

DEPARTMENT OF EXECUTIVE SERVICES – INQUEST PROGRAM
KING COUNTY, WASHINGTON
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PRE-INQUEST CONFERENCE ORDER
INQUEST INTO THE DEATH OF DEMARIUS DEMONTA BUTTS

PARTIES PRESENT:

Family of the decedent:	Mother of Damarius Demonta Butts, Represented by Adrien Leavitt and Sade Smith
Law enforcement members involved in the death:	Seattle Police Department Officers Elizabeth Kennedy, Christopher Myers, Joshua Vaaga and Canek Gordillo represented by Evan Bariault (officers not present at this hearing)
Employing government department:	Seattle Police Department Represented by Ghazal Sharifi , Erika Evans Rebecca Boatright
Administrator:	Michael Spearman (Assisted by Matt Anderson)

The Administrator, having presided over the Pre-Inquest Conference on July 12, 2019 and having heard from the represented parties hereby orders the following:

1. **Next pre-inquest conference:** Pre-inquest conferences shall occur on Friday, August 30, 2019 at 9:00 a.m. at the King County Courthouse, **E854** and with the final pre-inquest conference on Friday, October 4, 2019 at 9:00 AM at the King County Courthouse, **E854**.
2. **Inquest date:** The inquest in this matter remains scheduled for Monday, October 21, 2019 at 9:00 a.m. at the King County Courthouse, **E854**.
3. **Protective Order:** Granted, entered by separate order.
4. **Motion to compel:** The court makes the following rulings on the Family’s Motion to Compel Production of the discovery requested in their June 18, 2019 Discovery Demand¹ (Numbered per scheme in the Family’s demand):

¹ This Order notes that certain requests are previously resolved, while granting and denying others. This order acknowledges that SPD has agreed to provide discovery on some of the requests and does not attempt to

- (1) **Body Worn Camera Records:** Denied.
- (2) **Firearms certifications and renewals:** Granted as to any officer who discharged a firearm (Gordillo, Kennedy, Myers and Vaaga). Denied as to any officer who did not discharge a firearm.²
- (3) **Firearm and Taser records:** Denied as to tasers. With regard to firearms: Granted as to any officer who discharged a firearm (Gordillo, Kennedy, Myers and Vaaga). Denied as to any officer who did not discharge a firearm.
- (4) **Ongoing officer in good standing requirements:** Granted.
- (5) **DNA testing:** Granted.
- (6) **New officer handbook/new hire training:** Denied.
- (7) **Flash bang confirmation:** Resolved by agreement – previously provided.
- (8) **K9 training records:** Resolved by agreement as to confirmation that SPD used K9; Denied with regard to provide training records.
- (9) **Brady materials:** Resolved by agreement.
- (10) **OPA files:** Denied at this time.
- (11) **Use of force reports:** Denied at this time.
- (12) **Training Material records for particular officers:** Denied.
- (13) **Training Material records for particular officers:** Denied with regard to any officer that did not discharge a firearm. Granted with regard to any topic relevant to these proceedings for any officer who discharged a firearm, but subject to other rulings in this order (i.e. tasers). Counsel should confer in good faith to reach agreement on relevance to these proceedings and alert the Inquest Administrator through the Inquest Attorney promptly to resolve disputes prior to the next pre-inquest conference

5. **Expert Witnesses:** The Family shall provide preliminary information, to include Identity, CV and subject/nature of testimony by July 26, 2019. SPD and the Officers shall provide preliminary information, to include Identity, CV and subject/nature of testimony by August 9, 2019. Parties shall cooperate in good faith to hasten expert discovery so as not to delay the inquest. Issues requiring resolution that become apparent prior to the next pre-inquest conference shall be brought to the attention of the Inquest Administrator, through the Inquest Attorney as soon as practicable, to ensure prompt resolution.
6. The parties shall work with the Inquest Attorney to establish a schedule for the further exchange of witness lists.

DATED July 17, 2019



Michael Spearman Administrator

characterize SPD's response. The fact that this order grants certain requests does not mean that SPD objected to the request.

² The Family withdrew all discovery requests for Officer M. Clark, #6824. The IA accepts the withdrawal of those requests and does not compel discovery related to Officer Clark on this or any other request.