
Interrogatory No. __: ↓	

JUROR EXPLANATION FORM

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Interrogatory No. __: 54 & 55	While I believe that continuing to attempt to break the window glass to use nonlethal force and issuing a verbal warning prior to firing constitute effective alternatives that should have been utilized, regardless if those were likely to have worked worked —
Interrogatory No. __:	Ofc. Schickler fired his weapon with the belief it was necessary to do so to prevent Mr. Seavers from shooting himself and his fellow ofcs. In this light, I conclude it was necessary for Schickler to do so, with information
Interrogatory No. __: ↓	credited to him at the time.
Interrogatory No. __: 58	Based on the evidence that Seavers had fired upon ofcs earlier that evening and it was reasonable for the ofcs to conclude that Seavers was searching for that gun at the time he was shot and that he didn't respond to any orders by any ofc, it's reasonable that Ofc. Schickler concluded that there was a "threat of serious physical harm" to himself or others,
Interrogatory No. __: ↓	his use of force was justifiable in this circumstance.

JUROR EXPLANATION FORM

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Interrogatory No. <u>34</u>	<p>SCHICKLER DID NOT INTENTIONALLY COVER BWV DUE TO THE VIDEO SHOWS ZIPPER OVER BWV AS HE MOVED.</p> <p>(ALSO IN CAR VIDEO FROM ADAMS EXHIBIT 40) CLEARLY SHOWS SCHICKLER NOT COVERING THE BWV. GUN & FLASHLIGHT OCCUPIED HIS HANDS.</p>
Interrogatory No. <u>36</u>	<p>DR WILLIAMS STATED SEEVERS COULD NOT SURVIVE EVEN IF HE WAS AT A HOSPITAL. DR. CONFIRMED LETHAL SITUATIONS (2EA) COULD NOT BE SAVED.</p>
Interrogatory No. <u>40</u> :	<p>SCHICKLER THOUGHT SEEVERS BEHAVIOR WAS CAUSED BY "FIGHT A FLIGHT" NOT DRUGS. I BELIEVE SCHICKLER SAID "NO" TO THE DRUG QUESTION, BUT MY NOTES DID NOT CONFIRM THAT FACT.</p> <p style="text-align: right;">SCHICKLER.</p>
Interrogatory No. <u>50</u> :	<p>Verbal warning "Stop or I will shoot" should be provided when the gun is drawn & pointed at suspect, NOT JUST BEFORE DECISION IS MADE TO FIRE WEAPON. AS SCHICKLER TESTIFIED, STOPPING SHOOTING SEQUENCE (BODY MASS SIGHTING, BRATLING, SQUEEZING TRIGGER) TO PROVIDE WARNING, THEN RESTARTING SHOOTING SEQUENCE (AS TRAINED) WOULD PROVIDE SUSPECT TIME TO REACT BEFORE OFFICER COULD REPEAT SHOOTING SEQUENCE. RECOMMENDS POLICY CHANGE</p>
Interrogatory No. <u> </u> :	<p>LETTER OF POLICY STATES WARNING READ. BUT SCHICKLER TESTIFIED HE WAS NEVER TRAINED TO GIVE WARNING PRIOR TO SHOOT. ALTHOUGH TESTIFIED SCHICKLER MET THE SPIRIT OF POLICY NOT LETTER OF POLICY - HE ALSO RECOMMENDED POLICY CHANGE ON THIS SUBJECT.</p>

