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IN THE MUNICIPAL COURT OF THE CITY OF SEATTLE  
KING COUNTY, STATE OF WASHINGTON

CITY OF SEATTLE,

Plaintiff,

v.

DANIEL PRICE,

Defendant.

NO. 663276

NOTICE OF APPEARANCE AND  
REQUEST FOR DISCOVERY

TO: Clerk of Court; and  
TO: Seattle City Attorney’s Office

YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that Cooper Offenbecher of Allen, Hansen, Maybrow & Offenbecher, P.S., hereby appears as counsel in the above-entitled cause on behalf of defendant and request that all further papers and pleadings herein, except original process, be served upon the undersigned attorney at the address below stated.

PURSUANT TO CrRLJ 4.7, YOU ARE REQUESTED to provide all discovery materials to defense counsel at the addresses shown below. As required by CrRLJ 4.7(a)(3), *Brady v. Maryland*, 373 U.S. 83 (1963), *U.S. v. Bagley*, 473 U.S. 667 (1985), *U.S. v. Agurs*, 427 U.S. 97 (1976) and *Kyles v. Whitley*, 514 U.S. 419 (1995), all material which is exculpatory, which tends to negate defendant's guilt or which will assist the defense in any way, such as in cross-examining or impeaching City's witnesses, must also be provided. Pursuant to *Kyles*, the City is obliged to discover the existence of all material or favorable evidence requested above that may be known to any law enforcement agency that is involved in this case or that has past dealings with any witnesses in this case.

YOU ARE FURTHER REQUESTED to preserve all physical evidence relating to the alleged offense and the scene of the alleged crime, and the defendant’s arrest and detention, including, but not limited to, police communications, 911 recordings, and video recordings, until final disposition of this cause or until further order of this Court. Request is made pursuant to *State v. Boyd*, 29 Wn.App. 584 (1981) and *U.S. v. Agurs*, 427 U.S. 97, 49 L.Ed.2d 342 (1976). This

1 request includes, but is not limited to, all police video recordings, including on-board police car  
2 video, and detention cell video.

3 YOU ARE FURTHER REQUESTED, pursuant to CrRLJ 4.7, the United States  
4 Constitution, Amendments 4, 5, 6 & 14, the Washington Constitution, Article I, Section 22, to  
5 disclose the following material and information within the knowledge, possession or control of the  
6 City, its agents and subordinates, or law enforcement agencies, which by the exercise of due  
diligence might become known to them, so that the defendant might inspect, copy, photograph or  
test same;

- 7 1. The name, date of birth, aliases, addresses, telephone numbers, and prior counties of  
8 residence, of all persons the City intends to call as witnesses at any hearing or trial, together  
9 with a copy of all written or recorded statements of such persons and the substance of any  
10 and all oral statements of such persons and the names, addresses, and telephone numbers  
11 of persons present when such statements were made. You are further requested not to  
12 assume that any summary that already exists reflects all significant aspects of any  
statement and to, instead, verify the substance of any statement with the relevant witness.
- 13 2. Any and all documents, statements, reports or other information for each City's witness  
14 regarding:
  - 15 a. Any prior criminal convictions and/or arrests, whether in this state or any other,  
16 and any evidence that the witness has committed or is suspected of committing a  
17 crime, regardless of conviction.
  - 18 b. Any payments made to the witness and the dates of such payments, whether in  
19 connection with this case or any other case, state or federal.
  - 20 c. Any implicit or explicit promises of benefit which have been made by any  
21 government agent or agency, state or federal, to the witness.
  - 22 d. Any actual or implied threats of investigation or prosecution (including deportation  
23 or exclusion) made to any such witness.
  - 24 e. Any payments, promises, benefits or threats (as outlined in subsections (b) through  
25 (d) above) made to the witness's family members or close associates.
  - 26 f. All known occasions on which the witness has made false statements to any person,  
specifically including, but not limited to, any aliases which the witness may have  
used.
  - g. All conduct or statements of the witness, whether or not in his role as a witness,  
that reflect a lack of candor, truthfulness, or law-abiding character. This request  
includes any drug use, fraud, or other uncharged criminal conduct.

