

September 8, 2017

To: Dow Constantine, King County Executive

Mark Larson – Chief Deputy Criminal Division King County Prosecutor’s Office

Family members of Charleena Lyles represented by their attorneys

The People of the City of Seattle

The County Executive and City of Seattle have decided to hold an inquest hearing into the June 18, 2017 police shooting death of Charleena Lyles.

An inquest is not a real trial. It is held in a court room. A judge presides over the proceedings. It is recorded. A jury is empaneled. But there the similarities end.

As the ACLU of Washington Foundation explains:

“The flaws in the inquest procedure used in King County have been well documented for decades. In addition to the concerns raised by surviving families and advocates, the ACLU of Washington has repeatedly highlighted the defects in the inquest process. Instead of answering the community's questions about why another community member lost their life at the hands of the police, and whether de-escalation efforts should have been made or whether there were other alternatives to the loss of life, the questions posed to the inquest jury are severely limited. After hearing evidence about “when, where and by what means” the person died, and listening to follow-up questions from both sides, the six-person jury simply answers a series of yes-and-no questions. The jurors will not hear evidence about the officer’s training or whether he had alternatives to firing his gun. The attorneys cannot argue their opinions of the evidence to the jury. They cannot ask the jury to find the officer guilty or not guilty. The jury is not permitted to answer whether any person or agency is civilly or criminally liable. The jury cannot determine whether the officer acted reasonably or whether he had alternatives to using his weapon. The jury cannot determine whether the department’s policies or the officer’s training was flawed. One of the few inquests that did not result in a verdict simply approving the police conduct, regarding the John T. Williams shooting, left several inquest jurors stating the answer to significant questions was “unknown.” If this is the best the process can do, it makes the need for changes in the inquest process inescapable.” (citations omitted).

In reality inquests in this state are fake trials. Most legal advocates agree that the inquest process is broken. But no one has stepped forward to fix it.

On August 16, 2017, the attorneys for the Estate of Charleena Lyles and on behalf of her minor children, met with Deputy Chief Prosecutor Mark Larson who is assigned to handle the inquest on behalf of King County. Also present were attorneys for other family members, two of their clients and community advocates. All the lawyers including the prosecutor agreed as follows:

1. An inquest in this case will never result in the pressing of criminal charges against either officer.
2. Our inquest process is unfair because it is lopsided and significantly favors the police over the victim.
3. An inquest will be extremely painful for the family to sit through because their attorneys will not be able to ask questions that are important to them – on subjects like whether police processes were valid. They will also not be able to call the witnesses they want since only the government decides who testifies.

On August 28, 2017, one of the Estate's attorneys asked King County Executive Constantine if he would consider making the inquest process fair. His response was that yes he understood the system was flawed and he would be open to doing so eventually one day. But it would be difficult because of the factions involved.

Because our current inquest process is stacked completely in favor of the police and totally against the victims, the Estate of Charleena Lyles hereby declines to participate in any such proceeding. Instead the Estate is moving forward with a civil suit in King County Superior Court where rules of law and principles of fundamental justice will apply equally to all sides.


Respectfully submitted,



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