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JUROR EXPLANATION FORM

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Interrogatory No. <u>28</u>	Comment: Seems STRANGE OFFICERS ARE NOT PROVIDED SUFFICIENT TOOLS "BREAK GLASS" WAS REQUESTED SEVERAL TIMES. AS TEMPERED GLASS WINDOWS ARE MUCH STRONGER FOR SAFETY OFFICER TOOLS MUST BE PROVIDED TO COUNTER ACT CHANGES IN GLASS. PUBLIC-LOCKED IN CAR (CHILD, DOGS, ACCIDENTS)
Interrogatory No. <u>32</u>	I DEFINE FOOTWELL AS CAR AREA BELOW SEAT SURFACE, NOT THE FLOOR BOARD. VIDEO SHOWS SEEVERS REACHING DOWN BELOW THE SEAT JUST PRIOR TO BEING SHOT.
Interrogatory No. <u>42</u>	DEESCALATION REQUIRES "ENGAGEMENT" AS DEFINED BY CAPT. CAYLOR. CAYLOR TESTIFIED NO DEESCALATION WAS POSSIBLE (NO ENGAGEMENT). HE TESTIFIED 100% NO DEESCALATION WAS POSSIBLE. SUSPECT WAS SHOWING NO SIGNS OF ENGAGEMENT. DR. ALPERT CONFIRMED THIS CONDITION AS WELL AS OTHER OFFICERS. VERBAL COMMANDS ARE AN ELEMENT OF DEESCALATION.
Interrogatory No. <u>45</u>	Yes REASONABLE NECESSARY & PROPORTIONAL. NOT 20/20 VISION SIGHT AVAILABLE AT THE TIME. STECKLER TESTIFIED HE THOUGHT SEEVERS HAD HIS HAND ON THE BUTT OF THE GUN AS HE REACHED INTO THE FOOTWELL - THE LAST PLACE SEEVERS HAD NOT SEARCHED. THREAT WAS REAL.
Interrogatory No. <u> </u> :	CONFIRMED BY TESTIMONY FROM CAYLOR & ALPERT; STECKLER'S ACTION WAS 100% REASONABLE NECESSARY & PROPORTIONAL GIVEN THE TOTALITY OF THE SITUATION. NEVER WOULD HAVE OCCURRED IF SEEVERS HAD SHOWN ANY ACTIONS TO COMPLY WITH COMMANDS.

JUROR EXPLANATION FORM

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Interrogatory No. <u>54</u> <u>55-</u>	Based on INSTRUCTION # 10 & 11, ¹³ Firing The Handgun To Overcome Resistance And To Apprehend Was Indeed Necessary & Reasonable Due To The Probable Outcome If Seavers Found His Gun Inside The Car. Problem Is, If Officers Could Have Broken Car Glass, They Could Have Used Broken Glass Window To Open Door & Tazer Seavers Thus Apprehending Him w/o shooting him.
Interrogatory No. ___:	This is using 20/20 hindsight not the evidence presented in testimony & threat officers thought was probable. Seavers' actions confirmed & are consistent with the justifiable use of deadly force schleeke used
Interrogatory No. ___:	Seavers Failure to Cease Actions & Comply With Officers Orders, Drove Schleeke To Believe Seavers Posed A Threat of Serious Physical Harm If He Was Not Apprehended Thus The Use of Deadly Force Was Necessary Given The Situation & His Trajectory.
Interrogatory No. ___:	
Interrogatory No. ___:	

JUROR EXPLANATION FORM

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Interrogatory No. <u>34</u>	I do not believe it was intentional because you could see in the BWV of Shickler that his zipper is in the way, you don't see him pulling it over, the timing also played a factor, there was not enough time for him to pull it over in that moment.
Interrogatory No. <u> </u> :	in exhibit 40 Shickler is also seen with a flashlight and gun in his hand so it would be heavily impossible to grab his jacket to obstruct the BWV.
Interrogatory No. <u>36</u>	medical examiner confirmed that there was no chance of survival due to lethal shots/wounds
Interrogatory No. <u>40</u>	No I don't think Officer Shickler believed that Mr. Seavers had any controlled substances in his system. He felt like it was because of Mr. Seavers fight or flight mentality that he was acting frantic and moving so quickly.
Interrogatory No. <u>18</u>	confirmed by exhibit 42 & 50 B that Shickler was not present during Officer Grayson's statement

JUROR EXPLANATION FORM

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<p>Interrogatory No. <u>42</u></p>	<p>Based on the totality of the circumstances and time, time being a key in this, I think officer Shickler's actions were consistent with the policy. Verbal commands were given, warnings, and they were containing the threat. Seavers' behavior continued</p>
<p>Interrogatory No. ___:</p>	<p>As more time went on he kept picking things up and was getting closer to the desired item. The threat he posed remained high, he was not responding or complying with de-escalation tactics used, in the time they had.</p>
<p>Interrogatory No. <u>45</u></p>	<p>I do not believe the force officer Shickler used was necessary or proportional. While it was reasonable in the situation, the amount of shots fired seemed excessive. I also believe more efforts to break the window should have occurred. There</p>
<p>Interrogatory No. ___:</p>	<p>were several trained & skilled officers on the scene that it seems more effort into breaking the window could have mitigated the need for shots, had they worked together and had better tools. Seavers never had the gun in his hand so proportional isn't</p>
<p>Interrogatory No. ___:</p>	<p>quite there either. In order to justify the force, all three need to be present - not just reasonable.</p>

