King County

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PRE-INQUEST CONFERENCE ORDER

INQUEST INTO THE DEATH OF CHARLEENA LYLES
INQUEST # 517IQ9301

PARTIES:

Family of the decedent:	Maternal family of Charleena Lyles, represented by Corey Guilmette and Prachi Dave Paternal family of Charleena Lyles, represented by Karen Koehler and Edward H. Moore
Law enforcement officers:	Seattle Police Department Officer Steven McNew, represented by Karen Cobb Seattle Police Department Officer Jason Anderson, represented by Ted Buck (officers not present at this hearing)
Employing government department:	Seattle Police Department, represented by Ghazal Sharifi, Jeff Wolf, Rebecca Boatright present as Chief Carmen Best's representative
Administrator:	Michael Spearman assisted by Matt Anderson

The Administrator, having presided over the Pre-Inquest Conference on September 10, 2019 and having heard from the parties, hereby orders the following:

1. **Next pre-inquest conference:** The next pre-inquest conference is scheduled for October 22, 2019 at 9:00 a.m. at the King County Courthouse, E-854.

2. **Inquest date:** The date of the inquest in this matter is yet to be determined.

3. **Family representation:** The maternal and paternal portions of the family may continue to be represented by independent counsel based upon the commitment by their counsel to conduct discovery requests jointly, file briefs jointly, conduct questioning at any witness interviews through a single attorney, conduct examination of each witness through a single attorney and present any possible summation through a single attorney.

4. **Motion to Clarify Parties – Rebecca Boatright**: Ms. Boatright may continue to sit at counsel table as Chief Carmen Best's personal representative.

5. **Motion to Clarify Parties – Officer Participation:** In the course of arriving at the final Order regarding the conducting of inquests in King County, the Executive omitted suggested language that appeared to connect providing testimony and submitting to examination by other parties to an involved police officer's decision to participate in the inquest proceeding. Even if, as suggested by the Family, the omission was an oversight, the Administrator is nonetheless bound by the Order's explicit language. Accordingly, the officers involved in the death of Charleena Lyles may continue to participate in this proceeding without a commitment to provide testimony or submit to examination.

6. **Motion re: Admissible Inquest Evidence**: The Family's request for discovery and admission of evidence previously discovered in Lyles v. City of Seattle, 17-2-23731-1 SEA (the civil case) was modified at oral argument to a request for leave for the attorneys representing the paternal portion of the family to share documents, depositions and things obtained via discovery in the civil case with the attorneys representing the maternal side of the family. The attorneys for the paternal portion of the family are authorized to provide such material to the attorneys for maternal side of the family, subject to the restrictions of the protection order issued in the civil case. While no findings are made at this time regarding whether such material constitutes discovery as defined in PHL-7-1-2-EO, any attorney receiving such materials shall be bound to use it solely for the inquest proceeding as if it was discovery under PHL-7-1-2-EO, App. 2, Section 4.2. To the extent the Family anticipates offering any such material as evidence at the Inquest Hearing, the material shall be shared, subject to the protection order issued in the civil case, with all other parties as soon as that determination is made, but in any event no later than a date certain to be determined at the next Pre-Inquest Conference.

7. **Family's August 2019 Discovery Demand:** The Family and Seattle Police Department (SPD) are directed to meet (in person) with all due haste to review the Family's Discovery Demand and determine what items they may agree should be provided by SPD. They shall also meet so that SPD may provide descriptions of the subject matter of the trainings requested sufficient to aid in the efficient determination of disputes regarding the production of such trainings. No ruling issues at this time with regard to any contested discovery demands.

8. **Proposed Scope of Inquiry:** The scope of inquiry in the inquest proceeding shall include the following areas:
    - **a.** The identity of the decedent;
    - **b.** The place of death;
    - **c.** The means of death;

d. The person or persons who caused the death;
e. The circumstances attending to the death, i.e. all readily observable facts or conditions at the time of, leading up to and immediately following the death;
f. Under what department policies were the officer or officers who caused the death acting at the time they took the actions that caused the death;
g. What training did the offer or officers receive with regard to those policies;
h. Were the officer or officers who caused the death acting pursuant to those policies and training.

9. Briefing –

a. SPD Motion to Stay inquest pending disposition of civil action: Responses to this motion are due September 25, 2019 at 12:00 noon. Replies are due October 2, 2019 at 12:00 noon.

b. Proposed Scope of inquiry: Each party shall provide proposed additions and deletions to the scope of inquiry in this inquest (see section 8., above). Specifically, the parties shall address:

i. The subject matter of the policies governing the person or persons who caused the death of Charleena Lyles;
ii. The subject matter of trainings that governed the person or persons who caused the death of Charleena Lyles; and
iii. The events leading up to the death of Charleena Lyles (with specificity – including time, date, case number, if applicable, and factual summary.)

Schedule: Each party's positions with regard to i., ii., and iii, above shall be provided by October 1, 2019 by 12:00 noon. Responses shall be provided by October 11, 2019. Reply briefs, if any shall be provided October 16, 2019 at 12:00 noon.

DATED September 19, 2019



Michael Spearman
Administrator