



## King County

Department of Executive Services

### **Inquest Program**

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## **GENERAL ORDER**

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An inquest is not an adversarial proceeding. The following General Orders are for the guidance of attorneys and parties. They are subject to change by an Inquest Administrator (IA) in a particular case. Where applicable, the orders shall apply to all cases authorized under King County Executive Order PHL 7-1-5-EO and its successors.

**1. General Order re: Pre-Hearing Conferences**

All Pre-Hearing Conferences will occur virtually until further notice.

**2. General Order re: Inquest Hearing**

Inquest Hearings may be held virtually in full or in part in the discretion of the IA upon consultation with the parties.

**3. Acceptance of Service**

Upon the filing of a Notice of Appearance, the attorney entering the Notice of Appearance shall accept service on behalf of their client absent a showing of good cause.

**4. General Order re: Pre-Hearing Subpoenas**

It is expected that the following persons will appear voluntarily for interview by counsel for the parties prior to the Inquest Hearing. Should that not occur, the Inquest Administrator may direct the Inquest Program Attorney (IPA) to request that the King County Superior Court issue a subpoena to appear (and/or to produce documents) for pre-hearing examination.

- a. The Chief of the applicable Law Enforcement Agency or their designee regarding applicable policies and training;
- b. The lead and/or forensic investigator(s);
- c. The medical examiner; and
- d. Any other experts who may be called as witnesses.

**5. General Order re: Policy and Training Materials**

Unless produced by the investigating law enforcement agency within a period of time established by the Inquest Administrator, the Inquest Administrator may direct that the Inquest Program Attorney seek a subpoena from Superior Court for the production of the Policy and Procedures Manual in effect at the time of the incident, as well as a list of all trainings completed by the involved officers.

**6. General Order re: Proposed Exhibits for Use in the Inquest Hearing**

Prior to the Inquest Hearing, the IA will provide a list of the witnesses to be called and exhibits presented. The parties will have the ability to request modifications. All witnesses and exhibits must be approved by the IA prior to the Inquest Hearing. The deadline for submission of witness lists and proposed exhibits will be set by the IA on a case-by-case basis.

**7. General Order re: Subpoena of Involved Officer(s)**

Any law enforcement member(s) involved in the death as defined under the current Executive Order shall be subpoenaed to appear and give testimony at the Inquest Hearing.

**8. General Order re: Media Access to and Livestreaming of Inquest Proceedings**

- a. The following section governs the use of cameras and recording devices during the inquest proceedings. The purpose of this Order is to provide the parties a fair hearing, to preserve the dignity of these proceedings, and to allow the media and the public reasonable access thereto.
- b. The Inquest Program Manager will ensure that all proceedings are livestreamed and video and audio recorded. The recording will be made available for public viewing as soon as practicable via an internet media platform until three months following transmission of the jury's findings to the Executive. Thereafter, the recordings shall be archived, maintained, and made available according to King County Department of Executive Services' rules governing the retention, destruction and disclosure of government documents.

- c. No person shall, without the explicit written consent of the Inquest Administrator, video or audio record, photograph, take screenshots or reproduce in any way any portion of the proceedings made available for public viewing via an internet media platform.
- d. By viewing any portion of the proceedings made available for public viewing via an internet media platform such person agrees that they shall not video or audio record, photograph, take screenshots or reproduce in any way any portion of the proceedings.

**e. For Virtual Inquest Proceedings**

- i. No person shall video or audio record, photograph, take screenshots, reproduce or livestream any portion of a Virtual Inquest Proceeding without explicit permission of the Inquest Administrator. This applies to members of the media and all other attendees.

**f. For In-Person Inquest Proceedings:**

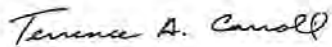
- i. For purposes of this Order:
  - a) “Camera” includes all video recording devices, including but not limited to still cameras, television cameras, video cameras, smart phones and any device capable of livestreaming;
  - b) “Recording device” includes any device capable of recording and/or livestreaming audio input; and
  - c) “Courtroom” means any physical location being used for the Inquest proceedings.
- ii. Smart phones are permitted in the courtroom, provided that they are turned off during the proceedings and are not used to record or transmit video or audio of the proceedings.
- iii. Only media representatives shall be permitted to operate a camera or recording device within the courtroom for the purpose of recording or transmitting video or audio of the Inquest proceedings. Such use will only be permitted on the conditions set out as follows:
  - a) No camera or recording device shall be permitted in the courtroom without the express prior permission of the Inquest Administrator.
  - b) Permission shall only be granted to media representatives who have signed a Media Log verifying that they have received and read a copy of this General Order and shall abide by the same.
  - c) One television camera will be allowed in the courtroom on a first come-first served basis. The courtroom television camera will be a

“pool” camera and shall share its video feed with other media requesting the same. The television camera shall be on a tripod in a fixed location approved by the Inquest Administrator. Any necessary cables shall run through the courtroom and the Courthouse hallways in a manner that does not interfere with the safe operation of the courtroom or the Courthouse.

- d) The operator of the television pool camera must arrive at least twenty (20) minutes before the start of the proceedings and shall identify themselves to an Inquest Program Staff member.
- e) One audio system for media broadcast purposes will be allowed in the courtroom on a first come, first served basis. The courtroom audio system will be a “pool” system and shall share its recordings with media requesting the same. The audio system shall be in a fixed location approved by the Inquest Administrator. Any necessary cables shall run through the courtroom and Courthouse hallways in a manner that does not interfere with the safe operation of the courtroom or the Courthouse.
- f) The audio system operator must arrive at least twenty (20) minutes before the start of the proceeding and shall identify him or herself to the Inquest Program Manager.
- g) “Pooling” arrangements for cameras and other equipment are the sole responsibility of the media. In the absence of media agreement on disputed equipment or personnel issues, the Inquest Administrator may exclude all contesting media from a proceeding in this matter.
- h) No person shall use a camera to photograph or video or in any other way record the image of any member or potential member of the Inquest Jury Panel.
- i) Upon request of a witness, camera and recording device operators shall abide by the Inquest Administrator’s direction to not photograph, video, livestream or record a witness or other participant in the proceeding. Otherwise, camera and recording device operators are allowed to photograph, video, livestream or record any participant in the proceeding who is not a member or potential member of the Inquest Jury Panel.
- j) No camera shall focus on the papers, exhibits, or other documents at or on counsel table or in the possession or control of counsel in such a manner that the contents of these materials can be read or otherwise discerned by a viewer.
- k) No exhibit may be photographed, videoed or livestreamed without the express permission of the Inquest Administrator.

- l) Sidebar conferences shall not be recorded.
  - m) No kind of artificial lighting for recording purposes shall be used anywhere in the courtroom.
  - n) No television or audio equipment put in place by the media shall be moved while the proceedings are in session.
  - o) Any camera or recording device that is permitted in the courtroom shall only be operated while the proceedings are in session and on the record.
  - p) No interviews of any type, whether by media representatives or members of the public, shall take place inside the courtroom.
  - q) All media representatives who operate cameras or recording devices are subject to the continuing supervision of the Inquest Administrator.
9. Any violation of this Order or other interference with or disruption of the proceedings may be a basis for sanctions including termination of further operation of a camera or recording device and/or being barred from attending the proceeding

DONE this 10<sup>th</sup> day of January, 2022.



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Terrence Carroll  
Inquest Administrator



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Robert McBeth  
Inquest Administrator



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Michael Spearman  
Inquest Administrator