Juror No. 5

JUROR EXPLANATION FORM

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Interrogatory No. <u>47</u> :	I do not think officer Shickler's actions were consistent with SPD Policy 8.200 because of the term necessary. While I believe it was reasonable based on the fatality of the circumstances known to him, I think there were still
Interrogatory No. ___:	other alternatives that took away the necessary use of force that he chose to use. Without all three being there, I do not think he had consistent actions with the policy.
Interrogatory No. ___:	
Interrogatory No. ___:	
Interrogatory No. ___:	

JUROR EXPLANATION FORM

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<p>Interrogatory No. <u>4</u>:</p>	<p>While there bullets were not recovered video showed a muzzle flash, round counts indicated shots were fired by the gun Mr. Seavers had. The cartridge casing locations were in line with that direction of fire. Additionally it was is reasonable to assume that was intent.</p>
<p>Interrogatory No. <u>28</u>:</p>	<p>We reviewed Ofc. Reynolds's body worn footage to check timing. Reynolds did break the window before the shooting. We believed it to be within one second in timing.</p>
<p>Interrogatory No. <u>29</u>:</p>	<p>Per the stipulation given to the jury there was insufficient markings to determine which gun the shots that killed Mr. Seavers. However, based on the severity of the wounds as described by the medical examiner, it seems unlikely they could have be come from Ofc. Knoblauch.</p>
<p>Interrogatory No. <u>30</u>:</p>	<p>Verified by Exhibit # 85 Williams, Timothy 18-00384 body diagram</p>
<p>Interrogatory No. <u>31</u>:</p>	<p>Verified by Adams dash cam Exhibit #40 Adams, Westin Coben OICV</p>

JUROR EXPLANATION FORM

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<p>Interrogatory No. <u>32</u>:</p>	<p>While the the exact locations of M.S.'s hands are not shown in the video at the time of the at the time of the shots fired, M.S. had been switching back and forth from back to front, searching. It is reasonable to assume he was continuing the ^{same} actions.</p>
<p>Interrogatory No. <u>33</u>:</p>	<p>Zipper PDC Schickler's the body worn image shows that it was covered during the shooting. Some frames show a zipper on the edge of the obstruction leading me to believe it was covered by his coat.</p>
<p>Interrogatory No. <u>34</u>:</p>	<p>Adams Dash cam shows very clearly shows Schickler's hands during the shooting they are away from his body, holding his gun and flashlight.</p>
<p>Interrogatory No. <u>36</u>:</p>	<p>Based on medical examiner's testimony that the wounds were "un-survivable at any location."</p>
<p>Interrogatory No. <u>39</u>:</p>	<p>Based on toxicology report as presented by medical Examiner</p>

Juror No. 6

JUROR EXPLANATION FORM

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Interrogatory No. <u>40</u> :	Unknown - Ofc Schickler said that he did not consider if Mr Seavers was was was under the influence. He said he believed Mr. Seavers was being controlled by his fight or flight instincts at that point.
Interrogatory No. __:	
Interrogatory No. __:	
Interrogatory No. __:	
Interrogatory No. __:	

Juror No. 6

JUROR EXPLANATION FORM

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Interrogatory No. <u>42</u> :	Policy states to use de-escalation when the "Totality of the Circumstances and Time and Circumstances permit. I do not believe that was the case in this incident. By the time Ofc. Schickler arrived on the scene, the other officers had already there had to begun the process of containment of Mr. Seavers in the car. It was reasonable for Ofc. Schickler to move forward and fill a a gap in this process of containment.
Interrogatory No. ___:	Dr. Albert said he didn't see any an opportunities for de-escalation.
Interrogatory No. ___:	Once Ofc Schickler was at the car window he gave commands as outlined in the policy as a de-escalation technique. Because of the lack of engagement by Mr. Seavers, there were no other de-escalation options available to Ofc. Schickler
Interrogatory No. <u>43</u> :	We did not receive any training materials to review. This answer was based on Capt. Caylor's testimony.
Interrogatory No. <u>45</u> :	In answering yes to this question I ultimately came down to the definitions of "Reasonable" and "Necessary" in Section 8.200 of and the explanation that "the assessment of reasonableness must allow for the fact that police officers are often forced to make split-second decisions."

Juror No. 6

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Interrogatory No. <u>47</u> :	Same as answer as 45
Interrogatory No. <u>48</u> :	Same answer as 43
Interrogatory No. __:	
Interrogatory No. __:	
Interrogatory No. __:	