- 1 h. Any false identification document which has ever been in the possession of and/or  
2 used by the witness, and each and every occasion on which the witness is known  
3 to have used said document.
- 4 i. Showing bias against the defendant, or a motive to falsify or distort testimony.
- 5 j. Any prospective witness' ability to perceive, remember, communicate, or tell the  
6 truth is impaired; or that a witness has ever used narcotics or other controlled  
7 substance, or has ever been an alcoholic or has ever been diagnosed with a mental  
8 disorder that can affect accurate perception.
- 9 k. The case number and name of all court proceedings at which the witness has  
10 testified concerning his own criminal activity, payments or rewards provided to  
11 him by the City or any governmental agency, or activities as an informant.
- 12 l. If given a polygraph exam, the results of any polygraph examination performed on  
13 the witness and any information concerning the witness's failure to submit to a  
14 polygraph examination.
- 15 m. Any other information that adversely reflects on the credibility of the witness.
- 16 3. All written or recorded statements and the substance of all oral statements made by the  
17 defendant or co-defendant, and the names, addresses and telephone numbers of any  
18 persons present when such statements were made. You are further requested not to assume  
19 that any summary that already exists reflects all significant aspects of any statement and  
20 to, instead, verify the substance of any statement with the relevant witness.
- 21 4. The names, addresses, and telephone numbers of all persons who have information  
22 concerning the alleged offense, the nature of the information they possess, regardless of  
23 whether the City intends to call them as a witness. This request includes but is not limited  
24 to the names of any "domestic violence advocates" who may possess information  
25 concerning the alleged offense.
- 26 5. Any books, papers, documents, video and/or audio recordings, photographs, or other  
tangible objects which the City intends to use at the hearing or trial, or which are related to  
this prosecution.
6. To disclose whether the City will rely upon prior acts, statements, or convictions of the  
defendant to show motive, opportunity, intent, preparation, plan, knowledge, identity, or  
absence of mistake or accident, together with a statement of the information to be relied  
upon and its purpose.
7. Any and all information and records concerning prior criminal convictions of the  
defendant, co-defendant, and persons who the City intends to call as witnesses at the  
hearing or trial, whether from this state or any other. This request includes the Federal

1 Bureau of Investigation's record of arrest and dispositions and the National Crime  
2 Information Center entries for arrests and dispositions.

3 8. Any and all electronic surveillance of the defendant's premises or conversations to which  
4 the defendant or any witness was a part and any record thereof.

5 9. To indicate the relationship, if any, of the City's witnesses to the prosecuting authority.

6 10. Any and all information or material which may tend to exculpate the defendant or which  
7 tends to negate defendant's guilt as to the offense charged, including any exculpatory  
8 witness statement, including negative exculpatory statements, *i.e.*, statements by informed  
9 witnesses that fail to mention the defendant.

10 11. The names and addresses of any and all expert witnesses the City intends to call at the  
11 hearing or trial together with a summary of their testimony, the nature of the opinion and  
12 their qualifications, background, education, training and the treatises or texts they rely  
13 upon.

14 12. Any and all reports, statements, draft reports, notes, test results, test procedures or other  
15 work product of experts, made in connection with this case, including but not limited to,  
16 the results of physical or mental examinations and scientific tests, experiments or  
17 comparisons, bench notes, graphs, charts preliminary results, drafts, computer records or  
18 notes, and all communications between the requesting party and the agency performing  
19 the analysis.

20 13. Any and all reports made by agents of the City pertaining to the investigation of this case,  
21 including, but not limited to, arrest reports, police reports, "use-of-force" statements and  
22 follow-up reports, and internal investigation statements or interviews.

23 14. To disclose any and all information regarding pre-trial identification procedures employed  
24 in this case, including, but not limited to, the following:

- 25 a. The time, date location and type of identification procedure employed.
- 26 b. The names and addresses of all persons present at the identification and any  
statements made in regard to the offense or identification.
- c. Whether an identification was made; the name and address of person identified;  
the name and address of the person making the identification together with any and  
all statements made pertinent to the identification or the offense.
- d. Any and all photographic, photostatic, or computer-generated depictions of the  
montage, line-up, show-up, or other identification procedure employed.

15. To disclose any and all information and material regarding any search and/or seizure  
relating to this case; the time, date, location, and name of individual or place searched and  
material sought to seized; together with the names and addresses of persons present or who  
have information regarding the search or seizure and any statements they have made.

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16. The time, date and location of the defendant’s arrest; together with the names and addresses of persons who were present and/or arrested the defendant and any and all statements or reports made with respect to the arrest of the defendant. If the defendant was arrested on the authority of a warrant, the affidavit in support of the warrant, the warrant itself, and the return. This request applies even if the warrant which resulted in defendant’s arrest was for another unrelated case or a bench warrant.
  17. All radio logs, dispatch recordings, police vehicle recordings, detention facility recordings, and any other audio or visual recordings that relate to the circumstances surrounding the arrest, detention or any questioning of the defendant.
  18. All repair logs, maintenance logs, operations manuals, protocols, and other documents or computer records relating to instruments and techniques used to conduct forensic analysis in this case.
  19. Any law enforcement daily bulletins concerning the defendant.

DATED this 14<sup>th</sup> day of March, 2022.

/s/ Cooper Offenbecher  
COOPER OFFENBECHER, WSBA #40690  
Attorney for Defendant

I certify that on the 14<sup>th</sup> day of March, 2022, I caused a true and correct copy of this document to be served on the Seattle City Attorney’s Office by email to:  
[Law\\_CityAttorney\\_Crim\\_NOA@seattle.gov](mailto:Law_CityAttorney_Crim_NOA@seattle.gov).

/s/ Sarah Conger  
Sarah Conger, Legal Assistant